

HOUSE No. 1223.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 27, 1907.

The committee on Fisheries and Game, to whom were referred the recommendations for legislation to be contained in the forty-first annual report of the Board of Commissioners on Fisheries and Game (House, No. 1158), report, in part, the accompanying bill.

For the committee,

FRANK W. GOODWIN.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seven.

AN ACT

Relative to the Protection of Seed Scallops.

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. For the purposes of this act a seed
2 scallop shall be defined to be a scallop with a bright,
3 thin, slightly curved shell, with no foreign growth
4 adherent, the shell having no sharply defined growth
5 line, and the animal less than one year old.

1 SECTION 2. No uncultured or seed scallops taken
2 from the flats or tidewaters of the Commonwealth
3 shall be held in captivity. Seed scallops which are
4 taken shall be culled out and shall be returned alive
5 and uninjured to tidewater which is at least three
6 feet deep at mean low tide.

1 SECTION 3. Whoever takes or has in possession
2 a seed scallop taken from the flats or tidewaters of
3 the Commonwealth and fails to return it imme-
4 diately to tidewater as provided in the preceding
5 section, shall be punished by a fine of not less than

6 five nor more than twenty dollars for each offence.
7 Possession of a seed scallop shall be *prima facie*
8 evidence that such seed scallop was taken from the
9 flats or tidewaters of the Commonwealth contrary
10 to law.

1 SECTION 4. All acts and parts of acts inconsistent
2 herewith are hereby repealed.

