

SENATE No. 65.

[To accompany the petition of Edward C. Holt and another for legislation relative to the protection of shellfish in the town of Berkley. Fisheries and Game.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To provide for the Protection of Shellfish in the
Town of Berkley.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. No person shall take any shellfish
2 from their beds, or wilfully obstruct the growth
3 of any shellfish, within the town of Berkley, ex-
4 cept as hereinafter provided.

1 SECTION 2. The selectmen of said town may
2 give permits in writing to any person to take
3 shellfish from their beds within said town at such
4 times, in such quantities and for such uses, as they
5 shall deem expedient. Said selectmen may with-

6 hold all such permits for such time as they deem
7 expedient. But any inhabitant of said town may
8 without such permit take from the beds in said
9 town shellfish for the use of his family, not ex-
10 ceeding in quantity one bushel, including shells,
11 in any one day; and any fisherman may without
12 such permit take shellfish from the said beds for
13 bait for his own use, not exceeding in quantity
14 one bushel, including shells, in any one day.
15 Shovels shall not be used at any time below low
16 water mark. Forks may be used by permit from
17 the selectmen, but not otherwise.

1 SECTION 3. No little neck clams or quahaugs
2 less than one and one-half inches across the widest
3 part shall be taken from their beds in said town.

1 SECTION 4. Whoever violates any provision
2 of this act shall be punished by a fine of not less
3 than ten nor more than one hundred dollars.

1 SECTION 5. District courts and trial justices
2 shall have concurrent jurisdiction with the su-
3 perior court of all offences under this act.

1 SECTION 6. So much of sections sixty-eight
2 and sixty-nine of chapter ninety-one of the Public
3 Statutes as conflicts herewith shall not apply to
4 the said town of Berkley.