

HOUSE No. 1646

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 12, 1917.

The committee on Fisheries and Game, to whom were referred the recommendations of the Board of Commissioners on Fisheries and Game (House, Nos. 186 and 190), report, in part, the accompanying bill.

For the committee,

BENJ. G. COLLINS.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

Relative to taking Fish which frequent Fresh Water.

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. Section one hundred and thirty-two of
2 chapter ninety-one of the Revised Laws, as amended by
3 chapter four hundred and ninety-two of the acts of the
4 year nineteen hundred and eight, is hereby further
5 amended by inserting after the word "alewives", in the
6 sixth line, the words: — or pots for the taking of eels, —
7 by striking out the word "that", in the eighth line, and
8 inserting in place thereof the word: — those, — and by
9 adding at the end thereof the words: — The possession by
10 any person or persons in or upon such waters or upon the
11 banks of the same, except as otherwise allowed in this
12 section, of any net, trap, trawl, or other device adapted
13 for taking fish shall be prima facie evidence of a violation
14 of this act, — so as to read as follows: — *Section 132.*
15 Whoever takes any fish which at any season frequent
16 fresh water, except as otherwise allowed in this chapter,
17 in any other manner than by artificially or naturally
18 baited hook and hand line, shall forfeit not less than five
19 nor more than fifty dollars; but towns may permit the

20 use of nets and seines for taking herring and alewives or
21 pots for the taking of eels; and nothing in this act shall
22 be construed to prohibit the spearing of those species of
23 fish commonly known as eels and "suckers". The pos-
24 session by any person or persons in or upon such waters
25 or upon the banks of the same, except as otherwise al-
26 lowed in this section, of any net, trap, trawl, or other
27 device adapted for taking fish shall be prima facie evi-
28 dence of a violation of this act.

1 SECTION 2. This act shall not apply to ponds already
2 held under lease or which may hereafter be leased by the
3 commonwealth or by the board of commissioners on fish-
4 eries and game.

