

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 133

In Senate, Feb. 27, 1911.

*Reported by Mr. Mayo from Committee on Shore Fisheries
and ordered printed under joint rules.*

W. C. HANSON, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT for the better protection of the herring fishery.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The catching, fishing for or taking of herring in
2 the waters of this state, except by the use of permanent weirs
3 or traps, is hereby prohibited under a penalty of two dollars
4 for each bushel of fish so unlawfully taken, to be recovered
5 by complaint or action of debt for the use of the State; pro-
6 vided, however, that fishermen may take herring by dip nets
7 and gill nets for their own use for bait, but shall not so fish
8 or otherwise interfere with fish within a distance of one
9 thousand feet of any part of any permanent weir or trap.

Sect. 2. A permanent weir or trap within the meaning of
2 this act shall be construed to mean a weir or trap similar to

3 those now in common use in the tide waters of this state,
4 consisting of not less than forty stakes permanently driven
5 or ballasted, and filled around with brush, twine or other
6 material, or such permanent traps as are now in common use
7 in Casco Bay.

Sect. 3. The owner or person in charge of any permanent
2 weir or trap may use seines and nets within such weir or
3 trap.

Sect. 4. It shall be unlawful to erect or maintain a fish
2 weir or trap on any herring spawning grounds.

Sect. 5. It shall be unlawful to catch or sell herring in
2 quantities in which the fish under four inches in length com-
3 prise more than ten per cent. in bulk of the total quantity
4 caught or sold.

Sect. 6. In addition to the penalty provided in section one,
2 all seines and gear used in violation of the provisions of said
3 section shall be forfeited to the state, and may be seized by
4 any officer authorized to serve civil or criminal processes in
5 the place where found, and held until final judgment.

Sect. 7. Municipal and police courts and trial justices shall
2 have jurisdiction of all offenses under this act.

Sect. 8. All acts and parts of acts inconsistent with this
2 act are hereby repealed.