

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 271

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H. P. 845. House of Representatives, Feb. 6, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Ingraham of Bangor.

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STATE OF MAINE

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

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AN ACT to Prevent the Destruction of Wild Flowers and  
Shrubs.

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

Section 1. It shall be unlawful for any person to pick,  
2 pull up, tear up, dig up, cut, break, injure, burn, or destroy  
3 or attempt to pick, pull, pull up, tear up, dig up, cut, break,  
4 injure, burn, or destroy any tree, shrub, vine, flower, moss,  
5 or turf growing or being upon the land of another or upon  
6 any land reserved, set aside, or maintained by this state as  
7 a public park or as a preserve, or sanctuary for trees, plants,  
8 wild animals, birds, or fish, without having previously ob-

9 tained the permission of such other or of the superintendent  
10 or custodian of such park, refuge, or sanctuary, so to do.

Sect. 2. It shall be unlawful for any person to transport,  
2 carry, or convey, on any public highway or to sell or ex-  
3 pose for sale in any place any trailing arbutus (*epigaea*  
4 *repens*), orchids (all species), water lily or pond lily (*cas-*  
5 *talia odorata*), cardinal flower (*lobelia cardinalis*), gentians:  
• 6 fringed gentian (*gentiana crinita*), closed gentian (*gentiana*  
7 *andrewsii*), mountain laurel (*kalmia latifolia*), rhodora  
8 (*rhododendron rhodora* or *rhododendron canadense*),  
9 northern holly, black alder or winterberry (*ilex verticillata*),  
10 club mosses, all species (*lycopodium*), trillium, all species,  
11 or any flowers, roots, bulbs, or other parts thereof; provid-  
12 ed, however, that in any prosecution under this section it  
13 shall be a defense, the proof whereof shall lie upon the de-  
14 fendant, that the plants, or the flowers, roots, bulbs, or other  
15 parts thereof transported, carried, or conveyed, or sold or  
16 offered for sale by him were grown under cultivation or  
17 were taken from his own land or land under lease by him or  
18 were taken from land of another with such others previous  
19 written permission.

Sect. 3. Any person who shall wilfully do any act made  
2 unlawful by this act shall be punished by a fine of not less  
3 than ten dollars nor more than one hundred dollars.

Sect. 4. It shall be the duty of every police, motor vehicle,  
2 and public highway officer, sheriff, constable, bailiff, and

3 game and fish warden to arrest any person violating any  
4 provision of this act in his presence and to take such person  
5 for trial before the nearest disinterested trial justice or other  
6 judicial officer having jurisdiction of the offense.

Sect. 5. As used in this act the words "person" and "an-  
2 other" shall be construed to embrace any firm, partnership,  
3 corporation, association, society, or organization, as well as  
4 a natural person.