

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 147

House of Representatives, Feb. 22, 1923.

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

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Section Seventy-four of Chapter Forty-five of the Revised Statutes, as Amended by Chapter Seventy-one, Public Laws of 1917, Relating to the Regulation of Smelt Fishing.

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, as amended by chapter seventy-one of the public
3 laws of nineteen hundred seventeen, is hereby further
4 amended by adding to said section the following: 'nor to
5 the dipping of smelts at the mouth of the Medomak river
6 in the town of Waldoboro between the fifteenth day of
7 March and the fifteenth day of April, annually,' so that
8 said section as amended shall read as follows:

'Sect. 74. No smelts shall be taken or fished for in tidal
2 waters, nor in any brook, stream or river emptying into
3 tide waters within one thousand feet of tide-water, except
4 by hook and line, between the first days of April and
5 October, under a penalty of not less than ten, nor more
6 than thirty dollars for each offense, and a further penalty
7 of twenty cents for each smelt so taken, and all weirs for
8 the capture of smelts shall be open and so remain, and all
9 nets used in the smelt and tomcod fishery shall be taken
10 from the water on or before said first day of April under a
11 penalty of not less than twenty, nor more than fifty dollars,
12 and a further fine of five dollars for each day that any
13 such weir or net remains in violation of the law. But
14 weirs with catch pounds covered with nets, the meshes of
15 which are one inch square in the clear, or greater or weirs
16 with catch pounds covered with nets which are erected and
17 used for the catching of herring are not subject to this
18 section. But no smelts caught in such weirs after the first
19 day of April, shall be sold or offered for sale in this state,
20 nor shall smelts caught in any manner between the first
21 day of April and the first day of October following be
22 offered for sale, sold or shipped from the state under a
23 penalty of twenty-five dollars for each offense; provided,
24 however, that dip nets may be used between the first day
25 of April and the first day of May, and all smelts caught
26 by dip-nets between said days may be lawfully offered for
27 sale and sold in this state; provided, further, that this

28 section does not apply to smelts taken in the Androscoggin
29 river, above the Merrymeeting Bay bridge, or in Narra-
30 guagus bay or river between the first days of October and
31 November, nor to smelts taken in the Penobscot river and
32 its tributaries between the first and thirtieth days of April,
33 nor to smelts taken in Casco bay between the fifteenth day
34 of September and the first day of October, nor to smelts
35 taken in Franklin bay, between the first day of April and
36 the first day of May, nor to smelts taken in Little Kennebec
37 bay, so-called, or in Narraguagus bay or river, in the
38 county of Washington, between the first day of April and
39 the twentieth day of May, nor to smelts taken in Tunk
40 stream and Parritt and Whitten stream, so-called, in the
41 town of Steuben, in Washington county, between the first
42 day of April and the first day of May, nor to smelts taken
43 in Passamaquoddy bay, St. Croix river and Cobscook bay
44 and the coves and inlets tributary to these bays between
45 the first day of September and the first day of October,
46 nor to the dipping of smelts at the mouth of the Medomak
47 river in the town of Waldoboro between the fifteenth day
48 of March and the fifteenth day of April, annually.'