

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

SENATE.

No. 76.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to amend chapter 30 and chapter 40 of the Revised
Statutes, relating to Inland Fisheries and Game.

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

Section 1. Section 9 of chapter 30 of the Revised Statutes
2 as amended by chapter 109 of the Public Laws of 1895, is
3 hereby amended by inserting the words 'artificial light' after
4 the word "light" at the end of the first line, and by striking
5 out the words "for not less than \$100 nor more than \$300."
6 in the fourth and fifth lines, and inserting therefor the words
7 'shall be imprisoned not exceeding four months' and by
8 striking out the words "and be imprisoned 30 days" in
9 the sixth and seventh lines, and by striking out the word

10 "January" in the eighth line, and inserting therefor the word
11 'December,' so that said section as amended shall read as
12 follows:

'Section 9. Whoever hunts, catches, kills or destroys with
14 dogs, jack lights, artificial lights, so called, snares or traps,
15 any bull moose, or in any manner hunts, catches, kills, des-
16 troys or has in possession any cow or calf moose, or part
17 thereof, shall be imprisoned not exceeding four months for
18 every bull moose or cow or calf moose so hunted, caught,
19 killed, destroyed or had in possession; and no person shall,
20 between the first day of December and October, in any man-
21 ner hunt, catch, kill or destroy or have in possession any
22 bull moose, or any part thereof, taken in close time, under
23 the same penalty.'

Sect. 2. Section 10 of chapter 30 of the Revised Statutes,
2 as amended by chapter 36 of the Public Laws of 1895, is
3 hereby amended by inserting the words 'artificial lights' after
4 the word "light" at the end of the first line, and by striking
5 out the word "caribou" wherever it occurs in said section, so
6 that said section as amended shall read as follows:

'Section 10. Whoever hunts, catches, kills or destroys,
8 with dogs, jack lights, artificial lights, so called, snares or
9 traps, any deer or caribou, forfeits forty dollars for every
10 deer so hunted, caught, killed or destroyed, and be subject
11 to imprisonment thirty days, and no person shall, between
12 the first days of January and October, in any manner, hunt,
13 catch, kill or destroy or have in possession any deer or cari-

14 bou, or part thereof, taken in close time, under the same
15 penalty.

‘Any person may lawfully kill any dog found hunting
17 moose, deer or caribou, or kept or used for that purpose.
18 Any person owning or having in possession any dog for the
19 purpose of hunting moose or deer, or that is kept or used for
20 such hunting, forfeits not less than twenty nor more than one
21 hundred dollars for each dog so owned, kept, used or in
22 possession.’

Sect. 3. Section 11 of chapter 30 of the Revised Statutes,
2 as amended by section 3 of chapter 95 of the Public Laws
3 of 1891, is hereby amended by striking out all of said section
4 after the word “any” in the first line, and adding the words,
5 ‘deer, or parts thereof, between the first day of January and
6 the first day of the following October, not by himself killed
7 in open season, except as hereinafter provided, shall be pun-
8 ished by a fine of forty dollars and costs of prosecution for
9 each offence,’ so that said section as amended shall read as
10 follows:

‘Section 11. Whoever has in possession any deer, or parts
12 thereof, between the first day of January and the first day
13 of the following October, not by himself killed in open sea-
14 son, except as hereinafter provided, shall be punished by a
15 fine of forty dollars and costs of prosecution for each offence.’

Sect. 4. Section 12 of chapter 30 of the Revised Statutes
2 as amended by chapter 87 of the Public Laws of 1895, is
3 hereby amended by striking out all of said section and substi-
4 tuting therefor the following section:

‘Section 12. Whoever, between the first day of December
6 and the first day of the following October shall, in any man-
7 ner, hunt, catch, kill or destroy any bull moose shall be
8 imprisoned not exceeding four months.’

Sect. 5. Section 13 of chapter 30 of the Revised Statutes,
2 as amended by section 5 of chapter 95 of the Public Laws
3 of 1891, is hereby amended by striking out all of said section
4 after the word “name” in the fourth line, and adding the
5 words ‘and residence of the owner thereof, and accompanied
6 by him, under a penalty of forty dollars and costs of prosecu-
7 tion for each moose, caribou or deer so transported or car-
8 ried; and any person not the actual owner of such game or
9 part thereof, who, to aid another in such transportation,
10 falsely represents himself to be the owner thereof, shall be
11 liable to the penalties aforesaid; and it shall be prima facie
12 evidence that said game was illegally killed, that is being
13 transported or carried in violation of this section,’ so that
14 said section as amended shall read as follows:

‘Section 13. No person or corporation shall carry or trans-
16 port from place to place any moose, caribou or deer, or part
17 thereof in close time, nor in open time unless open to view,
18 tagged and plainly labelled with the name and residence of
19 the owner thereof, and accompanied by him, under a penalty
20 of forty dollars and costs of prosecution for each moose,
21 caribou or deer so transported or carried; and any person
22 not the actual owner of such game or parts thereof, who,
23 to aid another in such transportation, falsely represents

24 himself to be the owner thereof, shall be liable to the penal-
25 ties aforesaid; and it shall be prima facie evidence that said
26 game was illegally killed, that is being transported or carried
27 in violation of this section.'

Sect. 6. Section 14 of chapter 30 of the Revised Statutes,
2 as amended by section 6 of chapter 95 of the Public Laws of
3 1891, is hereby amended by striking out all of said section
4 after the word "game" in the first line, and adding the words,
5 'has been seized for violation of any game law, shall have
6 it returned to him on giving to the officer a bond with suffi-
7 cient sureties, approved by any municipal or police judge or
8 trial justice, in double of the amount of the fine for such
9 violation, except in the case of a bull moose or caribou, and
10 in this case the bond shall be for five hundred dollars, condi-
11 tioned that if convicted of such violation he will, within thirty
12 days thereafter, appear at a court of competent jurisdiction
13 to be specified in the bond and submit himself to such pun-
14 ishment as the court imposes.

'If he neglects or refuses to give such bond, and take the
16 game so seized, he shall have no action against the officer
17 for such seizure, or for the loss of the game so seized,' so that
18 said section as amended shall read as follows:

'Section 14. Any person whose game has been seized
20 for violation of any game law, shall have it returned to him
21 on giving to the officer a bond with sufficient sureties,
22 approved by any municipal or police judge or trial justice,
23 in double of the amount of the fine for such violation, except

24 in the case of a bull moose or caribou, and in this case the
25 bond shall be for five hundred dollars, conditioned that if
26 convicted of such violation he will, within thirty days there-
27 after, appear at a court of competent jurisdiction to be spec-
28 ified in the bond, and submit himself to such punishment as
29 the court imposes.

‘If he neglects or refuses to give such bond, and take the
31 game so seized, he shall have no action against the officer
32 for such seizure or for the loss of the game so seized.’

Sect. 7. Section 15 of chapter 30 of the Revised Statutes,
2 as amended by section 7 of chapter 95 of the Public Laws of
3 1891, is hereby amended by striking out all of said section
4 after the word “violation” in the fifth line, and adding the
5 words ‘such game shall be forfeited to the prosecutor who
6 shall sell the same for consumption in this State only, and
7 the proceeds thereof shall monthly be paid into the treasury
8 of the State to be added to the permanent fund for the propa-
9 gation and protection of inland fish and the protection of
10 the inland game,’ so that said section as amended shall read
11 as follows:

‘Section 15. All game hunted, caught, killed, destroyed,
13 bought, carried, transported or found in possession of any
14 person or corporation, in violation of the provisions of this
15 chapter and amendments thereto, shall be liable to seizure;
16 and in case of conviction for such violation, such game shall
17 be forfeited to the prosecutor, who shall sell the same for
18 consumption in this State only, and the proceeds thereof

19 shall monthly be paid into the treasury of the State to be
20 added to the permanent fund for the propagation and pro-
21 tection of inland fish and the protection of the inland game.'

Sect. 8. Section 16 of chapter 30 of the Revised Statutes,
2 as amended by section 8 of chapter 95 of the Public Laws of
3 1891, is hereby amended by striking out all of said section
4 after the word "the" in the first line, and adding the words,
5 'inland fish and game laws may, without process, arrest any
6 violator of any of said laws; and he shall, with reasonable
7 diligence, cause him to be taken before the proper tribunal
8 in the county where he is arrested, or in an adjoining county
9 thereto, for a warrant and trial; and jurisdiction in such
10 cases is hereby granted to all trial justices and municipal
11 and police judges, to be exercised in the same way and man-
12 ner as if the offence had been committed in that county. And
13 any officer who shall maliciously, or without probable cause,
14 abuse his power in such proceedings shall be punished by
15 a fine of one hundred dollars and imprisonment thirty days,'
16 so that said section as amended shall read as follows:

'Section 16. Any officer authorized to enforce the inland
18 fish and game laws may, without process, arrest any violator
19 of any of said laws; and he shall, with reasonable diligence,
20 cause him to be taken before the proper tribunal in the
21 county where he is arrested, or in an adjoining county
22 thereto, for a warrant and trial; and jurisdiction in such
23 cases is hereby granted to all trial justices and municipal
24 and police judges, to be exercised in the same way and man-
25 ner as if the offence had been committed in that county.

‘And any officer who shall maliciously, or without probable
27 cause, abuse his power in such proceedings shall be punished
28 by a fine of one hundred dollars and imprisonment thirty
29 days.’

Sect. 9. Section 17 of chapter 30 of the Revised Statutes,
2 as amended by section 9 of chapter 95 of the Public Laws of
3 1891, is hereby amended by striking out all of said section
4 after the word “of” in the second line, and adding the words,
5 ‘inland fish and game wardens, and shall receive for their
6 services like pay; and it shall be their duty at all times to aid
7 in the enforcement of the inland fish and game laws in their
8 respective counties,’ so that said section as amended shall
9 read as follows:

‘Section 17. Sheriffs, deputy sheriffs, police officers and
11 constables, are vested with the powers of inland fish and
12 game wardens, and shall receive for their services like pay;
13 and it shall be their duty at all times to aid in the enforce-
14 ment of the inland fish and game laws in their respective
15 counties.’

Sect. 10. Section 18 of chapter 30 of the Revised Statutes,
2 as amended by section 10 of chapter 95 of the Public Laws of
3 1891, is hereby amended by substituting the word ‘adjoin-
4 ing’ for the word “neighboring” in the sixth line, and adding
5 the words, ‘and inland fish and game wardens are hereby
6 empowered to serve all processes in the above named
7 actions,’ so that said section as amended shall read as
8 follows:

'Section 18. Officers authorized to enforce the inland fish
10 and game laws, and all other persons, may recover the pen-
11 alties for the violation thereof in an action on the case in
12 their own names, or by complaint or indictment in the name
13 of the State, and such prosecution may be commenced in any
14 county in which the offender may be found, or in any adjoin-
15 ing county; and inland fish and game wardens are hereby
16 empowered to serve all processes in the above named
17 actions.'

Sect. 11. Section 21 of chapter 30 of the Revised Statutes,
2 as amended by chapter 125 of the Public Laws of 1895, is
3 hereby amended by striking out all of said section after the
4 word "shall" in the thirteenth line, and adding the words,
5 'in any one day, kill, expose for sale or have in possession,
6 except alive, more than fifteen of each variety of the birds
7 and ducks above named during the respective open seasons;
8 nor shall any person at any time, kill, expose for sale, or have
9 in possession, except alive, any of the above named varie-
10 ties of birds and ducks except for consumption within this
11 State, under a penalty of ten dollars for each bird and duck
12 so unlawfully killed, exposed for sale or had in possession;
13 nor shall any person or corporation carry or transport from
14 place to place in open season any of the above mentioned
15 birds or ducks, unless open to view, tagged and plainly
16 labelled with the owner's name and residence, and accom-
17 panied by him, under the same penalty. Nothing in this
18 section shall prevent any market man or provision dealer,

19 having an established place of business in this State, from
20 purchasing at his place of business, any bird or duck lawfully
21 killed or destroyed, or any part thereof, and selling the same
22 at retail to his local customers. Provided, however, that
23 said market man or provision dealer shall have complied
24 with the provisions of section 35 of chapter 30 of the Revised
25 Statutes, relative to a license, and if any market man or pro-
26 vision dealer shall violate any of the provisions of this sec-
27 tion he shall be punished by a fine of five hundred dollars
28 and costs of prosecution.

‘It shall be prima facie evidence that any bird or duck that
30 is transported or had in possession in violation of this section
31 was unlawfully killed,’ so that said section as amended shall
32 read as follows:

‘Section 21. Whoever kills or has in his possession, except
34 alive, or exposes for sale, any wood duck, dusky duck, com-
35 monly called black duck, teal or gray duck, between the first
36 days of May and September, or kills, sells or has in his pos-
37 session, except alive, any ruffed grouse, commonly called
38 partridge, between the first days of December and Septem-
39 ber twentieth, or woodcock between the first days of Decem-
40 ber and September following; or kills, sells or has in his
41 possession, except alive, any quail between the first day of
42 December and the first day of October following, or pin-
43 nated grouse, commonly called prairie chicken, between
44 the first days of January and September, or plover between
45 the first days of May and August, forfeits not less than five

46 nor more than ten dollars, for each bird so killed, had in
47 possession or exposed for sale. And no person shall in any
48 one day, kill, expose for sale or have in possession, except
49 alive, more than fifteen of each variety of the birds and ducks
50 above named during the respective open seasons; nor shall
51 any person, at any time, kill, expose for sale, or have in
52 possession, except alive, any of the above named varieties of
53 birds and ducks except for consumption within this State,
54 under a penalty of ten dollars for each bird and duck so unlaw-
55 fully killed, exposed for sale or had in possession; nor shall
56 any person or corporation carry or transport from place to
57 place in open season any of the above mentioned birds or
58 ducks, unless open to view, tagged and plainly labelled with
59 the owner's name and residence, and accompanied by him
60 under the same penalty; any person not the actual owner
61 of said birds or ducks, who, to aid another in such trans-
62 portation, falsely represents himself to be the owner thereof,
63 shall be liable to the same penalty; nor shall any person or
64 corporation carry or transport at any one time more than
65 fifteen of one variety of birds and ducks above named, as
66 the property of one man, under the same penalty.

'Nothing in this section shall prevent any market man or
68 provision dealer, having an established place of business
69 in this State, from purchasing at his place of business, any
70 bird or duck lawfully caught, killed or destroyed, or any
71 part thereof, and selling the same in open season at retail
72 to his local customers. Provided, however, that said market

73 man or provision dealer shall have complied with the pro-
74 visions of section 35 of chapter 30 of the Revised Statutes,
75 relative to a license; and if any market man or provision
76 dealer shall violate any of the provisions of this section he
77 shall be punished by a fine of five hundred dollars and costs
78 of prosecution. It shall be prima facie evidence that any
79 bird or duck that is transported or had in possession in vio-
80 lation of this section was unlawfully killed.'

Sect. 12. Section 26 of chapter 30 of the Revised Statutes,
2 as amended by section 1 of chapter 167 of the Public Laws
3 of 1895, is hereby amended by adding thereto the following
4 words: 'and the said county treasurers shall, on the first day
5 of June and the first day of December of each year, transmit
6 such fines and costs, after deducting the costs and pay for
7 prisoners' board boarded in the jail in his said county for
8 any violation of the inland fish and game laws, to the treas-
9 urer of the State; and said sums of money thus received by
10 the State treasurer shall be and become a part of the perma-
11 nent fund for inland fish and game,' so that said section as
12 amended shall read as follows:

'Section 26. All fines, penalties and costs collected on
14 complaint or indictment for the violation of any fish or game
15 law shall be paid to the court rendernig final judgment
16 thereon, and by such court to the treasurer of the county in
17 which said court is held; and all fines and penalties recov-
18 ered in actions of debt for the violation of any such law, shall
19 be paid forthwith to such treasurer. In all actions of debt

20 therefor in any court, if the plaintiff prevails, he shall recover
21 full costs without regard to the amount recovered.

‘Any officer or other person who shall receive any fine or
23 penalty, or any part thereof, for the violation of any fish or
24 game law, either on complaint or indictment as aforesaid, or
25 if by action of debt, and neglects for more than sixty days to
26 pay the same into such county treasury, shall be punished
27 by a fine of not less than forty nor more than one hundred
28 dollars for the first offence, and for every subsequent offence,
29 by such fine and imprisonment not exceeding six months;
30 and the said county treasurers shall, on the first day of June
31 and the first day of December of each year, transmit such
32 fines and costs, after deducting the costs and pay for any
33 prisoners’ board boarded in the jail in his said county for any
34 violation of the inland fish and game laws, to the treasurer
35 of the State; and said sums of money thus received by the
36 State treasurer shall be and become a part of the permanent
37 fund for inland fish and game.’

Sect. 13. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

‘Section 29. Whoever, at any time, hunts, catches, kills
4 or destroys any cow moose or calf moose, shall be impris-
5 oned not exceeding four months for each offence.’

Sect. 14. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

‘Section 30. Whoever, at any time, has in his possession
4 any cow or calf moose, or parts thereof, or has in his posses-

5 sion more than one bull moose, or parts thereof, shall be
6 imprisoned not exceeding four months for each offence.'

Sect. 15. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 31. Whoever lawfully kills a bull moose shall,
4 while the same is being transported, or any part thereof,
5 preserve and transport it, with the evidence on the moose
6 of the sex of the same. Whoever fails to comply with the
7 provisions of this section shall forfeit the moose, or part
8 thereof being transported to any officer seizing the same,
9 and pay a fine of three hundred dollars and costs of prose-
10 cution.'

Sect. 16. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 32. Whoever shall, in any manner, hunt, catch,
4 kill or destroy any caribou between the first day of December
5 and the first day of the following October, shall be impris-
6 oned not exceeding four months for each offence.'

Sect. 17. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 33. Whoever, between the first day of January
4 and the first day of the following October, in any manner,
5 hunts, catches, kills or destroys any deer, shall be fined forty
6 dollars and costs of prosecution for each offence.'

Sect. 18. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 34. Whoever, at any time, has in his possession

4 any caribou, or part thereof, not lawfully killed by himself,
5 except as hereinafter provided, shall be imprisoned not
6 exceeding four months for each offence.'

Sect. 19. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 35. Any market man or provision dealer, having
4 an established place of business in this State, may purchase
5 and have in his possession at his said place of business not
6 more than two deer, lawfully killed or destroyed, or any part
7 thereof, at one time, and sell the same at retail to his local
8 customers.

'Provided, however, that said market man or provision
10 dealer, shall have procured a license of the commissioners
11 of inland fisheries and game to carry on said business of buy-
12 ing and selling deer as aforesaid; and provided, further, that
13 said market man shall record in a book kept for that purpose,
14 and open to the inspection of inland fish and game wardens
15 and the commissioners of inland fisheries and game, the
16 name and residence of each person of whom he purchases
17 any inland fish or game, and the date of such purchase; and
18 if any market man or provision dealer shall violate the pro-
19 visions of this section he shall be fined five hundred dollars
20 for each offence, and be prohibited for five years thereafter
21 from the benefits of this section.'

Sect. 20. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 36. Any officer qualified by law to enforce the
4 inland fish and game laws may, on reasonable grounds of

5 belief that fish or game are being unlawfully transported,
6 without a warrant, search any place, (other than a dwelling
7 house), box, barrel, trunk, car or other things, and if found
8 being unlawfully transported, seize the same, and dispose of
9 the same as is provided in section fifteen of this chapter.'

Sect. 21. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 37. Any person may, at any time, lawfully kill,
4 take or carry away any dog found hunting or chasing a
5 moose or a caribou or a deer, or kept or used for that purpose.

'Any person owning or having in his possession any dog
7 for the purpose of hunting or chasing moose, caribou or
8 deer, or permits his dog to hunt or chase a moose, caribou
9 or deer, shall be punished by a fine of one hundred dollars
10 and costs for each offence.'

Sect. 22. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 38. No owner or occupant shall have, keep, har-
4 bor or permit any dog to be in any hunting lodge, camp,
5 or tent used or occupied or resorted to by hunters, or by
6 himself for hunting purposes, in any unorganized township,
7 without first having obtained a permit for it from the com-
8 missioners of inland fisheries and game. Whoever violates
9 the provisions of this section shall pay a fine of one hundred
10 dollars and costs.'

Sect. 23. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 39. The reception by any person or corporation
4 within this State or any bird or birds, moose, or part thereof,
5 caribou, or part thereof, deer, or part thereof, or fish, or part
6 thereof, in close time or in open time, not properly tagged
7 and marked in accordance with the provisions of this chap-
8 ter, for shipment to any point within or without the State,
9 shall be prima facie evidence that said bird or birds, moose,
10 or part thereof, caribou, or part thereof, deer, or part thereof,
11 or fish or part thereof, were unlawfully killed or taken within
12 the limits of the State; and be punished by a fine of forty
13 dollars and costs for each moose, or part thereof, and forty
14 dollars and costs for each caribou or deer, or part thereof,
15 and forty dollars for each bird so taken, received or had in
16 possession in violation of this section.'

Sect. 24. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 40. The killing or having possession each bird,
4 duck, moose, deer, or caribou, or part thereof, in violation
5 of the provisions of this chapter and chapter 40 of the
6 Revised Statutes shall be deemed a separate offence, and
7 shall be fined in accordance with the penalty provided for
8 such offence in this chapter and chapter 40 of the Revised
9 Statutes.'

Sect. 25. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 41. Every person who keeps a hunting lodge, so
4 called, camp, house or place mainly to entertain or board

5 persons who hunt for moose, caribou or deer, in any of the
6 forests of the State, or fish in any of the lakes, ponds or
7 inland waters of the State, shall, annually, on or before
8 April 1st, procure a license therefor from the commissioners
9 of inland fisheries and game, and give bond to the State of
10 Maine, with two good and sufficient sureties, approved by
11 the commissioners of inland fisheries, conditioned not to
12 violate any of the provisions of the inland fish and game laws
13 of the State.

‘Whoever violates this section shall pay a fine of five hun-
15 dred dollars, to be recovered on complaint by the commis-
16 sioners of inland fisheries and game before the supreme or
17 superior courts or any police or municipal court in the
18 county or next adjoining county where the offence is com-
19 mitted. All penalties recovered by virtue of this section,
20 shall be and become a part of the permanent fund for inland
21 fisheries and game.’

Sect. 26. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

‘Section 42. Having in possession any jack light, so called,
4 spear, trawl or net other than a dip net, in any camp, lodge
5 or place or resort for hunters or fishermen in the inland ter-
6 ritory of the State, shall be prima facie evidence that the
7 same are kept for unlawful use, and they may be seized by
8 any officer authorized to enforce the inland fish and game
9 laws, and whoever is convicted of having any of the above
10 named implements in his possession, shall be fined fifty dol-
11 lars and costs of prosecution.’

Sect. 27. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 44. It shall be unlawful to use in hunting for or
4 shooting any moose, caribou or deer, any metal patched or
5 metal cased bullet, under a penalty of fifty dollars for each
6 offence.'

Sect. 28. Chapter 30 of the Revised Statutes is hereby
2 further amended by adding thereto the following section:

'Section 45. No resident of this State shall sell, or give
4 away, any moose, or part thereof, or any deer, or part
5 thereof, or any caribou, or part thereof, to be transported
6 or carried beyond the limits of this State, under a penalty of
7 one hundred dollars for each and every moose, deer or cari-
8 bou, or part thereof, so sold or given away; and any person
9 who shall buy any of the aforesaid named animals, or part
10 thereof, to so transport them, or who shall transport them
11 after buying the same, or receiving the same as a gift, shall
12 be subject to the same penalties.'

Sect. 29. Section 31 of chapter 40 of the Revised Statutes,
2 as amended by chapter 92 of the Public Laws of 1895, is
3 hereby amended by striking out all of said section after the
4 word "Mills" in the sixth line, so that said section as
5 amended shall read as follows:

Sect. 30. Section 47 of chapter 40 of the Revised Statutes,
2 is hereby amended by striking out the words "black bass"
3 and "Oswego bass" in the second and seventh lines, and all
4 after the word "first" in the eighth line, and adding the

5 words, 'day of October and the fifteenth day of the following
6 June,' so that said section as amended shall read as follows:

'Section 47. There shall be an annual close time for land-
8 locked salmon, commonly so called, trout, togue and white
9 perch, as follows, viz: For land-locked salmon, trout and
10 togue, between the first days of October and the following
11 May, except on the St. Croix river and its tributaries, and
12 all the waters in Kennebec county, in which the close time is
13 between the fifteenth day of September and the first day of
14 the following May; and for white perch between the first
15 day of October and the fifteenth day of the following June.'

Sect. 31. Section 48 of chapter 40 of the Revised Statutes,
2 as amended by chapter 53 of the Public Laws of 1887, is
3 hereby amended so as to read as follows:

'Section 48. No person shall take, catch or fish for, in any
5 manner, any land-locked salmon, trout or togue, in any of
6 the waters aforesaid, between the first day of October and the
7 first day of the following May, nor in the St. Croix river
8 and its tributaries, between the fifteenth day of September
9 and the first day of the following May; or Oswego bass or
10 white perch between the first day of October and June
11 fifteenth, under a penalty of not less than ten nor more than
12 thirty dollars, and a further fine of one dollar for each fish
13 thus caught, taken or killed; provided, however, that during
14 February, March and April, citizens of the State may fish
15 for and take land-locked salmon, trout and togue, and con-
16 vey the same to their own homes, but not otherwise; pro-

17 vided, further, that the provisions of this and the preceding
18 and two succeeding sections, shall not apply to the taking
19 of black bass from any waters which have been stocked
20 therewith for a period of five years.'

Sect. 32. Section 49 of chapter 40 of the Revised Statutes
2 is hereby amended so as to read as follows:

'Section 49. No person shall sell, expose for sale, or have
4 in possession with intent to sell, or transport from place to
5 place, any land-locked salmon, trout or togue between the
6 first day of October and the first day of the following May;
7 or any black bass, Oswego bass or white perch, between the
8 first day of October and the fifteenth day of the following
9 June, under a penalty of not less than ten nor more than
10 fifty dollars for each offence.'

Sect. 33. Section 50 of chapter 40 of the Revised Statutes
2 is hereby amended so as to read as follows:

'Section 50. Any person having in possession, except
4 alive, any land-locked salmon, trout or togue, between the
5 first day of October and the first day of the following May,
6 or any Oswego bass or white perch between the first day
7 of October and the fifteenth day of the following June, or
8 who transports from place to place within the State, any
9 land-locked salmon, trout or togue, between the fifteenth day
10 of September and the first day of the following May, or
11 Oswego bass or white perch between the first day of October
12 and the fifteenth day of the following June, shall be deemed
13 to have killed, caught, or transported the same contrary to
14 law, and be liable to the penalties aforesaid.'

Sect. 34. Section 51 of chapter 40 of the Revised Statutes, as amended by chapter 9 of the Public Laws of 1895, is hereby amended so as to read as follows:

‘Section 51. Whoever fishes for, takes, catches, kills or destroys any fish, with fish spawn, grapnel, spear, trawl, weir, seine, trap or set lines, except when fishing on the ice, and then with not more than five set lines in the day time, except in tide waters where such methods are not prohibited, or with any device or in any other way than by the ordinary mode of angling with single baited hooks and lines, or with artificial flies, artificial minnows, artificial insects, or spoon hook, so called, forfeits \$25.00 for the offence, and ten dollars for each salmon or land-locked salmon, and one dollar for each and every other fish so taken, caught, killed or destroyed; and when such prohibited implements or devices are found in use or possession they are forfeit and contraband, and any person finding them in use may destroy them.’

Sect. 35. Section 54 of chapter 40 of the Revised Statutes, as amended by chapter 31 of the Public Laws of 1895, is hereby amended so as to read as follows:

‘Section 54. No person shall take, catch, kill or have in possession at any one time more than twenty-five pounds of land-locked salmon, trout or white perch, in all, nor shall any such be transported, except in the possession of the owner thereof, plainly labelled with the owner’s name and residence thereon, under a penalty of \$50.00 for each offence,

10 and \$5.00 for every pound of land-locked salmon, trout or
11 white perch so taken, caught, killed or had in possession,
12 or being transported, in excess of twenty-five pounds, and
13 all such fish transported in violation of this section
14 may be seized, and shall be forfeited to the prosecutor.

‘Whoever has in his possession more than twenty-five
16 pounds, in all, of such fish, shall be deemed to have taken
17 them in violation of this section. Provided, however, that
18 the taking of one fish additional when having less than
19 twenty-five pounds shall not be regarded as a violation of
20 the law.’

Sect. 36. Section 66 of chapter 40 of the Revised Statutes,
2 as amended by section 9 of chapter 359 of the Public Laws
3 of 1895, is hereby amended so as to read as follows:

‘Section 66. It shall be the duty of all sheriffs, deputy
5 sheriffs, constables and police officers, to faithfully inquire
6 into any of the violations of this chapter and duly prosecute
7 for the violations thereof. Said officers shall be allowed
8 for said services the same fees as sheriffs and their deputies.
9 They may seize any implement used in illegal fishing, and
10 may render any weir, unlawfully built and maintained,
11 incapable of taking fish, and may, on view, appropriate to
12 their own use or gift any fish taken or possessed in violation
13 of the law, or any net or other implement used for taking
14 fish in violation of the law.’

STATE OF MAINE.

IN SENATE, February 16, 1897.

Presented by Mr. HEALD of Kennebec, and laid on table to be printed,
pending reference, on motion by same Senator.

KENDALL M. DUNBAR, *Secretary.*