

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 254

House of Representatives, Feb. 17, 1913.

Reported by Mr. Cochran from Committee on Sea and Shore Fisheries, and ordered printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to amend Section 44 of Chapter 41 of the Revised
Statutes relating to the taking of Smelts.

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

Section 1. Section 44 of chapter 41 of the revised statutes as amended by chapters twenty, thirty and ninety-one of the public laws of 1905; as further amended by chapters twelve and thirty-five of the public laws of 1907, is hereby further amended by inserting after the words "Hancock county" in the thirty-fifth line thereof the following: 'Nor to smelts taken in Tunk stream and Parritt & Whitten stream so called in the town of Steuben, Washington county,' so that said section as amended shall read as follows:

Sect. 44. No smelts shall be taken or fished for in tidal
11 waters, except by hook and line, between the first days of
12 April and October, under a penalty of not less than ten,
13 nor more than thirty dollars for each offense, and a further
14 penalty of twenty cents for each smelt so taken, and all
15 weirs for the capture of smelts shall be open and so remain,
16 and all nets used in the smelt and tomcod fishery shall be
17 taken from the water on or before said first day of April,
18 under a penalty of not less than twenty, nor more than fifty
19 dollars, and a further fine of five dollars for each day that
20 any such weir or net remains in violation of the law. But
21 weirs with catch pounds covered with nets, the meshes of
22 which are one inch square in the clear, or greater, are not
23 subject to this section. But no smelts caught in such weirs
24 after the first day of April, shall be sold or offered for sale
25 in this state, nor shall smelts caught in any manner between
26 the first day of April and the first day of October following
27 be offered for sale, sold or shipped from the state under a
28 penalty of twenty-five dollars for each offense; provided,
29 however, that dip nets may be used between the first day
30 of April and the first day of May, and all smelts caught by
31 dip nets between said days may be lawfully offered for sale
32 and sold in this state; provided, further, that this section
33 does not apply to smelts taken in the Androscoggin river
34 above the Merrymeeting bay bridge, or in Narraguagus bay
35 or river between the first days of October and November,
36 nor to smelts taken in the Penobscot river and its tribu-

37 taries between the first and thirtieth days of April, nor to
38 smelts taken in Casco bay between the fifteenth day of Sep-
39 tember and the first day of October, nor to smelts taken in
40 Franklin bay between the first day of April and the first
41 day of May, nor to smelts taken in Little Kennebec bay,
42 so called, or in Narraguagus bay or river, in the county of
43 Washington, between the first day of April and the twentieth
44 day of May, nor to smelts taken in West bay and West Bay
45 stream, so called, in the town of Gouldsboro, Hancock coun-
46 ty, nor to smelts taken in Tunk stream and Parritt & Whit-
47 ten stream, so called, in the town of Steuben, Washington
48 county, between the first day of April and the first day of
49 May, nor to smelts taken in Passamaquoddy bay and Cobs-
50 cook bay and the coves and inlets tributary to these bays
51 between the first day of September and the first day of
52 October.'

Steuben, Me., Jan. 18, 1913.

We, the citizens of Steuben, respectfully petition the Honorable Senate and House of Representatives to amend Chapter 41, Section 44 of the Public Laws of Maine, in regard to the taking and sale of smelts in Tunk stream and Parritt & Whitten's stream, so that said law as amended may allow the taking of smelts with dip nets between the first days of April and May and the shipping of same out of the State.

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