

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 398

House of Representatives, Feb. 23, 1917.

Referred to Committee on Inland Fisheries and Game and one thousand copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Gurney of Portland.

STATE OF MAINE

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

AN ACT to amend Chapter fifty-five of the Revised Statutes,
relating to closed season on game birds.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section fifty-five of Chapter thirty-three of the
2 Revised Statutes is hereby amended by striking out the
3 words, "on all varieties of ducks, brant and geese, from the
4 sixteenth day of December of each year to the thirty-first day
5 of August of the following year, both days inclusive," fol-
6 lowing the word "inclusive" in the twelfth line thereof, and
7 substituting therefor the following: 'on all varieties of ducks

8 known as the dusky duck, commonly called black duck;
9 mallard duck; pintail; baldpate or wigeon; teal duck; and
10 scaup duck or blue bill; from the sixteenth day of Decem-
11 ber of each year to the thirty-first day of August of the
12 following year, both days inclusive; on the golden eye or
13 whistler, from the fifteenth day of March to the first day of
14 December following, both days inclusive; on brant and geese
15 from the thirtieth day of April to the tenth day of March of
16 the following year, both days inclusive; on the eider duck
17 from the fifteenth day of March to the first day of December
18 following, both days inclusive; on the variety of ducks, com-
19 monly called coots from the first day of January to the first
20 day of September following, both days inclusive; on the
21 merganser from the first day of May to the first day of
22 November following, both days inclusive'; so that said Sec-
23 tion fifty-five as amended shall read as follows:

'Sect. 55. There shall be an annual closed season for
2 ruffed grouse, commonly called partridge, spruce partridge,
3 woodcock, all varieties of wild ducks, brant, geese, plover,
4 snipe, sora and other rails, coots and gallinules, as follows:
5 on partridge and woodcock, above named, in the counties of
6 Oxford, Franklin, Somerset, Piscataquis, Penobscot, Aroos-
7 took, Washington and Hancock from the fifteenth day of
8 November of each year until the fourteenth day of Septem-
9 ber of the following year, both days inclusive, and in the
10 counties of Androscoggin, Cumberland, York, Knox, Waldo,
11 Lincoln, Sagadahoc and Kennebec, from the first day of

12 December of each year until the thirtieth day of September
13 of the following year, both days inclusive; on all varieties of
14 ducks known as the dusky duck, commonly called black
15 duck; mallard duck; pintail; baldpate or wigeon; teal duck;
16 and scaup duck or blue bill; from the sixteenth day of De-
17 cember of each year to the thirty-first day of August of the
18 following year, both days inclusive; on the golden eye or
19 whistler, from the fifteenth day of March to the first day of
20 December following, both days inclusive; on brant and geese
21 from the thirtieth day of April to the tenth day of March of
22 the following year, both days inclusive; on the eider duck
23 from the fifteenth day of March to the first day of Decem-
24 ber following, both days inclusive; on the variety of ducks,
25 commonly called coots from the first day of January to the
26 first day of September following, both days inclusive; on the
27 merganser from the first day of May to the first day of No-
28 vember following, both days inclusive; on black-breasted and
29 golden plover, jacksnipe or Wilson snipe, and greater and
30 lesser yellowlegs, from the first day of December of each
31 year to the fourteenth day of August of the following year,
32 both days inclusive; on rails, including sora, coots and
33 gallinules, from the first day of December of each year to the
34 thirty-first day of August of the year following, both days
35 inclusive, during which closed seasons it shall be unlawful to
36 hunt, chase, catch, kill or have in possession any of the above
37 named birds except as hereinafter provided; provided, fur-
38 ther, that it shall be unlawful to hunt, chase, catch, kill or

39 destroy or have in possession at any time, any curlew, wood
40 duck, or any shore birds except black-breasted and golden
41 plover, Wilson or jacksnipe, woodcock, and greater and
42 lesser yellowlegs; and no person shall, during the respective
43 open seasons for the above-named birds, take, catch, kill,
44 destroy or have in possession in any one day more than five
45 partridge or ruffed grouse, ten woodcock, ten ducks, five
46 plover and ten snipe; nor shall any person at any time buy or
47 sell any of the above-named birds; nor shall any person or
48 corporation carry or transport from place to place any of
49 the birds mentioned in this section in closed season (except
50 that a person shall have a reasonable time after the beginning
51 of closed season to transport, as hereinafter provided, to his
52 home game birds legally killed by him in open season), nor in
53 open season unless open to view, tagged and plainly labeled
54 with the owner's name and residence, and accompanied by
55 him, unless tagged with a transportation tag as hereinafter
56 provided; nor shall any person or corporation carry or trans-
57 port in any one day more than ten ducks, five plover, ten
58 snipe, five partridges and ten woodcock, as the property of
59 one person. Whoever violates any of the provisions of this
60 section shall pay a fine of ten dollars and costs for each
61 offense, and in addition thereto one dollar for each bird of
62 the above-named varieties taken, caught, killed, had in
63 possession or transported in violation hereof.

Provided, however, it shall be lawful for a citizen of this
2 state who has purchased a transportation tag therefor of the

3 commissioners of inland fisheries and game, and paid five
4 dollars for the same, to take with him out of the state five
5 partridges or ten ducks or ten woodcock which he himself
6 has lawfully killed, by attaching said tag to the birds being
7 transported by virtue of this paragraph.

Provided, further, that any citizen of this state who has
2 lawfully in his possession one pair of either of the birds
3 named in this section, may send the same anywhere in this
4 state without accompanying the same, by purchasing of the
5 duly constituted agent therefor a transportation tag, paying
6 therefor the sum of fifty cents, and attaching said tag to the
7 pair of birds. Provided, further, that no person shall under
8 any of the provisions of this paragraph send as aforesaid
9 more than one pair of game birds once in seven days.'

Sect. 2. Section seventy-four of Chapter thirty-three of
2 the Revised Statutes is hereby amended by striking out the
3 words "sunset to sunrise," following the word, "from," in
4 the first line thereof, and substituting therefor the following:
5 'one hour after sunset to one hour before sunrise.' So that
6 said Section seventy-four as amended shall read as follows:

'Sect. 74. There shall be a closed season on wild birds in
2 this state from one hour after sunset to one hour before sun-
3 rise of the following morning, and on wild animals from one
4 hour after sunset until one hour before sunrise of the fol-
5 lowing morning, during which closed season it shall be un-
6 lawful to hunt, kill or destroy wild birds or wild animals, of
7 any kind. No person shall have in possession at any time,

8 any wild bird or wild animal, or part thereof, taken in viola-
9 tion of any provision of this section. Whoever violates any
10 provision of this section shall pay a fine of not less than ten,
11 nor more than fifty dollars and costs for each offense; pro-
12 vided, however, that if protected wild birds or wild animals
13 are hunted, killed, destroyed or had in possession in viola-
14 tion of said section the penalty shall be the same as is now
15 imposed therefor during other closed season.'