

1004.

APPROVAL, BONDS OF OBERLIN VILLAGE SCHOOL DISTRICT, LORAIN COUNTY—\$61,000.00.

COLUMBUS, OHIO, October 8, 1929.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1005.

FISH—CATCHING WITH CERTAIN DEVICES FORBIDDEN—WHEN HOOK AND LINE ALLOWED—USE OF TROT LINES DISCUSSED.

SYLLABUS:

1. *By virtue of the terms of Section 1392, paragraph b, of the General Code, set lines, float lines, spears, grappling hooks, naked hooks, snatch hooks, eel weirs and eel pots may not be used to take fish in the waters of the State of Ohio.*

2. *Hook and line may only be used to take fish in the waters of the State of Ohio by line in hand, or rod in hand, with not more than three baited books attached, or lure with not more than three sets of three hooks each attached.*

3. *Trot lines may be used to take fish in the Lake Erie fishing district and may be used in the inland fishing district by the owner or person having the owner's consent, in that part of the stream bordering on or running through said owner's land, except in lakes, harbors and reservoirs controlled by the State.*

COLUMBUS, OHIO, October 9, 1929.

HON. PERRY L. GREEN, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your letter of recent date which is as follows:

“There is quite a lot of misunderstanding on Section 1392-B of the Fish and Game laws concerning punctuation of the last sentence which reads as follows:

‘Tipups, trout lines, set lines, float lines, spears, grappling hooks, naked hooks, snatch hooks, hook and line with more than three hooks attached, eel weirs, eel pots, and nets of any kind shall not be used to take fish, except as specifically permitted by this act.’

It states that hook and line with more than three hooks attached shall not be used to take fish, etc. This in itself is clear, but the question arises whether it does not mean that all the other lines mentioned in the reading matter before the hook and line shall not have more than three hooks too.

Those who are inclined to interpret it this way use set lines with even 100 hooks and consider that they are not violating this section. This really does not look fair as a man fishing with a pole and line is not permitted to have more than three hooks attached to it.

I would appreciate your interpretation of this section at your earliest convenience.”

Section 1392, paragraph b of the General Code, is as follows: