

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 122.

An Act for the encouragement of Shellfish Industry.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Authorized to make experiments in shellfish industry.

The commissioner of sea and shore fisheries is hereby authorized and directed to expend from the moneys appropriated for the year nineteen hundred seven, for the protection of sea and shore fisheries, so much thereof, not exceeding the sum of one thousand dollars, as may be found necessary to make such experiments as in his judgment are necessary to conserve, extend, encourage, develop, improve and increase the shellfish industry in this state; and he is authorized, during the year nineteen hundred and eight, to expend from the same appropriation and for the same purposes, not exceeding the sum of one thousand dollars, if in his judgment such expenditure can be judiciously made in the prosecution of the purposes and objects of this act.

Approved March 26, 1907.

Chapter 123.

An Act to amend Section forty-four of Chapter forty-one of the Revised Statutes, relating to the taking of Smelts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 44, chapter 41, R. S., as amended by chapters 20, 30 and 31, public laws 1905, as amended by chapters 12 and 35, public laws 1907, further amended.

Section I. Section forty-four of chapter forty-one of the revised statutes, as amended by chapters twenty, thirty and ninety-one of the public laws of nineteen hundred and five; and as further amended by chapters twelve and thirty-five of the public laws of nineteen hundred and seven, is hereby further amended by adding in the thirty-fifth line after the words, "Pas-samaquoddy bay," the words 'Saint Croix river,' so that said section as amended, shall read as follows:

Close time on smelts.

—penalty for violation.

—weirs shall be open and nets removed.

—penalty.

—certain weirs excepted.

'Section 44. No smelts shall be taken or fished for in tidal waters, except by hook and line, between the first days of April and October, under a penalty of not less than ten, nor more than thirty dollars for each offense, and a further penalty of twenty cents for each smelt so taken, and all weirs for the capture of smelts shall be open and so remain, and all nets used in the smelt and tomcod fishery shall be taken from the water on or before said first day of April, under a penalty of not less than twenty, nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of the law. But weirs with catch pounds covered with nets, the meshes

of which are one inch square in the clear, or greater, are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following be offered for sale, sold or shipped from the state under a penalty of twenty-five dollars for each offense; provided, however, that dip nets may be used between the first day of April and the first day of May, and all smelts caught by dip nets between said days may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river above the Merrymeeting bay bridge, or in Narraguagus bay or river between the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and thirtieth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October, nor to smelts taken in Franklin bay between the first day of April and the first day of May, nor to smelts taken in Little Kennebec bay, so called, or in Narraguagus bay or river, in the county of Washington, between the first day of April and the first day of May, nor to smelts taken in West bay and West bay stream, so called, in the town of Gouldsboro, Hancock county, between the first day of April and the first day of May, nor to smelts taken in Passamaquoddy bay, Saint Croix river and Cobscook bay and the coves and inlets tributary to these bays between the first day of September and the first day of October.'

—sale of smelts restricted.

—use of dip nets.

—exceptions.

—Androscoggin river.

—Narraguagus bay.

—Penobscot river.

—Casco bay.

—Franklin bay.

—Little Kennebec bay.

—Narraguagus bay.

—West bay and West bay stream.

—Passamaquoddy bay, Saint Croix river and Cobscook bay.

Section 2. This act shall take effect when approved.

Approved March 26, 1907.

Chapter 124.

An Act to regulate the sale and analysis of Food and Drugs.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. It shall be unlawful for any person within this state to manufacture, sell, transport, or offer for sale or transportation, any article of food or drug which is adulterated or misbranded within the meaning of this act.

Sale and analysis of food and drugs.

Section 2. The term 'drug,' as used in this act, shall include all medicines and preparations recognized in the United States pharmacopoeia or national formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either

Definition of the term 'drug' as used in this act.