

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 554

H. P. 1533 House of Representatives, March 1, 1929.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Ingraham of Bangor.

STATE OF MAINE

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

AN ACT Relating to the Protection of Fur-bearing Animals.

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

Section 1. Section forty-six of chapter two hundred and
2 nineteen of the public laws of nineteen hundred and seven-
3 teen, as amended by chapter one hundred and thirty-three
4 of the public laws of nineteen hundred and nineteen, as
5 amended by chapter two hundred and eighteen of the public
6 laws of nineteen hundred and twenty-one, as amended by
7 chapter two hundred fourteen of the public laws of nine-
8 teen hundred and twenty-three, as amended by chapter
9 eighty-seven of the public laws of nineteen hundred and
10 twenty-five, and as amended by chapter one hundred eighty-

11 four of the public laws of nineteen hundred and twenty-
12 seven, is hereby further amended by striking out all of said
13 section and by substituting therefor the following section:

‘Sect. 46. Whoever, from the sixteenth day of January
2 to the thirty-first day of October, both days inclusive, hunts,
3 traps, kills, pursues or catches any fur-bearing animal (ex-
4 cept bears, wild-cats, weasels and lynx), or whoever has
5 in possession at any time any fur-bearing animal or part
6 or parts thereof taken in closed season, except licensed fur
7 dealers, shall pay a fine of twenty-five dollars and costs for
8 each offense, and in addition thereto three dollars for each
9 fur-bearing animal hunted, trapped, killed, pursued, caught
10 or had in possession in violation hereof.

Provided, further, it shall be unlawful for any person to
2 set a trap at any time within twenty-five feet of, or to molest
3 or destroy, a muskrat house, under a penalty of ten dollars
4 and costs for each offense.

Whoever at any time hunts, traps, kills, pursues, catches,
2 or has in possession any beaver, or part or parts thereof,
3 except as provided in the preceding section, or whoever, at
4 any time, molests or destroys a beaver house, or sets a trap
5 within twenty-five feet thereof, shall pay a fine of one hun-
6 dred dollars and costs for each offense, or be imprisoned
7 not exceeding sixty days, or be subject to both said fine and
8 imprisonment.

Provided, however, that any person may lawfully kill any

2 wild animal (other than beaver) or any wild bird found
3 destroying his property.'

Sect. 2. Section fifty-one of chapter two hundred and
2 eighteen of public laws of nineteen hundred and twenty-
3 one is hereby amended by inserting after the words "set-
4 gun" in the second line thereof the words 'or use any
5 smoker,' and by inserting after the words "set-gun" in the
6 ninth line thereof the word 'smoker' and by striking out the
7 word "snare" whenever it occurs in said section, so that
8 as amended said section fifty-one shall read as follows:

'Sect. 51. No person shall at any time set a swivel, pivot
2 or set gun, or use any smoker, or use or deposit any poison-
3 ous substance for any fur-bearing animal, under a penalty
4 of one hundred dollars and costs for each offense, and by
5 imprisonment for sixty days, and shall forfeit any such
6 swivel, pivot or set gun, and any fur-bearing animal killed
7 by such swivel, pivot or set gun or poisonous substance
8 to any person finding the same; provided, further, that no
9 person shall at any time, under a like penalty, advertise or
10 give notice of the sale, or keeping for sale, of any such
11 swivel, pivot or set gun, smoker, or poisonous substance
12 for fur-bearing animals; nor shall any person at any time
13 set any trap or traps of any kind for any wild animal with-
14 out having the trap or traps plainly labeled with his full
15 name and address, either by having the same stamped on
16 the trap, or on a metal tag firmly attached to the trap, under
17 a penalty of five dollars and costs for each offense and in

18 addition thereto five dollars for each trap set and not marked
19 as provided herein, and shall forfeit to the state the trap
20 or traps and any wild animal found therein; provided, fur-
21 ther, that no person shall set a bear trap at any time unless
22 the same is enclosed in a hut, so-called, or by at least two
23 strands of barbed wire, one four and one five feet from
24 the ground, said wire to be securely held in position and
25 to be not less than five yards at any point from the enclosed
26 trap, under a penalty of fifty dollars and costs for each
27 offense.'

Sect. 3. Section fifty-two of chapter one hundred ninety-
2 one of public laws of nineteen hundred and twenty-seven
3 is hereby amended by striking out of the third and fourth
4 lines of said section the words, "except watersets, so-called,
5 for mink and muskrat" and by adding to the sentence in
6 said section ending with the words "any city or village" the
7 following words, 'and no person shall set a trap line any-
8 where extending more than forty miles in length,' so that
9 as thus amended, said section fifty-two shall read as follows:

'Sect. 52. Any person setting a trap in any organized
2 or incorporated place shall visit said trap or cause the same
3 to be visited, at least once in every twenty-four hours, and
4 remove therefrom, or cause to be removed, any animal
5 found caught therein. No person shall set a trap or traps
6 on or within one mile of any cultivated land or pasture in
7 any organized or incorporated place without first obtaining
8 the written consent of the owner or occupant of the land

9 on which said trap or traps are to be set, or set a trap out-
10 side his own land, except a water-set trap, so-called, within
11 half a mile of the compact or built-up portion of any city
12 or village, and no person shall set a trap line anywhere
13 extending more than forty miles in length. Whoever vio-
14 lates any provision of this section shall pay a fine of not
15 less than ten dollars nor more than one hundred dollars and
16 costs for each offense.'

Sect. 4. No person, firm or corporation, except a licensed
2 dealer in furs, between the fifteenth day of February and
3 the first day of November of each year, shall ship out of
4 the state any fur-bearing animal or skin or part thereof,
5 except those raised in captivity, unless and except the same
6 shall have been first inspected and passed by a game warden
7 who, if he shall judge said fur-bearing animal to have been
8 caught or killed in legal open season, or said skin or part
9 to have been taken from a fur-bearing animal which was
10 caught or killed in legal open season, shall supply the shipper
11 with a special shipping tag, which tag shall bear the name
12 and address of the shipper, the number and kinds of animals
13 or skins in the shipment, and the name and address of the
14 consignee.

Sect. 5. Chapter two hundred and twenty-five of the
2 public laws of nineteen hundred and twenty-three is hereby
3 repealed.