

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 412

S. P. 767

In Senate, April 2, 1929.

Reported by Senator Douglas of Hancock from Committee on Inland Fisheries and Game and laid on table to be printed under joint rules. 1500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

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

28 killed or possessed by one person in one day except as the
29 last fish caught shall cause the weight to exceed the total
30 weight permitted; (13) "closed waters" are those in which
31 it is unlawful to fish at any time; (14) "open waters" are
32 those in which it is lawful to fish subject to law; (15) "un-
33 organized townships" shall include all lands in the state not
34 within the limits of an organized town, city or plantation;
35 (16) the ice is "out" of a lake to permit fishing from craft
36 on said lake when the same is navigable for craft although
37 one or more bays or coves remain closed with ice; (17)
38 "commissioner" means commissioner of inland fisheries and
39 game unless otherwise indicated by express provision or
40 necessary inference; (18) "large" lakes are the following:
41 Moosehead, the Rangeley Lakes chain, Sebago, the Grand
42 Lake chain of Washington county; the "small" lakes are all
43 others; (19) a "resident" is a person who has given up
44 any residence outside the state, has established his home in
45 the state with the intention of remaining in the state perma-
46 nently, and has remained in the state for three months there-
47 after; all others are non-residents; (20) state stocked ponds
48 and lakes are the following in the following named counties:
49 (see separate sheet for state stocked ponds); (21) "spring"
50 begins March 21st; (22) any period beginning or closing on
51 a named day of the month or year shall include that day.

The following waters being state stocked waters shall be
2 open to ice fishing on January fifteenth to February first,
3 inclusive:

Androscoggin

Taylor Pond	Hooper Pond
Middle Range Pond	Beals Pond
Lake Auburn	Bear Pond
Wilson Pond	Sabbathday Lake

Aroostook

Hale Pond	Rockabema Lake
Thurlow Pond	Umcucus Lake
First Lake	Sly Brook Lake
Round Lake	Bryant Pond
Third Lake	Puddledock Pond
Seponkeag Lake	Munson Pond
Carry Lake	Wheelock Pond
Nickerson Lake	Long Lake
Portage Lake	Cochran Lake
Green Pond	Little Machias Lake
Davis Pond	Big Fish Lake
Sawyer Lake	Carr Pond
Echo Lake	Madawaska Lake
Cross Lake	Laponkeag Lake
Square Lake	Mud Pond
Timony Lake	

Cumberland

Sabbathday Lake	Sebago Lake
Watchic Lake	Pleasant Lake
Duck Pond	Lovetts Mill Pond
Highland Lake	Bear Pond
Thomas Pond	Panther Pond
Moose Pond	Lost Pond
Long Lake	Spring Pond
Crystal Lake	Peabody Pond

Franklin

Grindstone Pond	Wild Lake
Tufts Pond	Hill's Pond
Shiloh Pond	Loon Lake
Varnum Pond	Big Jim Pond
Toothaker Pond	Tee Pond
Lost Pond	Rangeley Lake
Frost Pond	Moselucmeguntic Lake
Clearwater Lake	Cupsuptic Lake
Houston Pond	Saddleback Lake

Haley Pond
 Quimby Pond
 Long Pond
 Sandy River Pond
 Gull Pond
 Round Pond
 Crescent Lake
 Webb Lake
 Wilson Lake
 Porter Lake

Arnold Pond
 Littlefield Pond
 Harvey Pond
 Norcross Pond
 Spring Lake
 Trout Pond
 Chain of Ponds
 Dodge Pond
 Lake Thompson
 Little Jim Pond

Hancock

Wood Pond
 Billings Pond
 Lower Hadlock Pond
 Long Pond
 Fourth Pond
 Upper Hadlock Pond
 Tunk Pond
 Little Tunk Pond
 Toddy Pond
 Beech Hill Lake
 Spring Pond
 Walker's Pond
 Spring River Lake
 Molasses Pond
 Flanders Pond
 Fox Pond
 Blunt's Pond

Hilton Pond
 Managunagus Lake
 Frost Pond
 Noyes Pond
 Beduc Pond
 Green Lake
 Upper Toddy Pond
 Branch Pond
 Philip Lake
 West Lake
 Hurd Pond
 Goose Pond
 Second Lake
 Horseshoe Pond
 Bragdon's Pond
 Donnell's Pond

Kennebec

Potter's Pond
 Maranacook Lake
 Tacoma Lake
 Narrows Pond
 Watson Pond
 China Lake
 Great Pond
 Salmon Lake
 Tyler Lake
 Cobbosseecontee Lake
 Long Lake
 Ward Pond
 Fowler Lake

Silver Lake
 Minnehonk Lake
 Desert Pond
 Flying Pond
 Ingram Pond
 Tacoma Chain of Lakes
 Annabessacook Lake
 Three Mile Pond
 Webber Pond
 Echo Lake
 Lily Pond
 Bog Pond
 Snow Pond

Knox

Hobb's Pond	Maplejuice Pond
Chickawaukee Lake	Pettingill Pond
Senebec Pond	West Branch Pond
Round Pond	Hosmer Pond
Seven Tree Pond	Lily Pond
Crawford Pond	North and South Ponds
Alford's Lake	Rocky Pond
Megunticook Lake	

Lincoln

Little Dyer's Pond	Damariscotta Lake
Little Pond	Pinkham Pond
Adams Pond	Biscay Pond
Medomak Pond	Edgecomb Pond

Oxford

Lincoln Pond	Bear Pond
Anasagunticook Lake	Richardson Lake (Upper and Lower)
Bryant's Pond	Shagg Pond
Howard Pond	Overset Pond
Thompson Lake	Indian Pond
Sawyer Lake	Crystal Lake
Marshall Pond	Parmachenee Lake
Trout Pond	Worthely Pond
Keoka Pond	Hall's Pond
Pennesseewassee Lake	Christopher Lake
Brown Pond	Pickford Pond
Garland Pond	Keewaden Pond
Haley Pond	Little Moose Pond
Moose Pond	
Kezar Lake	

Penobscot

Sebasticook Lake	Wassookeag Lake
Brewer Lake	Hale Pond
Upper Cold Stream Pond	Harvey Cove Pond
Cold Stream Pond	Lower Shin Pond
Center Pond	Davis Pond
Nicatous Lake	Secret Pond
Spring Pond	Upper Shin Pond
Cold Stream Lake	Loton Pond
No. 3 Lake	Green Mt. Pond
Little Trout Pond	Whitehorse Pond

West Lake	Beaver Lake
Webster Pond	Eben Hangs Pond
Duck Lake	Rocky Pond
Little Fitz Pond	Syladobsis Lake
Meenahgger No. 3 Lake	Lower Dobsis Lake

Piscataquis

Piper Pond	Slaughter Pond
Schoodic Lake	Wetstone Pond
Thistle Pond	Grindstone Pond
Moosehead Lake	Benson Pond
Long Pond	Pemadumcook Lake
South Pond	Wadleigh Pond
First, Second and Third Roach Ponds	Poland Pond
Thanksgiving Pond	Sebec Lake
Chesuncook Lake	Fish Pond
Wilson Ponds	Horseshoe Pond
B. Pond	Deer Pond
Lake Hebron	Silver Lake
Woody Pond	Lily Bay Pond
Monson Pond	Kidney Pond
Lost Pond	York Pond
Daicey Pond	Little Houston Pond
Sourdnahunk Pond	Bear Pond
Second Yoke Pond	North Pond
Rainbow Pond	Frost Pond
Big Lyford Pond	Foss Pond
Third Debsconeag Pond	Spencer Pond
	Rum Pond

Sagadahoc

Sprague Pond	Birch Pond
--------------	------------

Somerset

Lake George	Pleasant Pond
Smith Pond	Indian Pond
Great Moose Pond	Attean Lake
East Pond	Fish Pond
Morrell Pond	Heald Pond
Libby Pond	Clearwater Pond
Blakesley Pond	Lake Austin
Beck Pond	Ball Mt. Pond
Bartlett Pond	Little Austin Lake
Spencer Pond	Lake Parlin
Little King Lake	Lower Otter Pond

Mosquito Pond	Albans)
Lake Moxie	Temple Pond
Clear Pond	Carry Ponds
Graham Pond	Raymond Pond
Lang Pond	Young Pond
Upper Otter Pond	Dead Stream Pond
Baker Pond	Horseshoe Pond
Mountain Pond	Russell Pond
Upper Dimmick Pond	Woodlot Pond
Lower Dimmick Pond	Long Bog Pond
Loon Pond	Upper Graham Pond
Supply Pond	Lower Graham Pond
Crocker Pond	Muskrat Pond
Ronco Pond	Luther Pond
Long Pond	Lone Jack Pond
Turner Pond	Big Berry Pond
Coburn Pond	Little Berry Pond
Third Tobey Pond	Grace Pond
Little Wilson Pond	Pierce Pond
Lost Pond	Butler's Pond
Round Pond	Rowe Pond
Wesserunsett Lake	Ellis Pond
Bean Pond	Megantic Lake
Sibley Pond	North Pond
Indian Pond (Town of St.	Embden Lake

Waldo

Bradstreet Pond or Sheepscot	George's Lake
Great Pond	Thomas Pond
Prescott Pond	Norton Pond
Bowler Pond	Knight Pond
Pitcher Pond	Unity Pond
Half Moon Pond	Tilden's Pond
McClure Pond	St. George's Pond
Toddy Pond	Jump Pond
Kanes Pond	Branch Pond
Colman Pond	Waterworks Pond
Swan Lake	Little River Pond

Washington

Lambert Lake	Rocky Lake
East Grand Lake	Magurrewcock Lake
Musquash Lake	South Beaver Dam Lake
Schoodic Lake	Simpson's Pond
Gardner's Lake	No Name Pond
Harrington Lake	Bog Lake

Gardner's Second Lake	Pleasant Lake
Boyden's Lake	Farr Lake
Fulton Lake	Indian Lake
Long Pond	Cathance Lake
Six Mile Lake	Pike Brook Pond
Love Lake	Possum Lake
Keeley Pond	Mopang Lake
Meddybemps Lake	Patrick Lake
Pennamaquam Lake	Long Lake
Horseshoe Pond	Otter Lake
Howard Lake	Farra Lake

York

Swan Pond	Square Pond
Bunganut Pond	Long Pond (Parsonsfield)
Kennebunk Pond	Ossipee Pond
Mousam Lake	

COMMISSIONER, COUNCIL AND WARDENS

POWERS AND DUTIES

Sect. 2. *Commissioner and Deputy; How appointed.* A
 2 commissioner of inland fisheries and game, and a deputy
 3 recommended in writing by him, shall be appointed by the
 4 governor with the advice and consent of the council, the
 5 commissioner to hold office for three years, and the deputy
 6 during the pleasure of the commissioner recommending him;
 7 and each shall serve until his successor is appointed and
 8 qualified. The commissioner shall make a report to the
 9 governor on or before the thirtieth day of June of each year,
 10 for the year ending December 31st prior thereto.

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 hatcheries

6 and similar property, and in supervision of wardens and
7 inspection of warden service. The commissioner shall have
8 an office at the state capitol and adequate facilities for the
9 transaction of the business of his department which shall be
10 known as the department of inland fisheries and game. He
11 may take for scientific purposes fish and game, and may
12 introduce the same into the state and authorize others so
13 to do.

Sect. 4. *Limited Power to Issue Regulations.* Upon peti-
2 tion of a majority of the municipal officers of the town or
3 towns in which the waters or lands to be affected lie, and
4 where said lands or waters lie in unorganized townships
5 then upon petition of a majority of the county commissioners
6 and after reasonable notice and hearing thereon, at which
7 time it is proven and by the commissioner found upon clear
8 and convincing evidence that a grave emergency has arisen
9 since the adjournment of the last session of the legislature,
10 and still exists, the commissioner may while the legislature
11 is not in session regulate for not longer than ninety days
12 after the adjournment of the next legislature, the times,
13 places and circumstances within which wild birds, wild ani-
14 mals, and inland fish may be hunted, fished for, and taken.
15 Provided: the commissioner shall forthwith file a copy of
16 said regulations with the date of adoption thereof, certified
17 by him, with the secretary of state and with the clerk of
18 courts of the counties affected, and shall cause the same to
19 be published three weeks successively in a newspaper pub-
20 lished in the county affected; such regulations shall be only

21 in limitation of the state laws and shall not authorize the
22 taking of fish or game within times, places or circumstances
23 prohibited by the laws of the state; the commissioner shall
24 use due diligence to ascertain that the said emergency con-
25 tinues and upon finding that said emergency has passed he
26 shall promptly repeal said regulations giving notice thereof
27 in the same manner as provided for the promulgating of the
28 same; and the commissioner shall cause to be posted notices
29 of said regulations in the areas affected thereby. All such
30 regulations shall have the force of law.

Sect. 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 render
5 to the commissioner information and advice concerning the
6 administration of the department. Of the first members of
7 the council appointed under the provisions of this act, three
8 shall be appointed for terms expiring the third Tuesday of
9 January, nineteen hundred and thirty-five; two members
10 for terms expiring the third Tuesday of January, nineteen
11 hundred thirty-three; and two members for terms expiring
12 the third Tuesday of January, nineteen hundred thirty-one;
13 thereafter appointment shall be for the term of six years
14 and until successors are appointed and qualified. Upon the
15 death, resignation, or removal from office of any person so
16 appointed, the governor shall appoint, with the advice and
17 consent of his council, a member to serve for the unexpired
18 term. The members of the council shall receive no com-

19 pension for their services, but shall be allowed expenses
20 not to exceed \$500 for councilors for each fiscal year. The
21 council shall hold regular meetings with the commissioner
22 or his deputy at the state capitol on the first Thursday of
23 January and July annually and special meetings at such other
24 times and places within the state as to him or them seem
25 advisable. At the meeting held on the first Thursday of
26 January each year, the council may elect one of its members
27 as chairman and one as vice-chairman.

FISHWAYS

Sect. 6. *Commissioner may cause dams, etc., to be provided 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 the
5 owners or occupants of any dam or obstruction hereinafter
6 referred to, determines it expedient that any dam or other
7 artificial obstruction above tidewater in any inland waters
8 frequented by salmon, landlocked salmon, shad, alewives or
9 other migratory fish, be provided with a fishway, he may
10 by order in writing, require the owners or occupants of said
11 dam or obstruction to provide a sufficient fishway, under
12 such conditions as shall be specified in said order, certified
13 copies of which shall be mailed to some owner or occupant
14 of said dam or obstruction. In said order and amendment
15 thereof the commissioner shall prescribe and may change
16 the time during which said fishway shall be kept open for
17 the passage of fish. The commissioner may further order
18 and require the owners or occupants of said dam or obstruc-

19 tions to make repairs and alterations thereto; and if any
20 owner or occupant neglects or refuses to join in proportion
21 to his interest therein, in erecting, maintaining, repairing
22 and altering such fishway so ordered and required, the other
23 owners or occupants shall so do and shall have an action
24 on the case against such delinquents for their proportion of
25 the expense thereof; and if all owners and occupants refuse
26 or neglect so to do, the commissioner may so do and shall
27 have an action on the case against all delinquents for their
28 proportion of the expense thereof. Whenever delinquent
29 owners or occupants as aforesaid reside out of the state,
30 said amounts may be recovered as penalties by libel against
31 said dam or obstruction and the land on which it stands,
32 file in the supreme judicial court in the county where said
33 land is located, in the name of the commissioner of inland
34 fisheries and game, such notice to be given of the pendency
35 thereof as the court in term time or vacation orders; and
36 the court may render judgment therein against said dam,
37 obstruction and lands for said penalties and costs and order
38 a sale thereof to satisfy such judgment and costs including
39 costs of sale, subject, however, to all said requirements for
40 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 is
5 located his notice in writing of such appeal containing the
6 reasons therefor within fourteen days after the mailing of

7 the copy of said order to any owner or occupant of the
8 premises as above provided. If any such appeal is denied,
9 full costs may be taxed against the appellant.

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 fish
5 culture and scientific research relative to fishes. The order
6 setting apart such waters shall be recorded in the registry
7 of deeds in the county or registry district in which they are
8 situated. In the waters so set apart, he and the United
9 States commissioner of fish and fisheries, and persons acting
10 under their authority may, in their respective fish culture
11 and scientific work, take fish at any time or in any manner,
12 and erect and maintain any fixtures necessary for such pur-
13 poses. No person shall take or kill any fish, or use any
14 implement for fishing therein. He may grant permission to
15 take wild animals and wild birds for park and exhibition
16 purposes in the state under such rules, regulations, and
17 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 hatchery
3 or feeding station in this state.

He may grant permits to transport in and beyond the limits
2 of the state, live fish, wild animals, or game birds taken in
3 the state, for breeding or advertising purposes. He may
4 upon hearing, permit the taking of pickerel, perch and other

5 fish in specified waters, subject to such conditions as he
6 may prescribe, whenever it appears that said fish seriously
7 injure the propagation of or the fishing for any 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 corporation
5 permit to fence in or enclose land for the above named pur-
6 pose. When it appears that such application is made in
7 good faith, and upon the payment of an annual fee of ten
8 dollars, said commissioner may issue to the applicant a
9 breeder's license permitting the breeding and rearing of any
10 species of game birds or fur-bearing animals within such
11 enclosure. Such licensed breeders may at any time sell,
12 transport, or kill and sell, and any person, firm, or corpora-
13 tion may purchase, have in possession, or transport any
14 game birds, game, or fur-bearing animals or the skins there-
15 of, raised by virtue of the provisions of this section, under
16 such regulations as said commissioner may establish. No
17 person shall engage in the business of breeding or rearing
18 any game birds or game or fur-bearing animals at any time
19 without first having procured a breeder's license as provided
20 in this 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 December
4 of each year, make detailed report to said commissioner of
5 all they have done during the year by virtue of such license

6 or permit, on blanks to be furnished by the said commis-
7 sioner 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 the
10 state and estimated by the county commissioners, on written
11 application of either party, made within one year after filing
12 the location as hereinafter provided, or if proceedings thus
13 commenced fail for causes not affecting the merits, new ones
14 may be commenced within one year thereafter. When the
15 commissioner of inland fisheries and game deems that a
16 public exigency requires the taking of any land or rights
17 for the purposes aforesaid, they shall cause the same to be
18 surveyed, located, and so described that the same can be
19 identified, and a plan thereof shall be filed in the registry
20 of deeds in the county, or registry district, where the land
21 or rights are located, and there recorded. The filing of
22 such plan and description shall vest the title to the land and
23 right aforesaid, in the state of Maine, or its grantees to be
24 held during the pleasure of the state. Either party, if ag-
25 grieved by a decision of the county commissioners rendered

26 in conformity with the provisions of this section, may appeal
27 as in cases of land taken for highways to the supreme
28 judicial court in the county in which the land is situated.

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
7 yards of any screen installed by authority of the depart-
8 ment or of the legislature. No person shall take up, de-
9 stroy or injure any such screen or fish in waters closed to
10 fishing by this 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 un-
7 less sooner removed, and who shall enforce all laws re-
8 lating to inland fisheries and game, and all rules and reg-
9 ulations in relation thereto, arrest all violators thereof, and
10 prosecute all offenses against the same; said inland fish
11 and game wardens shall have the same power to serve crim-
12 inal processes against such offenders, and to arrest and
13 prosecute camp trespassers, or those suspected of larceny
14 from any cottage, camp, or other building, and shall be

15 allowed the same fees as sheriffs, for like services, and
16 they shall have the same right as sheriffs to require aid
17 in executing the duties of their office. All wardens and
18 state paid deputy wardens shall, before being qualified to
19 discharge the duties required by this chapter, give bond to
20 the treasurer of state, in the sum of two thousand dollars,
21 with two sureties, or with a surety company authorized to
22 do business in the state, as surety, approved by the com-
23 missioner of inland fisheries and game, conditioned for the
24 faithful performance of the duties of their office. Inland
25 fish and game wardens may serve all processes pertaining
26 to the collection of penalties for violation of the inland fish
27 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
7 laws, as inland fish and game wardens appointed by the
8 governor and council. All such appointments shall termi-
9 nate with the calendar year in which the appointment is
10 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 State paid wardens under sections ten and eleven 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 informa-
11 tion relative to inland fish and game, forest fires, and the
12 preservation of the forests in the localities where he has
13 guided, as the commissioner may deem of importance to
14 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 the
6 commissioner may, upon sufficient proof of his competency,
7 register such person as a general or local guide; and said
8 commissioner may, for cause shown, after due notice and
9 hearing, cancel any registration by him made, and may ad-
10 vance anyone from the local class to the general class,
11 whenever he shall deem such person qualified to be a gen-
12 eral guide. A fee of one dollar shall be paid annually for

13 the registration as herein provided. Non-residents may be
14 so licensed for restricted areas upon payment of a fee of
15 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 cancelled 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 public sporting camp, hotel or
3 eating place, shall serve or have in possession for consump-
4 tion in his sporting camps, hotel or eating place any game
5 animal, wild bird, or inland fish, killed in this state, except
6 as herein provided. He shall procure from the commis-
7 sioner upon payment of an annual fee of five dollars a
8 license so to do. He may then have and serve such of
9 said game animals, wild birds and fish as (1) he has law-
10 fully killed, (2) lawfully purchased under section seventy-
11 four hereof, (3) his guests have lawfully killed and re-
12 quest him to serve. He shall report in writing to the com-
13 missioner on or before the fifteenth day of December of
14 each year the fish, game and birds so had in possession, the

15 dates thereof, and from whom obtained. No license shall
16 be issued for 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
6 and black bass until the twentieth of June following, but
7 a bag of three black bass may be taken fly fishing from
8 June first to June twentieth. (2) On rivers and thorough-
9 fares from October first. (3) On streams from September
10 sixteenth. (4) On brooks from August first; in each case
11 until the ice is out of the waters fished the following spring.

Sect. 17. *Closed waters.* Those waters of the state as
2 shall be designated by the direction of the commissioner of
3 the inland fish and game and be so posted at his direction
4 by appropriate metal signs.

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

Sect. 19. *Bag limits.* Bag limits shall be, except as the
2 last or only fish caught shall cause the bag to exceed the
3 specified weight and except as hereinafter provided: (1)
4 On trout taken from brooks, twenty fish not to exceed

5 seven pounds in weight. (2) On trout taken other than
6 from brooks and on landlocked salmon, togue, bass and
7 white perch, fifteen fish including all species, not to exceed
8 fifteen pounds in weight, except that a bag of twenty-five
9 white perch, and no other protected fish, may be taken.
10 (3) On pickerel, wherever and whenever taken, fifteen fish
11 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.* (1) All ponds and lakes other than
2 stocked waters, so listed by the commissioner, shall be open
3 to ice fishing through the ice until February first. (2) All
4 stocked ponds and lakes so listed may be fished through
5 the ice from January fifteenth to February first. (3) No
6 trout, togue, salmon, bass or perch shall be fished for or
7 taken except from January fifteenth to February first and
8 then only five fish to a person per day. (4) Smelt may
9 be taken through the ice until February first and then only
10 thirty fish to a person per day. (5) Pickerel shall be so
11 fished for and taken throughout the ice fishing season until
12 February first and a bag limit of fifteen fish to a person
13 per day. (6) The commissioner shall be authorized to
14 close any waters in danger of being depleted by ice fish-
15 ing. (7) Not over five set lines to a person or ten to a
16 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.

Fly fishing only. Fly fishing only in all waters of follow-
2 ing towns with bag limit of six fish per day except as here-
3 after noted in Franklin and Oxford counties: Massachu-
4 setts Gore; Seven Ponds Town; Stetson Town; Davis
5 Town; Lower Cupsuptic Town; Sandy River Plantation;
6 Magalloway Plantation, G. Town; Tim Pond Town; Par-
7 ker Town; Upper Cupsuptic Town; Adamstown; Rich-
8 ardson Town; Rangeley Town; Rangeley Plantation; Dallas
9 Plantation; Lincoln Plantation; Lang Town; and in Four
10 Ponds in D. and E. Towns; Jerusalem Township; Crocker
11 Town; Wyman Township; Eustis; Jim Pond Town; Chain
12 of Ponds Township; Coburn Gore; Coplin Plantation; Al-
13 der Stream Township; N. 3 R. 5; N. 4 R. 5, Somerset
14 County; Howard's Pond in Hanover; Mt. Abram Town-
15 ship and Kingfield.

Fly fishing only is permitted in Alder Stream and in the
2 tributaries thereof and in the tributaries to Carrabasset Riv-
3 er except West Branch, exclusive of tributaries, and Lemon
4 Stream.

The following are exceptions to the foregoing paragraph:

(a) A bag limit of one fish on Kennebago River, Range-
2 ley Stream and outlet of Mooselucmeguntic Lake, and five
3 pounds or one fish in Rapid River and Pond in the River,
4 and five pounds or one fish in all the occupants of one
5 boat in Loon Lake and Cow Pond.

(b) A bag limit of ten pounds on Rangeley Lake; Cup-

2 suptic Lake, Mooselucmeguntic Lake, Upper and Lower
3 Richardson Lakes.

(c) Trolling also permitted in Rangeley Lake, Loon
2 Lake, Mooselucmeguntic Lake, Upper and Lower Richard-
3 son Lake, Jim Pond and Tee Pond in Jim Pond Township.
4 Howard Pond and Four Ponds.

(d) Plug fishing from shores and wharves also permitted
2 in Mooselucmeguntic Lake and Upper and Lower Richard-
3 son Lakes, Jim Pond and Tee Pond in Jim Pond Township
4 from June fifteenth to September first. Tufts Pond in
5 Kingfield and the West Branch of the Carrabasset, exclusive
6 of tributaries, and Lemon Stream.

Trolling with more than two lines from any one boat or
2 other craft and the use of copper or other metal lines pro-
3 hibited.

Grand Lake Waters: The following portion of Grand
2 Lake, in Grand Lake Stream Plantation, Washington coun-
3 ty, is closed to all fishing: That part between the dam at
4 the outlet and a line extending from a stake on or near Gin
5 Point, so-called, seven hundred yards above said dam to
6 a stake on the easterly shore of said lake, said stakes being
7 marked F and G and painted red; except that from said
8 line to a line extending between similar stakes on the shores
9 of said lake seventy-five yards above the fish screen at said
10 dam, fly fishing shall be lawful and trolling from June first
11 to September fourteenth of each year, both days inclusive;
12 provided, however, it shall be unlawful for any person or
13 the occupants of one boat or canoe to fish for or take in

14 any one day in said waters more than three fish in all of
15 landlocked salmon, trout or togue or ten pounds in weight
16 unless one individual fish caught weighs more than ten
17 pounds, and provided further it shall be lawful to take by
18 fly fishing only one fish daily between the last named line
19 and a line drawn parallel to said fish screen and fifty feet
20 northerly or up stream therefrom; but all fishing from any
21 pier, wharf or boathouse between the last named lines is
22 hereby prohibited and no bait taken from Big Lake, Long
23 Lake or any other bass waters shall be used in or put into
24 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
4 is 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 engage 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, pickerel or white perch, for gain or hire; nor shall
6 any person directly or indirectly or by agent, servant, or
7 employee, buy 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 two spoons and in still fish-
8 ing no lure containing more than one hook. Metal line
9 shall not be used. Any person finding any of the above
10 prohibited 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 suck-
4 ers, eels, hornpouts, and yellow perch, as provided in sec-
5 tion twenty-six) other than a dip-net, in any camp, lodge
6 or place of resort for hunters or fishermen or in its imme-
7 diate vicinity, or on any of the lakes, rivers, or streams
8 of the state, or in their immediate vicinity, in the inland
9 territory of the state. When any such implements or de-
10 vices are found in possession in violation of any provision
11 of this section they are forfeit and contraband, and shall
12 be seized by any person authorized to enforce the inland
13 fish 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 to fish for and take smelts in all the inland waters
4 of the state above tide waters with hook and line in the
5 usual and ordinary way, and to fish for and take them
6 through the ice in the day-time with single hook and line
7 in waters known to contain smelts, but they shall not be
8 taken for sale, or sold at any time, except for bait for fish-

9 ing in this state. It shall be lawful to take minnows and
10 other fish usually used for bait for fishing, in all the inland
11 waters of the state and to sell the same for bait for fishing
12 only in this state; to catch white fish with single hook and
13 line at any time, in all the inland waters of the state, but
14 they shall not be taken at night with set lines; to take white
15 fish and cusk by means of dip nets, for food purposes only
16 in the family of the person taking the same; and to take
17 suckers with spears, in all the inland waters of the state,
18 at any time.

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 in any one day more game fish than
4 his bag limit as in section nineteen defined, nor shall any
5 corporation or common carrier transport more than said

6 bag limit in any one day as the property of one person;
7 nor shall any such be transported except in the possession
8 of the owner thereof, plainly labeled with the owner's name
9 and residence, and open to view, except as is provided in
10 the following section. All such fish being so transported
11 in violation of this section shall be seized and shall be for-
12 feited to the state.

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 fish,
9 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
14 a 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 introduce

3 fish of any kind into any of the waters of the state by means
4 of live fish, or otherwise, except upon written permission
5 of the commissioner of inland fisheries and game.

Sect. 30. *Tolling by means of "advance baiting" prohibited.*
2 No person shall deposit any food for fish in any of the in-
3 land waters of the state, for the purpose of luring 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
7 manufacture of lumber or other wood products; or to de-
8 posit any oil regardless of its source.

Sect. 32. *Cultivation of useful fish by individuals.* Any
2 riparian proprietor may, within the limits of his own prem-
3 ises, take water in reasonable amount from (but not en-
4 close) the waters of a brook or stream not navigable, for
5 the cultivation of useful fishes; provided that he returns
6 said water, after reasonable appropriation thereof, to the
7 brook or stream from which it was taken, and further
8 maintains such screens and other structures in connection
9 with pipes, canals and other facilities employed in trans-
10 porting said water, as the commissioner shall from time to
11 time determine and approve, to the end that fish inhabit-
12 ing or immigrating through said brook or stream shall not
13 be taken or disturbed. The enclosure of, or the appropri-
14 ation, except as in this section provided, of the public wa-

15 ters of the state for private fish culture is prohibited and
16 may be abated as a nuisance. Any person so engaged in
17 the artificial culture and maintenance of fishes, may take
18 them in his own enclosed waters wherein the same are so
19 cultivated and maintained, as and when he pleases, and
20 may at all times sell, ship, or transport them from his own
21 pools or ponds, without accompanying the shipment, having
22 first procured a license therefor and tagged said fish in
23 accordance with the rules and regulations established by
24 the commissioner 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 cul-
3 tivated 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 metal warning notices of closed waters in the follow-
3 ing instances: (1) Wherever a public highway crosses or is
4 immediately contiguous to closed waters; (2) in reason-
5 able proximity to the waters to which special provisions
6 apply as enumerated in section twenty-two, or contiguous
7 to the approaches to said waters.

Sect. 35. *Fishing licenses.* No resident of the state over

2 eighteen years of age shall fish in any inland waters of the
3 state except 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
5 agricultural 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
9 pleasure, designate additional agents. License shall be is-
10 sued to a resident by the clerk of the town in which he
11 resides, or if he is domiciled in an unorganized place, then
12 by the clerk of the nearest town, upon payment of a fee
13 of sixty-five cents, of which fifteen cents shall be retained
14 by the 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 fifteen
5 cents, but the amount paid for a month license shall be
6 credited on the purchase of a year license. Fifteen cents
7 shall be retained by the agent.

(4) Each season license shall expire on December thirty-
2 first of the calendar year in which it is issued. Each agent
3 shall on the first of each month forward to the commis-
4 sioner, the net funds by him collected, together with a re-
5 port containing a list of the persons to whom he has issued
6 licenses since last report, the class of each license; and said
7 funds shall be promptly forwarded to the state treasurer.

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

(6) Upon conviction of any violation of the laws relating
2 to fishing the commissioner may revoke any such license,
3 and upon a second or subsequent conviction may direct and
4 prevent the issuance of license to the person convicted for
5 not exceeding two years in addition to the year in which
6 the violation occurs. Failure to produce a license within
7 a reasonable time shall be prima facie evidence of the vio-
8 lation of this section.

(7) *Propagation fund.* The funds collected by agents
2 shall constitute a propagation fund so-called, to be expended
3 under the direction of the commissioner for the sole pur-
4 pose of the propagation and distribution of fish in the in-
5 land waters of Maine and facilities therefor. Said fund
6 shall not lapse from year to year, but funds so collected in

7 any one year may be used in that or any succeeding years
8 for said purpose.

HUNTING AND TRAPPING

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

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

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

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

d. To trap shall also mean trap for.

Sect. 37. *Hunting licenses.* No person shall hunt or have
2 in his possession any wild bird or animal except in accord-
3 ance with the following provisions:

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

2. No resident shall otherwise hunt or have in his posses-
2 sion any wild bird or wild 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. The clerks of all towns are such authorized agents
8 and the commissioner may appoint addition agents. The
9 license shall be issued to a resident by the clerk of the town
10 in which the applicant resides, or if domiciled in an unor-
11 ganized place, then by the clerk of the nearest town, upon
12 payment of a fee, of sixty-five cents, of which fifteen cents
13 shall be retained by the town clerk. A combination hunting
14 and fishing license may be issued on payment of one dollar
15 and fifteen cents, fifteen cents to be retained by the town
16 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 hunting
5 or transporting such birds and animals and exhibited to any
6 warden, employee of this department or guide upon request.
7 In addition to town clerks the commissioner may, subject
8 to recall at his pleasure, designate additional agents to issue
9 licenses.

The license to hunt wild birds, rabbits, raccoons, foxes and
2 unprotected wild birds or wild animals only shall be issued
3 on payment of five dollars and fifteen cents and to hunt
4 both wild birds and wild animals on payment of fifteen
5 dollars and fifteen cents, of which fifteen cents shall be
6 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 in

4 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 the
2 commissioner a report containing a list of the persons to
3 whom he has issued licenses since his last report, the class
4 of each license and the total amount of the funds by him
5 collected, and shall at the same time forward to the com-
6 missioner the funds by him collected less the amount of
7 fifteen cents, as above provided for each license, which funds
8 shall be deposited in the state treasury by said commissioner.

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

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

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 used
6 for that year and any succeeding year for said purposes.

Sect. 38. *Close seasons on birds.* No person shall hunt or
2 have in his possession any eagle, Hungarian partridge or
3 capercailze, cock of the woods or any black game or species
4 of the pheasant except ruffed grouse or partridge.

There shall be a closed season on birds as follows: On
2 partridge and woodcock from November first to September
3 thirtieth of the following year, both days inclusive; on all
4 varieties of ducks, brant, geese and coots, gallinules and
5 jacksnipe, or Wilson snipe, from January first to September
6 fifteenth, both days inclusive; rails (except coots and galli-
7 nules) from December first to September first, both days
8 inclusive; provided further, that it shall be unlawful to hunt
9 at any time, any curlew, wood duck, swans, or any shore
10 birds except as aforesaid and no person shall, during the
11 open seasons for the above-named birds hunt or have in his
12 possession in any one day more than four partridge or ruffed
13 grouse, four woodcock, ten ducks, five plover and two snipe,
14 eight geese, eight brant, rails, coots and gallinules twenty-
15 five in all and twenty-five sora; or in any one open season
16 for partridge or ruffed grouse more than twenty-five of said
17 birds; nor shall any person at any time buy or sell any of
18 the above-named birds; nor shall any person or corporation
19 carry or transport from place to place any of the birds
20 mentioned in this section in closed season (except that a
21 person shall have a reasonable time after the beginning of
22 closed season to transport, as hereinafter provided, to his
23 home, game birds legally killed by him in open season) nor
24 in open season unless open to view, tagged and plainly
25 labeled with owner's name and residence, and accompanied
26 by him, unless tagged with a transportation tag as herein-
27 after provided; nor shall any person or corporation carry
28 or transport in any one day, more than ten ducks, five

29 plover, ten snipe, five partridge and four woodcock, as the
30 property of one person. Provided, however, it shall be law-
31 ful for a citizen of this state who has purchased a trans-
32 portation tag, paying therefor five dollars, to take with him
33 out of the state birds which he himself has lawfully killed.
34 Provided, further, that any citizen of this state who has
35 lawfully in his possession, one pair of either of the birds
36 named in this section, may send the same anywhere in this
37 state without accompanying the same, by purchasing there-
38 for a transportation tag, paying therefor fifty cents, and
39 attaching said tag to the pair of birds. Provided, further,
40 that no person shall under any of the provisions of this
41 paragraph send as aforesaid more than one pair of game
42 birds once in seven days.

Sect. 39. *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. 40. *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.

No artificial cover which is termed stationary blind or
2 parts thereof used for gunning purposes shall be left or
3 allowed to remain in the waters of Merrymeeting Bay in
4 the counties of Cumberland and Sagadahoc, or the tribu-
5 taries thereof, excepting Kennebec river, within one mile of
6 the waters of Merrymeeting Bay, between one-half hour
7 after sunset and one-half hour before sunrise.

This section shall apply to the waters of the Kennebec
2 river up to a point one mile above Swan's Island.

Sect. 41. *Wild birds protected.* No person shall have in
2 his possession, living or dead, any wild bird, other than a
3 game bird. No part of the plumage, skin or body of any
4 bird protected by this section shall be sold or had in posses-
5 sion for sale. Nor shall any person take or needlessly de-
6 stroy the nest or the eggs of any wild bird, nor have such
7 nest or eggs in possession. The English or European house
8 sparrow, the common crow, and the hawks, owls and king-
9 fishers, are not included among the birds therein protected;
10 and for the purpose of this chapter the following only shall
11 be considered game birds: The anatidae, commonly known
12 as swans, geese, brant, and river and sea ducks; the rallidae,
13 commonly known as rails, coots and gallinules; the limicolae,
14 commonly known as shorebirds, plover, surf birds, snipe,
15 woodcock, sandpipers, tattlers, and curlews; the gallinae,
16 commonly known as wild turkey, grouse, prairie chickens,

17 pheasants, partridges and quails. Nothing in this section,
18 however, shall be construed to affect in any way the protec-
19 tion of game birds as hereinbefore provided.

Sect. 42. *Certain boats prohibited.* No person shall at any
2 time use a boat propelled by any other mode than the ordi-
3 nary sailboat, rowboat or canoe in hunting any sea birds,
4 duck or waterfowl in any inland or tidal waters of this state.

Sect. 43. *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.

GAME PRESERVES

Sect. 44. *Game sanctuaries as heretofore established shall*
2 *continue, within the limits of which the provisions of section*
3 *sixty (c) shall apply.* It shall be perpetual closed time on
4 wild birds and wild animals within all so-called game pre-
5 serves, or closed territories.

No person shall at any time hunt, chase, catch, kill or
2 destroy any wild birds or wild animals or have in his
3 possession firearms of any description within the limits of
4 any game preserve or closed territory.

Sect. 45. *Closed season on moose and caribou.* No per-
2 son shall hunt or have in his possession any caribou or moose
3 or parts thereof.

Provided, however, that the commissioner upon application

2 of any person who has legally killed a caribou or moose
3 beyond the limits of this state may issue a license permitting
4 the importation of such caribou or moose for consumption
5 or mounting but not for sale.

Sect. 46. *Closed season on deer.* There shall be an annual
2 closed season on deer in the counties of Aroostook, Franklin,
3 Oxford, Penobscot, Piscataquis and Somerset, from Decem-
4 ber first of each year to October fifteenth of the following
5 year, both days inclusive; and in the counties of Androscog-
6 gin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc,
7 Waldo and York, from the first day of December of each
8 year to the thirty-first day of October of the following year,
9 both days inclusive, and in the counties of Hancock and
10 Washington from December sixteenth of each year to Octo-
11 ber thirty-first of the following year, both days inclusive
12 (except in game sanctuaries as hereinbefore set forth, where
13 closed season is perpetual), during which said closed sea-
14 sons, except as hereinafter provided, it shall be unlawful to
15 hunt any deer or have in possession any part thereof; and
16 no person shall during the open seasons above named, except
17 as hereinafter provided, kill or have in possession, more
18 than one deer or part thereof. A person lawfully killing a
19 deer in open season, shall have a reasonable time in which
20 to transport the same to his home and may have the same in
21 possession 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 consume

4 said deer in his own family but not otherwise; but he shall
5 not pursue the deer beyond the limits of his cultivated land
6 in which the damage is being done; provided, that whoever
7 kills a deer in accordance with the provisions herein con-
8 tained shall forthwith give notice in writing to the com-
9 missioner at Augusta, Maine, of the fact of such killing and
10 the character and estimated amount of damage done; who-
11 ever, fails to give such notice shall in no wise be protected
12 by the provisions hereof. Whoever shall cultivate any crops
13 for the manifest purpose of killing deer under the provisions
14 of this paragraph shall in no wise be protected thereby; and
15 it shall be unlawful to place salt in any place for the pur-
16 pose of enticing deer thereto. Any dead deer found in the
17 woods not having a tag identifying the owner thereof shall
18 be subject to seizure and confiscation by the Department.

Sect. 47. *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. 48. No person shall expose or offer for sale, sell
2 or purchase in this state any jacklight or light fitted for
3 use in hunting in the night time. No person shall have in
4 possession at any time when he is upon the wild lands,
5 water or highways, or in the woods or fields of the state,
6 or in any camp, lodge, or place of resort for hunters or
7 fishermen, or in its immediate vicinity, any jacklight or
8 light fitted for use in hunting in the night time, or any
9 swivel, pivot or set gun; nor shall any person have in pos-
10 session at any time any spear, trawl or net (except such

11 as are authorized for the taking of suckers, eels, hornpouts
12 and yellow perch, as provided in section twenty-seven of
13 this chapter), in any camp, lodge or place of resort for
14 hunters or fishermen or in its immediate vicinity, or on
15 any of the lakes, rivers or streams of the state, or in their
16 immediate vicinity, in the inland territory of the state.
17 Nothing in this section shall be construed as affecting or
18 restricting the legitimate possession and sale of flashlights.

Sect. 49. *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
4 or in his possession to hunt moose, caribou or deer, after
5 notice in writing for 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
10 keeper. If a dog is found hunting moose, caribou or deer
11 after the owner or possessor thereof has been notified, as
12 provided in this section, that such dog is liable to hunt
13 moose, caribou or deer, it shall be prima facie evidence
14 that said owner or possessor of such dog has permitted
15 said dog to hunt moose, caribou or deer in violation of this
16 section.

Sect. 50. Dogs may be killed, when warden or deputy
2 sheriff, deputy sheriff or constable may at any time law-
3 fully kill any dog he may find in the act of hunting moose,
4 caribou or deer, or he may find worrying, wounding or

5 killing any domestic animal, when said dog is outside of
6 the enclosure or immediate care of its owner or keeper.
7 Any owner of sheep, or any member of his family, or any
8 person to whom is intrusted the custody of any sheep, shall
9 have a right to kill any dog attacking any of said sheep.
10 Any person having any evidence of any dog hunting moose,
11 caribou or deer, or of any dog kept and used for the pur-
12 pose, or of any dog worrying, wounding or killing any
13 domestic animal or fowl, when said dog is outside of the
14 enclosure or immediate care of his owner or keeper, may
15 present said evidence to any trial justice or judge of any
16 municipal court, which said trial justice or judge shall have
17 power to issue a warrant against the owner of said dog,
18 ordering him to appear before him and show cause why
19 said dog should not be killed; and upon hearing the evi-
20 dence in said case said court may order said dog killed.
21 Any person may lawfully kill a dog which suddenly as-
22 saults him or another person when peaceably walking or
23 riding.

Sect. 51. *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. 52. *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 owner
11 thereof, and it shall be prima facie evidence that said deer,
12 or part thereof, that is being transported or carried in vio-
13 lation of this section was illegally killed.

Sect. 53. *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 ap-
5 pointed therefor by the commissioner a tag, paying there-
6 for two dollars, and said tag shall be attached to the deer,
7 or part thereof, being transported.

The commissioner may appoint agents to sell these tags.

Sect. 54. *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,
4 consume, or have in possession at any time, at said camp,
5 or serve to any employee thereof, any deer or moose or
6 part thereof.

Sect. 55. *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. 56. *Hours for hunting.* There shall be a closed
2 season on wild birds in this state from sunset to half an
3 hour before sunrise of the following morning, and on wild
4 animals from one hour after sunset until one hour before
5 sunrise of the following morning, during which closed sea-
6 son it shall be unlawful to hunt, kill or destroy any wild
7 bird or wild animal of any kind except skunks and raccoons
8 (as provided in section sixty-one). No person shall have
9 in 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. 57. *No hunting from automobiles.* It shall be un-
2 lawful 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
7 in violation of any provision of this section. No person
8 shall have a rifle or shotgun, either loaded or with a car-
9 tridge in the magazine thereof, in or on any motor vehicle
10 while the same is upon any highway or in the fields or
11 forests.

Sect. 58. *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 pro-
5 vision 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 per-
10 son in violation of this section, and on conviction of the
11 party from whom such firearm is seized, such firearm shall
12 be sold, the proceeds to be paid to the treasurer of state,
13 and the device or silencer shall be destroyed. This section
14 does not apply to military organizations authorized by law
15 to bear arms, or to the national guard in the performance
16 of its duty.

Sect. 59. *Closed season on gray squirrels.* There shall
2 be 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. 60. *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, Cumberland and York dur-
4 ing the months of March to October of each year, and in
5 the counties of Aroostook, Washington, Hancock, Penob-
6 scot, Piscataquis, Somerset, Franklin, Oxford, Kennebec,
7 Knox, Lincoln and Waldo during the months of April to
8 October of each year, during which closed seasons it shall
9 be unlawful for any person to hunt or have any rabbits or

10 parts thereof in possession, except alive.

No person shall set or use any snare or snares, trap or
2 traps or any other device in the hunting of wild hares or
3 rabbits, or hunt the same in any manner except in the ordi-
4 nary method of shooting with guns in the usual manner;
5 provided, however, it shall be lawful to catch wild hares
6 or rabbits in common box traps during the open seasons
7 provided in this section. Provided, further, it shall be un-
8 lawful for any person or corporation to transport or offer
9 for transportation at any time any dead wild hares or rabbits
10 beyond the limits of the state of Maine. The provisions
11 of this section shall not be construed to prohibit the holder
12 of a non-resident hunting license from transporting to his
13 home dead wild hares or rabbits which he has legally killed
14 by virtue of his said non-resident hunting license, upon
15 presentation of said wild hares or rabbits and his hunting
16 license to a transportation company or to an inspector ap-
17 pointed by the commissioner to inspect game shipments, and
18 having an official transportation tag attached thereto, after
19 being identified by said transportation agent or game inspec-
20 tor as the holder of said license. Provided, further, it shall
21 be unlawful for any person to have in possession or trans-
22 port at any time any wild hares or rabbits taken in closed
23 season or by any method or with any device prohibited by
24 this act.

Sect. 61. *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, by
8 any person holding a beaver trapping license without secur-
9 ing permission of the land owner (or under rules and
10 regulations of the commissioner), or upon written com-
11 plaint of any land owner that beaver are doing actual, sub-
12 stantial damage to his property, shall have authority to de-
13 clare an open season for beaver upon such land for such
14 period of time and under such conditions as he may deem
15 necessary to remove the beaver that are doing the damage
16 complained of, during which open season it shall be lawful
17 for 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 commission-
22 er shall have caused notice of such proposed open season
23 to be published once in a newspaper printed in the county
24 in which the land on which the open season for beaver is
25 declared is located, and said commissioner shall also file
26 copy of said notice of open season with the clerk of the
27 town or plantation in which such land is located, or, if the
28 land is in an unorganized place, with the clerk of courts
29 for the county in which the land is located. Whenever
30 during a special open season on beaver as is contemplated
31 by this section it shall appear to the commissioner that the

32 privileges of such open season are being abused in any
33 place, he may suspend the open season and declare it close
34 season for beaver on such land for such time as he may
35 designate. No person shall take beaver anywhere in the
36 state at any time except during such open season as may
37 be declared by the commissioner in accordance with the
38 provisions of this section. It shall also be unlawful for
39 any person to have in possession at any time any beaver,
40 or part thereof, taken in violation of any provision of this
41 section. It shall also be unlawful for any person, firm or
42 corporation, to sell, give away, buy, accept as a gift, offer
43 for transportation or transport any beaver skin or beaver
44 skins unless each skin is marked with an official seal by the
45 commissioner or by his agent duly appointed to mark such
46 skins. All beaver skins shall be marked within thirty days
47 from the closing of the open period.

Sect. 62. *Trapping season.* Whoever from the first day
2 of February to the fifteenth day of November, both days
3 inclusive, hunts or traps any fur-bearing animal except
4 wild hares and rabbits, beaver, bobcats, loupervier or Can-
5 ada lynx, or whoever has in possession at any time any
6 fur-bearing animal or part or parts thereof taken in closed
7 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
3 first day of October of each year to the fifteenth day of
4 the following December, both days inclusive.

(e) Provided, further, that fox hounds when properly
2 collared, showing name and residence of the owner or keep-
3 er, may be trained under the supervision of their owner or
4 keeper from September to November fifteenth.

Sect. 63. *Fox dens.* No person shall at any time dig out,
2 molest, or destroy, in any way, any hole or set any trap
3 in such den, or remove or cause to be removed from any
4 hole any fox except those enclosed in private fox ranches.

Sect. 64. *Trapping licenses.* Any resident who traps for
2 any fur-bearing animal except bob cats and rabbits shall
3 annually procure a license therefor from the commissioner,
4 paying therefor ten dollars; provided, however, that the
5 annual fee for such trapping within the limits of cities,
6 towns and plantations of the state shall be five dollars; pro-
7 vided, further, that whoever hunts or traps for any beaver
8 on any land in the state opened to beaver trapping by said
9 commissioner shall pay therefor a fee of ten dollars an-
10 nually, and an additional fee of two dollars for the sealing

11 and stamping of each skin as required by law, skins to be
12 so sealed and stamped by chief game wardens. The fee
13 for a non-resident or alien for a trapping license shall be
14 fifty dollars. The provisions of this section shall not be
15 construed as applying to minors under sixteen years of age
16 who desire to trap for fur-bearing animals except beaver
17 (for which a twenty-five dollar license is required) in any
18 of the organized townships of the state, nor as affecting
19 the right of a resident or his immediate family to hunt or
20 trap for fur-bearing animals (except beaver) in accordance
21 with the laws of the state, without such trapping license on
22 land owned by him or on land leased by him within the
23 limits of an organized township and which land is (or where
24 he has obtained the right to trap from the land owner in
25 an organized township) used exclusively for agricultural
26 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 traps for any fur-bearing animal in violation of
2 any provision of this section, or whoever fails to file the
3 annual report required by this section, or whoever has in
4 possession at any time any fur-bearing animal or part there-
5 of, taken in violation of any provision of this section shall
6 be subject to the penalties of this act.

Sect. 65. *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
7 substance to the state; provided, further, that no person
8 shall advertise or give notice of the sale, or keeping for
9 sale, of any such snare, swivel, pivot or set gun, or poison-
10 ous substance for fur-bearing animals; nor shall any person
11 set any trap for any wild animal without having the trap
12 plainly labelled with his full name and address and shall
13 forfeit to the state the trap or traps not so marked and
14 any wild animal found therein; provided, further, that no
15 person shall set a bear trap unless the same is enclosed in
16 a hut, so-called, or by at least two strands of barbed wire,
17 one four and one five feet from the ground, said wire to
18 be securely held in position and to be not less than five yards
19 at any point from the enclosed trap.

Sect. 66. *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. 67. *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
5 remove therefrom, or cause to be removed, any animal
6 found caught therein. No person shall set a trap on or

7 within one mile of any cultivated land or pasture in any
 8 organized or incorporated place without first obtaining the
 9 written consent of the owner or occupant of the land on
 10 which said trap is to be set, or set a trap outside his own
 11 land, except a water-set trap, so-called, within half a mile
 12 of the compact or built-up portion of any city or village.

Sect. 68. *Bounty on bob-cats.* A bounty of ten dollars
 2 for every bob-cat, loupcevrier 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 treas-
 7 urer may administer, stating that he killed such animal and
 8 the time and place within the state, and the treasurer shall
 9 thereupon cut off the whole of the tail from the skin and
 10 forward the same by mail to the commissioner at Augusta,
 11 Maine, together with the claimant's certificate in the follow-
 12 ing 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, loupcevrier 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 afore-
said.

Treasurer of

And the treasurer of said town shall make and send at
2 once to the commissioner a certificate in the following 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, loupcevier 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
2 the commissioner showing that said commissioner has re-
3 ceived the tail of the bob-cat, loup cervier or Canada lynx
4 from the treasurer sent as aforesaid, together with said
5 treasurer's certificate, said state auditor shall audit the
6 claim for bounty and the same shall be paid forthwith by
7 the treasurer of state to the claimant from the appropria-
8 tion for bounties on bob-cat, loup cervier or Canada lynx.
9 The town treasurer for administering the oath to a claim-
10 ant's certificate as above, and for forwarding the same with
11 the tail of the animal to the commissioner shall be paid by
12 the claimant the sum of twenty-five cents.

Sect. 69. *No transportation without license.* It shall be un-
2 lawful 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 is-
6 sued to him under the provisions of this act.

Sect. 70. *License may be revoked.* If the holder of a li-
2 cense issued by virtue of this act violates any of the game
3 laws said license may be revoked by the commissioner at his
4 discretion, and no new certificate shall be issued for a period
5 of six months thereafter to such person.

Sect. 71. *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 to
7 detach and forward to the commissioner at Augusta, Maine,
8 the sections of the coupons as therein provided; provided,
9 however, that any person who has purchased a non-resident
10 hunter's license and who has in his possession one pair of
11 game birds which he has legally killed, may transport the
12 same to his home or to any hospital in this state without
13 accompanying the shipment, by purchasing of the duly con-
14 stituted agent therefor a tag, paying him fifty cents, and
15 by representing said tag with the pair of game birds offered
16 for shipment to the agent of the carrier, together with his
17 non-resident hunter's license. Before accepting a pair of
18 game birds for shipment as herein provided, the agent of
19 the carrier to whom it is offered for shipment shall be sat-
20 isfied that the person presenting the pair of game birds
21 for shipment is the person to whom the non-resident hunt-
22 er's license offered for inspection was issued, and shall se-
23 curely affix the tag to such shipment; provided, further,
24 that no person shall send more than one pair of game birds
25 under a special tag, as provided herein, 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 birds, or part thereof, unless the same is tagged with the

4 proper tag or tags detached from the owner's hunting li-
5 cense and unless said tag or tags bear the written approval
6 of the warden, deputy warden or the commissioner. If any
7 wild bird or wild animal, or part thereof, is found in pos-
8 session of any person in violation of any provision of this
9 paragraph, the same is subject to seizure and may be seized
10 by any officer authorized to enforce the inland fish and
11 game laws.

Sect. 72. *Non-residents to have guide.* Non-residents shall
2 not enter upon any unorganized townships, except public
3 camp sites maintained by the Maine forestry department,
4 during the months of May to December and kindle fires
5 thereon while camping or engaged in fishing or hunting
6 without being in charge of a registered guide, or engage
7 in hunting in such territory, during the open season with-
8 out being in charge of a registered guide and no such guide
9 shall at the same time guide or be employed by more than
10 five non-residents in hunting.

Sect. 73. *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 resi-
5 dents shall pay an annual fee of twenty-five dollars, for
6 such license; taxidermists licensed as aforesaid may at all
7 times have in their possession, at their places of business,
8 fish and game lawfully caught or killed in open season for
9 the sole purpose of preparing and mounting the same; and
10 such fish and game, or parts thereof, may be transported

11 to such licensee and retained by him for the purposes afore-
12 said, under such rules and limitations as may be made by
13 said commissioner. Such licenses may be revoked by said
14 commissioner at any time after notice and an opportunity
15 for a hearing; each person so licensed shall on or before
16 the thirty-first day of December of each year, make a de-
17 tailed report to said commissioner of all they have done dur-
18 ing the year by virtue of such license; such taxidermist
19 may sell skins from animals received for mounting.

Sect. 74. *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
12 or before the thirty-first day of December of each year.
13 The fee for such license shall be twenty-five dollars, to be
14 paid to the said commissioner. All deer skins and deer
15 heads purchased by virtue of this section shall be trans-
16 ported only under such rules as shall be made by said com-
17 missioner. No one shall buy any skins or heads of deer
18 without being licensed as herein provided, or no licensee
19 as aforesaid shall neglect to keep the record and forward

20 the same to said commissioner as herein provided nor re-
21 fuse to exhibit said record upon request to the commissioner
22 or his agent, for any violation of this act the commissioner
23 may as an additional penalty revoke said license.

Sect. 75. *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 fur-bearing animals.
4 Each licensee shall keep a complete record which shall be
5 open to inspection by the commissioner or his agent, of
6 all skins purchased, as aforesaid, in such book as is fur-
7 nished him by the said commissioner, and shall send such
8 record, under oath, to said commissioner on or before the
9 thirty-first day of December of each year. The fee for the
10 license shall be twenty-five dollars to be paid to the said
11 commissioner. Whoever buys any skins of any fur-bearing
12 animals without being licensed as herein provided, or who-
13 ever, licensed as aforesaid, neglects to keep the record and
14 forward the same to said commissioner as herein provided,
15 or whoever refuses to exhibit said book for inspection by
16 the commissioner or his agent shall be subject to the pen-
17 alties of this act. All skins of fur-bearing animals bought
18 in violation of any provision of this section shall be forfeit
19 and contraband and shall be seized by any person author-
20 ized to enforce the inland fish and game laws, and upon
21 conviction of the person or persons from whom they were
22 seized they shall be sold and the proceeds from such sale
23 paid to the treasurer of state.

Sect. 76. *Marketmen.* Any marketman or provision deal-

2 er, proprietor of sporting camp, hotel or eating place, hav-
3 ing an established place of business in this state, may an-
4 nually purchase and have in possession at his place of busi-
5 ness not more than two deer, lawfully killed or destroyed,
6 or any part thereof, and may sell the same at retail to his
7 local customers, and may sell the heads of such deer to any
8 licensed taxidermist; provided, however, that he shall an-
9 nually procure a license of the commissioner, paying there-
10 for five dollars, to buy and sell deer as aforesaid; and pro-
11 vided, further, that he shall keep a record open to the in-
12 spection of wardens of the name and residence of each per-
13 son of whom he purchases any deer and the date of such
14 purchase. He shall, on the thirty-first day of each Decem-
15 ber, send to the commissioner a statement under oath set-
16 ting forth in detail the name and residence of each person
17 of whom a deer or part thereof has been purchased and the
18 date of each purchase, during the time covered by his li-
19 cense.

Sect. 77. *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
4 of any person or corporation in violation of this chapter
5 or 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 of 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. 78. *Search by officers.* The commissioner, wardens
2 and deputy wardens may arrest, with or without a warrant,
3 any person whom he has reason to believe guilty of a vio-
4 lation of this chapter and with or without a warrant, may

5 open, enter and examine all buildings, camps, vessels, boats,
6 wagons, cars, motor vehicles, stages, tents, and other re-
7 ceptacles 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, if
12 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 warrant to search any dwelling
17 house or premises for the purpose above set forth; provided,
18 however, that the commissioner shall, on or before the first
19 day of October of each year, in writing, notify the super-
20 intendants of all transportation companies doing business
21 within the state, of the names of the wardens and deputy
22 wardens by them designated to exercise the right of search
23 of railroad cars as herein provided, and no other except
24 those so designated shall be authorized to exercise the pow-
25 ers herein mentioned as to search of railroad cars.

Sect. 79. *Arrest by officers.* Any officer authorized to en-
2 force 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. 80. *Disposition of fines.* Once every three months
2 the county treasurer of the several counties shall remit to
3 the commissioner all fines and penalties recovered and mon-
4 ey received or collected by reason of the violation of any
5 provision of this chapter or amendment thereof after de-
6 ducting therefrom such expense as the said county may
7 have been put to the case, which moneys shall be paid by
8 him to the state treasurer.

Sect. 81. *Jurisdiction.* Trial justices, police and munici-
2 pal 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 laws.

Sect. 82. *Service on corporation.* In case of violation of
2 any provision of this chapter by a corporation, the war-
3 rant may be served by an attested copy, on the president,
4 secretary, manager, or any general agent thereof in the
5 county where the action is pending, and upon return of
6 such warrant so served, the corporation shall be deemed in
7 court and subject of the jurisdiction thereof, and any fine
8 imposed may be collected by execution against the property
9 of such corporation; but this section shall not be deemed to
10 exempt any agent or employee from prosecution.

Sect. 83. *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 writing the result thereof and the amount of fines collected, if any, and disposition thereof, to the commissioner at Augusta.

Sect. 84. No person shall tear down or destroy any fence or wall, or leave open any gate or bars, or trample or destroy any crop on the land of another person, while taking, trapping, hunting or pursuing any wild animal, wild bird or fish. And in addition to the penalties of this act, the commissioner shall have authority to revoke and forfeit the hunting or fishing license of the person so doing.

Sect 85. *Special privileges.*

Sect. 86. *Penalties.* Whoever violates any of the foregoing provisions and rules and regulations promulgated thereunder may be fined not exceeding three hundred dollars and costs, or imprisoned for not exceeding ninety days, or both, except as hereafter noted:

(a) Whoever violates any provision of this act relating to beaver shall be fined not less than fifty dollars and costs for each beaver or skin involved or imprisoned not exceeding ninety days, or both.

(b) Whoever violates the provisions of section forty-five shall be fined not less than two hundred or more than three hundred dollars and costs or imprisoned not exceeding ninety days, or both.

Sect. 87. The commissioner shall be authorized to keep on hand at all times sufficient copies of fish and game laws so that all town clerks or agents authorized to issue licenses shall have copies available to issue with every license.