

# MAINE STATE LEGISLATURE

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**EIGHTY-THIRD LEGISLATURE**

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**House Document**

**No. 495**

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H. P. 1221          House of Representatives, Mar. 25, 1927.

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

CLYDE R. CHAPMAN, Clerk.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN**

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**AN ACT** Relating to the Taking of Beaver and Muskrat.

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

Section forty-five of chapter two hundred and nineteen  
2 of the public laws of nineteen hundred and seventeen, as  
3 amended by chapter two hundred and forty-four of the pub-  
4 lic laws of nineteen hundred and seventeen, and by chapter  
5 one hundred and ninety-six of the public laws of nineteen  
6 hundred and nineteen and by chapter sixty-seven of the  
7 public laws of nineteen hundred and twenty-five, is hereby  
8 amended by striking out all of said section and by substitut-  
9 ing therefor the following section:

‘Sect. 45. The commissioner of inland fisheries and game,  
2 upon written complaint of any water company required to  
3 furnish pure water to its customers, that beaver or musk-

4 rat are polluting its water supply, shall have authority to  
5 declare an open season for beaver or muskrat on such sec-  
6 tions of land and waters as is necessary for the trapping  
7 or removal of the beaver or muskrat that are polluting said  
8 waters, by any person holding a beaver trapping license  
9 without securing permission of the land owner or under  
10 rules and regulations of the commissioner, or upon writ-  
11 ten complaint of any land owner that beaver are doing ac-  
12 tual, substantial damage to his property, shall have author-  
13 ity to declare an open season for beaver upon such land  
14 for such period of time and under such conditions as he  
15 may deem necessary to remove the beaver that are doing  
16 the damage complained of, during which open season it  
17 shall be lawful for any person holding a beaver trapping  
18 license issued in accordance with the provisions of section  
19 fifty of this chapter to trap beaver thereon. No open sea-  
20 son for beaver as contemplated by this section shall take  
21 effect until the commissioner of inland fisheries and game  
22 shall have caused notice of such proposed open season to  
23 be published once in a newspaper printed in the county  
24 in which the land on which the open season for beaver is  
25 declared is located, and said commissioner shall also file  
26 copy of said notice of open season with the clerk of the  
27 town or plantation in which such land is located, or, if the  
28 land is in an unorganized place, with the clerk of courts  
29 for the county in which the land is located. Whenever  
30 during a special open season on beaver as is contemplated  
31 by this section it shall appear to the commissioner of in-

32 land fisheries and game that the privileges of such open  
33 season are being abused in any place, said commissioner of  
34 inland fisheries and game may suspend the open season and  
35 declare it close season for beaver on such land for such  
36 time as he may designate. No person shall take any beaver  
37 anywhere in the state at any time except during such open  
38 season as may be declared by the commissioner of inland  
39 fisheries and game in accordance with the provisions of  
40 this section. Whoever takes any beaver in violation of any  
41 provision of this section shall be punished by a fine of one  
42 hundred dollars and costs for each beaver taken, caught,  
43 or killed in violation of any provision of this section, or be  
44 imprisoned not exceeding sixty days, or be subject to both  
45 said fine and imprisonment. It shall also be unlawful, un-  
46 der the same penalty, for any person to have in possession  
47 at any time any beaver, or part thereof, taken in violation  
48 of any provision of this section. It shall also be unlawful,  
49 under the same penalty, for any person, firm or corpora-  
50 tion, to sell, give away, buy, accept as a gift, offer for trans-  
51 portation or transport any beaver skin or beaver skins un-  
52 less each skin is marked with an official seal by the com-  
53 missioner of inland fisheries and game or by an agent duly  
54 appointed by said commissioner to mark such skins.”