

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 222

S. P. 545

In Senate, Feb. 21, 1929.

Referred to Committee on Inland Fisheries and Game and
2500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Douglas of Hancock.

STATE OF MAINE

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

AN ACT to Revise and Simplify the Inland Fish and Game
Laws of the State.

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

Chapter thirty-three of the revised statutes and all acts
2 amendatory thereof and additional thereto and chapter two
3 hundred nineteen of the public laws of nineteen hundred
4 seventeen and all acts amendatory thereof and additional
5 thereto are hereby amended by striking out all of said acts
6 and by repealing all public and private and special laws
7 relating to inland fish, game and birds and all rules and
8 regulations of the commissioner of inland fisheries and game

9 now in force, and by substituting therefor and enacting the
10 following:

'INLAND FISHERIES AND GAME

Section 1. *Definitions.* Words and terms used in this
2 chapter shall be construed as follows: (1) "closed season"
3 means the period during which it is unlawful to hunt, trap
4 or destroy any bird or animal, or fish for any fish, and shall
5 include, for fishing, the period between 8.30 o'clock P. M.
6 and one hour before sunrise the following day; (2) "open
7 season" means the period during which it is lawful so to
8 do, as limited by law; (3) "great ponds" are those of more
9 than ten acres surface; (4) "tributaries" are brooks or
10 streams flowing directly or indirectly into a lake or into
11 another brook or stream, and one great pond shall not be
12 construed as a tributary to another; (5) "streams" as dis-
13 tinguished from "brooks" and "thorofares" are the outlets
14 of great ponds which are not the inlets to other great ponds
15 and the running waters to which said outlets are tributary;
16 (6) a "thorofare" is the outlet of one great pond entering
17 another great pond; (7) "rivers" as distinguished from
18 brooks, streams and thorofares are the larger water courses
19 generally known as rivers by custom, description, usage and
20 law of the state; (8) "ponds" and "lakes" are synonymous;
21 (9) "fly fishing" is casting, not trolling or plug fishing, with
22 unbaited artificial flies; (10) "town" unless otherwise in-
23 dicated includes town, city and plantation; (11) "size limit"
24 is the minimum length of the species of fish designated

25 which may be lawfully kept; (12) "bag limit" is the maxi-
26 mum number and weight of fish and game which may be
27 lawfully killed or possessed by one person in one day ex-
28 cept as the last fish caught shall cause the weight to exceed
29 the total weight permitted; (13) "closed waters" are those
30 in which it is unlawful to fish at any time; (14) "open
31 waters" are those in which it is lawful to fish subject to
32 law; (15) "unorganized townships" shall include all lands
33 in the state not within the limits of an organized town, city
34 or plantation; (16) the ice is "out" of a lake to permit
35 fishing from craft on said lake when the same is navigable
36 for craft although one or more bays or coves remain closed
37 with ice; (17) "commissioner" means commissioner of in-
38 land fisheries and game" unless otherwise indicated by ex-
39 press provision or necessary inference; (18) "large" lakes
40 are the following: Moosehead, the Rangeley Lakes chain,
41 Sebago, the Grand Lake chain of Washington county, the
42 "small" lakes are all others; (19) "pickerel ponds" subse-
43 quently referred to in section eighteen hereof whose tribu-
44 tary brooks shall be open waters are the following in the
45 following named counties:

ANDROSCOGGIN

Sabattus Pond in Sabattus.

Androscoggin Lake.

Pleasant Pond in Turner.

Hogan Pond.

Whitney Pond.

Lower, Middle and Upper Range Ponds in Poland.

Whitney and Tripp Ponds in Poland.

Beaver Pond in Turner and Hartford.

Pleasant Pond in Turner.

Goodwin and Long Ponds in Livermore.

AROOSTOOK

Madawaska Lake.

Drew Pond in Ashfield, New Limerick and Linneus.

CUMBERLAND

Upper Moose Pond and Ingalls Pond in Bridgton.

Brown's Pond in Sebago.

Little Watchic Pond in Standish.

Panther Pond and Little Rattlesnake Pond in Raymond.

Pleasant Pond in Casco and Otisfield.

Island Pond in Harrison and Waterford.

Little Sebago Pond in Windham and Gray.

Thomas Pond in South Casco.

FRANKLIN

Mirror Lake and Mud Pond in Jay.

Drury Pond in Temple.

Walton's Mill Pond in Farmington.

Norcross Pond and North Pond in Chesterville.

Daggett's Mill Pond in New Vineyard.

HANCOCK

Frost Pond in Sedgwick.

Goody Pond in Orland.

Beech Hill Pond in Otis.

O'Dunnell's Pond in Franklin and Township No. 9.

Jones Pond in Gouldsboro.

Giles Pond in Aurora.

Mopang Pond in Township No. 29.

Nichols Pond in Bradley, Eddington and Clifton.

Long Pond in Bucksport.

North Jay Pond in Penobscot.

KENNEBEC

Richards Pond in Winthrop and Manchester.

Shed Pond in Readfield.

Moose and Ingham Ponds in Mount Vernon.

Kezar Pond in Winthrop.

The Two Jimmie Ponds in Hallowell and Gardiner.

KNOX

North Pond and Crawford Pond in Union.

South Pond in Warren.

Western Pond in South Warren.

Newbert Pond in North Appleton.

LINCOLN

Dyer Pond in Jefferson.

Jamies Pond in Somerville.

Medomac Pond in Waldoboro.

Biscay Pond in Bristol, Bremen and Damariscotta.

Gardiner Pond in Dresden.

Joice Pond in Whitefield.

OXFORD

Barker Pond in Hiram.

Lovell Pond in Fryeburg.

Island Pond in Waterford.

Songo Pond in Albany.

South Pond in Greenwood.

Bunganuck Pond in Hartford.

Moose Pond in Paris.

Hogan Pond in Oxford.

Half Moon or Jenney Pond in Mexico and Carthage.

PENOBSCOT

Dexter Pond in Dexter.

Hermon Pond in Hermon.

Plymouth Pond in Plymouth.

Brewer Lake and Fields Pond in Orrington.

Pushaw Pond in Hudson, Old Town and Glendon.

Junior Lake in Whitney.

Mattakeunk Pond in Lee.

Millinocket Lake in Township 11, Range 8.

Seboeis Grand Lake in Townships 7 and 8.

PISCATAQUIS

Estes Pond in Parkman.

Harlow and Northwest Ponds in Parkman, Guilford and
Sangerville.

Branns Mill Pond in South Dover.

Kingsbury Pond in Kingsbury.

Greenleaf Pond in Abbot and Guilford.

Hebron Pond in Monson.

Centre Pond in Sangerville.

SAGADAHOC

Ceaser Pond in Bowdoin.

Pleasant Pond in Litchfield and Richmond.

Nequasset Lake in Woolwich.

SOMERSET

Flagstaff Lake in Flagstaff.

Moose Pond in Harmony and Hartland.

Fahi Pond in Embden.

Mayfield Pond in Mayfield.

Sibley Pond in Canaan.

Rowell Pond in Solon.

Weeks Pond in Brighton.

Gilma Pond in Lexington and New Portland.

WALDO

Mixer Pond in Knox.

Cains Pond in Searsport.

Sanborn Pond, Ellis Pond and Randall Pond in South
Brooks.

WASHINGTON

Mud Pond in Township 7.

Musquash Lake in Topsfield.

Pocamoonshine Pond in Princeton.

Crawford Lake in Crawford.

Meddybemps Lake in Alexander, Baileyville, Meddybemps
and Baring.

Boyden's Lake in Perry.

Bog Lake in Northfield.

Pleasant River Lake in Beddington.

Schoodic Lake in Cherryfield, Columbia and Township 18.

Round Pond in Townships 7 and 10.

Padunk Pond in Steuben.

YORK

Kennebunk Pond in Lyman.

Little Ossipee Pond in Waterboro.

Poverty Pond in Newfield.

Middle Branch Pond in Alfred.

Bonneg Beg Pond in North Berwick.

Alewive Pond in Kennebunk.

Swan, Shaker and Bunganut Ponds in Alfred.

Hollands Pond in Cornish.

(20) A "resident" is a person who has given up any residence outside the state, has established his home in the state with the intention of remaining in the state permanently, and has remained in the state for three months thereafter.

COMMISSIONER, COUNCIL AND WARDENS.

POWERS AND DUTIES

Sect. 2. *Commissioner and Deputy; How appointed.* A commissioner of inland fisheries and game, and a deputy recommended in writing by him, shall be appointed by the governor with the advice and consent of the council, the commissioner to hold office for three years, and the deputy during the pleasure of the commissioner recommending him; and each shall serve until his successor is appointed

8 and qualified. The commissioner shall make a report to
9 the governor on or before the thirty-first day of December
10 of each year.

Sect. 3. *Duties.* The commissioner shall have general
2 supervision of the administration and enforcement of the
3 inland fish and game laws. Under his direction his deputy
4 shall assist him in the performance of his duties, particu-
5 larly in field work and including the inspection of hatch-
6 eries and similar property, and in supervision of wardens
7 and inspection of warden service. The commissioner shall
8 have an office at the state capitol and adequate facilities for
9 the transaction of the business of his department which
10 shall be known as the department of inland fisheries and
11 game. He may take for scientific purposes fish and game,
12 and may introduce the same into the state and authorize
13 others so to do.

Sect. 4. *Limited Power to Issue Regulations.* Upon peti-
2 tion of a majority of the municipal officers of the town in
3 which the waters or lands to be affected lie, and where
4 said lands or waters lie in unorganized townships then upon
5 petition of a majority of the county commissioners, and
6 after reasonable notice and hearing thereon, at which it is
7 proven and by the commissioner found upon clear and con-
8 vincing evidence that a grave emergency has arisen since
9 the adjournment of the last session of the legislature, and
10 still exists, the commissioner may while the legislature is
11 not in session regulate for not exceeding two years the

12 times, places and circumstances within which wild birds,
13 wild animals, and inland fish may be hunted, fished for, and
14 taken. Provided: the commissioner shall forthwith file a
15 copy of said regulations with the date of adoption thereof,
16 certified by him, with the secretary of state and with the
17 clerk of courts of the counties affected, and shall cause the
18 same to be published three weeks successively in a news-
19 paper published in the county affected; such regulations
20 shall be only in limitation of the state laws and shall not
21 authorize the taking of fish or game within times, places
22 or circumstances prohibited by the laws of the state; the
23 commissioner shall use due diligence to ascertain that the
24 said emergency continues and upon finding that said emer-
25 gency has passed he shall promptly repeal said regulations
26 giving notice thereof in the same manner as provided for
27 the promulgating of the same; and the commissioner shall
28 cause to be posted notices of said regulations in the areas
29 affected thereby. All such regulations shall have the force
30 of law.

Sec. 5. *Advisory Council: Powers and Duties.* An ad-
2 visory council, consisting of seven members appointed by
3 the governor with the advice and consent of his council and
4 chosen one from each of the councilor districts, shall ren-
5 der to the commissioner information and advice concern-
6 ing the administration of the department. Of the first mem-
7 bers of the council appointed under the provisions of this
8 act, three shall be appointed for terms expiring the third

9 Tuesday of January, nineteen hundred thirty-five; two mem-
10 bers for terms expiring the third Tuesday of January, nine-
11 teen hundred thirty-three; and two members for terms ex-
12 piring the third Tuesday of January, nineteen hundred
13 thirty-one; thereafter appointment shall be for the term
14 of six years and until successors are appointed and quali-
15 fied. Upon the death, resignation, or removal from office
16 of any person so appointed, the governor shall appoint, with
17 the advice and consent of his council, a member to serve
18 for the unexpired term. The members of the council shall
19 receive no compensation for their services, but shall be
20 allowed actual expenses. The council shall hold meetings
21 with the commissioner or his deputy at the state capitol
22 on the first Thursday of January and July annually and at
23 such other times and places within the state as seem ad-
24 visable. At the meeting held on the first Thursday of Jan-
25 uary each year the council may elect one of its members
26 as chairman and one as vice-chairman.

FISHWAYS

Sect. 6. *Commissioner may cause dams, etc., to be pro-
2 vided with fishways; and repaired; appeal; proceedings.*
3 Whenever the commissioner, after hearing, fourteen days
4 written notice of which shall be given to one or more of
5 the owners or occupants of any dam or obstruction here-
6 inafter referred to, determines it expedient that any dam
7 or other artificial obstruction above tidewater in any inland
8 waters frequented by salmon, landlocked salmon, shad, ale-

9 wives or other migratory fish, be provided with a fishway,
10 he may by order in writing, require the owners or occu-
11 pants of said dam or obstruction to provide a sufficient
12 fishway, under such conditions as shall be specified in said
13 order, certified copies of which shall be mailed to some
14 owner or occupant of said dam or obstruction. In said
15 order and amendment thereof the commissioner shall pre-
16 scribe and may change the time during which said fishway
17 shall be kept open for the passage of fish. The commis-
18 sioner may further order and require the owners or occu-
19 pants of said dams or obstructions to make repairs and
20 alterations thereto; and if any owner or occupant neglects
21 or refuses to join in proportion to his interest therein, in
22 erecting, maintaining, repairing and altering such fishway
23 so ordered and required, the other owners or occupants
24 shall so do and shall have an action on the case against
25 such delinquents for their proportion of the expense there-
26 of; and if all owners and occupants refuse or neglect so
27 to do, the commissioner may so do and shall have an action
28 on the case against all delinquents for their proportion of
29 the expense thereof. Whenever delinquent owners or occu-
30 pants as aforesaid reside out of the state, said amounts
31 may be recovered as penalties by libel against said dam
32 or obstruction and the land on which it stands, file in the
33 supreme judicial court in the county where said land is
34 located, in the name of the commissioner of inland fish-
35 eries and game, such notice to be given of the pendency

36 thereof as the court in term time or vacation orders; and
37 the court may render judgment therein against said dam,
38 obstruction and lands for said penalties and costs and order
39 a sale thereof to satisfy such judgment and costs including
40 costs of sale, subject, however, to all said requirements for
41 the erection, maintenance and repair of said fishway.

Any owner or occupant may appeal to any justice of the
2 supreme judicial court from any order of the commissioner
3 by filing in the office of the clerk of the supreme judicial
4 court in the county where said dam or other obstruction
5 is located his notice in writing of such appeal containing
6 the reasons therefor within fourteen days after the mailing
7 of the copy of said order to any owner or occupant of the
8 premises as above provided.

FISH AND GAME CULTURE

Sect. 7. The commissioner may, after hearing, set apart,
2 for a term not exceeding ten years, any inland waters for
3 the use of the state or of the United States commissioner
4 of fish and fisheries, in the prosecution of the work of
5 fish culture and scientific research relative to fishes. The
6 order setting apart such waters shall be recorded in the
7 registry of deeds in the county or registry district in which
8 they are situated. In the waters so set apart, he and the
9 United States commissioner of fish and fisheries, and per-
10 sons acting under their authority may, in their respective
11 fish culture and scientific work, take fish at any time or
12 in any manner, and erect and maintain any fixtures neces-

13 sary for such purposes. No person shall take or kill any
14 fish, or use any implement for fishing therein. He may
15 grant permission to take wild animals and wild birds for
16 park and exhibition purposes in this state, under such rules,
17 regulations, and conditions as he shall establish.

He may cause the destruction of any mink or other de-
2 structive animal or bird found in or around any fish hatch-
3 ery or feeding station in this state.

He may grant permits to transport in and beyond the
2 limits of the state, live fish, wild animals, or game birds
3 taken in the state, for breeding or advertising purposes.
4 He may upon hearing, permit the taking of pickerel, perch
5 and other fish in specified waters, and for limited periods
6 whenever it appears that said fish seriously hinder the pro-
7 pagation of other game fish.

He may issue permits to any person, firm, or corporation
2 to engage in the business of propagating game birds, game,
3 or fur-bearing animals under such regulations as he shall
4 establish. He may issue to any person, firm, or corpora-
5 tion permit to fence in or enclose land for the above named
6 purpose. When it appears that such application is made
7 in good faith, and upon the payment of an annual fee of
8 two dollars, said commissioner may issue to the applicant
9 a breeder's license permitting the breeding and rearing of
10 any species of game birds or fur-bearing animals within
11 such enclosure. Such licensed breeders may at any time
12 sell, transport, or kill and sell, and any person, firm, or

13 corporation may purchase, have in possession, or transport
14 any game birds, game, or fur-bearing animals raised by
15 virtue of the provisions of this section, under such regu-
16 lations as said commissioner may establish. No person shall
17 engage in the business of breeding or rearing any game
18 birds or game or fur-bearing animals at any time without
19 first having procured a breeder's license as provided in this
20 section.

Every licensed game or fur farmer and every person au-
2 thorized to take birds or wild animals or fish for scientific
3 purposes shall, on or before the thirty-first day of Decem-
4 ber of each year, make detailed report to said commissioner
5 of all they have done during the year by virtue of such
6 license or permit, on blanks to be furnished by the said
7 commissioner of inland fisheries and game.

FISH HATCHERIES

Sect. 8. *Real estate may be taken for fish hatcheries.* The
2 commissioner of inland fisheries and game for the location,
3 construction, repair and convenient operation of a fish
4 hatchery or fish hatcheries and feeding stations for fish may
5 purchase, lease, or take and hold, for and in behalf of the
6 state, as for public uses, land and all materials in and upon
7 it or any rights necessary for the purpose of establishing,
8 erecting, and operating fish hatcheries. For real estate so
9 taken, the owners are entitled to damages, to be paid by
10 the state and estimated by the county commissioners, on
11 written application of either party, made within one year

12 after filing the location as hereinafter provided, or if pro-
13 ceedings thus commenced fail for causes not affecting the
14 merits, new ones may be commenced within one year there-
15 after. When the commissioner of inland fisheries and game
16 deems that a public exigency requires the taking of any land
17 or rights for the purposes aforesaid, they shall cause the
18 same to be surveyed, located, and so described that the same
19 can be identified, and a plan thereof shall be filed in the
20 registry of deeds in the county, or registry district, where
21 the land or rights are located, and there recorded. The
22 filing of such plan and description shall vest the title to the
23 land and right aforesaid, in the state of Maine, or its
24 grantees to be held during the pleasure of the state. Either
25 party, if aggrieved by a decision of the county commis-
26 sioners rendered in conformity with the provisions of this
27 section, may appeal as in cases of land taken for highways
28 to the supreme judicial court in the county in which the
29 land is situated.

SCREENS

Sect. 9. *Outlets of lakes may be screened.* The commis-
2 sioner may authorize, alter, and remove the screening of
3 any inland waters, and shall, upon application, make suit-
4 able provision for the passage of logs, lumber and pulp-
5 wood in any floatable waters of the state so screened. The
6 commissioner may prohibit fishing within five hundred yards
7 of any screen installed by authority of the department or
8 the legislature. No person shall take up, destroy or injure

9 any such screen or fish in waters closed to fishing by this
10 section.

INLAND FISH AND GAME WARDENS

Sect. 10. *Inland fish and game wardens; appointment,*
2 tenure, duties, bond, service of processes. The governor,
3 with the advice and consent of the council, upon the recom-
4 mendation of the commissioner of inland fisheries and game
5 may appoint suitable persons as inland fish and game war-
6 dens, who shall hold office for a term of three years unless
7 sooner removed, and who shall enforce all laws relating
8 to inland fisheries and game, and all rules and regulations
9 in relation thereto, arrest all violators thereof, and prose-
10 cute all offenses against the same; said inland fish and game
11 wardens shall have the same power to serve criminal proc-
12 esses against such offenders, and to arrest and prosecute
13 camp trespassers, or those suspected of larceny from any
14 cottage, camp, or other building, and shall be allowed the
15 same fees as sheriffs, for like services, and they shall have
16 the same right as sheriffs to require aid in executing the
17 duties of their office. They shall, before being qualified
18 to discharge the duties required by this chapter, give bond
19 to the treasurer of state, in the sum of two thousand dol-
20 lars, with two sureties, or with a surety company author-
21 ized to do business in the state, as surety, approved by the
22 commissioner of inland fisheries and game, conditioned for
23 the faithful performance of the duties of their office. In-
24 land fish and game wardens may serve all processes per-

25 taining to the collection of penalties for violation of the
26 inland fish and game laws.

Sect. 11. *Deputy Wardens; tenure, duties and powers.*

2 The commissioner of inland fisheries and game may ap-
3 point inland fish and game deputy wardens and may revoke
4 such appointment at any time. The appointment and dis-
5 charge of such deputy wardens shall be in writing, and they
6 shall have the same powers and be subject to the same laws,
7 as inland fish and game wardens appointed by the governor
8 and council. All such appointments shall terminate with
9 the calendar year in which the appointment is made.

Sect. 12. *Sheriffs, etc., vested with like powers of war-*

2 *dens.* Sheriffs, deputy sheriffs, police officers, and con-
3 stables are vested with the powers of inland fish and game
4 wardens, and shall receive for their services the same fees.
5 Wardens under sections ten to twelve inclusive shall hold
6 no other office for compensation by state or county.

GUIDES

Sect. 13. *Guides to be registered; must furnish commis-*

2 *sioner with information.* No person shall engage in the
3 business of guiding, either for inland fishing or forest or
4 shore hunting, until he has procured a certificate so to do
5 from the commissioner. Each registered guide shall, from
6 time to time, as often as requested by the commissioner,
7 forward, on blanks furnished him by the commissioner, a
8 statement of the number of persons he has guided during
9 the time called for in said statement, the number of days

10 he has been employed as a guide, and such other infor-
11 mation relative to inland fish and game, forest fires, and
12 the preservation of the forests in the localities where he
13 has guided, as the commissioner may deem of importance
14 to the state.

Sect. 14. *Guides divided into classes; fees; registration*
2 *may be revoked.* Such registration shall be as follows:
3 The applicant shall apply in writing to the commissioner
4 for registration, setting forth in his application whether he
5 desires to be registered as a general or local guide; and
6 the commissioner may, upon sufficient proof of his com-
7 petency, register such person as a general or local guide;
8 and said commissioner may, for cause shown, after due
9 notice and hearing, cancel any registration by him made,
10 and may advance anyone from the local class to the general
11 class, whenever he shall deem such person qualified to be
12 a general guide. A fee of one dollar shall be paid annually
13 for the registration as herein provided. Non-residents may
14 be so licensed for restricted areas upon payment of a fee
15 of twenty dollars.

Whenever a guide registered, as provided in this section,
2 is charged with having violated any of the inland fish and
3 game laws, the commissioner may suspend his certificate
4 of registration; and whenever a guide so registered is con-
5 victed of a violation of the inland fish and game laws, said
6 commissioner may cancel his registration; but such person
7 may thereafter be registered again at the discretion of the

8 commissioner. Any certificate canceled or suspended by
9 virtue of this section shall be immediately returned to the
10 commissioner.

LICENSED CAMPS AND HOTELS

Sect. 15. *May serve fish and game. Limitations.* No
2 proprietor or operator of a sporting camp, hotel or eating
3 place, shall serve or have in possession for consumption in
4 his sporting camps, hotel or eating place any game animal,
5 wild bird, or inland fish, killed in this state, except as herein
6 provided. He shall procure from the commissioner upon
7 payment of an annual fee of five dollars a license so to
8 do. He may then have and serve such of said game ani-
9 mals, wild birds and fish as (1) he has lawfully killed,
10 (2) lawfully purchased under section here-
11 of, (3) his guests have lawfully killed and request him to
12 serve. He shall report in writing to the commissioner on
13 or before the fifteenth day of December of each year the
14 fish, game and birds so had in possession, the dates thereof,
15 and from whom obtained. No license shall be issued for
16 the following year until said report is made.

Sect. 16. *Closed Season.* Except as hereinafter provided
2 there shall be an annual closed season as follows: (1) On
3 lakes from October first until, in the case of trout, land-
4 locked salmon and togue, the ice is out of the lake fished
5 in the following spring; and in the case of white perch and
6 black bass until the twentieth of June following. (2) On
7 rivers from October first. (3) On streams from August

8 sixteenth. (4) On brooks from July sixteenth; in each
9 case until the ice is out of the waters fished the following
10 spring.

Sect. 17. *Closed Waters.* Except as hereinafter provided,
2 all tributaries, except thorofares, to all great ponds, except
3 pickerel ponds as in section one defined, and the tributaries
4 of all thorofares are closed waters; all other waters in-
5 cluding the tributaries of all rivers and streams are open
6 waters.

Sect. 18. *Size Limits.* Size limits shall be: except as
2 hereinafter provided: (1) On trout taken from brooks,
3 streams and rivers, seven inches; from small lakes eight
4 inches; from large lakes ten inches. (2) On landlocked
5 salmon taken from large lakes fourteen inches; taken else-
6 where twelve inches. (3) On white perch, wherever taken,
7 six inches. (4) On black bass, wherever taken, ten
8 inches.

Sect. 19. *Bag Limits.* Bag limits shall be, except as the
2 last fish caught shall cause the bag to exceed the specified
3 weight and except as hereinafter provided: (1) On trout
4 taken from brooks, twenty fish not to exceed seven pounds
5 in weight. (2) On trout taken other than from brooks,
6 and on landlocked salmon, togue, bass and white perch,
7 fifteen fish including all species, not to exceed fifteen pounds
8 in weight. (3) On pickerel, wherever and whenever taken,
9 ten fish not to exceed fifteen pounds.

Only one of above bag limits or part thereof may lawfully

2 be taken except pickerel which shall be additional to all
3 other limits.

Sect. 20. *Ice Fishing.* Fishing through the ice, except
2 for smelts, shall be lawful only in waters known to con-
3 tain pickerel, and in prosecution under this section, the
4 burden of proof upon that issue shall be upon the defend-
5 ant; and shall be subject to the following further pro-
6 visions: (1) No trout, salmon or perch shall be fished for
7 or taken. (2) No togue shall be fished for or taken ex-
8 cept in Moosehead Lake. (3) Pickerel may be fished for
9 and taken subject to the foregoing limitations in all lakes,
10 rivers and streams. (4) Not over five set lines to a person
11 or ten to a family shall be used.

Sect. 21. *Special Local Provisions.* In addition to and
2 in limitation of the general restrictions on fishing, it will
3 be unlawful to fish in the following waters except as in
4 this section provided.

(1) *Kennebago Waters.* In Kennebago Stream no fish-
2 ing except from the Big Falls, so called, to Indian Rock,
3 fly fishing only; bag limit one fish; no ice fishing; size limit,
4 trout ten inches; landlocked salmon, fourteen inches. Ken-
5 nebago Lake and Little Kennebago Lake: the same limita-
6 tions except that ten fish not to exceed ten pounds in weight
7 except as the last fish caught may cause the total bag to
8 exceed that weight.

(2) *Magalloway Waters.* In Big Magalloway River and
2 Little Magalloway River, fly fishing only; bag limits ten

3 fish not exceeding three pounds in weight except as the
4 last fish caught causes the bag to exceed that weight; no
5 ice fishing; no fishing in tributaries to said rivers.

(3) *Parmachenee Waters.* In Parmachenee Lake, fly
2 fishing only, bag limit ten fish not exceeding three pounds
3 in weight except as the last fish caught causes the bag to
4 exceed that limit; no ice fishing; all tributaries to said lake
5 closed to all fishing.

(4) *Grand Lake Waters.* The following portion of
2 Grand Lake in Grand Lake Stream Plantation, Washington
3 County, is closed to all fishing: That part between the dam
4 at the outlet and a line extending from a stake on or near
5 Gin Point, so-called, seven hundred yards above said dam
6 to a stake on the easterly shore of said lake, said stakes
7 being marked F and G and painted red; except that from
8 said line to a line extending between similar stakes on the
9 shores of said lake seventy-five yards above the fish screen
10 at said dam, fly fishing shall be lawful and trolling from
11 June first to September fourteenth of each year, both days
12 inclusive; provided, however, it shall be unlawful for any
13 person or the occupants of one boat or canoe to fish for
14 or take in any one day in said waters more than three fish
15 in all of landlocked salmon, trout or togue or ten pounds
16 in weight unless one individual fish caught weighs more
17 than ten pounds, and provided further it shall be lawful
18 to take by fly fishing only one fish daily between the last
19 named line and a line drawn parallel to said fish screen

20 and fifty feet northerly or up stream therefrom; but all
21 fishing from any pier, wharf or boathouse between the last
22 named lines is hereby prohibited and no bait taken from
23 Big Lake, Long Lake or any other bass waters shall be
24 used in or put into Grand Lake waters.

It shall be unlawful to fish at any time from the dam at
2 the outlet of said Grand Lake to a point one hundred yards
3 below said dam. The remaining portion of Grand Lake is
4 subject to the general laws.

Grand Lake Stream. Fly fishing only, otherwise subject
2 to the provisions of this chapter.

Sect. 22. No person, except in ice fishing, shall fish with
2 more than two lines; nor engaged in the business or occu-
3 pation of fishing in any of the inland waters of the state
4 above tidewaters for landlocked salmon, togue, trout, black
5 bass, or white perch, for gain or hire; nor shall any person
6 directly or indirectly or by agent, servant or employee, buy
7 or sell any of said fishes.

Sect. 23. *Certain implements and devices prohibited.* No
2 person shall use any dynamite or any other explosive or
3 poisonous or stupefying substance at any time for the pur-
4 pose of destroying any kind of fish or kill or destroy any
5 kind of fish at any time with any dynamite or other ex-
6 plosive or poisonous or stupefying substance. No lure shall
7 be used containing more than three hooks, or more than
8 three spoons, and in still fishing no lure containing more
9 than one hook. Any person finding any of the above pro-

10 hibited implements and devices in use may destroy them
11 as contraband.

Sect. 24. *Trawls, Spears, etc., prohibited.* No person
2 shall have in possession at any time any spear, trawl, or
3 net (except such as are authorized for the taking of suckers,
4 eels, hornpouts, and yellow perch, as provided in section
5 twenty-seven) other than a dip-net, in any camp, lodge or
6 place of resort for hunters or fishermen or in its imme-
7 diate vicinity, or on any of the lakes, rivers, or streams of
8 the state, or in their immediate vicinity, in the inland ter-
9 ritory of the state. When any such implements or devices
10 are found in possession in violation of any provision of
11 this section they are forfeit and contraband, and shall be
12 seized by any person authorized to enforce the inland fish
13 and game laws.

Sect. 25. *Relating to the taking of smelts, minnows, and*
2 *other bait fish, white fish, cusk, and suckers.* It shall be
3 lawful, however, to take smelts in all the inland waters of
4 the state above tide-waters with a dip-net in the usual and
5 ordinary way, and to catch them through the ice in the
6 day-time with single hook and line, but they shall not be
7 taken for sale, or sold at any time, except for bait for fish-
8 ing in this state. It shall be lawful to take minnows and
9 other fish usually used for bait for fishing, in all the in-
10 land waters of the state and to sell the same for bait for
11 fishing only in this state; to catch white fish with single
12 hook and line at any time, in all the inland waters of the

13 state, but they shall not be taken at night with set lines;
14 to take white fish and cusk by means of nets, for food
15 purposes only in the family of the person taking the same;
16 and to take suckers with spears, in all the inland waters
17 of the state, during April and May of each year.

Sect. 26. *Relating to the taking of eels, suckers, horn-*
2 pouts, yellow perch, and alewives; permits for same. The
3 commissioner of inland fisheries and game may grant per-
4 mits, for not exceeding three years, to take suckers, eels,
5 hornpouts, and yellow perch, by means of eel pots, traps,
6 spears, or nets, in inland waters frequented by these fish,
7 under such terms, rules and regulations as he may estab-
8 lish, but no exclusive territory permits shall be granted for
9 the taking of any of said fish, except upon advertised bid
10 and award to the highest responsible bidder. Provided,
11 further, that said commissioner may grant permits to take
12 alewives in the inland waters of the state under such rules
13 and regulations as he may establish.

Sect. 27. *Weight of salmon, trout, togue, white perch,*
2 and black bass, to be transported; limited; regulations. No
3 person shall transport more than fifteen pounds of land-
4 locked salmon, trout, togue, white perch, or black bass in
5 all in any one day, nor shall any corporation or common
6 carrier transport more than fifteen pounds in all, of land-
7 locked salmon, trout, togue, white perch, or black bass in
8 any one day as the property of one person, but nothing
9 herein contained shall prevent any person, corporation, or

10 common carrier from transporting one fish weighing more
11 than fifteen pounds; nor shall any such be transported ex-
12 cept in the possession of the owner thereof, plainly labeled
13 with the owner's name and residence, and open to view,
14 except as is provided in the following section. All such
15 fish being so transported in violation of this section shall
16 be seized and shall be forfeited to the state; provided, how-
17 ever, that nothing herein contained shall prohibit any person
18 having less than twenty-five fish weighing in all less than
19 fifteen pounds from transporting one additional fish, nor
20 prohibit any transportation company from transporting said
21 additional fish under the conditions prescribed in this sec-
22 tion for the transportation of fish.

Sect. 28. *Owner to accompany fish; exceptions.* No
2 landlocked salmon, trout, togue, black bass, or white perch
3 shall be carried or transported in any way except in the
4 possession of the owner, accompanied by him, plainly la-
5 beled with the owner's name and address, and open to view,
6 except any person who has lawfully in his possession one
7 landlocked salmon, one trout, one togue, one black bass,
8 or one white perch, or ten pounds of any kind of these
9 fish, may transport the same to his home, provided the same
10 is shipped in his own name, or to any hospital in this state,
11 without accompanying the shipment, by purchasing of an
12 agent duly appointed therefor by the commissioner of in-
13 land fisheries and game a transportation tag, paying for a
14 landlocked salmon, trout, togue, or black bass, one dollar

15 for each, or one dollar for each ten pounds of the same,
16 and fifty cents for one white perch or ten pounds of the
17 same; provided, however, that no person shall send more
18 than one shipment of fish under a transportation tag, as
19 provided in this section, once in five days.

Sect. 29. *Stocking of lakes and streams without permis-*
2 *sion of commissioner prohibited.* No person shall intro-
3 duce fish of any kind into any of the waters of the state
4 by means of live fish or otherwise, except upon written
5 permission of the commissioner of inland fisheries and
6 game.

Sect. 30. *Trolling by means of "advance baiting" pro-*
2 *hibited.* No person shall deposit any food for fish in any
3 of the inland waters of the state, for the purpose of luring
4 fish.

Sect. 31. *Deposit of slabs, edgings, sawdust, in streams,*
2 *etc., prohibited.* No person or corporation shall deposit in
3 any of the inland waters of the state or on the banks there-
4 of in such fashion that the same shall fall or be washed
5 into said waters, any slabs, edgings, sawdust, chips, bark,
6 mill waste, shavings, or fibrous material created in the man-
7 ufacture of lumber.

Sect. 32. *Cultivation of useful fish by individuals.* Any
2 riparian proprietor may, within the limits of his own prem-
3 ises, enclose the waters of a stream not navigable, for the
4 cultivation of useful fishes; provided that he furnishes suit-
5 able passages for migratory fishes naturally frequenting such

6 waters, and does not obstruct the passage of boats and
7 other craft and materials, in places where the same have a
8 right to pass. Any person legally engaged in the artificial
9 culture and maintenance of fishes, may take them in his
10 own enclosed waters wherein the same are so cultivated
11 and maintained, as and when he pleases, and may at all
12 times sell, ship, or transport them from his own pools or
13 ponds, without accompanying the shipment, having first pro-
14 cured a license therefor and tagged said fish in accordance
15 with the rules and regulations established by the commis-
16 sioner of inland fisheries and game.

No person without permission of the proprietor, shall fish
2 in that portion of waters in which fish are artificially culti-
3 vated as permitted in this section.

Sect. 33. *Jurisdiction of commissioner.* The provisions
2 of this chapter, so far as they relate to fish of all varieties
3 and fishways, apply to fish and fishways down to tide wa-
4 ters. All sea salmon, shad, alewives, and smelts that mi-
5 grate from the ocean into fresh water shall be under the
6 concurrent jurisdiction of the sea and shore fisheries and
7 the inland fish and game commission wherever found.

Sect. 34. *Posting closed waters.* The commissioner shall
2 place sufficient and metal warning notices of closed waters
3 in the following instances: (1) wherever a public high-
4 way crosses or is immediately contiguous to closed waters;
5 (2) in reasonable proximity to the waters to which special

6 provisions apply as enumerated in section twenty-two, or
7 contiguous to the approaches to said waters.

Sect. 35. *Fishing Licenses.* No person over sixteen years
2 of age shall fish in any inland waters of the state except
3 in accordance with the following provisions:

(1) Any resident of the state and his immediate family
2 may, without license, fish in open waters in accordance with
3 the laws of the state, on land owned by him, on which he
4 is actually domiciled, and which is used exclusively for agri-
5 cultural purposes.

(2) Each resident otherwise and each non-resident shall
2 purchase from the commissioner or his authorized agent
3 the written license of the commissioner, which shall be kept
4 upon the person while fishing or transporting fish, and shall
5 be exhibited to any warden, employee of this department,
6 or guide, upon request. The clerks of all towns are such
7 authorized agents and for the issuance of non-resident
8 licenses the commissioner may, subject to recall at his pleas-
9 ure, designate additional agents. License shall be issued
10 to a resident by the clerk of the town in which he resides,
11 or if he is domiciled in an unorganized place, then by the
12 clerk of the nearest town, upon payment of a fee of sixty-
13 five cents, of which fifteen cents shall be retained by the
14 town clerk.

(3) Non-resident licenses shall be of two classes, a month
2 license to cost three dollars and fifteen cents, effective for
3 thirty days from the date thereof, and a season license,

4 effective for the entire season, to cost five dollars and fif-
5 teen cents. Fifteen cents shall be retained by the agent.

(4) Each license shall expire on December thirty-first of
2 the calendar year in which it is issued. Each agent shall
3 on the first of each month forward to the commissioner a
4 report containing a list of the persons to whom he has is-
5 sued licenses since last report, the class of each license,
6 and the total amount of the funds by him collected, and
7 shall at the same time forward to the state treasurer the
8 funds by him collected; less the amount of fifteen cents
9 as above provided for each license.

(5) No person shall offer to a carrier and no carrier shall
2 accept for carriage or shipment any fish except upon ex-
3 hibition of the license either in person by the licensee or
4 accompanied by writing signed by the licensee and request-
5 ing the shipment, which writing the carrier shall retain until
6 the end of the calendar year for inspection and use by the
7 department.

(6) Possession of fish or fishing tackle in the fields or
2 forests of the state without appropriate license shall be
3 prima facie evidence of violation of this section. Upon
4 conviction of any violation of the laws relating to fishing
5 the commissioner may revoke any such license, and upon
6 a second or subsequent conviction may direct and prevent
7 the issuance of license to the person convicted for not ex-
8 ceeding two years in addition to the year in which the vio-
9 lation occurs.

The funds collected by agents shall constitute a propagation fund so-called, to be expended under the direction of the commissioner for the sole purpose of the propagation and distribution of fish in the inland waters of Maine and facilities therefor. Said fund shall not lapse from year to year but funds so collected in any one year may be used in that or any succeeding years for said purpose.

HUNTING AND TRAPPING

Sect. 36. *Definitions.* In addition to the definition of words and terms mentioned in section one are the following:

a. Hunting means to pursue, catch, take, kill, wound, or destroy wild birds and animals.

b. Alien is an unnaturalized foreign born person who is not a tax payer upon real estate in Maine and has not resided in Maine for the past two years continuously.

c. Jacklight means any artificial light when used in conjunction with a rifle larger than twenty-two caliber and a twenty-two hipower is considered larger, or a shotgun loaded with buckshot or ball shells.

Sect. 36. *Hunting licenses.* No person shall hunt or have in his possession any wild bird or animal except in accordance with the following provisions:

1. Any resident and his immediate family may without license hunt on land owned by him, or leased by him and on which he is actually domiciled and which is used exclusively for agricultural purposes.

2. No resident shall otherwise hunt or have in his pos-

2 session any wild bird or wild animal without first having
3 procured from the commissioner or his authorized agent
4 a written license which shall be kept upon the person while
5 hunting or transporting such birds and animals and ex-
6 hibited to any warden, employee of this department or
7 guide upon request. The clerks of all towns are such
8 authorized agents. The license shall be issued to a resi-
9 dent by the clerk of the town in which the applicant resides,
10 or if domiciled in an unorganized place, then by the clerk
11 of the nearest town, upon payment of a fee of sixty-five
12 cents, of which fifteen cents shall be retained by the town
13 clerk. A combination hunting and fishing license may be
14 issued on payment of one dollar and fifteen cents, fifteen
15 cents to be retained by the town clerk.

3. No non-resident or alien shall hunt or have in his
2 possession any wild bird or animal without first having pro-
3 cured from the commissioner or his authorized agent a writ-
4 ten license which shall be kept upon the person while hunt-
5 ing or transporting such birds and animals and exhibited
6 to any warden, employee of this department or guide upon
7 request. In addition to town clerks the commissioner may,
8 subject to recall at his pleasure, designate additional agents
9 to issue licenses.

The license to hunt wild birds, rabbits, raccoons and foxes
2 only shall be issued on payment of five dollars and fifteen
3 cents and to hunt both wild birds and wild animals on pay-

4 ment of fifteen dollars and fifteen cents, of which fifteen
5 cents shall be retained by the agent issuing the license.

4. Each license shall expire on December thirty-first for
2 the calendar year for which it is issued. Licenses may be
3 issued prior to the date upon which such license may be
4 in force. Application blanks and licenses shall be furnished
5 by the commissioner in such form as he shall designate.

Each agent shall on the first of each month forward to
2 the commissioner a report containing a list of the persons
3 to whom he has issued licenses since his last report, the
4 class of each license and the total amount of the funds by
5 him collected, and shall at the same time forward to the
6 state treasurer the funds by him collected less the amount
7 of fifteen cents, as above provided for each license.

5. Failure to produce such license within a reasonable
2 time when requested by any authorized person shall be
3 prima facie evidence of the violation of this act.

6. Hunting licenses shall not be issued to any person
2 under sixteen years of age unless the written consent of
3 the parent or guardian is attached to the application, but
4 any resident under sixteen years of age may hunt without
5 a license when accompanied by his parent or guardian.

7. The funds collected by agents and commissioner shall
2 constitute a fund to be expended under the direction of the
3 commissioner for the propagation and protection of wild
4 birds, fish and animals. The fund shall not lapse from year
5 to year but any funds collected in any one year may be

6 used for that year and any succeeding year for said pur-
7 poses.

Sect. 37. *Close seasons on birds.* No person shall hunt
2 or have in his possession any eagle, Hungarian partridge
3 or capercaillze, cock of the woods or any black game or
4 species of the pheasant except ruffed grouse or partridge.

There shall be a closed season on birds as follows: On
2 partridge and woodcock from the first day of December
3 of each year to the thirtieth day of September of the fol-
4 lowing year, both days inclusive; on all varieties of ducks,
5 brant, geese and coots, gallinules and jacksnipe, or Wilson
6 snipe, from the first day of January of each year to the
7 fifteenth day of the following September, both days in-
8 clusive; on black-breasted and golden plover and greater
9 and lesser yellowlegs and rails (except coots and gallinules)
10 from the first day of December of each year to the first
11 day of September of the following year, both days inclusive;
12 provided further, that it shall be unlawful to hunt at any
13 time, any curlew, wood duck, swans, or any shore birds
14 except as aforesaid and no person shall, during the open
15 seasons for the above-named birds hunt or have in posses-
16 sion in any one day more than five partridge or ruffed
17 grouse, four woodcock, ten ducks, five plover and two
18 snipe, eight geese, eight brant, rails, coots and gallinules
19 twenty-five in all and twenty-five Sora; or in any one open
20 season for partridge or ruffed grouse more than twenty-five
21 of said birds; nor shall any person at any time buy or sell any

22 of the above-named birds; nor shall any person or corpora-
23 tion carry or transport from place to place any of the birds
24 mentioned in this section in closed season (except that a
25 person shall have a reasonable time after the beginning of
26 closed season to transport, as hereinafter provided, to his
27 home, game birds legally killed by him in open season) nor
28 in open season unless open to view, tagged and plainly la-
29 beled with owner's name and residence, and accompanied
30 by him, unless tagged with a transportation tag as herein-
31 after provided; nor shall any person or corporation carry
32 or transport in any one day, more than ten ducks, five
33 plover, ten snipe, five partridge and four woodcock, as the
34 property of one person. Provided, however, it shall be
35 lawful for a citizen of this state who has purchased a
36 transportation tag, paying therefor five dollars, to take
37 with him out of the state birds which he himself has law-
38 fully killed. Provided, further, that any citizen of this
39 state who has lawfully in his possession, one pair of either
40 of the birds named in this section, may send the same any-
41 where in this state without accompanying the same, by pur-
42 chasing therefor a transportation tag, paying therefor fifty
43 cents, and attaching said tag to the pair of birds. Provided,
44 further, that no person shall under any of the provisions
45 of this paragraph send as aforesaid more than one pair
46 of game birds once in seven days.

Sect. 38. *Nets, snares, prohibited.* No person shall hunt
2 with net, trap, snare or contrivance other than the usual

3 method of shooting with a gun, which gun shall not be
4 larger than number ten gauge, any bird of any variety in
5 anywise protected by law and such prohibited implements
6 or devices are contraband and may be seized and ordered
7 destroyed as in the case of gambling devices.

Sect. 39. *Use of decoys.* Not more than twelve live de-
2 coys shall be allowed in any one flock when hunting water
3 fowl. Only one flock at the same time may be placed in
4 the water by one boat or blind. No flock shall be placed
5 nearer than fifty yards to a flock already set or being set.

No boat shall be allowed in said waters for hunting pur-
2 poses earlier than one and one-half hours before sunrise,
3 nor shall any duck decoys be allowed to remain in said
4 waters between the hours of sunset and one hour before
5 sunrise.

Sect. 40. *Wild birds protected.* No person shall have
2 in his possession, living or dead, any wild bird, other than
3 a game bird. No part of the plumage, skin or body of
4 any bird protected by this section shall be sold or had in
5 possession for sale. Nor shall any person take or needlessly
6 destroy the nest or the eggs of any wild bird, nor have
7 such nest or eggs in possession. The English or European
8 house sparrow, the common crow, and the hawks and owls,
9 mud hens (or bittern), kingfishers, loons, and blue herons
10 are not included among the birds therein protected; and for
11 the purpose of this chapter the following only shall be con-
12 sidered game birds: The anatidæ, commonly known as

13 swans, geese, brant, and river and sea ducks; the rallidæ,
14 commonly known as rails, coots, and gallinules; the limi-
15 colæ, commonly known as shorebirds, plover, surf birds,
16 snipe, woodcock, sandpipers, tattlers, and curlews; the gal-
17 linæ, commonly known as wild turkey, grouse, prairie chick-
18 ens, pheasants, partridges and quails. Nothing in this sec-
19 tion, however, shall be construed to affect in any way the
20 protection of game birds as hereinbefore provided.

Provided, however, that the commissioner shall have au-
2 thority, upon complaint that protected wild birds, under
3 extraordinary conditions, have become seriously injurious
4 to agriculture or other interests in any particular commun-
5 ity, to grant permits to kill such birds.

Sect. 41. *Certain boats prohibited.* No person shall at
2 any time use a boat propelled by any other mode than the
3 ordinary sailboat, rowboat or canoe in hunting any sea
4 birds, duck or waterfowl in any inland or tidal waters of
5 this state.

Sect. 42. *Importation birds and animals prohibited.* No
2 person shall introduce or import any wild bird or wild ani-
3 mal, except for captivity purposes, or dead body or part
4 thereof, of any kind or species into the state, or receive or
5 have in possession such wild bird or wild animal, or dead
6 body or part thereof, so introduced or imported, without
7 written permission of the commissioner.

Sect. 43. Game sanctuaries as heretofore established shall
2 continue.

Sect. 44. *Closed season on moose and caribou.* No person shall hunt or have in his possession any caribou or moose or parts thereof.

Provided, however, that the commissioner upon application of any person who has legally killed a caribou or moose beyond the limits of this state may issue a license permitting the importation of such caribou or moose for consumption or mounting but not for sale.

Sect. 45. *Closed season on deer.* There shall be an annual closed season on deer in the counties of Aroostook, Franklin, Oxford, Penobscot, Piscataquis and Somerset, from December first of each year to October fifteenth of the following year, both days inclusive; and in the counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York, from the first day of December of each year to the thirty-first day of October of the following year, both days inclusive, and in the counties of Hancock and Washington from December sixteenth of each year to October thirty-first of the following year, both days inclusive (except in game sanctuaries as hereinbefore set forth), during which said closed seasons, except as hereinafter provided, it shall be unlawful to hunt any deer or have in possession any part thereof; and no person shall during the open seasons above named, except as hereinafter provided, kill or have in possession, more than one deer or part thereof. A person lawfully killing a deer in open season, shall have a reasonable time in which to transport

20 the same to his home and may have the same in possession
21 at his home in closed season.

Provided, however, that if a deer is found doing actual,
2 substantial damage to any growing cultivated crops, the
3 cultivator of such crops may kill the deer, and may con-
4 sume said deed in his own family but not otherwise; but
5 he shall not pursue the deer beyond the limits of his culti-
6 vated land in which the damage is being done; provided,
7 that whoever kills a deer in accordance with the provisions
8 herein contained shall forthwith give notice in writing to
9 the commissioner at Augusta, Maine, of the fact of such
10 killing and the character and estimated amount of damage
11 done; whoever fails to give such notice shall in no wise be
12 protected by the provisions hereof. Whoever shall culti-
13 vate any crops for the manifest purpose of killing deer un-
14 der the provisions of this paragraph shall in no wise be pro-
15 tected thereby; and it shall be unlawful to place salt in any
16 place for the purpose of enticing deer thereto. Any dead
17 deer found in the woods not having a tag identifying the
18 owner thereof shall be subject to seizure and confiscation
19 by the department.

Sect. 46. *Jacklights, etc. prohibited.* No person shall at
2 any time hunt with a dog, jacklight, artificial light, snare,
3 trap, swivel, pivot or set gun, any deer, caribou or moose.

Sect. 47. *Dogs hunting deer.* No person shall own or
2 have in his possession any dog for the purpose of hunting
3 moose, caribou or deer or permit any dog owned by him or

4 in his possession to hunt moose, caribou or deer, after no-
5 tice in writing from the commissioner or game warden or
6 deputy warden that such dog is liable to hunt moose, cari-
7 bou or deer, or shall permit any dog in his custody after
8 such notice to run at large in the forest or wild lands in
9 this state without being accompanied by the owner or keep-
10 er. If a dog is found hunting moose, caribou or deer after
11 the owner or possessor thereof has been notified, as provid-
12 ed in this section, that such dog is liable to hunt moose,
13 caribou or deer, it shall be prima facie evidence that said
14 owner or possessor of such dog has permitted said dog to
15 hunt moose, caribou or deer in violation of this section.

Sect. 48. Dogs may be killed, when warden or deputy
2 warden, sheriff, deputy sheriff or constable may at any time
3 lawfully kill any dog he may find in the act of hunting
4 moose, caribou or deer, or he may find worrying, wound-
5 ing or killing any domestic animal, when said dog is out-
6 side of the enclosure or immediate care or its owner or
7 keeper. Any owner of sheep, or any member of his fam-
8 ily, or any person to whom is intrusted the custody of any
9 sheep, shall have a right to kill any dog attacking any of
10 said sheep. Any person having any evidence of any dog
11 hunting moose, caribou or deer, or of any dog kept and
12 used for the purpose, or of any dog worrying, wounding
13 or killing any domestic animal or fowl, when said dog is
14 outside of the enclosure or immediate care of his owner
15 or keeper, may present said evidence to any trial justice or

16 judge of any municipal court, which said trial justice or
17 judge shall have power to issue a warrant against the owner
18 of said dog, ordering him to appear before him and show
19 cause why said dog should not be killed; and upon hearing
20 the evidence in said case said court may order said dog
21 killed. Any person may lawfully kill a dog which suddenly
22 assaults him or another person when peaceably walking or
23 riding.

Sect. 49. *No taking deer out of state.* No person shall
2 sell or give away any deer or part thereof to be transported
3 or carried beyond the limits of this state nor shall any per-
4 son buy or accept as a gift any deer or part thereof to so
5 transport the same; nor shall any resident of this state at
6 any time carry or transport in any manner beyond the
7 limits of this state any deer or part thereof.

Sect. 50. *Transportation of deer.* Except as herein pro-
2 vided no person or corporation shall at any time carry or
3 transport any deer or part thereof unless open to view,
4 tagged, and plainly labeled with the name and residence of
5 the owner thereof, and accompanied by him while being
6 transported and identified by him at one of the places which
7 the commissioner shall have designated by publication in
8 the daily newspapers in the state. No person not the actual
9 owner of such deer or part thereof, shall aid another in
10 such transportation by representing himself to be the own-
11 er thereof, and it shall be prima facie evidence that said

12 deer, or part thereof, that is being transported or carried
13 in violation of this section was illegally killed.

Sect. 51. *Shipment of deer.* Any citizen of the state who
2 has lawfully killed a deer may send the same to his home
3 in his own name, or to any hospital in the state, without
4 accompanying the same, by purchasing of an agent appoint-
5 ed therefor by the commissioner a tag, paying therefor two
6 dollars, and said tag shall be attached to the deer, or part
7 thereof, being transported.

The commissioner may appoint agents to sell these tags.

Sect. 52. *No deer in lumber camps.* No owner or keeper
2 of any camp, house, or other building, used partly or wholly
3 in lumbering operations, or employee thereof, shall use, con-
4 sume, or have in possession, at any time, at said camp, or
5 serve to any employee thereof, any deer or moose or part
6 thereof.

Sect. 53. *Sunday closed season.* Sunday is a closed sea-
2 son, on which it is not lawful to hunt any wild animals or
3 wild birds of any kind.

Sect. 54. *Hours for hunting.* There shall be a closed sea-
2 son on wild birds in this state from sunset to half an hour
3 before sunrise of the following morning, and on wild ani-
4 mals from one hour after sunset until one hour before sun-
5 rise of the following morning, during which closed season
6 it shall be unlawful to hunt, kill or destroy any wild bird
7 or wild animal of any kind except skunks and racoons (as
8 provided in section sixty-one). No person shall have in

9 possession, at any time, any wild bird or wild animal, or
10 part thereof, taken in violation of any provision of this
11 section.

Sect. 55. *No hunting from automobiles.* It shall be unlaw-
2 ful for any person to hunt any wild bird or wild animal
3 at any time from an automobile, or by aid or use of any
4 light or lights carried thereon or attached thereto. It shall
5 be unlawful for any person to have in possession, at any
6 time, any wild bird or wild animal, or part thereof, taken in
7 violation of any provision of this section. No person shall
8 have a rifle or shotgun, either loaded or with a cartridge
9 in the magazine thereof, in or on any motor vehicle while
10 the same is upon any highway or in the fields or forests.

Sect. 56. *Silencers prohibited.* No person shall sell, offer
2 for sale, use or have in his possession, any gun, pistol, or
3 other firearms, fitted or contrived with any device for dead-
4 ening the sound of explosion. Whoever violates any provi-
5 sion of this section shall forfeit such firearm or firearms
6 and the device or silencer, and shall further be subject to
7 the penalties of this act. Any sheriff, deputy sheriff, con-
8 stable, warden or deputy warden may seize any firearm
9 and any device or silencer found in possession of any person
10 in violation of this section, and on conviction of the party
11 from whom such firearm is seized, such firearm shall be
12 sold, the proceeds to be paid to the treasurer of state, and
13 the device or silencer shall be destroyed. This section does
14 not apply to military organizations authorized by law to

15 bear arms, or to the national guard in the performance of
16 its duty.

Sect. 57. *Closed season on gray squirrels.* There shall be
2 an annual closed season on gray squirrels during which
3 closed season no person shall shoot at, kill, or have them
4 in possession except alive, from the first day of November
5 of each year until the thirtieth day of September of the
6 following year, both days inclusive; provided, however, that
7 there shall be a perpetual closed season on gray squirrels
8 within all public or private parks and within the limits of
9 the compact or built-up portion of any city or village.

Sect. 58. *Closed season on hares.* There shall be an an-
2 nual closed season on wild hares or rabbits in the counties
3 of Androscoggin, Sagadahoc and York during the months
4 of March to October of each year, and in the counties of
5 Aroostook, Washington, Hancock, Penobscot, Piscataquis,
6 Somerset, Franklin, Oxford, Kennebec, Knox, Lincoln,
7 Waldo and Cumberland during the months of April to Octo-
8 ber of each year, during which closed seasons it shall be un-
9 lawful for any person to hunt or have any rabbits or parts
10 thereof in possession, except alive.

No person shall set or use any snare or snares, trap or traps
2 or any other device in the hunting of wild hares or rabbits, or
3 hunt the same in any manner except in the ordinary method
4 of shooting with guns in the usual manner; provided, how-
5 ever, it shall be lawful to catch wild hares or rabbits in
6 common box traps during the open seasons provided in this

7 section. Provided, further, it shall be unlawful for any
8 person or corporation to transport or offer for transporta-
9 tion at any time any wild hares or rabbits beyond the limits
10 of the State of Maine. The provisions of this section shall
11 not be construed to prohibit the holder of a non-resident
12 hunting license from transporting to his home dead wild
13 hares or rabbits which he has legally killed by virtue of
14 his said non-resident hunting license, upon presentation of
15 said wild hares or rabbits and his hunting license to a trans-
16 portation company or to an inspector appointed by the com-
17 missioner to inspect game shipments, and having an official
18 transportation tag attached thereto, after being identified
19 by said transportation agent or game inspector as the holder
20 of said license. Provided, further, it shall be unlawful for
21 any person to have in possession or transport at any time
22 any wild hares or rabbits taken in closed season or by any
23 method or with any device prohibited by this act.

Sect. 59. *Beaver trapping.* The commissioner, upon writ-
2 ten complaint of any water company required to furnish
3 pure water to its customers, that beaver or muskrat are
4 polluting its water supply, shall have authority to declare
5 an open season for beaver or muskrat on such sections of
6 land and waters as is necessary for the trapping or removal
7 of the beaver or muskrat that are polluting said waters,
8 by any person holding a beaver trapping license without
9 securing permission of the land owner (or under rules and
10 regulations of the commissioner), or upon written complaint

11 of any land owner that beaver are doing actual, substantial
12 damage to his property, shall have authority to declare
13 an open season for beaver upon such land for such period
14 of time and under such conditions as he may deem neces-
15 sary to remove the beaver that are doing the damage com-
16 plained of, during which open season it shall be lawful for
17 any person holding a beaver trapping license issued in
18 accordance with the provisions of section sixty-three of
19 this chapter to trap beaver thereon without the consent of
20 the land owner. No open season for beaver as contem-
21 plated by this section shall take effect until the commissioner
22 shall have caused notice of such proposed open season to
23 be published once in a newspaper printed in the county in
24 which the land on which the open season for beaver is de-
25 clared is located, and said commissioner shall also file copy
26 of said notice of open season with the clerk of the town or
27 plantation in which such land is located, or, if the land is
28 in an unorganized place, with the clerk of courts for the
29 county in which the land is located. Whenever during a
30 special open season on beaver as is contemplated by this sec-
31 tion it shall appear to the commissioner that the privileges
32 of such open season are being abused in any place, he may
33 suspend the open season and declare it close season for
34 beaver on such land for such time as he may designate.
35 No person shall take beaver anywhere in the state at any
36 time except during such open season as may be declared
37 by the commissioner in accordance with the provisions of

38 this section. It shall also be unlawful for any person to
39 have in possession at any time any beaver, or part thereof,
40 taken in violation of any provision of this section. It shall
41 also be unlawful for any person, firm or corporation, to sell,
42 give away, buy, accept as a gift, offer for transportation
43 or transport any beaver skin or beaver skins unless each
44 skin is marked with an official seal by the commissioner
45 or by his agent duly appointed to mark such skins. All
46 beaver skins shall be marked within thirty days from the
47 closing of the open period.

Sect. 60. *Trapping in general.* Whoever from the fifteenth
2 day of February to the thirty-first day of the following
3 October, both days inclusive, hunts or traps any fur-bearing
4 animal (except bears, muskrat, beaver, bob-cats, loup-cervier
5 or Canada lynx, weasels and foxes), or whoever, from
6 the fifteenth day of February to the fifteenth day of the
7 following October, both days inclusive, hunts or traps any
8 fox, in the county of Aroostook, Penobscot, Washington,
9 Hancock, Piscataquis, Somerset, Franklin or Oxford, or
10 whoever from the fifteenth day of February to the thirty-
11 first day of the following October, both days inclusive, hunts
12 or traps any fox in the county of Androscoggin, Cumber-
13 land, York, Sagadahoc, Kennebec, Lincoln, Waldo or Knox,
14 or whoever from the thirtieth day of May to the thirty-
15 first day of the following January, both days inclusive, hunts
16 or traps any muskrat in the county of Androscoggin, Cum-
17 berland, York, Sagadahoc, Kennebec, Lincoln, Waldo or

18 Knox, or whoever, from the sixteenth day of May to the
19 thirty-first day of the following January, both days inclusive,
20 hunts or traps any muskrat in the county of Washington,
21 Hancock, Aroostook, Penobscot, Pisactaquis, Franklin,
22 Somerset or Oxford, or whoever has in possession at any
23 time any fur-bearing animal or part or parts thereof taken
24 in closed season shall be subject to the penalties of this act.

(a) Provided, further, it shall be unlawful for any per-
2 son to set a trap at any time within twenty-five feet of, or
3 to molest or destroy, a muskrat house.

(b) Whoever at any time hunts or traps for or has in
2 possession any beaver, or part thereof, except as provided
3 in the preceding section, and whoever molests or destroys
4 a beaver house, or sets a trap within twenty-five feet there-
5 of, shall be subject to the penalties of this act.

(c) Provided, however, that any person may lawfully
2 kill any wild animal (other than beaver) or any wild bird
3 found destroying his property.

(d) Provided, further, that it shall be lawful to hunt
2 skunks and raccoons at night with dog or gun from the first
3 day of October of each year to the fifteenth day of the fol-
4 lowing December, both days inclusive.

Sect. 61. *Fox dens.* No person shall at any time dig out,
2 molest, or destroy, in any way, any fox den or remove or
3 cause to be removed therefrom any fox except those en-
4 closed in private fox ranches (or set any trap in such den).

Sect. 62. *Trapping licenses.* Whoever traps for any fur-

2 bearing animal except bob-cats and rabbits shall annually
3 procure a license therefor from the commissioner, paying
4 therefor ten dollars; provided, however, that the annual fee
5 for such trapping within the limits of the cities, towns and
6 plantations of the state shall be five dollars; provided, fur-
7 ther, that whoever hunts or traps for any beaver on any
8 land in the state opened to beaver trapping by said com-
9 missioner shall pay therefor a fee of twenty-five dollars an-
10 nually. The provisions of this section shall not be con-
11 strued as applying to minors under sixteen years of age
12 who desire to trap for fur-bearing animals except beaver
13 (for which a twenty-five dollar license is required) in any
14 of the organized townships of the state, nor as affecting
15 the right of a resident or his immediate family to hunt or
16 trap for fur-bearing animals (except beaver) in accordance
17 with the laws of the state, without such trapping license
18 on land owned by him or on land leased by him within
19 the limits of an organized township and which land is (or
20 where he has obtained the right to trap from the land own-
21 er in an organized township) used exclusively for agricul-
22 tural purposes.

Each person licensed under the provisions of this section
2 shall on or before the thirty-first day of December of each
3 year, make such report to said commissioner as may be
4 called for by him.

Whoever hunts or traps for any fur-bearing animal in
2 violation of any provision of this section, or whoever fails

3 to file the annual report required by this section, or whoever
4 has in possession at any time any fur-bearing animal or
5 part thereof, taken in violation of any provision of this sec-
6 tion shall be subject to the penalties of this act.

Sect 63. *Snares and poison prohibited.* No person shall
2 set a snare or a swivel, pivot or set gun or use or deposit
3 any poisonous or stupefying substance for any fur-bearing
4 animal, and shall forfeit any such snare, swivel, pivot or
5 set gun, and any fur-bearing animal found in such snare,
6 or killed by such swivel, pivot, or set gun or poisonous sub-
7 stance to any person finding the same; provided, further,
8 that no person shall advertise or give notice of the sale,
9 or keeping for sale, of any such snare, swivel, pivot or
10 set gun, or poisonous substance for fur-bearing animals;
11 nor shall any person set any trap for any wild animal
12 without having the trap plainly labelled with his full name
13 and address and shall forfeit to the state the trap or traps
14 not so marked and any wild animal found therein; pro-
15 vided, further, that no person shall set a bear trap unless
16 the same is enclosed in a hut, so-called, or by at least two
17 strands of barbed wire, one four and one five feet from the
18 ground, said wire to be securely held in position and to be
19 not less than five yards at any point from the enclosed
20 trap.

Sect. 64. *Poison prohibited.* Whoever for the purpose of
2 killing wolves, foxes, dogs or other animals, and not for
3 the destruction of insects, or vermin in a building, leaves

4 or deposits in any place any poison or poisonous substance
5 shall be subject to the penalties of the act.

Sect. 65. *Visiting Traps.* Any person setting a trap in
2 any organized or incorporated place shall visit or cause the
3 same to be visited, at least once in every twenty-four hours,
4 except water-sets so-called, for mink and muskrat, and re-
5 move therefrom, or cause to be removed, any animal found
6 caught therein. No person shall set a trap on or within
7 one mile of any cultivated land or pasture in any organized
8 or incorporated place without first obtaining the written
9 consent of the owner or occupant of the land on which
10 said trap is to be set, or set a trap outside his own land,
11 except a water-set trap, so-called, within half a mile of the
12 compact or built-up portion of any city or village.

Sect. 66. *Bounty on bob-cats.* A bounty of ten dollars
2 for every bob-cat, loup-cervier or Canada lynx killed in any
3 town shall be paid by the treasurer of state to the person
4 killing it upon compliance with the following conditions:

No bounty shall be paid unless the claimant, within five
2 days after he has killed such animal, or has returned from
3 the hunting in which he killed it, exhibits to the town treas-
4 urer the entire skin thereof, with the ears, nose and tail
5 thereon in as perfect a state as when killed, except natural
6 decay, and signs a certificate under oath, which said
7 treasurer may administer, stating that he killed such animal
8 and the time and place within the state, and the treasurer
9 shall thereupon cut off the whole of the tail from the skin

10 and forward the same by mail to the commissioner at Au-
11 gusta, Maine, together with the claimant's certificate in the
12 following form:

CLAIMANT'S CERTIFICATE

To the treasurer of the town of

I hereby certify that on the day of
A. D. 19.. at, in the State of Maine, I killed
the bob-cat, loup cervier or Canada lynx, the skin of which I
now exhibit to you, and I claim the bounty allowed by law for
killing the same.

Dated at, this day of
A. D. 19...

....., Claimant.

Subscribed and sworn to before me the day and year
aforesaid.

Treasurer of

And the treasurer of said town shall make and send at
2 once to the commissioner a certificate in the following
3 form:

TOWN TREASURER'S CERTIFICATE

To the commissioner of inland fisheries and game:

I hereby certify that as required by law,
of on the day of
A. D. 19.., at exhibited to me the whole of
the skin of a bob-cat, loup cervier or Canada lynx, and signed
and made oath to the following certificate:

To the treasurer of the town of

I hereby certify that on the day of
A. D. 19.. at, in the State of Maine, I
killed the bob-cat, loupcevier or Canada lynx, the skin of
which I now exhibit to you, and I claim the bounty allowed
by law for killing the same.

Dated at, this day of
A. D. 19...

....., Claimant.

I further certify that I cut off the whole of the tail from
the skin of the bob-cat, loupcevier or Canada lynx described
in this certificate and enclose the same herewith.

Dated at, this day of
A. D. 19.....

....., Treasurer of the town of

Subscribed and sworn to the day and year aforesaid.

..... Justice of the Peace.

Upon receipt by the state auditor of a certificate from the
2 commissioner showing that said commissioner has received
3 the tail of the bob-cat, loupcevier or Canada lynx from
4 the treasurer sent as aforesaid, together with said treas-
5 urer's certificate, said state auditor shall audit the claim
6 for bounty and the same shall be paid forthwith by the
7 treasurer of state to the claimant from the appropriation
8 for bounties on bob-cat, loupcevier or Canada lynx. The
9 town treasurer for administering the oath to a claimant's
10 certificate as above, and for forwarding the same with the

11 tail of the animal to the commissioner shall be paid by the
12 claimant the sum of twenty-five cents.

Sect. 67. *No transportation without license.* It shall be
2 unlawful for any person to offer for transportation to any
3 carrier and no carrier shall accept for transportation any
4 game birds or animals, unless such person shall have in his
5 possession at the time a license as herein provided, duly
6 issued to him under the provisions of this act.

Sect. 68. *License may be revoked.* If the holder of a
2 license issued by virtue of this act violate any of the game
3 laws said license may be revoked by the commissioner at
4 his discretion, and no new certificate shall be issued for a
5 period of six months thereafter to such person.

Sect. 69. *Duties of transporting agent.* No person shall
2 transport any deer or part thereof, for any non-resident,
3 otherwise than as provided in this act. No carrier or agent
4 shall receive for shipment or transport, any carcass of a
5 deer or part of the same or any game birds, for a non-resi-
6 dent, except as provided in this act, or refuse or neglect
7 to detach and forward to the commissioner at Augusta,
8 Maine, the sections of the coupons as therein provided;
9 provided, however, that any person who has purchased a
10 non-resident hunter's license and who has in his possession
11 one pair of game birds which he has legally killed may
12 transport the same to his home or to any hospital in this
13 state without accompanying the shipment, by purchasing
14 of the duly constituted agent therefor a tag, paying him

15 fifty cents, and by presenting said tag with the pair of
16 game birds offered for shipment to the agent of the car-
17 rier, together with his non-resident hunter's license. Be-
18 fore accepting a pair of game birds for shipment as herein
19 provided, the agent of the carrier to whom it is offered for
20 shipment shall be satisfied that the person presenting the
21 pair of game birds for shipment is the person to whom
22 the non-resident hunter's license offered for inspection was
23 issued, and shall securely affix the tag to such shipment;
24 provided, further, that no person shall send more than one
25 pair of game birds under a special tag, as provided herein,
26 once in thirty days.

Provided further that no non-resident shall transport, or
2 have transported, by any means any wild animals or wild
3 bird, or part thereof, unless the same is tagged with the
4 proper tag or tags detached from the owner's hunting
5 license and unless said tag or tags bear the written ap-
6 proval of a warden, deputy warden or the commissioner.
7 If any wild bird or wild animal, or part thereof, is found
8 in possession of any person in violation of any provision
9 of this paragraph, the same is subject to seizure and may
10 be seized by any officer authorized to enforce the inland
11 fish and game laws.

Sect. 70. *Non-residents to have guide.* Non-residents
2 shall not enter upon any unorganized townships, except
3 public camp sites maintained by the Maine forestry depart-
4 ment, during the months of May to December and kindle

5 fires thereon while engaged in fishing or hunting without
6 being in charge of a registered guide, or engage in hunting
7 in such territory, during the open season without being in
8 charge of a registered guide and no such guide shall at the
9 same time guide or be employed by more than five non-resi-
10 dents in hunting.

Sect. 71. *Taxidermist.* The commissioner may upon ap-
2 plication, license as a taxidermist one who is skilled in that
3 art, and of good reputation; residents shall pay an annual
4 fee of five dollars and unnaturalized, foreign-born residents
5 shall pay an annual fee of twenty-five dollars, for such li-
6 cense; taxidermists licensed as aforesaid may at all times
7 have in their possession, at their places of business, fish and
8 game lawfully caught or killed in open season for the sole
9 purpose of preparing and mounting the same; and such
10 fish and game, or parts thereof, may be transported to such
11 licensee and retained by him for the purposes aforesaid,
12 under such rules and limitations as may be made by said
13 commissioner. Such licenses may be revoked by said com-
14 missioner at any time after notice and an opportunity for
15 a hearing; each person so licensed shall on or before the
16 thirty-first day of December of each year, make a detailed
17 report to said commissioner of all they have done during
18 the year by virtue of such license; such taxidermist may
19 sell skins from animals received for mounting.

Sect. 72. *Deer skin dealers.* The commissioner may an-
2 nually issue licenses to residents to buy and sell deer skins,

3 and the heads of deer if not detached from said skins, dur-
4 ing the months of January, October, November and Decem-
5 ber. Provided, however, that deer heads so purchased may
6 when detached from the skins, be sold to licensed taxider-
7 mists. Such licensee shall keep a true and complete record
8 which shall be open to inspection by the commissioner or
9 agent, of all such heads and skins purchased, of whom
10 purchased and the date of each purchase, and shall send
11 such record annually, under oath, to the commissioner on or
12 before the thirty-first day of December of each year. The
13 fee for such license shall be twenty-five dollars, to be paid
14 to the said commissioner. All deer skins and deer heads
15 purchased by virtue of this section shall be transported only
16 under such rules as shall be made by said commissioner.
17 No one shall buy any skins or heads of deer without being
18 licensed as herein provided, or no licensee as aforesaid shall
19 neglect to keep the record and forward the same to said
20 commissioner as herein provided nor refuse to exhibit said
21 record upon request to the commissioner or his agent, for
22 any violation of this act the commissioner may as an addi-
23 tional penalty revoke said license.

Sect. 73. *Fur buyers.* The commissioner may annually
2 issue licenses to residents of this state to engage in the
3 business of buying the skins of any furbearing animals.
4 Each licensee shall keep a record which shall be open to
5 inspection by the commissioner or his agent, of all skins
6 purchased, as aforesaid, in an appropriate book furnished

7 him by the said commissioner, and shall send such record,
8 under oath, to said commissioner on or before the thirty-
9 first day of December of each year. The fee for a county
10 license shall be two dollars and for a state license shall be
11 twenty-five dollars to be paid to the said commissioner.
12 Whoever buys any skins of any fur-bearing animals with-
13 out being licensed as herein provided, or whoever, licensed
14 as aforesaid, neglects to keep the record and forward the
15 same to said commissioner as herein provided, or whoever
16 refuses to exhibit said book for inspection by the commis-
17 sioner or his agent shall be subject to the penalties of this
18 act. All skins of fur-bearing animals bought in violation
19 of any provision of this section shall be forfeit and contra-
20 band and shall be seized by any person authorized to en-
21 force the inland fish and game laws, and upon conviction
22 of the person or persons from whom they were seized they
23 shall be sold and the proceeds from such sale paid to the
24 treasurer of state.

Sect. 74. *Marketmen.* Any marketman or provision deal-
2 er having an established place of business in this state, may
3 annually purchase and have in possession at his place of
4 business not more than two deer, lawfully killed or de-
5 stroyed, or any part thereof, and may sell the same at retail
6 to his local customers, and may sell the heads of such deer
7 to any licensed taxidermist; provided, however, that he
8 shall annually procure a license of the commissioner paying
9 therefor five dollars to buy and sell deer as aforesaid; and

10 provided further, that he shall keep a record open to the
11 inspection of wardens of the name and residence of each
12 person of whom he purchases any deer and the date of
13 such purchase. He shall, on the thirty-first day of each
14 December send to the commissioner a statement under oath
15 setting forth in detail the name and residence of each per-
16 son of whom a deer or part thereof has been purchased and
17 the date of each purchase, during the time covered by his
18 license.

Sect. 75. *Seized wild life.* All birds, fish, game or other
2 wild or fur-bearing animals, or parts thereof, hunted,
3 bought, sold, carried, transported, or found in possession of
4 any person or corporation in violation of this chapter or
5 amendment thereof, shall be liable to seizure, and in case
6 of conviction for such violation the court shall declare the
7 same forfeited to the state, to be sold by the officer making
8 such seizure for the benefit of the state. Any person whose
9 birds, fish, game or other wild or fur-bearing animals, or
10 parts thereof, have been seized for violation of any game
11 or fish law, shall have the same returned to him on giving
12 to the officer a bond with sufficient sureties, who shall be
13 residents of the state, conditioned that, if convicted of such
14 violation, he will, within thirty days thereafter, pay such
15 fine and costs. If he neglects or refuses to immediately
16 give such bond and take the birds, fish, game or other wild
17 or fur-bearing animals, or parts thereof, so seized, he shall
18 have no action against the officer for such seizure or for

19 the loss of the birds, fish, game or other wild or fur-bearing
20 animals, or parts thereof, seized.

In case the warden making the seizure finds that the birds,
2 fish, game or other wild or fur-bearing animals, or parts
3 thereof, seized, will be unsuitable for food (or other use)
4 at the day fixed for the hearing on such seizure, he shall
5 dispose of the same for consumption in this state and shall
6 hold the proceeds of such sale subject to order of the court
7 for decision as to the right of the claimant to said birds,
8 fish, game or other wild or fur-bearing animals, or parts
9 thereof. If the magistrate finds the claimant is not entitled
10 to said birds, fish, game, or other wild, or fur-bearing ani-
11 mals, or parts thereof, the officer making such seizure shall
12 be ordered by the magistrate to forward the proceeds there-
13 of to the commissioner and by him to be paid to the treas-
14 urer of state.

Sect. 76. *Search by officers.* The commissioner, wardens
2 and deputy wardens may arrest, with or without a war-
3 rant, any person whom he has reason to believe guilty of
4 a violation of this chapter and with or without a warrant,
5 may open, enter and examine all buildings, camps, vessels,
6 boats, wagons, cars, motor vehicles, stages, tents, and other
7 receptacles and places and examine all boxes, barrels and
8 packages where he has reason to believe that birds, fish,
9 game or other wild animals, or parts thereof, taken or held
10 in violation of this chapter are to be found, and seize such
11 birds, fish, game or other wild animals, or parts thereof,

12 if any be found therein; but no dwelling-house shall be
13 searched for the above purposes without a warrant and
14 then only in the day time, and no sealed railroad car shall
15 be entered for the above purposes without such warrant.
16 Any magistrate may issue warrants to search any dwelling
17 house or premises for the purpose above set forth; pro-
18 vided, however, that the commissioner shall, on or before
19 the first day of October of each year, in writing, notify the
20 superintendents of all transportation companies doing busi-
21 ness within the state, of the names of the wardens and
22 deputy wardens by them designated to exercise the right of
23 search of railroad cars as herein provided, and no other
24 except those so designated shall be authorized to exercise
25 the powers herein mentioned as to search of railroad cars.

Sect. 77. *Arrest by Officers.* Any officer authorized to
2 enforce the inland fish and game laws may, without process,
3 arrest any violator of said laws, and shall with reasonable
4 diligence cause him to be taken before any trial justice or
5 any municipal court, in the county where the offense was
6 committed, or in any adjoining county, for a warrant and
7 trial. Jurisdiction in such cases is hereby granted to all
8 trial justices and all other courts to be exercised in the same
9 manner as if the offense had been committed in that county.

Sect. 78. *Disposition fines.* Once every three months the
2 county treasurer of the several counties shall remit to the
3 state treasurer all fines and penalties recovered and money
4 received or collected by reason of the violation of any pro-

5 vision of this chapter or amendment thereof after deduct-
6 ing therefrom such expense as the said county may have
7 been put to the case.

Sect. 79. *Jurisdiction.* Trial justices, police and municip-
2 al courts within their counties shall have, upon complaint
3 original and concurrent jurisdiction with the supreme judi-
4 cial court, and superior courts in all prosecutions under
5 any inland fish and game law.

Sect. 80. *Service on corporation.* In case of violation of
2 any provision of this chapter by a corporation, the warrant
3 may be served by an attested copy, on the president, secre-
4 tary, manager, or any general agent thereof in the county
5 where the action is pending, and upon return of such war-
6 rant so served, the corporation shall be deemed in court
7 and subject of the jurisdiction thereof, and any fine im-
8 posed may be collected by execution against the property
9 of such corporation; but this section shall not be deemed
10 to exempt any agent or employee from prosecution.

Sect. 81. *Duty of magistrates.* Every magistrate or the
2 clerk of the court before whom any prosecution under this
3 chapter is commenced, or shall go on appeal, within twenty
4 days after the trial or dismissal thereof, shall report in
5 writing the result thereof and the amount of fines collected,
6 if any, and disposition thereof, to the commissioner at Au-
7 gusta.

Sect. 82. *Penalties.* Whoever violates any of the fore-
2 going provisions and rules and regulations promulgated

3 thereunder may be fined not exceeding three hundred dol-
4 lars and costs, or imprisoned for not exceeding ninety days,
5 or both.