

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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CHAP. 142

—penalty for selling or shipping smelts between April 1 and October 1.

—proviso.

—localities excepted.

smelt and tom-cod fishery, shall be taken from the water on or before said first day of April, under a penalty of not less than twenty nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of law, but weirs with catch pounds covered with net, the meshes of which are one inch square in the clear, or greater, are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following, be offered for sale, sold, or shipped from the state under a penalty of twenty-five dollars for each offense; provided, however, that dip nets may be used between the first day of April and the first day of May, and all smelts caught by dip nets between said days, may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river above the Merrymeeting bay bridge, between the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and fifteenth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October, nor smelts taken in Taunton bay between the first day of April and the first day of May, nor smelts taken in Little Kennebec bay, so called, in the county of Washington, between the first day of April and the first day of May.'

Approved February 13, 1901.

Chapter 142.

An Act to amend Chapter thirty of the Revised Statutes, as amended by Chapter forty-two of the Public Laws of eighteen hundred and ninety-nine, pertaining to Inland Fisheries and Game.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sections twenty-three and twenty-four of chapter thirty of the revised statutes, as amended by chapter forty-two of the public laws of eighteen hundred and ninety-nine, are hereby amended as follows: by striking out all of section twelve of said chapter thirty as amended aforesaid, and substituting the following in its place, so that said section shall read as follows:

'Section 12. No person shall, within the state of Maine, kill or catch or have in his or her possession, living or dead, any wild

Sections 23 and 24, chap-30, R. S., as amended by chapter 42, public laws of 1899, further amended.

Killing, etc., of any wild bird other

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bird, other than a game bird, nor shall purchase, offer or expose for sale, any such wild bird after it has been killed or caught. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale. Nor shall any person within the state take or needlessly destroy the nest or the eggs of any wild bird, nor have such nest or eggs in his or her possession. The English, or European house sparrow, the common crow and the hawks and owls are not included among the birds herein protected; and for the purposes of this act, the following only shall be considered game birds: the anatidæ, commonly known as swans, geese, brant, and river and sea ducks; the rallidæ, commonly known as rails, coots, mud-hens and gallinules; the limicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; the gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails. Nothing in this section, however, shall be construed to affect in any way, the protection of game birds, as provided in sections eleven and thirteen of the act hereby amended. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and when convicted therefor, shall be fined five dollars for each offense, and an additional five dollars for each bird, living or dead, or part of bird, or nest or eggs possessed in violation of this section, or to imprisonment for ten days, or both, at the discretion of the court.'

than a game bird or having in possession the plumage, prohibited.

—taking of nests and eggs prohibited.

—exceptions. Term "game birds" defined.

—penalty.

Approved February 15, 1901.

Chapter 143.

An Act fixing the salary of the sheriff of Piscataquis County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

The sheriff of the county of Piscataquis from and after the first day of January, one thousand nine hundred and one, shall receive an annual salary of three hundred and fifty dollars from the county treasurer instead of the compensation provided in section twenty-three of chapter eighty of the revised statutes, and it is further provided that the sheriff of said county shall not receive from any of his deputies any of the fees earned by said deputies or any percentage earned thereon after said date.

Salary of sheriff of Piscataquis county fixed.

Approved February 15, 1901.