

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1870.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1870.

or other legal representative of a deceased person, in which his account books or other memoranda are used as evidence on either side, the other party may testify in relation thereto.'

SECT. 2. This act shall take effect when approved.

Approved March 12, 1870.

CHAP. 133.

representatives of
deceased persons,
amended.

Chapter 133.

An act to prohibit the wholesale destruction of water-fowl by traps, etc.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. If any person or persons shall trap, snare or capture wild ducks of any variety, other than in the usual manner of sporting with fire-arms, within the limits of the state, shall forfeit and pay for each duck so taken, a sum not less than two dollars nor more than five, to be recovered by action of trespass, one-half to the use of the town or plantation in which the offence is committed, the other half to the person complaining.

Penalty for de-
stroying wild
ducks other than
by fire arms.

SECT. 2. This act shall take effect when approved.

Approved March 14, 1870.

Chapter 134.

An act to amend chapter thirty of the revised statutes, relating to killing moose, deer and caribou.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Section nine of chapter thirty of the revised statutes, is hereby amended, so that said section as amended shall read as follows:

'Sect. 9. No person shall hunt or kill with dogs any moose, deer or caribou on any lands in this state, under a penalty of forty dollars for every such moose, deer or caribou so killed; and no person shall between the first day of February and the first day of October, in any manner hunt or kill any moose, deer or caribou under the same penalties as above provided; any person may lawfully shoot or otherwise kill any dog so found hunting moose, deer or caribou, or with the persons herein prohibited.'

R. S., chap. 30,
sect. 9, relating
to the penalty for
killing moose and
deer at certain
seasons, amend-
ed.

SECT. 2. Section fourteen of said chapter is hereby amended, by striking out the words "within the times herein forbidden," and inserting instead thereof the words, 'between the first day of February and the first day of October,' and by adding at the end

R. S., chap. 30,
sect. 14, relating
to the evidence
of the unlawful
killing of moose
and deer,
amended.

CHAP. 135. of said section the words, 'in case of his conviction, such carcass or hide so found in his possession shall be decreed by the court forfeited to the use of the person prosecuting,' so that said section, as amended, shall read as follows :

'Sect. 14. If any person has in his possession the carcass or hide of any such animal between the first day of February and the first day of October, he shall be deemed to have hunted and killed the same contrary to law and be liable to the penalties aforesaid, but he shall not be precluded from producing proof in defence ; in case of his conviction, such carcass or hide so found in his possession shall be decreed by the court forfeited to the use of the person prosecuting.'

R. S., chap. 30, sect. 12, relating to the recovery of penalties, amended.

SECT. 3. Section twelve of said chapter, is hereby amended, by striking out the words "and deer" in the third line thereof and inserting in place thereof the words 'deer and caribou.'

Public laws of 1863, chap. 19, and public laws 1869, chap. 48, repealed.

SECT. 4. Chapter nineteen of the public laws of eighteen hundred and fifty-eight, and chapter forty-eight of the public laws of eighteen hundred and sixty-nine, are hereby repealed.

SECT. 5. This act shall take effect when approved.

Approved March 14, 1870.

Chapter 135.

An act to amend section forty of chapter four, section eleven of chapter five, section seventy-four of chapter eighteen of the revised statutes, and chapter forty of the public laws of eighteen hundred and sixty-six, relating to elections, public lands and ways.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. So much of section forty of chapter four of the revised statutes, as precedes the word "for," in the eighth line of said section, is hereby repealed.

SECT. 2. Section eleven of chapter five of the revised statutes, is hereby amended by striking out of the second, third, and fourth lines of said section the words "or organized into plantations" and the words "or is otherwise parted with." Said section is further amended by striking out of the eleventh line thereof, the words "so incorporated or organized," and inserting instead thereof, the words, 'incorporated into a town,' so that said section as amended shall read as follows :

'Sect. 11. The land agent shall have the care of the reserved lands in all townships or tracts, until they are incorporated, and the fee becomes vested in the town. He may from time to time, sell the timber and grass thereon, or the right to cut the same, for

Part of sect. 40, chap. 4, R. S., relating to meetings of aldermen to decide upon applications of persons claiming right to vote, repealed.

R. S., chap. 5, sect. 11, relating to care of reserved lands in unincorporated townships, amended.

R. S., chap. 6, sect. 11, as amended.