

HOUSE . . . . . No. 601.

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Bill accompanying the petition of Charles E. Davis for legislation to prevent the extermination and to increase the natural production of lobsters. Fisheries and Game. January 23.

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Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Six.

AN ACT

To prevent the Extermination and to increase the  
Natural Production of Lobsters.

*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. That it shall be deemed unlawful  
2 to set or place in the waters of the state of Mas-  
3 sachusetts any lobster trap or lobster pot which  
4 measures less than two inches between all the  
5 laths or slats, and also between each sill and each  
6 first upper lath or slat, and it shall be deemed un-  
7 lawful to cross the said laths, slats, et cetera, of  
8 said lobster traps or lobster pots with any wire,  
9 twine or other netting or its equivalent.

1 SECTION 2. That each lobster trap and lobster  
2 pot, or cunner trap or cunner pot, shall be plainly  
3 buoyed with wooden buoys and buoys painted.

1 SECTION 3. That all lobster traps and lobster  
2 pots not legally sealed or branded on the bottom  
3 side of both sills by a legally authorized town or  
4 city sealer or brander of lobster traps or lobster  
5 pots, shall be confiscated and destroyed, when  
6 found in the waters of the state by a legally  
7 authorized lobster or fish warden. But no said  
8 lobster or fish warden or wardens shall have any  
9 legal authority to confiscate or destroy any lobster  
10 trap or pot which bears the seal or brand of the  
11 said legal sealer or brander on the said sills or  
12 sill of said lobster traps or lobster pots, and cun-  
13 ner traps and cunner pots.

1 SECTION 4. That not less than one sealer or  
2 brander of lobster traps, lobster pots and cunner  
3 traps shall be appointed by the proper state of  
4 Massachusetts authorities to serve in each town  
5 or city on the seacoast of the state of Massachu-  
6 setts where some of the inhabitants of the said  
7 towns and cities are engaged in catching or taking  
8 lobsters.

1 SECTION 5. That each said sealer or brander  
2 of said lobster traps or lobster pots and cunner  
3 traps shall receive from the state of Massachusetts  
4 not less than two cents each for each lobster  
5 trap, lobster pot, or cunner trap or pot inspected,

6 measured, recorded, sealed or branded with the  
7 state seal or brand, all of which said seals or  
8 brands are to be furnished without charge to said  
9 legal state sealers or branders by the state of  
10 Massachusetts.

1 SECTION 6. That all the said sealers or brand-  
2 ers of said lobster traps, lobster pots and cunner  
3 traps shall apply said seals or brands under the  
4 directions of the proper state authorities to both  
5 under sides of both sills of said lobster traps, lob-  
6 ster pots and cunner traps which said brands or  
7 seals must include the serial number of each lob-  
8 ster trap or pot, also each said cunner trap or pot.

1 SECTION 7. Massachusetts fishermen in the  
2 waters of Massachusetts shall be allowed to set  
3 and use one cunner trap or pot to every ten lob-  
4 ster traps or pots for the purpose of catching  
5 cunners or other small fish for baiting lobster  
6 traps or pots and such cunner traps or cunner  
7 pots when used in said ratio of one cunner trap  
8 or pot to ten lobster traps or pots shall not be  
9 subjected to said measurement but the said cun-  
10 ner traps or pots shall be sealed or branded  
11 "Cunner Trap or Cunner Pot" and also carry  
12 its own serial number for the purpose of record  
13 and identification.

1 SECTION 8. That all said cunner traps or cun-  
2 ner pots not sealed or branded by said sealers or  
3 branders are unlawful and subject to state of

4 Massachusetts confiscation and destruction by the  
5 fish wardens if found set in the waters of Massa-  
6 chusetts: *provided*, that the said cunner traps or  
7 pots be constructed on the principle of the lathed  
8 or slatted lobster trap or pot, such as has been in  
9 use prior to the date of this act.

1 SECTION 9. That the state of Massachusetts in  
2 order to do its own share toward increasing the  
3 natural production and increase of the lobster  
4 hereby removes the measurement from lobsters  
5 and places the said measurement upon lobster  
6 traps where it should have been placed fifty years  
7 ago, according to an expert study of the subject.  
8 It has been shown that the old lobster trap and  
9 dogfish have been the chief causes of lobster ex-  
10 termination.

1 SECTION 10. That on and after January first,  
2 nineteen hundred and six, no lobsters found caught  
3 or taken in the waters within the jurisdiction of  
4 the state of Massachusetts shall be subjected to  
5 measurement by any warden, officer or other  
6 person.

1 SECTION 11. That this act shall go into effect  
2 on and after January first, nineteen hundred and  
3 seven, and remain in force until January first,  
4 nineteen hundred and twelve.