

POTOMAC RIVER FISHERIES COMMISSION  
COLONIAL BEACH, VIRGINIA  
September 16, 1966

Lewis Jones, Jr., Chairman, called the group to order at 10:15 a.m. in the Commission headquarters and explained that the meeting would not be considered a duly constituted meeting of the Commission because a quorum was not present. He stated it had been ascertained at this time by telephone that Commissioner Weems was not present because of a misunderstanding of a change from the original date set for meeting, and Commissioner Vallinat was not available because of an unavoidable conflict.

Mr. Jones ordered that any matters that might be discussed informally be recorded for future reference.

Members present: Commissioners H. C. Byrd, Milton T. Hickman, J. Clifford Hutt, Lewis Jones, Jr.

Officers present: Legal Officer K. Thomas Everngam, Executive Secretary Robert M. Norris, Jr., Inspector E. Ralph Dameron, Cdr. Roy W. Rafter, Lt. Harvey Cook, Mr. Charles R. Bagnell, Virginia Conservation and Repletion Officer.

Visitors present: John Frye, Dallas Long, Miss Isabel Gough (all from the press), Elgin A. Dunnington, Jr., Thomas Hickman, and Attorneys George Mason, Jr., W. D. Williams and W. Taylor Murphy, Jr.

Mr. Jones stated that Minutes of last meeting held June 23rd and 24th would be considered at the next meeting.

Mr. Jones recognized the Attorneys present, who were representing two opposing haul seine interests, with each desiring the same location. Mr. Mason and Mr. Williams representing Walter L. Hundley (and group) on one hand, and Mr. Murphy representing Albert Hundley (and group) on the other.

Mr. Mason presented the position of his clients first, and then Mr. Murphy presented the claims of his clients, with each side apparently agreeing that the Commission has the authority to regulate this fishery.

Mr. Jones again reminded the group that with no quorum present, no action would be taken by the Commission.

A general discussion on the subject of haul seines took place, including questions by Commissioners and replies by the Attorneys. This discussion included "haul seining practices and customs, riparian rights, earlier court decisions, Maryland law (in absence of Potomac River Fisheries Commission regulations), written permits by adjacent landowners".

The Commissioners agreed that a temporary decision must be made to prevent further altercations and/or violence in the disputed haul seine area. The following temporary action was therefore agreed upon: "In reference to the requests of Messrs. Mason and Williams and Mr. Murphy, that questions relating to haul seining in certain sections of the Virginia shore of the Potomac be clarified, and the Chairman having observed that there being no quorum present, the Commission could not render an authentic decision; but that the Chairman would advise the officers and inspectors to follow the Maryland law, using as a guide that section of the law which provides the haulseiners shall obtain the consent of the property owner of the shore at which the seine is to be hauled. This with the understanding that the Chairman would refer the matter to legal authority and try to take official action at its next meeting, and that the lawyers representing the haul seine interests present to the Commission's legal officer written briefs representing their cases".

At Mr. Jones' request, counsel for both sides agreed to submit promptly written briefs to Mr. Everngam, who said he would be ready to report to Commission at next meeting.

Mr. Jones asked Commander Rafter and Inspector Dameron to advise their officers of the above action - they said they understood Commission's temporary decision and would do so.

Mr. Dunnington discussed several proposed boundary changes for soft shell clamming areas. He was asked to prepare a map delineating areas - including changes - in a concise form to be studied in a later meeting.

The date for next meeting is to be arranged by the Chairman.

  
CHAIRMAN

  
SECRETARY