

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 518

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*House of Representatives, March 8, 1917.*

*Printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND SEVENTEEN

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AN ACT to amend section seventy-four of chapter forty-five of the Revised Statutes of nineteen hundred sixteen, relating to fishing for smelts in West Bay and West Bay Stream, in the town of Gouldsboro, Hancock County.

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

Section seventy-four of chapter forty-five of the revised  
2 statutes is hereby amended by striking out the words "nor  
3 to smelts taken in West Bay and West Bay Stream, so-  
4 called, in the town of Gouldsboro, Hancock County," in the  
5 thirty-first and thirty-second lines of said section, so that  
6 said section as amended shall read as follows:

'Sect. 74. Regulation of smelt fishing. R. S. c. 41, Par.

2 44. 1905, c. 20; c. 30; c. 91. 1907, c. 12; c. 35; c. 123;  
3 c. 136. 1909, c. 165. 1913, c. 113. 1915, c. 144. No  
4 smelts shall be taken or fished for in tidal waters, nor in  
5 any brook, stream or river emptying into tide-waters, within  
6 one thousand feet of tide-water, except by hook and line,  
7 between the first days of April and October, under a pen-  
8 alty of not less than ten, nor more than thirty dollars for  
9 each offense, and a further penalty of twenty cents for each  
10 smelt so taken, and all weirs for the capture of smelts shall  
11 be open and so remain, and all nets used in the smelt and  
12 tomcod fishery shall be taken from the water on or before  
13 said first day of April under a penalty of not less than  
14 twenty, nor more than fifty dollars, and a further fine of  
15 five dollars for each day that any such weir or net remains  
16 in violation of the law. But weirs with catch pounds cov-  
17 ered with nets, the meshes of which are one inch square  
18 in the clear, or greater, and weirs with catch pounds cov-  
19 ered with nets which are erected and used for the catching  
20 of herring are not subject to this section. But no smelts  
21 caught in such weirs after the first day of April, shall be  
22 sold or offered for sale in this state, nor shall smelts caught  
23 in any manner between the first day of April and the first  
24 day of October following be offered for sale, sold or shipped  
25 from the state under a penalty of twenty-five dollars for  
26 each offense; provided, however, that dip nets may be used  
27 between the first day of April and the first day of May,  
28 and all smelts caught by dip-nets between said days may

29 be lawfully offered for sale and sold in this state; pro-  
30 vided, further, that this section does not apply to smelts  
31 taken in the Androscoggin river above the Merrymeeting  
32 bay bridge, or in Narraguagus bay or river between the  
33 first days of October and November, nor to smelts taken  
34 in the Penobscot river and its tributaries between the first  
35 and thirtieth days of April nor to smelts taken in Casco  
36 bay between the fifteenth day of September and the first  
37 day of October, nor to smelts taken in Franklin bay, be-  
38 tween the first day of April and the first day of May, nor  
39 to smelts taken in Little Kennebec Bay, so-called, or in  
40 Narraguagus bay or river, in the county of Washington,  
41 between the first day of April and the twentieth day of  
42 May, nor to smelts taken in Tunk stream and Parritt and  
43 Whitten stream, so-called, in the town of Steuben, in Wash-  
44 ington county, between the first day of April and the first  
45 day of May, nor to smelts taken in Passamaquoddy bay, St.  
46 Croix River and Cobscook bay and the coves and inlets trib-  
47 utary to these bays between the first day of September and  
48 the first day of October.