

# MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

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Legislative Document

No. 256

H. P. 175

In House of Representatives, January 28, 1959

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and 1,000 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Rankin of Southport.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

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**AN ACT to Revise Private and Special Laws and Resolves Relating to  
Sea and Shore Fisheries.**

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

**Cumberland County**

**Sec. 1. License required to dig or take clams, quahogs or mussels in Yarmouth; definitions; revocation.** No person, firm or corporation shall, within the Town of Yarmouth, Cumberland County, dig or take any clams, quahogs or mussels without first having obtained a license from the municipal officers of said Town of Yarmouth, who are authorized to grant and issue such licenses and fix the fees therefor. No license shall be granted or issued to any person, firm or corporation unless said person, firm or corporation is a resident of said Town of Yarmouth. Nothing herein shall prohibit any inhabitant, or temporary resident, or any riparian owner of shores or flats within said town, from digging or taking clams, quahogs and mussels for food for himself and family without license; provided the amount so taken shall not be in excess of  $\frac{1}{2}$  bushel per tide per person. Licenses issued under this section shall expire at midnight of December 31st of the calendar year in which they are issued.

The term "a resident" shall mean a person, firm or corporation who has resided in this State for a term of at least 6 consecutive months and in the Town of Yarmouth for at least 3 months prior to making application for license.

No person shall be a dealer in clams, quahogs or mussels in the Town of Yarmouth, without having first obtained a license from the municipal officers of said town. The term "dealer" shall mean any person, firm or corporation buying clams, quahogs or mussels for resale.

The municipal officers may revoke any license issued by them under this section, upon evidence satisfactory to them that the person taking or selling clams, quahogs or mussels has violated any of the laws of the State regulating the taking and sale of clams, quahogs or mussels. If the municipal officers refuse to issue the license provided for in this section or if a license has been revoked by the municipal officers, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

**Sec. 2. Taking of clams, mussels, oysters or quahogs in Harpswell.** No clams, mussels, oysters or quahogs shall be taken from any flats within the limits of the Town of Harpswell, Cumberland County, except by such written permit as the municipal officers of the Town of Harpswell may issue and upon payment to the said town of such price for the privilege as the said municipal officers may establish; provided, that the riparian owner of any such flats may take therefrom for immediate use of himself or his family not exceeding  $\frac{1}{2}$  bushel of clams, mussels, oysters or quahogs at one tide.

**Sec. 3. License required to dig or take clams, quahogs or mussels in Freeport; definition; revocation.** No person, firm or corporation shall, within the Town of Freeport, Cumberland County, dig or take any clams, quahogs or mussels for sale without first having obtained a license from the municipal officers of said Town of Freeport, who are authorized to grant and issue such licenses and fix the fees therefor. No license shall be granted or issued to any person, firm or corporation unless said person, firm or corporation is a resident of said Town of Freeport. Nothing herein shall prohibit any inhabitant, or any riparian owner of shores or flats within said town, from digging or taking clams for food for himself and family without license; provided the amount so taken shall not be in excess of  $\frac{1}{2}$  bushel per tide per person. Licenses issued under this section shall expire at midnight of December 31st of the calendar year in which they are issued.

The term "a resident" shall mean a person, firm or corporation who has resided in this State for a term of at least 6 consecutive months and in the Town of Freeport for at least 3 months prior to making application for license.

No person shall be a dealer in clams, quahogs or mussels in the Town of Freeport without having first obtained a license from the municipal officers of said town. The term "dealer" shall mean any person, firm or corporation buying clams for resale.

The municipal officers may revoke any license issued by them under this section, upon evidence satisfactory to them that the person taking or selling clams, quahogs or mussels has violated any of the laws of the State regulating the taking and sale of same. If the municipal officers refuse to issue the license provided for in this section or if a license has been revoked by the municipal officers, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusive of facts.

**Sec. 4. Taking of quahogs in Maquoit Bay.** It is unlawful to dredge, or to take quahogs by any means, except by the usual manner of hand digging with a so-called clam hoe, or by hand raking and hand tonging, or by picking quahogs out of the mud by hand, from the waters or flats of Maquoit Bay, Cumberland County, namely, all of the territory north and northeast of a line drawn from the most southerly end of Mere Point in the Town of Brunswick to the northeasterly end of Little Flying Point in the Town of Freeport.

**Sec. 5. Taking of quahogs in Middle Bay.** It shall be unlawful to dredge or to take quahogs by any means, except by the usual manner of hand digging with a so-called clam hoe, or by hand raking and hand tonging, or by picking quahogs out of the mud by hand from the waters or flats of Middle Bay, Cumberland County, namely all of the territory north and northeasterly of a line drawn from a red marker, on the eastern shore of Mere Point and located at Blackstone Rock on the south shore of Win Smith Cove, so called, then in an easterly direction to and including the northern shore of Birch Island and continuing in the same general direction to a red painted wood post placed on the northern point of Wilson Cove, so called, located in the western shore of Harpswell Neck. This section shall not apply to equipment operated by the Department of Sea and Shore Fisheries.

**Sec. 6. Taking of smelts in Casco Bay north of Martin's Point.** It shall be unlawful for any person at any time to catch smelts in the waters of Casco Bay above and to the north of Martin's Point Bridge, so called, except by the ordinary method of hook and line.

**Sec. 7. Taking of smelts in certain parts of Casco Bay.** It shall be unlawful for any person at any time to catch smelts in the waters of Casco Bay adjacent to the City of Portland above Tukey's Bridge in any manner except by the ordinary method of hook and line.

**Sec. 8. Fishing in Fore River, Cumberland County.** It shall be unlawful to obstruct in any way by any net, seine, weir or other contrivance for taking fish, more than  $\frac{1}{8}$  part of the channel of Fore River, Cumberland County.

**Sec. 9. Use of purse, drag or stop seines in certain waters prohibited; regulation of fishing therein.** No person shall use any purse, drag or stop seines in the following waters:

I. In Casco Bay north of a line drawn easterly from Prince's Point in the Town of Yarmouth to Bear Island in the Town of Phippsburg, excepting for smelts, bluebacks and spurling.

II. In Kennebec River above a line drawn across said river from Fort Popham in the Town of Phippsburg to a point opposite at the lower end of Long Island in the Town of Georgetown.

III. In Sheepscot River above a bridge leading from Wiscasset to Edgecomb.

IV. In Damariscotta River above a line drawn from Farnham's Head in the Town of Boothbay to a point opposite on the shore in the Town of Bristol,

excepting the use of drag seines between the above line and The Ledges, for all fish excepting alewives.

**V.** In the Georges River, above a line drawn from Hooper's Point in the Town of St. George, westerly past the northerly end of Caldwell's Island to a point opposite on the shore in the Town of Cushing, or take smelts in said river and its tributaries in any other way than by hook and line, or dip-nets.

**VI.** Purse, drag or stop seines may be used, from May 15th to December 1st of each year in all bays, inlets, rivers and harbors east of the west shore of the Penobscot Bay and River, except in places where sections of this chapter are to the contrary, in which places purse seines, drag seines and stop seines may be used from May 15th to November 15th of each year for the purpose of catching herring.

**Sec. 10. Taking of shad in Nonesuch River in Scarborough.** No person shall fish for, take, catch or kill any shad in the waters of the Nonesuch River in the Town of Scarborough, Cumberland County, in that part of said river which is north of the bridge on the Saco Road, so called, at any time.

No person shall fish for, take, catch or kill any shad in the waters of said Nonesuch River below and to the south of said bridge on said Saco Road except by the ordinary mode of angling with single baited hook and line or artificial flies, except that it shall be lawful for any person to take not exceeding 5 shad in any one day from said part of said river by means of bag nets, so called, the circumference of the bow of which shall not exceed 19 feet. The use of gill nets, or bag nets, the bow of which shall exceed 19 feet in circumference in any part of said river is expressly prohibited.

### Hancock County

**Sec. 11. Taking of clams in Swan's Island.** No clams shall be taken within the limits of the Town of Swan's Island by any person not residing in said town where such clams are taken. This shall not interfere with any law relating to the taking of shellfish for bait by fishermen.

**Sec. 12. Taking of clams in Sorrento.** The Town of Sorrento at its annual meeting may fix the time in which clams may be taken within the limits of said town and the fee for which its municipal officers shall grant licenses or permits therefor and the number to be granted; and when not so regulated by vote of said town, the municipal officers may fix the time and fees for which permits shall be granted and said town may at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

No person shall take clams within the limits of said town without first obtaining a written license or permit from the municipal officers, if such written license or permit is required by the vote of said town or by the action of the municipal officers, unless the clams are for the consumption of himself or family, but no nonresident shall take clams within the limits of said town for any purpose, provided said town has voted to restrict the taking of clams to the inhabitants thereof. A resident of another town or state, however, while tempo-

rarily residing in said Town of Sorrento shall have the same rights to take clams within the limits of said town during such temporary residence as any inhabitant thereof.

**Sec. 13. Taking of clams in Trenton.** It shall be unlawful for any person not a resident or riparian owner of Trenton, Hancock County, to dig clams for commercial purposes within the limits of said town.

Any person temporarily residing therein or the riparian owners of any clam flats may take therefrom for the immediate use of himself or his family not exceeding one bushel of clams in one day.

**Sec. 14. Digging of clams in Sedgwick.** Any person, not an inhabitant of the Town of Sedgwick, is prohibited from digging clams for commercial purposes within said town.

**Sec. 15. Taking of clams in Sullivan.** The Town of Sullivan at its annual meeting may fix the time in which clams may be taken within the limits of said town and the fee for which its municipal officers shall grant licenses or permits therefor and the number to be granted; and when not so regulated by vote of said town, the municipal officers may fix the time and fees for which permits shall be granted and said town may at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

No person shall take clams within the limits of said town without first obtaining a written license or permit from the municipal officers, if such written license or permit is required by the vote of said town or by the action of the municipal officers, unless the clams are for the consumption of himself or family, but no nonresident shall take clams within the limits of said town for any purpose, provided said town has voted to restrict the taking of clams to the inhabitants thereof. A resident of another town or state, however, while temporarily residing in said Town of Sullivan shall have the same rights to take clams within the limits of said town during such temporary residence as any inhabitant thereof.

**Sec. 16. Digging of clams in Brooksville.** Any person, not an inhabitant of the Town of Brooksville, is prohibited from digging clams for commercial purposes within said town.

**Sec. 17. Digging of clams in Deer Isle and Stonington.** It shall be unlawful for any person not a resident of the Towns of Deer Isle and Stonington, Hancock County, to dig for clams within the limits of said towns. This shall not interfere with any law relating to taking shellfish for bait for fishermen.

**Sec. 18. Digging of clams in Mount Desert.** It shall be unlawful for any person not a resident of or riparian owner in the Town of Mount Desert, Hancock County, to dig clams within the limits of said town. Any person residing therein or the riparian owner of any clam flats may take therefrom not exceeding 5 bushels of clams in one day.

**Sec. 19. Taking of clams in Gouldsboro.** It shall be unlawful for any person not a resident of or riparian owner in the Town of Gouldsboro, Hancock County, to dig clams within the limits of said town; except that nonresidents may take not exceeding  $\frac{1}{2}$  bushel of clams therefrom in any one day.

**Sec. 20. Digging of clams in Brooklin.** Any person, not an inhabitant of the Town of Brooklin, is prohibited from digging clams for commercial purposes within said town.

**Sec. 21. Taking of clams in Bluehill.** Any person not a resident of the Town of Bluehill, Hancock County, is forbidden to dig clams for commercial purposes within the limits of said town.

**Sec. 22. Digging of clams in Brooklin and Sedgwick.** No clams shall be taken from the flats of Brooklin and Sedgwick, Hancock County, from May 1st to October 1st. Nothing shall prohibit a resident or riparian owner of shores or flats in their respective towns from digging and taking in any one day not exceeding  $\frac{1}{2}$  bushel of clams therefrom for food for himself and family.

**Sec. 23. Taking of clams in Castine.** Any person not a resident of the Town of Castine, Hancock County, or a riparian owner of clam flats in said Town of Castine is forbidden to dig clams for commercial purposes within the limits of said town.

**Sec. 24. Taking of clams in Hancock.** It shall be unlawful for any person not a resident of or riparian owner in the Town of Hancock, Hancock County, to dig clams for commercial purposes within the limits of said town.

**Sec. 25. Digging of clams in Lamoine.** No clams shall be taken from any flats within the limits of the Town of Lamoine, Hancock County, by any nonresidents of said town. Any person temporarily resident therein or any nonresident riparian owner of any such flats may take therefrom for the immediate use of himself or his family not exceeding one bushel of clams at one tide. A resident shall mean a person who has resided in this State for the term of at least 6 consecutive months, and in the Town of Lamoine for 3 consecutive months.

**Sec. 26. Taking of clams in Penobscot.** Any person not a resident of the Town of Penobscot, Hancock County, is forbidden to dig more than  $\frac{1}{2}$  bushel of clams in any one day and not exceeding one bushel in any one week within the limits of said town.

**Sec. 27. Digging of clams in Southwest Harbor.** No clams shall be taken from any flats within the limits of the Town of Southwest Harbor, Hancock County, by any nonresidents of said town. Any person temporarily resident therein or any nonresident riparian owner of any such flats may take therefrom for the immediate use of himself or his family not exceeding one bushel of clams at one tide. A resident shall mean a person who has resided in this State for the term of at least 6 consecutive months, and in the Town of Southwest Harbor for 3 consecutive months.

**Sec. 28. Digging of clams in Tremont.** It shall be unlawful for any person not a resident of or a riparian owner in the Town of Tremont, Hancock County, to dig clams for commercial purposes within the limits of said town.

**Sec. 29. Taking of clams in Bar Harbor.** It shall be unlawful for any person not a resident of or riparian owner in the Town of Bar Harbor, Hancock County, to dig clams for commercial purposes within the limits of said town.

**Sec. 30. Taking of clams in Surry.** Any person not a resident of the Town of Surry, Hancock County, is forbidden to dig clams for commercial purposes within the limits of said town.

**Sec. 31. Taking of clams in Winter Harbor.** The Town of Winter Harbor at its annual meeting may fix the time in which clams may be taken within the limits of said town and the fee for which its municipal officers shall grant licenses or permits therefor and the number to be granted; and when not so regulated by vote of said town, the municipal officers may fix the time and fees for which permits shall be granted, and said town may, at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

No person shall take clams within the limits of said town without first obtaining a written license or permit from the municipal officers, if such written license or permit is required by the vote of said town or by the action of the municipal officers unless the clams are for the consumption of himself or family, but no nonresident shall take clams within the limits of said town for any purpose, provided said town has voted to restrict the taking of clams to the inhabitants thereof. A resident of another town or state, however, while temporarily residing in said Town of Winter Harbor shall have the same rights to take clams within the limits of said town during such temporary residence as any inhabitant thereof.

**Sec. 32. Use of purse and drag seines in the waters of Sargentville Harbor.** The use of purse and drag seines is prohibited in the waters of Sargentville Harbor, known as Billings Cove.

**Sec. 33. Fishing in Bagaduce River and its tributaries in Castine, Penobscot and Brooksville.** No person shall use any weir, seine, trap or any other contrivance in catching, fishing for or taking fish in the Bagaduce River or any of its tributaries, in the Towns of Castine, Penobscot and Brooksville, Hancock County, except by the use of gill nets, and permanent weirs, with not less than 50 poles, constructed of laths, brush, wire or twine.

I. The trapping of eels in the Bagaduce River and its tributaries shall be lawful.

**Sec. 34. Use of beam trawls in Sedgwick Harbor.** The use of beam trawls or any similar device is prohibited in Sedgwick Harbor, known as Benjamin's River. This section shall not be construed as prohibiting the taking of smelts in the usual manner by the use of purse seines during the time when the use of seines for this purpose is lawful in others waters of the State.



**Sec. 35. Taking of smelts in Hancock County.** It shall be lawful to take salt water smelts from all brooks and rivers in the County of Hancock during the months of March, April and May of each year. The taking of salt water smelts in said brooks and rivers shall be subject to the following restrictions:

- I. No person shall take more than 4 quarts of smelts in any 24-hour period.
- II. The taking of salt water smelts in said brooks and rivers shall be done ONLY by the use of a hand dip net.
- III. No hand dip net shall be used which exceeds a diameter of 10 inches at the bow.

**Sec. 36. Taking of tom cods in Gouldsboro and Steuben; taking of smelts in Steuben.** It shall be unlawful to fish for or take any tom cods, except by hook and line or gaff, between October 1st and May 1st, each year, in the following waters of Hancock and Washington Counties: In all waters of Whitten Parritt Stream, in the Town of Gouldsboro, Hancock County, in the waters of Tunk Stream and in all waters tributary to, or which empty into Steuben Bay and Joys Bay, above the Lobster Island Narrows, so called, at Rogers Point in the Town of Steuben, Washington County.

It shall be unlawful to fish for or take smelts, except by hook and line or gaff, between October 1st and May 1st, each year, in the following waters of Washington County: In the waters of Tunk Stream and in all waters tributary to, or which empty into Steuben Bay or Joys Bay, above the Lobster Island Narrows, so called, at Rogers Point in the Town of Steuben, Washington County.

**Sec. 37. Taking of alewives in Franklin.** Exclusive rights to the taking of alewives from all waters in the Town of Franklin shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Franklin and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Franklin.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town offi-

cials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 38. Taking of alewives in Surry.** It shall be unlawful for any person to take, catch, kill or destroy any alewives other than by seines and weirs in the waters of Patten's Bay in the Town of Surry, Hancock County, westerly of a line running from the southern extremity of Weymouth Point to Brown's Point, so called, on the eastern side of Newbury Neck including the whole of that portion of Patten's Bay, with the exception of Patten's Pond Stream.

The entire control and authority over said portion of Patten's Bay, and the right to take alewives therein is granted to the inhabitants of said Town of Surry. Said town, at any legal meeting, when an article shall be inserted in the warrant for that purpose, is authorized and empowered to take such action as shall be necessary to protect said town in the entire right of the alewife fishery in said portion of Patten's Bay and for that purpose may authorize the selectmen there chosen, to have entire control, direction, supervision and the right to issue permits for the privilege of taking alewives in said portion of Patten's Bay.

**Sec. 39. Taking of alewives in Patten's Pond Stream.** It shall be unlawful for any person to fish for, catch, take, kill or destroy in any manner any alewives in the waters of Patten's Pond Stream, also Floods Stream, in the Town of Surry, Hancock County.

The entire control and authority over the fishways already constructed in said stream, and the right to take alewives therein, is granted to the inhabitants of said Town of Surry. Said town, at any legal town meeting, when an article shall be duly inserted in the warrant for that purpose, is authorized and empowered to take such action as shall be necessary to protect said town in the entire right of the alewife fishery in said stream, and for that purpose may authorize the selectmen there chosen, or they may elect a special committee therefor, to have control of the alewife fishery in said stream, and said town may raise money to construct and maintain fishways, instead of requiring the owners of dams to do it, as they deem best.

The selectmen or committee may make such disposition of the right to take alewives in said stream as it is deemed most expedient for said town, and they may designate certain days in each week when alewives may be taken by them, as selectmen, or as a committee, or they may sell the right to take alewives upon certain days in each week to such person or persons as they deem best for the interest of said town.

**Sec. 40. Taking of alewives from Walker's Brook.** It shall be unlawful for any person to take, in any manner, more than one peck of alewives per day from the waters of Walker's Brook, so called, that run between Walkers' Pond and the Bagaduce River, in the Town of Brooksville.

**Sec. 41. Taking of alewives in Sullivan.** Exclusive rights to the taking of alewives from all the waters in the Town of Sullivan, Hancock County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Sullivan and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Sullivan.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 42. Taking of alewives in Orland.** No person shall take, catch or kill any alewives in the Eastern River in the Town of Orland, Hancock County, between sunrise on Sunday of each week and sunrise on the following Monday of each week.

All weirs on said river now built or that shall be built shall be constructed with a suitable gate which shall be at least 18 inches wide and shall extend from the top of the weir to the bottom of the floor and located at its upper end, which gate the owner or occupant of said weir shall keep open from sunrise on Sunday of each week until sunrise on the following Monday of each week.

All materials used in building weirs shall be removed from said river on or before October 1st of each year.

No person shall take, catch or kill any alewives in the Eastern River in the Town of Orland, Hancock County, above a point 500 yards below the lower dam in said town, except that the said Town of Orland by its authorized representatives may build a weir or trap for the purpose of taking said fish in said river, above a point 500 yards below the lower dam in said town on Mondays, Tuesdays, Wednesdays and Thursdays of each week from April 15th to July 15th.

The town may vote at any annual meeting to so take said fish for a period of not exceeding 5 years in succession. A committee may be chosen or appointed as the said town may vote, to superintend the taking and disposal of said fish.

Below a point 500 yards below the lower dam no person shall build or place in or across said river below the extreme low water mark any boxes or traps, weirs or nets so as to prevent said fish from passing up or down said river.

The St. Regis Paper Company or its successors shall be required from April 15th to December 1st of each year, at their own expense, to keep the fishways at the lower and upper dams of said river in repair and such order at all times so that the passage of said fish into, or out of, Lake Alamoosook, so called, will not be hindered.

No person shall take, catch or kill any young alewives on their way down through said fishways or river.

**Sec. 43. Taking of alewives in Gouldsboro.** Exclusive rights to the taking of alewives from all the waters in the Town of Gouldsboro, Hancock County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Gouldsboro and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Gouldsboro.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 44. Taking of alewives in Mount Desert.** Exclusive rights to the taking of alewives from all the waters in the Town of Mount Desert, Hancock County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning; and the Commissioner of Sea and Shore Fisheries shall establish the numbers of alewives that may be taken and the means of taking said alewives until 1961.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Mount Desert and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Mount Desert.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 45. Taking of eels in Sedgwick and Brooklin.** It shall be unlawful to take eels in the stream at Thurston's Mills, on the line between Sedgwick and Brooklin, Hancock County, in traps or seines, or in any other manner than with spear or gaff, or hook and line.

**Sec. 46. Taking of eels in Bagaduce River.** It shall be lawful to trap eels in the Bagaduce River and its tributaries, Hancock County.

### Knox County

**Sec. 47. Taking of clams in Isle au Haut.** It shall be unlawful for any person to dig any clams within the limits of the Town of Isle au Haut, Knox County, except a resident of said town or a person who is assessed and pays a real estate tax therein. No such resident or taxpayer shall dig more than  $\frac{1}{2}$  bushel of clams in any one day within said town, without first having procured therefor, a written license, which the selectmen are authorized to issue upon payment of a fee of 25c. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Isle au Haut for at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 48. Taking of clams in North Haven.** It shall be unlawful for any person to dig any clams within the limits of the Town of North Haven, Knox County, except a resident of said town or a person who is assessed and pays a real estate tax therein. No such resident or taxpayer shall dig more than  $\frac{1}{2}$  bushel of clams in any one day within said town, without first having procured therefor, a written license, which the selectmen are authorized to issue upon payment of a fee of 25c. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of North Haven for

at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 49. Taking of clams in Owl's Head.** It shall be unlawful for any person to dig any clams within the limits of the Town of Owl's Head, Knox County, except a resident of said town or a person who is assessed and pays a real estate tax therein. The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Owl's Head for at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 50. Taking of clams in St. George.** It shall be unlawful for any person to dig any clams within the limits of the Town of St. George, Knox County, except a resident of said town or a person who is assessed and pays a real estate tax therein. No such resident or taxpayer shall dig more than  $\frac{1}{2}$  bushel of clams in any one day within said town, without first having procured therefor a written license, which the selectmen are authorized to issue upon payment of a fee of 25c. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of least 6 consecutive months and in the Town of St. George for at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 51. Taking of clams in Vinalhaven.** It shall be unlawful for any person to dig any clams within the limits of the Town of Vinalhaven, Knox County, except a resident of said town or a person who is assessed and pays a real estate tax therein. No such resident or taxpayer shall dig more than  $\frac{1}{2}$  bushel of clams in any one day within said town, without first having procured therefor, a written license, which the selectmen are authorized to issue upon payment of a fee of 25c. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Vinalhaven for at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 52. Taking of clams in South Thomaston.** Any person not a resident or taxpayer of the Town of South Thomaston, Knox County, is forbidden to dig clams within the limits of said town.

**Sec. 53. Lobster fishing in waters adjacent to Criehaven.** The waters around the Island of Criehaven within the following described limits: Beginning at the southern end of Hogshead, so called, running west by north 2 nautical miles, thence southwest by south  $3\frac{1}{2}$  nautical miles, thence east, southeast, 3 nautical miles, thence northeast 3 nautical miles, thence to the first mentioned bound, shall be closed or opened to lobster fishing whenever a majority of the lobster fishermen at Criehaven so petition the commissioner.

**Sec. 54. Taking of alewives in Georges River.** It shall be unlawful to construct, set, maintain or use any net or seine in the waters of Georges River above a line drawn from Hooper's Point in the Town of St. George, westerly past the northerly end of Caldwell's Island to a point opposite on the shore in the Town of Cushing, for the purpose of taking or catching alewives between April 1st and July 15th. Nothing herein shall be construed to abridge or affect in any manner the rights and privileges now held by law by the Town of Warren in the alewife fishing in the said Georges River.

**Sec. 55. Taking of alewives in the St. George River, Warren.** Exclusive rights to the taking of alewives in St. George River in the Town of Warren, Knox County, shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Warren and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Warren.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 56. Taking of eels in Saint Georges River, Warren.** The catching or taking of eels in Saint Georges River, in the Town of Warren, Knox County, is prohibited, except by hook and line or with spears.

### Lincoln County

**Sec. 57. Taking of clams in Bristol and South Bristol.** It shall be unlawful for any person to dig any clams within the limits of the Towns of Bristol and South Bristol, Lincoln County, except a resident of said towns or a person who is assessed and pays a real estate tax therein. No such resident or taxpayer shall dig more than  $\frac{1}{2}$  bushel of clams in any one day within said towns, without first having procured therefor a written license, which the selectmen are authorized to issue upon payment of a fee of 25c. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Towns of Bristol and South Bristol for at least 3 months immediately prior to the date when a claim of such residence may be made.

**Sec. 58. Taking of clams in Southport.** It shall be unlawful for any person to dig any clams within the limits of the Town of Southport, Lincoln County, without first having obtained a license therefor from the municipal officers of said Town of Southport, who are authorized to grant and issue such licenses and fix the fee therefor. No license shall be issued to any person except a resident of said town or a person who is assessed and pays a real estate tax therein.

Nothing shall prohibit such resident or taxpayer from digging not to exceed  $\frac{1}{2}$  bushel of clams in any one day for the use of himself and family or a riparian owner of shores or flats in said Town of Southport from digging and taking clams therefrom for food for himself and family without a license. The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Southport for at least 3 months immediately prior to the date when a claim of such residence is made.

**Sec. 59. Taking of clams in Waldoboro and Bremen.** No person, except as provided in this section, shall dig or take any clams, for commercial purposes, in the Towns of Waldoboro and Bremen, Lincoln County, until he has procured a municipal license therefor.

The municipal officers of their respective Towns of Waldoboro and Bremen are authorized to issue such licenses to legal residents of the towns and to fix the fee therefor. Such license shall entitle the person holding such license to dig or take clams for commercial purposes in either or both Towns of Waldoboro and Bremen. A resident shall be considered a person who has lived in the State 6 months and in the town 3 months.

Any person may, without such license, dig or take clams for use as food, provided that the amount of clams so taken shall not exceed  $\frac{1}{2}$  bushel per day.

Any person may, without such license, dig or take clams for use as bait in an amount not to exceed one bushel per day.

**Sec. 60. Taking of clams in Newcastle and Damariscotta.** It shall be unlawful for any person not a resident of the Towns of Newcastle and Damariscotta, Lincoln County, to dig for clams within the limits of said towns. This shall not interfere with any law relating to taking shellfish for bait by fishermen.

**Sec. 61. Taking of clams in Capitol Island Village Corporation.** No clams shall be taken from the shores and flats within the limits of the Capitol Island Village Corporation, Lincoln County, except that any one person may take or dig not exceeding one peck of clams at any one tide for any one family.

**Sec. 62. Taking of alewives in Alna.** Exclusive rights to the taking of alewives from all the waters in the Town of Alna, Lincoln County, shall be optional with the town.



The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Alna and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Alna.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said Commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 63. Taking of alewives in Bristol.** Exclusive rights to the taking of alewives from all the waters in the Towns of Bristol, Lincoln County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Bristol and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Bristol.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 64. Taking of alewives in Damariscotta River.** It shall be unlawful to construct, set, maintain or use any net, weir, seine or other device, in the waters of the Damariscotta River, northerly of the bridge between the Villages of Newcastle and Damariscotta, for the purpose of taking or catching alewives. No one shall take or catch any alewives within said limits, except by hook and line. Nothing herein shall be construed to abridge or affect in any manner, the rights and privileges now held by law, by said Towns of Newcastle and Nobleboro in the alewife fishery in the said Damariscotta River.

**Sec. 65. Taking of alewives in the Damariscotta River.** Exclusive rights to the taking of alewives from all waters of the Damariscotta River in the Towns of Newcastle and Nobleboro, Lincoln County, shall be optional with the towns.

The towns, at their annual town meetings, may determine by vote whether the alewife fishing in these waters shall be operated by the towns, through their selectmen or a committee or committees appointed for that purpose, or the privilege offered for sale by the said selectmen or committee or committees; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Towns of Newcastle and Nobleboro and a copy of the same filed immediately with the clerks of said towns and the Commissioner of Sea and Shore Fisheries.

If in any year said towns fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Towns of Newcastle and Nobleboro.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the towns are not following sound conservation principles in their management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 66. Taking of alewives in the Medomak River.** Exclusive rights to the taking of alewives from the Medomak River in the Town of Waldoboro, Lincoln County, shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Waldoboro and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Waldoboro.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 67. Taking of alewives in Sherman Lake.** Exclusive rights to the taking of alewives from Sherman Lake Outlet, so called, in the Town of Newcastle, Lincoln County, shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing at the Outlet, so called, of Sherman Lake shall be operated by the town, through a committee selected for that purpose, or the privilege offered for sale by the committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Newcastle and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Newcastle.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 68. Taking of smelts in the Damariscotta River.** No smelts shall be taken, or fished for, in the Damariscotta River or its tributaries, in any other way than by hook and line above a line drawn from Farnham's Head in the Town of Boothbay to a point opposite on the shore in the Town of South Bristol.

**Sec. 69. Taking of smelts in Medomak River.** It is lawful to take smelts from the Medomak River and its tributaries by dip-nets from April 1st to May 1st in each year for private use up to 12 dozen a night per family by any person being an inhabitant of any town adjoining said river and its tributaries.

**Sec. 70. Taking of smelts in Eastern River.** No smelts shall be taken or fished for in the tidal waters of Eastern River, a river lying in the Counties of Lincoln and Kennebec, except by hook and line.

**Sec. 71. Close time about Monhegan.** It shall be unlawful to take, catch, kill or destroy any lobster or lobsters, or set any lobster trap or other device for the purpose of taking, catching, killing or destroying any lobster or lobsters within 2 miles of the shore of Monhegan Island between the 25th day of June of each year and the first day of January following.

**Sec. 72. Taking of striped or sea bass in the Sheepscot River.** It shall be unlawful to fish for or catch striped or sea bass in waters of the Sheepscot River and its tributaries in any manner except by hook and line, between February 15th and December 31st in each year.

**Sec. 73. Fishing in Pemaquid River.** No fish shall be taken, except by hook and line, from the waters of Pemaquid River, above a line drawn from the most southerly end of Cardy's Point to the most southwesterly end of Old Fort Point.

**Sec. 74. Use of seines in Medomak River.** It shall be lawful to use purse, drag or stop seines in the Medomak River, above a line drawn from Martin's Point, in the Town of Friendship, westerly by the northeast end of Hog Island to a point opposite in the Town of Bremen, except for the taking of smelts.

**Sec. 75. Use of seines in Medomak River.** It shall be unlawful to use any purse, drag or stop seine in the Medomak River, Lincoln County, above a line drawn from Waltz's Point to Hollis Point, in Waldoboro, from May 1st to June 30th, annually.

**Sec. 76. Fishing for cod and other ground fish in Sheepscot Bay.** It shall be unlawful to fish for or to take, except with trawls or by ordinary hook and line, any cod or other ground fish from the waters of Sheepscot Bay that border on the Town of Georgetown, Sagadahoc County, and the Town of Southport, Lincoln County, from Griffith's Head in an easterly direction to lower Mark Island, thence in a southerly direction to the Cuckholds, thence in a northeasterly direction to Ocean Point.

**Sec. 77. Fishing in the Sheepscot River; eel fishing.** It shall be unlawful to use any type of net or seine in the Sheepscot River and its tributaries between the Wiscasset-North Edgecomb Bridge and the so-called Headtide Dam at Alna.

The fishing of lamprey eels within these waters shall be under the direction of the Commissioner of Sea and Shore Fisheries who may issue permits to take lamprey eels at places and by means designated by him.

### Sagadahoc County

**Sec. 78. License required to dig or take clams in Phippsburg; definitions; revocation.** No person, firm or corporation shall, within the limits of the Town of Phippsburg, Sagadahoc County, dig or take any clams without having first

obtained a license from the municipal officers of said Town of Phippsburg, who are authorized to grant and issue such licenses and fix the fee therefor. No license shall be granted or issued to any person, firm or corporation unless such person, firm or corporation is a resident of said Town of Phippsburg. Nothing herein shall prohibit a riparian owner of shores or flats in said Town of Phippsburg from digging and taking clams therefrom for food for himself and family without license. The term "a resident" shall mean a person, firm or corporation who has resided in this State for a term of at least 6 consecutive months and in the Town of Phippsburg for at least 3 consecutive months prior to making application for license.

No person shall be a dealer in clams in the Town of Phippsburg without having first obtained a license from the municipal officers of said town, who are authorized to issue such license and fix the fee therefor. The term "dealer" shall mean any person, firm or corporation buying clams for resale.

The municipal officers may revoke any license issued by them under this section, upon evidence satisfactory to them that the person taking or selling clams has violated any of the laws of the State regulating the taking and sale of clams. If the municipal officers refuse to issue the license provided for in this section, or if a license has been revoked by the municipal officers, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

**Sec. 79. Taking of clams and quahogs in West Bath.** It shall be unlawful for any person, firm or corporation to dig any clams or quahogs within the limits of the Town of West Bath, Sagadahoc County, without first having obtained a license therefor from the municipal officers of said Town of West Bath, who are authorized to grant and issue such license and fix the fee therefor. No license for digging of clams or quahogs shall be granted or issued to any person, firm or corporation unless such person, firm or corporation is a resident of said Town of West Bath. Nothing herein shall prohibit a riparian owner of shores or flats in said Town of West Bath from digging and taking clams and quahogs therefrom for food for himself and family without a license. The term "a resident" shall mean a person, firm or corporation who has resided in this State for the term of at least 6 consecutive months and in the Town of West Bath for at least 3 months immediately prior to the date when a claim of such residence is made.

**Sec. 80. Taking of alewives in Arrowsic.** Exclusive rights to the taking of alewives from all waters in the Town of Arrowsic shall be optional with the town.

The town at its annual town meeting may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed

season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Arrowsic and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Arrowsic.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 81. Taking of alewives in the New Meadows River.** Exclusive rights to the taking of alewives from all waters of the New Meadows River in the Towns of Brunswick and West Bath shall be optional with the towns.

The towns, at their annual town meetings, may determine by vote whether the alewife fishing in these waters shall be operated by the towns, through their selectmen or a committee or committees appointed for that purpose, or the privilege offered for sale by the said selectmen or committee or committees; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Towns of West Bath and Brunswick and a copy of the same filed immediately with the clerks of said towns and the Commissioner of Sea and Shore Fisheries.

If in any year said towns fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Towns of Brunswick and West Bath.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the towns are not following sound conservation principles in their management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 82. Taking of alewives in Winnegance Lake.** Exclusive rights to the taking of alewives from Winnegance Lake in the City of Bath and the Towns of Phippsburg and West Bath shall be optional with the city and towns.

The City of Bath and the towns at their annual meetings may determine by vote whether the alewife fishing in these waters shall be operated by the city and towns, through their municipal officers or a committee or committees appointed for that purpose, or the privilege offered for sale by said municipal officers or committee or committees; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the municipal officers of the Towns of Phippsburg and West Bath and the City of Bath and a copy of the same filed immediately with the clerks of said towns and city and the Commissioner of Sea and Shore Fisheries.

If in any year said towns and city fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Towns of Phippsburg and West Bath and the City of Bath.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the towns and city are not following sound conservation principles in their management of the fishery, said commissioner shall notify the city and town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 83. Taking of alewives in Woolwich.** Exclusive rights to the taking of alewives from all waters in the Town of Woolwich shall be optional with the town.

The town at its annual town meeting may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Woolwich and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Woolwich.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles

in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 84. Taking of smelts in Cathance River.** No smelts shall be taken or fished for in any way other than by hook and line, except in nets of 2 inch mesh or more, in the tidal waters of Cathance River, in the Village of Bowdoinham, Sagadahoc County.

**Sec. 85. Taking of smelts in the Sassanoa River.** No smelts shall be taken or fished for in the tidal waters of the Sassanoa River, except by hook and line, starting at the western point of Sassanoa Bluff on the west and continuing easterly to the eastern point of Hell Gates on the east.

**Sec. 86. Taking of smelts in Abagadasset River.** The Abagadasset River, in the Town of Bowdoinham, is closed to all smelt fishing except by hook and line.

**Sec. 87. Seining in Sassanoa River.** Fishing with the use of seines in the Sassanoa River below Bath from October 1st to April 1st is prohibited.

#### Waldo County

**Sec. 88. Taking of clams, quahogs and mussels in Islesboro.** It shall be unlawful for any person to dig any clams, quahogs or mussels within the limits of the Town of Islesboro, Waldo County, except a resident of said town. No such resident shall dig more than  $\frac{1}{2}$  bushel of clams, quahogs or mussels in any one day within said town, without first having procured therefor a written license, which the selectmen are authorized to issue upon payment of a fee of \$2. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they were issued.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Islesboro for at least 3 months immediately prior to the date when a claim of such residence is made.

**Sec. 89. Taking of clams in Lincolnville; license; revocation.** No person shall dig or take any clams within the limits of the Town of Lincolnville, Waldo County, unless a written license has been granted him by the selectmen of said town. The selectmen of said town are authorized to grant and issue such license and fix the annual fee therefor for residents of the Town of Lincolnville and nonresident taxpayers of said town; to limit the amount of clams that may be taken at any one tide; and to set the date during which clams may be dug from all or any portion of the flats. Nothing herein shall prohibit any resident or nonresident taxpayer of said town from digging and taking not in excess of one peck of clams per day for food for himself and family without license, nor any riparian owner from digging on his own property without license. The term "resident" shall mean a person who has resided in this State for a period of at least 6 consecutive months and within the Town of Lincolnville for a period of



at least 3 months immediately prior to the date when a claim of such residence is made. The term "nonresident taxpayer" shall mean a person who has actually paid a tax to the collector of taxes for the Town of Lincolnville for the municipal year last ending prior to the date when a claim of such status is made.

No person, firm or corporation shall buy clams for resale within the limits of the Town of Lincolnville unless a written license has been granted to him by the selectmen of said town. The selectmen of said town are authorized to grant and issue such license and to fix the annual fee therefor.

The selectmen of said town may revoke any license issued by them, or by their predecessors in office, under the provisions of this section upon evidence satisfactory to them that the person, firm or corporation digging, taking, selling or buying clams has violated any of the laws of the State regulating the taking and sale of clams. If the selectmen of the said town refuse to issue the licenses provided for in this section, or if a license has been revoked by them, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuance or restoration thereof, provided that said justice finds that the selectmen of said town acted fraudulently or corruptly or erred in their conclusion of facts.

**Sec. 90. License required to dig or take clams in Northport Village Corporation; definitions; revocation.** No person shall, within the territorial limits of Northport Village Corporation, Waldo County, dig or take clams unless a license has been granted to him by the corporation, which is authorized to grant and issue such licenses and fix the fee therefor for residents of the Town of Northport and nonresident taxpayers of said town; to limit the amount of clams that may be taken at any one tide; and to set the dates during which clams may be dug from all or any portion of the flats. Nothing herein shall prohibit any resident or a riparian owner of shores or flats therein from digging and taking clams for food for himself and family without license. The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and within the territorial limits of the corporation for at least 3 consecutive months prior to receiving a license.

No person shall be a dealer in clams within the territorial limits of the corporation unless license has been granted to him by the corporation, which is authorized to issue such license and fix the fee therefor. The term "dealer" shall mean any person, firm or corporation buying clams for resale.

The corporation may revoke any license issued by it under the provisions of this section, upon evidence satisfactory to it that the person taking or selling clams has violated any of the laws of the State regulating the taking and sale of clams. If the corporation refuses to issue the licenses provided for in said section, or if a license has been revoked by the corporation, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuances or restoration thereof, provided said justice finds the corporation acted fraudulently or corruptly or erred in its conclusion of facts.

**Sec. 91. Taking of clams in Searsport and Stockton Springs.** It shall be unlawful for any person to dig or take any clams within the limits of the Towns of

Searsport and Stockton Springs, Waldo County, without first having attained a license therefor from the municipal officers of said Town of Searsport or said Town of Stockton Springs who are authorized to grant and issue such license and fix the fee therefor. No license shall be issued to any person except a resident of either of said towns. The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in either the Town of Searsport or the Town of Stockton Springs for at least 3 months immediately prior to the date when a claim of such residence is made.

**Sec. 92. Taking of smelts in the Passagassawaukeag River.** It shall be lawful to fish for salt water smelts commercially in the Passagassawaukeag River, Waldo County, from the head of the tide to 2,000 feet below the Memorial Bridge.

#### Washington County

**Sec. 93. Taking of clams in Addison.** It shall be unlawful for any person not a resident of the Town of Addison, Washington County, to dig clams for commercial purposes within the limits of said town.

Persons not residents of the Town of Addison may be permitted to dig for clams for fish bait or home consumption within the limits of said town. No person shall dig for such purposes during any one day more than one bushel of clams.

**Sec. 94. Taking of clams in Cutler.** It shall be unlawful for any person not a resident of the Town of Cutler, Washington County, to dig clams for commercial purposes within the limits of said town.

Persons not residents of the Town of Cutler may be permitted to dig for clams for fish bait or home consumption within the limits of said town. No person shall dig for such purposes during any one day more than one bushel of clams.

**Sec. 95. Taking of clams, quahogs or mussels in East Machias.** It shall be unlawful for any person not a resident of the Town of East Machias, Washington County, to dig or take in any manner any clams, quahogs or mussels from the shores and flats on the north side of Machias River beginning at the toll bridge and running easterly along the Machias River and continuing in a northerly direction along the East Machias River.

**Sec. 96. Taking of clams in Jonesboro.** It shall be unlawful for any person not a resident of the Town of Jonesboro, Washington County, to dig for clams, for commercial purposes, within the limits of said town.

Persons not residents of the Town of Jonesboro may be permitted to dig for clams for fish bait or home consumption within the limits of said town. No person shall dig for such purposes, during any one day, more than one bushel of clams.

**Sec. 97. Taking of clams in Harrington.** Any person not a resident of the Town of Harrington, Washington County, for 3 months is forbidden to dig more than  $\frac{1}{2}$  bushel of clams within one day within the limits of said town.

**Sec. 98. Taking of clams in Milbridge.** Any person not a resident of the Town of Milbridge, Washington County, is forbidden to dig clams for commercial purposes within the limits of said town.

**Sec. 99. Taking of clams in Machiasport.** It shall be unlawful for any person not a resident of the Town of Machiasport, Washington County, to dig clams for commercial purposes within the limits of said town, except the clam flats in the Town of Machiasport that lie northerly of a line that starts at the sea wall point at the entrance to Little Kennebec River in the Town of Roque Bluffs and extends east to the shore of said Mashiasport.

Persons not residents of the Town of Machiasport may be permitted to dig for clams for fish bait or home consumption within the limits of said town. No person shall dig for such purposes during any one day more than one bushel of clams.

**Sec. 100. Taking of clams in Perry.** No person, firm or corporation, except an inhabitant of the Town of Perry, shall take more than  $\frac{1}{2}$  bushel of clams in any one day from within the limits of the tidewaters of the Town of Perry.

**Sec. 101. Taking of clams in Steuben.** It shall be unlawful for any person not a resident of the Town of Steuben, Washington County, to dig clams for commercial purposes within the limits of said town.

Persons not residents of the Town of Steuben may be permitted to dig for clams for fish bait or home consumption within the limits of said town. No person shall dig for such purposes during any one day more than one peck of clams.

**Sec. 102. Taking of clams in Pembroke.** No person, firm or corporation, except an inhabitant of the Town of Pembroke, shall take more than  $\frac{1}{2}$  bushel of clams in any one day from within the limits of the tidewaters of the Town of Pembroke.

**Sec. 103. Taking of clams in Robbinston.** No person, firm or corporation, except an inhabitant of the Town of Robbinston, shall take more than  $\frac{1}{2}$  bushel of clams in any one day from within the limits of the tidewaters of the Town of Robbinston.

**Sec. 104. Taking of clams in Dennysville.** No person, firm or corporation, except an inhabitant of the Town of Dennysville, shall take more than  $\frac{1}{2}$  bushel of clams in any one day from within the limits of the tidewaters of the Town of Dennysville.

**Sec. 105. Taking clams in waters adjacent to Lubec, Trescott, Edmunds and Whiting.** No person, firm or corporation shall dig clams for commercial purposes within the waters adjacent to the Towns of Lubec, Trescott, Edmunds and Whiting, unless they have been a resident in one of the respective towns for at least 6 months.

Nonresidents may take such clams up to one bushel per day.

**Sec. 106. Taking of clams in Roque Bluffs.** It shall be unlawful for any person, not a resident of Roque Bluffs, to dig clams for commercial purposes within the following described limits of said Town of Roque Bluffs, Washington County: All clam flats beginning on the northerly side of Bear Cove Point on the westerly side of Little Kennebec Bay and extending southerly, westerly and northerly to the waters of Neps Point Narrows.

Persons not residents of the Town of Roque Bluffs may be permitted to dig clams for fish bait or home consumption within the above described limits. No person shall dig for said purposes more than one bushel of clams in any one day.

The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and in the Town of Roque Bluffs for at least 3 months immediately prior to the date when a claim of such residence is made.

**Sec. 107. Taking of alewives in Pembroke.** Exclusive rights to the taking of alewives from all waters in the Town of Pembroke, Washington County, shall be optional with the town.

The town, at its annual town meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by said selectmen or committee; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise of each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Pembroke and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town fails to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under authority of this section shall be enforced by the municipal officers of the Town of Pembroke.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fishery, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 108. Taking of alewives in Tunk River in Steuben.** Exclusive rights to the taking of alewives from the waters of Tunk River in the Town of Steuben, Washington County, shall be optional with the town.

The town, at its annual meeting, may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the

said selectmen or committee; and likewise may provide for regulations compatible with good conservation practices to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Steuben and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under the authority of this section shall be enforced by the municipal officers of the Town of Steuben.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fisheries, said Commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent the destruction of the fishery.

**Sec. 109. Taking of alewives in Dennys River.** It shall be lawful to take alewives and shad, by means of an ordinary hand dip net, during the open season and under the restrictions and conditions provided by the general law of the State in Dennys River, in Edmunds and Dennysville, Washington County, up as far as the lower side of the Upper Bridge, near the Mill, so called.

**Sec. 110. Taking of alewives in Columbia Falls.** Exclusive rights to the taking of alewives from all the waters in the Town of Columbia Falls, Washington County, shall be optional with the town.

The town at its annual meeting may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations compatible with good conservation practices to govern the times when and the manner in which alewives shall be taken therein. There shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the Town of Columbia Falls and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the State and any regulations adopted under the authority of this section shall be enforced by the municipal officers of the Town of Columbia Falls.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles

in its management of the fisheries, said commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

**Sec. 111. Taking of alewives in East Machias.** No person shall take, catch or kill any alewives in the East Machias River in the Town of East Machias, Washington County, except on Mondays, Tuesdays and Wednesdays from 7 A. M. to 8 P. M., from May 1st to July 1st. This right shall be had by bona fide residents of the Town of East Machias, Washington County. No other person shall dip for gain, hire or pleasure. One person shall own only one fish stand at a time. Fish stands shall not exceed 18 feet in length and they shall be at least 10 feet apart. No breakwater shall exceed 3 feet. There shall be a channel of at least 25 feet running between stands and no rock walls or other obstacles shall be allowed in said channel. Weirs may be attended at any time between 7 A. M. on Mondays to 8 P. M. on Wednesdays. Any stand or pier unoccupied for over a period of 2 years shall be declared vacant and may be occupied by any resident of the Town of East Machias. It shall not be permissible for any person or persons to be traveling the river between the hours of 8:30 P. M. and 6:30 A. M. except for the removal of alewives from pens on stands or fly fishing for Atlantic sea salmon or landlocked salmon.

**Sec. 112. Taking of smelts in East Machias River.** It shall be lawful for any person to take smelts, without any limit on the catch, by the use of floating traps or bag nets in the tidewaters of the East Machias River in East Machias from October 1st to April 30th each year, with the right to sell such smelts on the open market.

**Sec. 113. Taking of smelts in St. Croix River.** It shall be lawful for any person to take with a hook and line, or an ordinary hand dipnet, and not otherwise, not exceeding 12 dozen smelts per person per tide, for home use or consumption, in any of the American waters of the St. Croix River as far up as the so-called Union Bridge, extending from Calais, Maine, to Milltown, New Brunswick, from April 15th to May 15th of each year under the general law.

**Sec. 114. Taking of smelts from Smelt Brook in Perry.** It is lawful to take by hand, from the brook locally known as Smelt Brook, which brook is adjacent to the Lincoln property in the Town of Perry, Washington County, an amount of smelts not exceeding 4 quarts, at any one time, for his own use.

**Sec. 115. Taking of smelts in Lubec and Trescott.** All persons are prohibited from taking smelts in the waters of the Towns of Lubec and Trescott, Washington County, by means of purse or drag seines. Smelts shall not be taken in any manner in the waters of the towns aforesaid between March 1st and September 1st in each year. No weir for the catching of smelts in said towns shall be constructed with less than 2 feet of water at extreme low tide.

**Sec. 116. Smelt traps in the waters of Harrington River.** The building of smelt traps in the waters of Harrington River, Washington County, or fishing in any other way in said river for smelts except by using the regular seine, the

smelt net without wings, or with hook and line is unlawful; in addition to the time already provided by the general law, it shall also be lawful to so fish and catch smelts in said river, between April 1st and April 15th, and such may be sold and shipped from the State.

**Sec. 117. Taking of smelts in Addison, Columbia Falls, Harrington, Cherryfield, Milbridge and Steuben.** No smelts shall be taken or fished for in the tidal waters of the Towns of Addison, Columbia Falls, Harrington, Cherryfield, Milbridge and Steuben, all in Washington County, except by hook and line from April 1st to October 1st of each year; except smelts may be taken from April 1st to May 1st of each year by hook and line, gill nets, and hand dip nets and brush weirs.

It shall be lawful to sell and to offer for sale within this State and to transport outside the State all smelts legally caught within said tidal waters.

**Sec. 118. Taking of smelts from Cobscook River, Cobscook Bay, Orange River and Dennys River.** During the months of April and May of each year it shall be lawful to take smelts in the tidal waters of Cobscook River, Cobscook Bay, Orange River, Dennys River and their tributaries, all in Washington County, by use of hook and line, bare hands or an ordinary dip net. No person shall take in any one day from any or all of these waters more than 4 quarts of smelts, and smelts so taken shall not be sold.

The open season for commercial fishing for smelts in these waters shall be from September 1st to March 31st of the following year.

**Sec. 119. Salmon fishing in Pleasant River.** The taking of salmon in Pleasant River and its tributaries, Washington County, is prohibited, except that they may be taken therefrom with unweighted fly hook and line and such hook shall not be larger than No. 4.

**Sec. 120. Fishing in Dennys River.** It shall be unlawful to use seine or gill nets in the Dennys River above a line drawn from Hinkley Point in the Town of Dennysville due south to a red painted post in the Township of Edmunds. A hand dip net with a bow not more than 2½ feet in the largest diameter may be used between this line and the No. 1 Highway at the Upper Bridge, so called, for the purpose of catching alewives during the open season and under the conditions and restrictions provided by the general laws of the State.

No person shall catch Atlantic Salmon in Dennys River or its tributaries except by hook and line.

**Sec. 12. Harold E. Erquhart of Lubec permitted to build weir in Cobscook Bay, Washington County.** Harold E. Erquhart, of Lubec, Washington County, is authorized to build and maintain a weir or trap for fishing purposes in that part of the tidewaters of Cobscook Bay designated as Whiting Bay, in the Township of Edmunds in said county, to take, catch or kill all kinds of fish except Atlantic salmon.

The weir or trap shall be located as follows: The pound or bunt to be located on the first 14 feet spot easterly of the dividing line between land of Irving Kelley and Robert Hallowell, both of said Edmunds, as indicated on United States Coast and Geodetic Survey Chart No. 801 from Calais to West Quoddy Head. Said pound or pocket to be 90 feet in diameter, with 2 wings or leaders therefrom, one extending in a general northerly direction not over 1,500 feet and the other extending in a general southerly direction not over 1,000 feet, together with a center fence extending westerly to the shore of said Whiting Bay and land of said Kelley and Hallowell.

The weir or trap shall not be built until permission has been granted to said Erquhart by the owners of said land to use the same; nor shall it be built or maintained so as to interfere with the rights of others or with navigation in any way.

**Sec. 122. Don H. Saunders of Lubec permitted to build weir in Dennys Bay, Washington County.** Don H. Saunders, of Lubec, Washington County, is authorized to build and maintain a weir or trap for fishing purposes in the tide-waters of Dennys Bay, in the Township of Edmunds in said county, to take, catch or kill all kinds of fish except Atlantic salmon.

The weir or trap shall be located as follows: The pound or pocket or bunt to be located at approximately half way between the 9 feet spot and the 14 feet between Hallowell Island in said Edmunds and the mainland of said Edmunds, as indicated on United States Coast and Geodetic Survey Chart No. 801 from Calais to West Quoddy Head. Said pound or pocket or bunt to be 200 feet in diameter, with 2 wings or leaders therefrom, one extending in a general northerly direction 500 feet to said Hallowell Island and the other extending in a general southerly direction 500 feet to the shore of said Edmunds. The said Hallowell Island and the shore on the mainland in said Edmunds is owned by John Hallowell of Dennysville, Washington County.

The weir or trap shall not be built until permission has been granted to said Saunders by the owner of said land to use the same; nor shall it be built or maintained so as to interfere with the rights of others or with navigation in any way.

### York County

**Sec. 123. Taking of clams in Biddeford.** It shall be unlawful for any person not an inhabitant of the State of Maine, not a riparian owner or not a temporary resident of the City of Biddeford, York County, to dig clams within said City of Biddeford. Such inhabitants of the State of Maine or such riparian owner and temporary residents of the City of Biddeford shall dig not more than one bushel of clams in any one day for home consumption, until they shall receive a written permit therefor from the municipal officers of said city and upon payment to said city of such license fee as may be ordained.

No person, not an inhabitant of said City of Biddeford nor a riparian owner, shall dig clams for commercial purposes within said city.



**Sec. 124. Taking of shellfish in Eliot.** No shellfish shall be taken from any flats within the limits of the Town of Eliot, York County, except by written permit of the municipal officers of the said Town of Eliot, and payment to the said town for the privilege at such price as said town may establish at any town meeting. Without such permit, any inhabitant within said town, or any person temporarily resident therein, or the riparian owner of any such flats, may take therefrom for the immediate use of himself or his family, not exceeding one bushel at one tide.

**Sec. 125. Taking of shellfish in Kittery.** No shellfish shall be taken from any flats within the limits of the Town of Kittery, York County, except by written permit of the municipal officers of said Town of Kittery, and payment to the said town for the privilege at such price as said town may establish at any town meeting. Without such permit, any inhabitant within said town, or any person temporarily resident therein, or the riparian owner of any such flats, may take therefrom for the immediate use of himself or his family, not exceeding one bushel at one tide.

**Sec. 126. Taking of shellfish in Old Orchard.** It shall be unlawful for any person to take shellfish from any flats within the limits of the Town of Old Orchard, York County, in excess of  $\frac{1}{2}$  bushel at one tide.

**Sec. 127. Taking of smelts in Saco River.** All persons are prohibited from taking smelts by means of purse or drag seines in the Saco River or in Saco Bay, inside of a line drawn from the most easterly point of Basket Island, in the City of Biddeford, to the mouth of Goose Fair Brook; said Goose Fair Brook being the dividing line between the Town of Old Orchard and the City of Saco.

**Sec. 128. Taking of smelts in the Piscataqua River.** No person shall use seines or nets of any description to catch smelts in the Piscataqua River or its tributaries. Nothing herein shall forbid any one from maintaining a weir to catch smelts for his own use.

**Sec. 129. Taking of clams in Biddeford for bait.** It shall be lawful to dig clams on any of the flats within the territorial limits of the City of Biddeford, York County, provided said clams are not used for any other purpose than as bait for fishing. Such digging and taking shall be limited to residents of the City of Biddeford only and not more than one bushel of clams per person per tide may be taken. No one shall dig clams for fish bait in Biddeford without first having obtained a permit from the Commissioner of Sea and Shore Fisheries. No fee shall be charged for such a permit and such permits may be granted or revoked at the discretion of the commissioner.

**Sec. 130. License required to dig or take clams in Ogunquit Village Corporation; definition; revocation.** No person shall, within the territorial limits of Ogunquit Village Corporation, York County, dig or take clams unless license has been granted to him by the corporation, which is authorized to grant and issue such licenses and fix the fee therefor for residents of Ogunquit and Wells and nonresident taxpayers of Wells and Ogunquit; to limit the amount of clams that may be taken at any one time; and to set the dates during which clams may

be dug from all or any portion of the flats. Nothing herein shall prohibit any resident or a riparian owner of shores or flats therein from digging and taking clams for food for himself and family without license. The term "a resident" shall mean a person who has resided in this State for the term of at least 6 consecutive months and within the territorial limits of the corporation for at least 3 consecutive months prior to receiving a license.

No person shall be a dealer in clams within the territorial limits of the corporation unless license has been granted to him by the corporation, which is authorized to issue such license and fix the fee therefor. The term "dealer" shall mean any person, firm or corporation buying clams for resale.

The corporation may revoke any license issued by it under this section upon evidence satisfactory to it that the person taking or selling clams has violated any of the laws of the State regulating the taking and sale of clams. If the corporation refuses to issue the licenses provided for in said sections, or if a license has been revoked by the corporation, a person aggrieved may apply to any Justice of the Superior Court, in term time or vacation, who may order the issuances or restoration thereof, provided said justice finds the corporation acted fraudulently or corruptly or erred in its conclusion of facts.

**Sec. 131. Taking of clams, quahogs and mussels of flats of Kennebunk River.** It shall be lawful to dig clams, quahogs and mussels on any of the flats in the Kennebunk River and its tributaries, York County, provided said clams, quahogs and mussels are not used for any other purpose than as bait for fishing. Such digging and taking shall be limited to residents of Kennebunk and Kennebunkport only and not more than one bushel, whether clams, quahogs or mussels, per person per tide may be taken.

**Sec. 132. Taking of clams, quahogs and mussels on flats of Mousam River.** It shall be lawful to dig clams, quahogs and mussels on any of the flats in the Mousam River and its tributaries, York County, provided said clams, quahogs and mussels are not used for any other purpose than as bait for fishing. Such digging and taking shall be limited to residents of Kennebunk only and not more than one bushel, whether clams, quahogs or mussels, per person per tide may be taken.

**Sec. 133. Taking of lobsters in York River.** No person shall catch, take or trap lobsters in York River, York County, from its source to a line running from Rock's Nose, so called, to the red painted rock on Stage Neck, so called, on the opposite shore.

**Sec. 134. General penalty.** Whoever violates any provision of this chapter shall be punished by a fine of not less than \$10 nor more than \$300, or by imprisonment for not more than 90 days, or by both.

**Sec. 135. Repealing clause.** All the private and special laws and resolves, including those directing the promulgation of rules and regulations, affecting the time, manner and conditions in and under which fish, shellfish, crabs and lobsters may be taken from the tidewaters within the State, are repealed.