

# HOUSE . . . . . No. 810.

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Bill accompanying the petition of Frederick D. Bartlett and others for legislation to regulate or prohibit the use of gill nets, especially as to the catching of codfish in certain waters. Fisheries and Game. January 22.

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## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Eight.

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### AN ACT

In Regard to the Use of Gill Nets in Cape Cod Bay.

*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 set, stretch or use a gill  
2 net having a mesh which stretches more than six inches,  
3 or a gill net of any size mesh the lowest part of which  
4 extends more than fifteen feet below the surface of the  
5 water, in the waters of Cape Cod Bay, southerly of a  
6 straight line running from the Race Point Light in  
7 Provincetown to the rock called Brant Rock in Marsh-  
8 field, or in any harbor, bay or cove of such part of Cape  
9 Cod Bay.

1 SECTION 2. Whoever violates any provision of this  
2 act, or aids or assists in so doing, shall be punished by a

3 fine of not less than fifty dollars nor more than five hun-  
4 dred dollars or by imprisonment for a term not exceed-  
5 ing six months for each offence.

1 SECTION 3. Any gill net used in violation of any  
2 provision of this act together with any boat, craft, ves-  
3 sel, steamer or fishing apparatus employed or used in  
4 such illegal use and any fish found therewith are hereby  
5 declared to be public nuisances and forfeited ; and it shall  
6 be lawful for any constable, police officer or deputy  
7 sheriff in the Commonwealth, to seize and detain, with-  
8 out warrant, for a period not exceeding forty-eight hours,  
9 any such gill net, boat, craft, vessel, steamer or fishing  
10 apparatus found in use contrary to the provisions of this  
11 act, and any fish found therewith, to the end that the  
12 same may be libelled, if necessary, by due process of  
13 law. District courts and trial justices shall have con-  
14 current jurisdiction with the superior court of all offences  
15 and proceedings under the provisions of this act, regard-  
16 less of the value of the property libelled.