

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventieth Legislature.

SENATE.

No. 117

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ONE.

AN ACT to correct certain clerical errors and make plain
the meaning of and amend chapter 30 of the Revised
Statutes, as amended by chapter 42 of the Public Laws of
1899, relating to inland fisheries and game.

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

Section 1. Section 17 of said chapter 30 of the Revised
2 Statutes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended by inserting after the word "kill"
4 in the seventh line of said section the words 'or have in
5 possession,' and by inserting after the word "moose" in
6 the eighth line of said section the words 'or part thereof,'
7 so that said section as amended shall read as follows :

‘Sect. 17. No person shall at any time hunt, catch, kill, 9 destroy or have in possession any cow or calf moose; and 10 the term “calf moose” as herein used, shall be construed 11 to mean that these animals are calves until they are at 12 least one year old, and have at least two prongs or tines 13 to their horns. No person shall, between the first day of 14 December and the fifteenth day of October, in any manner, 15 hunt, take, catch, or kill, or have in possession any bull 16 moose or part thereof; and no person shall, between 17 October fifteenth and December first, take, catch, kill or 18 have in possession more than one bull moose or part 19 thereof.’

Sect. 2. Section 18 of chapter 30 of the Revised Statutes, 2 as amended by chapter 42 of the Public Laws of 1899, is 3 hereby amended to read as follows :

‘Sect. 18. No person shall, except as hereinafter pro- 5 vided, in any manner, hunt, take, catch, kill or have in 6 possession for any purpose or whenever or wherever taken, 7 caught, or killed, any deer or part thereof, between 8 December fifteenth and October first next following; no 9 person shall between October first and December fifteenth 10 next following, except as hereinafter provided, take, catch, 11 kill, or have in possession for any purpose or whenever or 12 wherever taken, caught or killed, more than two deer or 13 parts thereof; a person lawfully killing a deer in open 14 season shall have a reasonable time in which to transport 15 the same to his home and may have the same in possession 16 at his home in close season.’

Sect. 3. Section 22 of chapter 30 of the Revised Stat- 2 utes, as amended by chapter 42 of the Public Laws of 3 1899, is hereby amended to read as follows :

‘Sect. 22. The words “close season” and “close time,”
5 where used in this act, shall mean the time or period dur-
6 ing which by this act it is made unlawful to hunt, shoot,
7 wound, trap or destroy any bird or animal, or fish for, or
8 catch any fish mentioned or referred to in this act, and the
9 words “open season” where used in this act, shall mean
10 the time or period during which it shall be lawful to take
11 these animals, fish, and birds as specified and limited.
12 Any person may, at any time, lawfully kill any dog which
13 hunts or chases a moose, caribou, or deer, or any dog
14 kept or used for that purpose.

Any person owning or having in his possession any dog
16 for the purpose of hunting or chasing moose, caribou, or
17 deer, shall be punished by a fine of one hundred dollars
18 and costs of prosecution for each offense.

(SUNDAY IS A CLOSE TIME.)

Sunday is a close time, on which it is not lawful to hunt,
21 kill, or destroy game or birds of any kind, under the
22 penalties imposed therefor during other close time; but
23 the penalties already imposed for the violation of the
24 Sunday laws by the statutes of this state are not hereby
25 repealed or diminished.’

Sect. 4. Section 9 of chapter 30 of the Revised Stat-
2 utes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended so as to read as follows:

‘Sect. 9. Whoever introduces fish of any kind into any
5 of the waters of the state by means of live fish or other-
6 wise, or whoever introduces wild birds or wild animals of
7 any kind or specie, into the state except upon written
8 permission of the commissioners of inland fisheries and

9 game, shall forfeit not less than fifty dollars nor more
10 than five hundred dollars.

The having in possession of any jack light, spear, trawl,
12 or net, other than a dip net, in any camp, lodge, or place
13 of resort for hunters or fishermen, in the inland territory
14 of the state, shall be prima facie evidence that the same
15 are kept for unlawful use ; and they may be seized by any
16 officer authorized to enforce the inland fish and game laws.
17 Whoever is convicted of having any of the above named
18 implements in his possession unlawfully as aforesaid, shall
19 be fined fifty dollars and costs of prosecution.'

Sect. 5. Section 27 of chapter 30 of the Revised Stat-
2 utes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended by striking out the words "fish
4 or" in the fourteenth line of said section.

Sect. 6. Section 10 of chapter 30 of the Revised Stat-
2 utes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended so as to read as follows :

'Section 10. In closed waters where eels, suckers, cusk
5 and white fish abound, the commissioners may grant per-
6 mits to take the same and dispose of them for food pur-
7 poses ; and where an exclusive right is granted to take
8 eels in any river or stream, or part thereof, they may
9 grant such permit upon such terms as they deem reason-
10 able, and such permits shall expire with the calendar year ;
11 and it shall be lawful to take suckers with spears or hook
12 and line in any closed tributaries from the time the ice
13 goes out in the spring until June first.'

Sect. 7. Section 14 of chapter 30 of the Revised
2 Statutes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended by striking out the word "ten"

4 in the sixth line of said section, and inserting instead
5 thereof the word 'fifteen,' and by adding after the word
6 "hearing" in the thirtieth line the words, 'such license
7 shall be for the term of three years, and each person so
8 licensed shall annually on or before December first of each
9 year make a detailed, written report to the commissioners of
10 all they have done during the year by virtue of such license,'
11 so that said section as amended shall read as follows :

 'Section 14. The commissioners of inland fisheries and
13 game may, upon application, issue a license to such per-
14 sons as taxidermists, who, in their judgment, are skilled
15 in that art, of good reputation, and friendly to the fish
16 and game laws of the state ; and may also issue licenses to
17 suitable persons, whose numbers shall not exceed fifteen
18 at one time, to take, kill, capture and have in possession
19 any species of birds other than domestic and the nests and
20 eggs thereof for scientific purposes ; and for such licenses
21 the applicant shall pay the sum of five dollars ; but no
22 person thus allowed to take or have in possession birds for
23 scientific purposes shall sell, offer for sale, or take any
24 compensation for specimens of birds, nests, or eggs, or
25 dispose of the same, by gift or otherwise, to be taken from
26 the state, except for exchange of specimens for scientific
27 purposes ; and for any violation of the provisions of this
28 section, such persons shall be subject to a fine of not less
29 than ten nor more than fifty dollars. This section, how-
30 ever, shall not authorize the killing of any birds nor the
31 taking of any birds' nests or eggs thereof on Sunday ; and
32 the commissioners may, for cause, revoke any license
33 authorized by this section. Taxidermists mentioned in
34 this section may at all times have in their possession, at

35 their places of business, fish and game lawfully caught or
36 killed in open time for the sole purpose of preparing for
37 and mounting the same; and such fish and game, or parts
38 thereof, may be transported to such licensee and retained
39 by him for the purposes aforesaid, under such rules,
40 restrictions and limitations as shall, from time to time, be
41 made by said commissioners and stated in such original
42 license and additions made thereto, from time to time,
43 by said commissioners. Such licenses may be revoked by
44 said commissioners, at any time after notice and an oppor-
45 tunity for a hearing; such licenses shall be for the term of
46 three years, and each person so licensed shall annually, on
47 or before December first of each year, make a detailed
48 written report to the commissioners of all they have done
49 during the year by virtue of such license; and every
50 licensee or carrier violating any of the provisions of this
51 act, or of the rules, restrictions, or limitations set out in
52 said license and additions thereto, shall, on complaint
53 before any trial justice or municipal or police court, be
54 fined not less than twenty dollars nor more than fifty
55 dollars.'

Sect. 8. Section 20 of chapter 30 of the Revised Stat-
utes, as amended by chapter 42 of the Public Laws of
3 1899, is hereby amended by inserting after the word
4 "costs" in the sixth line of said section the following
5 words, 'for each deer taken, caught, killed or had in pos-
6 session in violation of the provisions of section 18 of said
7 chapter,' so that said section as amended shall read as
8 follows:

'Section 20. Whoever shall violate any of the provisions
10 of section seventeen of this chapter, shall be punished by

11 a fine of not less than five hundred dollars nor more than
12 one thousand dollars or by imprisonment not exceeding
13 four months; whoever shall violate any of the provisions
14 of section eighteen of this chapter, shall be punished by a
15 fine of forty dollars and costs for each deer taken, caught,
16 killed or had in possession in violation of the provisions
17 of section eighteen of said chapter; whoever shall violate
18 any of the provisions of section nineteen of this chapter,
19 relating to deer, shall be punished by a fine of forty dol-
20 lars and costs; and whoever shall violate any of the pro-
21 visions of section nineteen of this chapter, relating to
22 moose or caribou, shall be punished by a fine of not less
23 than five hundred dollars nor more than one thousand dol-
24 lars, or by imprisonment not exceeding four months.'

Sect. 9. Section 50 of chapter 30 of the Revised Statutes,
2 as amended by chapter 42 of the Public Laws of 1899, is
3 hereby amended by striking out all of said section after
4 the word "recovered" in the eighth line of said section.

STATE OF MAINE.

IN SENATE, March 12, 1901.

Reported by Mr. NOBLE from Committee on Inland Fisheries and Game, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.