

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 407

H. P. 1221

House of Representatives, Feb. 19, 1929.

Referred to Committee on Sea and Shore Fisheries and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Patterson of Freeport.

STATE OF MAINE

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

AN ACT Relating to Smelt Fishing.

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

Chapter one hundred thirty-two of the public laws of nineteen hundred twenty-three is hereby amended by adding in the third line thereof after the word "line" the words 'Provided that the fishing of smelts at any time, except with hook and line, in all tidal creeks, arms, coves and estuaries, where the width of such places is less than one-half of a mile between mean high tide marks is hereby prohibited,' and at the end thereof the following: 'it shall be lawful to take or fish smelts from the fifteenth to the thirtieth of April, inclusive, of each year in tidal portions of brooks or

11 creeks two hundred feet below mean high tide marks, three
12 hours after high tide, with dip-nets, the diameter of the
13 bow of which shall not exceed two feet, provided further,
14 that five dozen smelts shall be the limit which any one fam-
15 ily may take or fish from such waters in any one day or
16 night, or period of two consecutive tides; it shall be un-
17 lawful to erect any barriers which shall prevent the ascent
18 of smelts to the fresh water sections of such brooks, creeks
19 and estuaries,' so that said chapter as amended shall read as
20 follows:

'Chapter 132. No smelts shall be taken or fished for
2 in any of the tidal waters of the state not covered by
3 private or special laws between the first day of April and
4 the first day of October of each year except by hook and
5 line, provided that the fishing of smelts at any time, ex-
6 cept with hook and line, in all tidal creeks, arms, coves and
7 estuaries, where the width of such places is less than one-
8 half of a mile between mean high tide marks is hereby
9 prohibited. Anyone violating any provision of this act shall
10 be punished by a fine of one hundred dollars for each of-
11 fense. Nothing in this act shall apply to smelts taken in
12 fish weirs or traps maintained and operated for the catch-
13 ing of sardines and herrings. And this section shall not
14 apply to smelts taken in Casco bay between the first day
15 of September and first day of October of each year.

It shall be lawful to take or fish smelts from the fifteenth
2 to the thirtieth of April, inclusive, of each year in tidal

3 portions of brooks or creeks two hundred feet below mean
4 high tide marks, three hours after high tide, with dip-nets,
5 the diameter of the bow of which shall not exceed two
6 feet, provided further, that five dozen smelts shall be the
7 limit which any one family may take or fish from such
8 waters in any one day or night, or period of two consecu-
9 tive tides; it shall be unlawful to erect any barriers which
10 shall prevent the ascent of smelts to the fresh water sec-
11 tions of such brooks, creeks and estuaries.'