

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 149

In Senate, Feb. 9, 1917.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent down for concurrence.

W. E. LAWRY, Secretary.

Presented by Mr. Butler of Knox.

STATE OF MAINE

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

AN ACT to amend Sections Twelve and Thirteen of Chapter One Hundred of the Revised Statutes, Relating to Trespass on Islands in Salt Waters, After Notice, and Notices, How to be Given.

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

Section 1. Section twelve of Chapter one hundred of the
2 Revised Statutes is hereby amended by striking out all of
3 said section and by substituting therefor the following sec-
4 tion:

'Sect. 12. Whoever, after notice by the owner, occupant
2 or lessee in any of the ways provided in the following sec-

3 tion, trespasses upon any island within salt waters, for the
4 purpose of shooting or hunting thereon, or whoever tres-
5 passes upon a lot, or tract, of land set apart either by in-
6 dividuals, firms, corporations, societies, towns, counties, the
7 State, or the United States, as a bird sanctuary, wild life
8 reservation, game preserve, arboretum, or botanic garden,
9 for the purpose of shooting, hunting or trapping therein, or
10 kills or injures any animal or bird therein, is liable
11 to such owner, occupant, or lessee, in exemplary damages
12 to an amount not less than twenty, nor more than one hun-
13 dred dollars, in addition to all actual damage sustained by
14 said owner, occupant or lessee, and shall also forfeit to said
15 owner, occupant or lessee, five dollars for each bird or
16 animal of any kind, shot, injured, trapped, caught, taken
17 or killed on such island, or in such sanctuary, reservation,
18 preserve, arboretum or garden, all to be recovered in an
19 action of debt. The possession of guns, decoys, traps, or
20 other implements of shooting, hunting or trapping, shall be
21 presumptive evidence that the purpose of the trespass was
22 shooting, hunting or trapping.'

Sect. 2. Section thirteen of Chapter one hundred of the
2 Revised Statutes is hereby amended by striking out all of
3 said section and by substituting therefor the following sec-
4 tion:

'Sect. 13. Notices referred to in the preceding section,
2 as to islands within salt waters, shall be given by erecting
3 and maintaining sign-boards at least one foot square, in

4 at least two conspicuous places on the premises, one of
5 them near one of the usual landing places on said island,
6 reading as follows: "All persons are forbidden to shoot or
7 hunt on this island;" with the name of the owner, occupant
8 or lessee. Notices referred to in the preceding section as to
9 lots, or tracts, of land set apart for any of the purposes
10 therein stated shall be given by erecting and maintaining
11 sign-boards at least one foot square or signs printed or
12 painted on oil cloth, at least nine inches by one foot, in
13 at least six conspicuous places, one of which shall be at
14 the main entrance to such lot or tract and the others where
15 gunners, hunters or trappers would be most apt to enter,
16 reading as follows: "All persons are forbidden to shoot,
17 hunt or trap in this sanctuary, reservation, preserve, ar-
18 boretum or garden" (as the case may be); with the name
19 of the owner, occupant or lessee. Or such notice, in either
20 case, may be given, verbally or in writing, by the owner,
21 occupant or lessee of the island, or land, to any person, and
22 shall be binding on the person so notified, whether the sign-
23 boards, or other signs, herein named are erected and main-
24 tained or not; and whoever tears down, or in any way de-
25 faces or injures any such sign-board, or other sign, forfeits
26 one hundred dollars, to be recovered by the owner, occu-
27 pant or lessee of such island, or land, in an action of debt.'