

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SIXTH LEGISLATURE
OF THE
STATE OF MAINE
1913

Including Acts and Resolves of the Special Session held
in 1912.

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

AUGUSTA
KENNEBEC JOURNAL, PRINT
1913

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

CHAP. 206

Chapter 206.

An Act to Revise, Collate, Arrange and Consolidate the Inland Fish and Game Laws of the State, Both General and Public and Private and Special, and the Rules and Regulations of the Commissioners of Inland Fisheries and Game Now in Force.

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

Chapter 32, R. S., and amendments, except section 34 of said chapter and amendments thereto, stricken out.

—rules and regulations of com'rs of inland fish and game repealed.

The words "closed season" defined.

—open season defined.

Closed season in all lakes and ponds of the state.

On landlocked salmon, trout and togue.

—on white perch and black bass.

—exceptions.

Closed season in brooks, streams and rivers of the state.

Section 1. Chapter thirty-two of the revised statutes, and all additions thereto and amendments thereof, and all rules and regulations of the commissioners of inland fisheries and game now in force, are hereby amended by striking out all of said chapter and all additions thereto and amendments thereof, except section thirty-four of said chapter thirty-two of the revised statutes and chapter eighty-four of the public laws of nineteen hundred and five and chapter twenty-three of the public laws of nineteen hundred and nine, and chapter fifty-two of the public laws of nineteen hundred and nine and chapter one hundred and twenty-nine of the public laws of nineteen hundred and nine and sections three and four of chapter one hundred and nineteen of the revised statutes, and by repealing all of the rules and regulations of the commissioners of inland fisheries and game now in force, and by substituting therefor the following:

'Section 1. The words "closed season" as used in this chapter mean the time or period during which it is unlawful to hunt, pursue, shoot, wound, trap or destroy any bird or animal, or fish for or catch any fish, and the words "open season" mean the time during which it shall be lawful to take these animals, fish and birds as specified and limited by law.

Section 2. Except as hereinafter provided, there shall be an annual closed season on landlocked salmon, trout, togue, white perch and black bass, in all the lakes and ponds of the state, as follows:

On landlocked salmon, trout and togue, from the thirtieth day of September until the ice is out of the lake or pond fished in the following spring; on white perch and black bass from the thirtieth day of September until the fifteenth day of June following; provided, however, that in Sebago lake and Long pond, in Cumberland county, the annual closed season on landlocked salmon and trout shall be from October first to the thirty-first day of March of the following year, both days inclusive, and in Thompson pond from September first to January first of the following year.

But in the brooks, streams and rivers of the state, above tide waters, the annual closed season on trout, salmon and landlocked salmon shall be from September fifteenth to the time

the ice is out of the brook, stream or river fished in the following spring; on black bass and white perch from September thirtieth to June fifteenth of the following year.

During the respective closed seasons on the above named fish it shall be unlawful to fish for, take, catch, kill or have any of them in possession.

Provided, however, that no person shall in any one day during the respective open seasons herein provided take or catch or have in possession more than fifteen pounds in all of the above named fish, unless one individual fish caught shall weigh more than fifteen pounds, or unless the last fish caught increases the combined weight thereof to more than fifteen pounds, and provided, further, that no person in any one day shall take, catch and kill more than twenty-five fish in all of the above named fish even though the twenty-five fish caught and killed weigh less than fifteen pounds; provided, however, that no person or party or occupants of any one boat, canoe, raft or other vessel or conveyance propelled by steam, electricity, hand or other power shall catch by still or plug fishing, so-called, more than four trout and landlocked salmon in any one day, collectively, nor more than two trout and landlocked salmon in any one day individually, in the waters of Rangeley, Richardson, Mooselookmeguntic and Cupsuptic lakes, situated in the counties of Franklin and Oxford; provided, further, that landlocked salmon and trout may be caught by artificial fly until October first in Moose river, between Moosehead lake and Brassua lake, in Somerset county; and provided further, that during February and March, citizens of the state may fish for and take landlocked salmon, trout, togue, white perch, black bass and other fish, with not more than five set lines to each family when fishing through the ice in the day time and when under the immediate personal supervision of the person fishing, and may convey them to their own homes for consumption therein but not otherwise, in the following named and specified lakes, ponds and rivers, but in no other waters, namely:

In all the lakes, ponds and rivers wholly or partly in Androscoggin county except Lake Auburn and Androscoggin lake, and Pleasant pond in Turner; in all the lakes, ponds and rivers in Cumberland county except Little Sebago and Forest lakes and Sabbathday, Thomas, Panther and Anonymous ponds; in Drury pond in Temple and in all the lakes and ponds situated wholly in the town of Chesterville, (on Friday and Saturday of each week) in Franklin county; in all the lakes, ponds and rivers in Hancock county, except in Turtle and Narraguagus lakes, and except in Noyes pond; in all the lakes, ponds and rivers in Kennebec county except Cobbosseecontee, Maranacook, Wil-

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No person in one day shall take more than 15 pounds of fish.

—exceptions.

—no person shall take more than 25 fish in one day.

—limitations in Rangeley, Richardson, Mooselookmeguntic and Cupsuptic.

—Moose river between Moosehead lake and Brassua lake.

—citizens of this state during February and March may fish through the ice in following specified waters.

Androscoggin county.

Cumberland county.

Franklin county.

—Hancock county.

—Kennebec county.

- CHAP. 206** son, Echo, Pocasset and Annabessacook lakes and Cochne-
wagon, Great, East, Long, North, Little, Ellis, McGraw, Snow,
Narrows, Buker, Sand, Purgatory, Little Purgatory, Flying,
Parker, and Jimmy ponds, the latter named pond being in
Litchfield; in all the lakes, ponds and rivers in Knox county,
except Crystal lake; in all the lakes, ponds and rivers in Lin-
coln county, except Dyers pond, and in the following named
lakes and ponds in Oxford county: North and Bird ponds
in Norway, The Five Kezars, Moose, Bear, Long, Two Spec,
Pappoose, and McWain ponds in Waterford, Kneeland, Songo,
Burnt Land and Crocker ponds in Albany, Proctor pond in Al-
bany and Stoneham, Upper Stone and Horseshoe ponds in
Stoneham, Bradley, Farrington and Slab City ponds in Lovell,
Moose, Beaver, Long, Grandeur and Little ponds in Denmark,
Lovewell's, Clay, Haley, Charles, Pleasant, Lower Kimball and
Bog Ponds, situated wholly or partly in Fryeburg, and Burnt
Meadow pond in Brownfield, Moose and Mud ponds in Paris,
Hogan and Whitney ponds in Oxford, the Two Clemons ponds
and Bungamuck pond in Hartford, Roxbury pond in Roxbury,
Keyes and Stearns ponds in Sweden, Bickford, Long and Col-
cord ponds in Porter, Rattlesnake pond, easterly of the Maine
Central Railroad, in Brownfield, North and Round ponds in
Greenwood and Woodstock, Pleasant, Labrador and Little Lab-
rador ponds in Sumner, and Half Moon pond; in all the lakes,
ponds and rivers in Penobscot county, except Cold Stream,
Brewer, Ware, Davis and the Puffer ponds; in the following
named lakes and ponds in Piscataquis county: Moosehead, Se-
boeis, Cedar, Schoodic, North and South Twin, Pemadumcook,
Ambajejus, Debsconeag, Nahmakanta, Chesuncook, Sebec, Joe
Mary, Caribou, Lobster, Chamberlain, Telos, Webster, Eagle,
Allegash, Munsungan, Millinocket, Caucogomoc, Churchill,
Chemquassabamticook, Grand, Second and Ragged lakes, and
in Fourth Buttermilk, Little Benson, Ebemee, First Buttermilk,
Big Benson, Big Huston, Center, Pepper, Large Greenwood,
South Branch, Carpenter, Littlefield, Fowler and Whetstone
ponds; in the following named lakes and ponds in Somerset
county: Moosehead, Great Moose and Brassua lakes, (and in
Hayden lake and Lake George on Saturday only of each week)
and in Morrill, Palmer, Ellis, Round, Ten Thousand Acre, Row-
ell, Smith, Oaks, Pickerel, Gilman, Sibley, Fahi, Sandy, Wy-
man, Weeks, Mud, Stafford, Starbird, Douglass, Mayfield,
Kingsbury, Dead Stream, Lower Cold Stream, Horseshoe and
Big Wood ponds, and in Gammon pond (and Great Embden
pond on Saturday only of each week); in all the lakes, ponds
and rivers in Aroostook county; in all the lakes, ponds and

—Knox
county.

—Oxford
county.

—Penob-
scot county.

—Somerset
county.

rivers in Sagadahoc county; in all the lakes, ponds and rivers in Waldo county; in all the lakes, ponds and rivers in Washington county; in all the lakes, ponds and rivers in York county, except Bonneg Beg, Messabesic, Littlefield, Square, Middle Branch, Mousam, Long and York ponds; provided, further, that no citizen of the state shall in any one day, during the open season herein provided for fishing through the ice, take, catch or have in possession more than fifteen pounds in all of the above named fish, unless one individual fish caught shall weigh more than fifteen pounds; and provided, further, that no person in any one day shall take, catch and kill more than twenty-five fish in all of the above named fish even though the twenty-five fish caught and killed weigh less than fifteen pounds.

And provided, further, that no landlocked salmon less than twelve inches in length, no trout less than six inches in length, no black bass less than ten inches in length and no white perch less than six inches in length shall be caught, killed or had in possession by any person at any time, except that in the Belgrade chain of lakes no trout less than ten inches or black bass less than twelve inches in length shall be caught and killed at any time.

Provided, further, that in the following named waters it shall be unlawful for any person at any time to fish for in any way or take, catch or kill any fish, except as may be hereinafter provided:

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—Sagadahoc county.

—Waldo county.

—Washington county.

—York county.

—weight of fish which can be legally taken in one day.

—no person shall take more than 25 fish in one day.

Minimum length of fish to be legally taken.

—exception.

Waters to which following sections of this act shall apply.

ANDROSCOGGIN COUNTY.

In any of the tributaries to Lake Auburn (and all that part of the waters of said Lake Auburn and Townsend brook, to a point five rods below the bridge on the Turner road shall be considered as tributary waters to said Lake Auburn), or in any of the tributaries to Taylor pond in Auburn, or in any of the tributaries to Round and Long ponds in Livermore, or in any of the tributaries to Pickerel (or Beals) pond, in Turner.

AROOSTOOK COUNTY.

In that part of Presque Isle stream above Grindstone, in Chapman plantation, and all the tributaries flowing into said Presque Isle stream except the North Branch of said stream commonly called the Mapleton Branch, the inlet stream of Squa Pan lake and the East Branch of said inlet stream above Thomas Thibodeau's lower landing.

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CUMBERLAND COUNTY.

In any of the tributaries to Sebago lake but in Crooked river from its junction with Songo river to Crooked river bridge, and in Songo river above Songo lock it shall be lawful to fish in accordance with the general law of the state.

FRANKLIN COUNTY.

In any of the tributaries to Rangeley lake, or in Coos brook, a tributary to Wilson lake, in Wilton, to the upper side of the Wilkins bridge, or in Holland brook, a tributary to said Wilson lake up to its junction with Coos brook, or in any of the tributaries to Varnum and North ponds in Temple and Wilton, or in any of the tributaries to Clearwater pond in Farmington and Industry, or in any of the tributaries to Long pond and Sandy River pond wholly or partly in Sandy River plantation, or in any of the tributaries to Webb pond in Weld, except Alder brook down as far as the mill dam at Hildreth's mills, or in Staples pond in Temple or in any of its tributaries, or in any of the tributaries to Four ponds in Townships E and D, or in any of the tributaries to Tim and Mud ponds in Township Two, Range four, or in Whetstone brook, which flows into Kennebago stream, or in Metalluc and Mill brooks which flow into upper Richardson lake, or in Kamankeag brook, a tributary to Kennebago stream, situated in the town of Rangeley, or in any of the tributaries to Tuft's and Dutton ponds in Kingfield, or in the outlet of the same from Dutton pond to Reed's Falls, or from Tuft's pond to Alder stream or in any of the tributaries to Mooselookmeguntic lake, or in any of the tributaries to Cupsuptic lake, except Cupsuptic river and its tributaries above the foot of the first falls near its mouth, from May first to July first, or in any of the tributaries to Bigelow pond, in Township Number Four, Range three, or in Carrabassett river and tributaries above the bridge at Bigelow.

It shall be unlawful to fish except with unbaited artificial flies in the usual manner, or carry away or transport any fish so taken, in any of the waters in Davis, Stetson, or Seven Ponds Townships and Massachusetts Gore, in Franklin county, except fish so taken in said waters may be transported from the place where caught to a lodge, camp, dwelling house or hotel situated in the above named territory.

But in Kennebago stream during open season for fishing it shall be lawful to fish, in accordance with the general law, from Indian Rock to Big Falls in the ordinary way with artificial flies, and to kill two fish in one day when accompanied by a registered guide; also from the sign at the old wharf near the head

of Rangeley stream down to the dam across said stream, and from the upper end of the dead water to Indian Rock, in the usual way with artificial flies and kill one fish in any one day. CHAP. 206

HANCOCK COUNTY.

In any of the tributaries to Bubble pond or Turtle lake, on Mount Desert Island, or in Upper Patten Pond brook in Orland, or tributaries to Eagle lake.

KENNEBEC COUNTY.

In any of the tributaries to Flying pond in Vienna, except Sucker brook, above the Whittier dam, or in Jimmy pond in Litchfield, or in any of the tributaries to said pond, or in the outlet stream of said pond down as far as Buker pond, or in any of the tributaries to Great, Long, East, North, Little, Ellis, McGraw and Snow ponds, except the Belgrade stream, a tributary to Snow pond up as far as Wing's mill dam, situated wholly or partly in the county of Kennebec, or in any of the tributaries to Cobbosseecontee lake, or in any of the tributaries to Lake Maranacook or in Little pond in Belgrade or in any of the tributaries to Parker pond.

KNOX COUNTY.

In any of the tributaries to Norton pond, or in any of the tributaries to Alford's lake in Hope, or in any of the tributaries to Lermond's pond in Hope and Union, or in any of the tributaries to Canaan lake in Knox and Waldo counties, or in any of the tributaries to Crystal lake in Washington.

OXFORD COUNTY.

In any of the tributaries to Indian pond in Greenwood, or in any of the tributaries to South pond in Greenwood, or in any of the tributaries to Twitchell pond in Greenwood, or in any of the tributaries to North pond in Woodstock, or in any of the tributaries to Round pond in Greenwood, or in any of the tributaries to Marshall pond, situated wholly or partly in Oxford, except it shall be lawful to fish in that portion of Donham brook, a tributary to said Marshall pond, which is down stream from a certain rock with staples driven therein, or in any of the tributaries to Rattlesnake pond, in Brownfield, or in any of the tributaries to Garland pond, or in any of the tributaries to Little Pennesseewassee in Norway, or in any of the tributaries to Lake Pennesseewassee in Norway, or in any of the tributaries to Pickerel pond in Denmark, or in any of the

CHAP. 206 tributaries to Songo pond in Albany, or in Ellis river or in any of its tributaries in Andover, Andover West, North Surplus, Roxbury, Township C and Township D, except on Tuesdays, Thursdays and Saturdays, or in Rapid river or in Pond-in-the-River except in the ordinary way of casting with artificial flies or fly fishing, or in any of the pools below the dam to the rock at the mouth of the river at Upper Dam except in the ordinary way of casting with artificial flies or fly fishing.

PENOBSCOT COUNTY.

In any of the tributaries to Lumbert lake in Springfield and in Lakeville plantation, or in Wallace brook in Carroll, a tributary to Shaw lake, or in Lowell brook in Lakeville plantation, a tributary to Duck lake, or in Dill brook in Lakeville plantation, a tributary to Bottle lake, or in Getchell brook in Lakeville plantation, a tributary to Duck lake, from the mouth of said brook up to the head of Muzzy Meadows, one mile from Duck lake, or in Sebasticook river from the fish screen or middle Bridge to Sebasticook lake.

PISCATAQUIS COUNTY.

In Long Pond stream, or in Ship Pond stream above Buck's Falls, or in Davis stream in Willimantic, or in Monson Pond stream, a tributary to said Davis stream, or in Vaughan stream, a tributary to Long Pond stream, or in any of the tributaries to Moosehead lake except Moose river, or in Wilson stream, a tributary to Sebec lake, or in Wilson river, between Wilson pond and Toby Falls.

SOMERSET COUNTY.

In any of the tributaries to Lake George in Canaan, or in Beaver brook in Holeb, or in any of the tributaries to Hayden lake in Madison, or in Mosquito stream below the railroad bridge, or in any of the tributaries to Great Embden pond in Embden, or in Misery stream, an inlet of Brassua lake, or in any of the tributaries to Great Moose lake in Hartland and Harmony, except Main stream, or in Goodwin's brook and Higgins stream below the first dam on said Higgins stream, or in the West Outlet of Moosehead lake, or in any of the tributaries to Parlin or Lang pond, in Township Three, Range seven, or in Lang stream or in any of its tributaries.

WASHINGTON COUNTY.

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In any of the tributaries to Lambert lake.

Provided that Grand Lake stream, the outlet of Grand lake, and so much of Grand lake as is one hundred yards above the dam at the outlet shall be annually closed to all fishing from October first to May thirty-first of the following year, both days inclusive, and provided, further, that from said dam to a point one hundred yards below said dam on said stream it shall be unlawful to fish for any kind of fish at any time, and it shall be unlawful during open season on said stream and one hundred yards above the dam at the outlet of said lake, to fish for, take, catch or kill any fish by any other method than by the ordinary way of angling with artificial flies.

YORK COUNTY.

In any of the tributaries to Bonneg Beg pond in Sanford and North Berwick, or in York pond in York and Eliot, or in McIntire or Junkins brooks, in York, or in Boyd's pond in Limington, or in Dole pond in said Limington, except that during June, July and August of the year nineteen hundred and sixteen it shall be lawful to fish in said pond in accordance with the general law of the state.

Provided, further, that no person shall in any manner, except when fishing through the ice, as now provided by law, fish with more than two lines at any time.

Section 3. Whoever violates any of the provisions of section two of this act shall pay a fine of not less than ten nor more than thirty dollars and costs of prosecution for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any of the provisions of section two of this act.

Section 4. The words "tributary" and "tributaries" whenever used in this act shall be construed to mean brooks or streams flowing into a lake or pond or into another brook or stream, and one great pond or lake shall not be construed as a tributary to another great pond or lake.

Section 5. Whoever by himself, his clerk, servant, or agent, directly or indirectly, sells or purchases any land-locked salmon, trout, togue, black bass or white perch, shall pay a fine of not less than ten nor more than thirty dollars and costs of prosecution for each offense, and in addition thereto one dollar for each fish sold, purchased or had in possession in violation of any of the provisions of this section.

Section 6. Whoever fishes for, takes, catches, kills or destroys any fish, with fish spawn, or grapnel, spear, trawl, weir,

except when fishing through the ice, no person shall fish with more than two lines.

Penalty for violation of provisions of section two.

The words tributary and tributaries, how defined.

Penalty for selling or purchasing fish in violation of this act.

Taking of fish with fish spawn, grapnel, spear, trawl, weir, seine, trap or set lines prohibited.

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—use of dynamite, etc., prohibited.

—penalty for violation of this section.

Spear, trawl, dynamite, etc., if found in camp may be seized.

Smelts above tide waters may be taken.

—shall not be taken for sale except for bait.

—minnows may be taken for sale for bait.

—open time for white fish and cusk.

—suckers may be taken with spears.

Penalty for violation of this section. Eels, licenses may be granted for taking of with eel pots, etc.

Penalty for violation of this section.

gaff with more than one prong, seine, trap, (or set lines, except when fishing through the ice, and then with not more than five set lines to a family in the day time), or shall use any dynamite or other explosive or poisonous or stupefying substance for the purpose of destroying or taking fish, or takes any kind of fish with any device, or in any other way than by the ordinary mode of angling with single baited hooks and lines, artificial flies, artificial minnows, artificial insects, spoon hooks and spinners, so called, shall pay a fine of not less than ten nor more than thirty dollars and costs of prosecution for each offense, and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any of the provisions of this section; and when prohibited implements or devices are found in use or possession they are forfeit and contraband, and any person finding them in use may destroy them.

Section 7. The having in possession of any spear, trawl, or net, other than a dip net, or any dynamite in any camp, lodge or place of resort for fishermen, or in its immediate vicinity, in the inland territory of the State, shall be prima facie evidence that the same is kept for unlawful use; and they may be seized by any officer authorized to enforce the inland fish and game laws.

Section 8. Provided, however, that it shall be lawful to take smelts in all the inland waters of the State above tide waters with a dip net in the usual and ordinary way, and to catch them through the ice with single hook and line during February and March of each year, but they shall not be taken for sale or sold at any time except for bait for fishing in this state; provided, further, that it shall be lawful to take minnows and other fish usually used for bait in fishing and to sell the same for bait, for fishing only, in this state; and provided, further, that it shall be lawful to catch white fish and cusk with single hook and line at any time; and provided, further, that it shall be lawful to take suckers with spears during April and May of each year.

Whoever violates any of the provisions of this section shall pay a fine of thirty dollars and costs for each offense.

Section 9. The commissioners of inland fisheries and game may grant licenses to the citizens of the State, under such rules and regulations and upon such terms as they shall decide, to take eels with eel pots, traps or otherwise, in all the inland waters of the state, and these licenses may be exclusive to any one person in any one locality for a term not exceeding five years, and no eels shall be taken with eel pots or traps except by virtue of such license.

Whoever violates any of the provisions of this section shall

pay a fine of thirty dollars and costs for each offense.

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Section 10. No person shall transport more than fifteen pounds of landlocked salmon, trout, togue, white perch or black bass in all at any one time, nor shall any corporation or common carrier transport more than fifteen pounds in all, of landlocked salmon, trout, togue, white perch or black bass at one time as the property of one person, but nothing herein contained shall prevent any person, corporation or common carrier from transporting one fish weighing more than fifteen pounds; nor shall any such be transported except in the possession of the owner thereof, plainly labeled with the owner's name and residence, and open to view, except as is provided in section eleven of this act.

Not more than fifteen pounds of fish shall be transported by any one person at one time.

—fish not in possession of owner may be transported if plainly labeled, etc.

Whoever violates any of the provisions of this section shall pay a fine of not less than ten dollars nor more than thirty dollars and costs for each offense and one dollar for every pound of fish so being transported in excess of fifteen pounds; and all such fish being so transported in violation of this act may be seized and shall be forfeited to the state.

Penalty for violation of this section.

Provided, however, that nothing herein contained shall prohibit any person having less than twenty-five fish weighing in all less than fifteen pounds from transporting one additional fish, nor prohibit any transportation company from transporting said additional fish under the conditions prescribed in this section for the transportation of fish.

—exception.

Section 11. No landlocked salmon, trout, togue, black bass or white perch shall be carried or transported in any way except in the possession of the owner, accompanied by him, plainly labeled with the owner's name and address, and open to view, except any person who has lawfully in his possession one landlocked salmon, one trout, one togue, one black bass or one white perch, or ten pounds of either kind of these fish, may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent therefor a tag, paying for a landlocked salmon, trout, togue or black bass, one dollar for each, or one dollar for each ten pounds of the same, and fifty cents for one white perch or ten pounds of the same.

Fish not accompanied by owner may be transported upon payment of a license fee.

Provided, however, that no person shall, under any of these provisions, send more than one box of fish once in thirty days, except that one box of fish as aforesaid, may be sent as herein specified once in ten days by one person taking them lawfully from Moosehead lake.

Penalty for violation of this section.

Section 12. Whoever introduces fish of any kind into any of the waters of the state by means of live fish or otherwise except upon written permission of the commissioners of inland

Placing of fish in waters of the state without permission of com'rs, forbidden.

CHAP. 206 fisheries and game, shall pay a fine of not less than fifty dollars nor more than five hundred dollars.

Advance
baiting pro-
hibited.

Section 13. Whoever deposits any meat, bones, dead fish or parts of the same, or other food for fish, in any of the inland waters of the state, for the purpose of luring fish known as "advance baiting," shall pay a fine of not less than ten nor more than thirty dollars and costs of prosecution for each offense.

Mill waste,
etc., shall
not be de-
posited in
lakes and
ponds of the
state.

—except-
tion.

—rivers and
tributaries
included in
provisions of
this act.

—Cumber-
land county.

—Franklin
county.

—Kenne-
bec county.

—Knox
county.

—Oxford
county.

—Penob-
scot county.

—Piscata-
quis county.

—Waldo
county.

Section 14. No person or corporation shall place or deposit in any of the lakes or ponds of the state, or into any of the following named rivers, brooks and streams, to wit, in Aroostook county, the Aroostook river or any of its tributaries above the mouth of Beaver brook, in Sheridan plantation, except sawdust made by gang saws, main rotaries, up and down saws in water mills in use prior to nineteen hundred and three; Fish river and all its tributaries down as far as the foot of Eagle lake, except Sly brook; Wallagrass river for a distance of three miles from its mouth; Little Madawaska river or any of its tributaries; in Cumberland county, in any of the rivers, brooks or streams lying wholly or in part in the towns of Naples, Casco and Raymond; Breakneck brook and its tributaries; in any of the tributaries to Highland lake; Mill brook in Westbrook; in Franklin county, in any of the tributaries to Lake Webb; in Kennebec county, in any of the tributaries to McGraw, Ellis, East, North, Great, Long, Little and Snow ponds; in Potter mill stream, in Litchfield; in any of the tributaries to any of the lakes or ponds lying wholly or partly in the towns of Vienna and Mount Vernon; in Knox county, in any of the tributaries to Crawford pond in Union and Warren; in Lincoln county, in Jackson mill stream, or in Joe Weeks' mill stream, tributaries to Damariscotta lake; in Oxford county, Bog brook and its tributaries, in Oxford and Hebron (and in Minot and Mechanic Falls in Androscoggin county); Swift river and its tributaries, in the counties of Oxford and Franklin; the outlet of Worthley pond in Peru; in Ellis river and its tributaries; Cambridge river, in Upton and Grafton; Bear river, in Newry and Grafton; Cold river and its tributaries, in Stowe; the tributaries to Upper Kezar pond in Lovell; in Penobscot county, the West branch of Mattawamkeag stream and its tributaries; Kimball brook, Shin brook and Seboeis river, tributaries to East branch of the Penobscot river; Fish stream, a tributary to Mattawamkeag river; Olamon stream; in Piscataquis county, Ferguson stream; the South branch of the Piscataquis river and its tributaries in the town of Kingsbury; Thorn brook and its tributaries in the towns of Abbot, Kingsbury and Blanchard; Higgins stream and its tributaries in the counties of Somerset and Piscataquis; in Waldo county, Half Moon or

Sandy stream and its tributaries; the tributaries to Seven Tree pond; the tributaries to Unity pond; St. Georges river, in Montville and Searsmont; Ellis stream, in Waldo, Brooks and Belfast; in Washington county, Baskahegan stream, in the town of Danforth; in York county, Heath brook, in the town of Acton; Little Ossipee river, within the limits of the towns of Shapleigh, Newfield, Waterboro, Limerick and Limington; Norton and Brown brooks and their tributaries, in Shapleigh and Limerick, or allow the same to be done by anyone in their employ, any slabs, edgings, sawdust, chips, bark, mill waste, shavings or fibrous material created in the manufacture of lumber, or place or deposit the same on the banks of any of the above named waters in such negligent or careless manner that the same shall fall or be washed into the same, or with the intent that the same shall fall or be washed into the same.

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—Wash-
ington
county.—York
county.

Whoever violates any of the provisions of this section shall pay a fine of not less than five dollars and not exceeding one hundred dollars and cost for each offense.

Penalty for
violation of
this act.

Section 15. The commissioners of inland fisheries and game shall have general supervision of the enforcement of the inland fish and game laws. Whenever they shall deem it for the best interests of the state, after due notice and public hearing in the locality to be affected, they may regulate the times and places in which and the circumstances under which game and inland fish may be taken for a series of years not exceeding four, but they cannot authorize the taking of game or inland fish at a time in which its capture is prohibited by the laws of the state. They may, from time to time, modify or repeal such needful rules and regulations, not contrary to the laws of the state, as they may deem necessary or proper for the protection and preservation of the game and inland fish of the state. They shall file, in the offices of the clerks of the towns in the territory to be affected, a copy of the rules and regulations adopted by them, and publish the same three weeks successively in a newspaper printed in the county, and post on the banks of waters to be affected, as nearly as may be like notices; and whenever any such rules or regulations apply to any unorganized township, a like copy shall be filed with the clerk of courts for that county, and published three weeks successively in a newspaper printed in the county; they shall, immediately upon the adoption of any rules and regulations contemplated by this section, file an attested copy of the same in the office of the secretary of state.

Duties of
com'rs of
inland fish
and game.—may regu-
late times
and places
where fish
may be
taken.—except-
tion.—may mod-
ify or repeal
rules, etc.—shall file
copy of
rules and
publish
same.

Whoever fishes for, takes, catches, kills or destroys any inland fish, or hunts, chases, catches, kills, takes or destroys any inland game, in any manner at any time, in violation of any of

Penalty for
violation of
rules and
regulations
of commis-
sioners.

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the rules and regulations of the commissioners of inland fisheries and game, made and promulgated in conformity with the provisions of this chapter, shall be punished in the same manner and to the same extent as is provided for by law for the illegal taking, catching, killing or destroying of any inland fish or for the illegal hunting, chasing, catching, killing, taking or destroying of any inland game.

Penalty for defacing or destroying notices of commissioners.

Section 16. Whoever wilfully mutilates, defaces or destroys any notice, rule, or regulation of the commissioners of inland fisheries and game, posted in conformity with the provisions of this chapter, shall pay a fine not exceeding fifty dollars.

Commissioners may take fish and game for purposes of science, etc.

Section 17. Said commissioners of inland fisheries and game may take fish and game of any kind when, where, and in such manner as they choose, for the purposes of science and of cultivation and dissemination, and they may grant written permits to other persons to take fish and game for the same purposes, and may introduce or permit to be introduced, any kind of fish into any waters. They may, after a hearing, set apart, for a term not exceeding ten years, any waters for the use of the state or of the United States commissioner of fish and fisheries, in the prosecution of the work of fish culture and of scientific research relative to fishes. The order setting apart such waters shall be recorded in the registry of deeds of the county in which they are situated. In the waters so set apart, they and the United States commissioner of fish and fisheries, and persons acting under their authority may, in their respective fish culture and scientific work, take fish at any time or in any manner, and erect and maintain any fixtures necessary for such purposes. No other person shall take or kill any fish, or use any implement for fishing therein, under a penalty of not less than ten nor more than one hundred dollars, and a further penalty of one dollar for each fish so taken or killed; provided, however, that before such hearing they shall give notice thereof, by publication of their intention for two successive weeks in at least one newspaper printed in the county where such waters lie. They are authorized to grant permission to take moose, caribou, deer, and birds for park purposes in this state, under such rules, regulations, and conditions as they shall establish. They shall have authority to cause the destruction of any mink or other destructive animal or bird found in or around any fish hatchery or feeding station in this state.

—may grant permits to other persons.

—may set apart waters for fish culture.

—order for setting apart waters for fish culture shall be recorded.

—fishing in waters set apart, forbidden.

—penalty.

—may permit taking of game for park purposes.

—may cause destruction of mink.

May compel owners of dams to construct fish ways.

They shall have authority in their discretion to compel the owner or occupant of every dam or other artificial obstruction above tide water in any river or stream frequented by salmon, landlocked salmon, shad, alewives or other migratory fishes, to provide the same with a durable and efficient fishway, of such

form and capacity, and in such location as may, after notice in writing to one or more of said owners or occupants and a hearing thereon, be determined by the commissioners of inland fisheries and game by written notice to some owner or occupant specifying the location, form and capacity of the required fishway, and the time within which it shall be built; and said owner or occupant shall keep said fishway in repair, and open and free from obstruction for the passage of fish, during such times as are prescribed by law; provided, however, that in case of disagreement between said commissioners and the owner or occupant of any dam, as to the propriety and safety of the plan submitted to the owner or occupant of such dam for the location and construction of the fishway, such owner or occupant may appeal to the county commissioners of the county where the dam is located, within twenty days after notice of the determination from the commissioners of inland fisheries and game by giving to the latter named commissioners notice in writing of such appeal within that time, stating therein the reasons therefor; and at the request of the appellant or the commissioners of inland fisheries and game, the senior commissioners in office of any two adjoining counties shall be associated with them, who shall appoint a time to view the premises and hear the parties and give due notice thereof, and after such hearing they shall decide the question submitted, and cause record to be made thereof, and their decision shall be final as to the plan and location appealed from. If the requirements of the commissioners of inland fisheries and game are affirmed, the appellants shall be liable for the costs arising after the appeal, otherwise they shall be paid by the county. If a fishway thus required is not completed to the satisfaction of the commissioners of inland fisheries and game within the time specified, every owner or occupant shall forfeit not more than one hundred, nor less than twenty dollars for every day of such neglect between the first days of May and November. On the completion of a fishway to the satisfaction of the commissioners of inland fisheries and game, or at any subsequent time, they shall prescribe in writing the time during which the same shall be kept open and free from obstruction to the passage of fish each year, and a copy of such writing shall be served on the owner or occupant of the dam. The commissioners of inland fisheries and game may change the time as they see fit. Unless otherwise provided, fishways shall be kept open and unobstructed from the first day of May to the fifteenth day of July. The penalty for neglecting to comply with this section, or with any regulations made in accordance herewith, is not less than twenty, or more than one hundred dollars for every day of such neglect.

—owners shall keep fishways in repair and free from obstruction.

—proceedings in case of disagreements.

—appeal may be made to county commissioners.

—costs of appeal, by whom to be paid.

—penalty for neglect to provide a fishway.

—commissioners shall prescribe when fishways shall be kept open.

—statute provision for open fishways.

—penalty for violation of this section.

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Proceedings when owners neglect to repair fishways.

—liability of joint owners of dam.

—penalties may be recovered of non-resident owners by libel against the dam.

—commissioners may delegate powers as to construction of fishways.

Commissioners may permit live fish or game to be taken out of state for certain purposes.

—may employ attorneys for trials for violations of this chapter.

Annual report shall be made and printed.

Commissioners may authorize screening of outlets.

Penalty for injury to screens.

Section 18. Whenever the commissioners of inland fisheries and game find a fishway out of repair or needing alterations, they may, as in the case of new fishways, require the owner or occupant to make such repairs or alterations; and all proceedings in such cases and the penalty for neglect shall be as provided in the preceding section without appeal. If the dam is owned and occupied by more than one person, each is liable for the cost of erecting and maintaining such fishway, in proportion to his interest in the dam, and if any owner or occupant neglects or refuses to join with the others in erecting or maintaining such fishway, the other owners or occupants shall erect or repair the same, and have an action on the case against such delinquent for his share of the expenses. If the owner or occupant of such dam resides out of the state, said penalties may be recovered by a libel against the dam and land on which it stands, filed in the supreme judicial court in the county where it is located, in the name of the commissioners of inland fisheries and game or of any inland fish and game wardens who shall give to such owner or occupant, and all persons interested therein, such notice as the court or any justice thereof in vacation orders, and the court may render judgment therein, against said dam and lands for said penalties and costs, and order a sale thereof to satisfy such judgment and costs of sale, subject, however, to all said requirements for the erection and maintenance or repair of said fishway. The commissioners of inland fisheries and game may delegate to any inland fish and game warden or other lawful officer of inland fisheries and game any of the powers given to said commissioners in relation to the construction of fishways.

Section 19. Said commissioners shall have authority to grant permits to transport beyond the limits of the state live fish or game taken in the state, for breeding, scientific and advertising purposes. They are authorized to employ attorneys at trials in minor courts for violations of the provisions of this chapter, and necessary additional clerks in their office, and may have at least two daily newspapers published in the state, such as they may select, for use in their office, all of which shall be paid for out of the regular appropriation for their department.

They shall, on or before the thirty-first day of December of each year, make an annual report to the governor, who shall cause not exceeding three thousand copies to be printed.

Section 20. Said commissioners may in their discretion authorize the screening of the outlet of any pond or lake under such conditions as they may determine.

Whoever shall take up, destroy or injure any screen erected at the outlet of any lake or pond by authority of the commis-

sioners of inland fisheries and game, shall pay a fine of fifty dollars and costs for each offense.

Section 21. Any riparian proprietor may, within the limits of his own premises, inclose the waters of a stream not navigable, for the cultivation of useful fishes; provided that he furnishes suitable passages for migratory fishes naturally frequenting such waters, and does not obstruct the passage of boats and other craft and materials, in places where the same have a right to pass. Any person legally engaged in the artificial culture and maintenance of fishes, may take them in his own enclosed waters wherein the same are so cultivated and maintained, as and when he pleases, and may at all times sell, ship or transport them from his own pools or ponds, without accompanying the shipment, having first procured a license therefor and tagged the same in accordance with rules and regulations established by the commissioners of inland fisheries and game.

Section 22. No person without permission of the proprietor, shall fish in that portion of a pond or other water in which fish are artificially cultivated or maintained by written permission of the commissioners of inland fisheries and game, under a penalty of not less than ten nor more than one hundred dollars, besides two dollars for each fish so taken or killed; and, in default of payment, such offender shall be imprisoned at the expense of the prosecutor, until said forfeiture is paid or otherwise discharged by due process of law.

Section 23. The commissioners of inland fisheries and game for the location, construction, repairs and convenient operation of a fish hatchery or fish hatcheries and feeding stations for fish may purchase, lease, or take and hold, for and in behalf of the state, as for public uses, land and all materials in and upon it necessary for the purpose of establishing, erecting and operating fish hatcheries.

For real estate so taken, the owners are entitled to damages, to be paid by the state and estimated by the county commissioners, on written application of either party, made within one year after filing the location as hereinafter provided, or if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within one year thereafter.

When the commissioners of inland fisheries and game deem that a public exigency requires the taking of any land or rights for the purposes aforesaid, they shall cause the same to be surveyed, located, and so described that the same can be identified, and a plan thereof shall be filed in the office of the register of deeds in the county where the land or rights are located, and there recorded.

The filing of such plan and description shall vest the title to

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Riparian proprietors may enclose waters for cultivation of fishes.

—proviso.

—persons legally engaged in culture of fishes, may take and sell same.

—license must be obtained.

Penalty for taking fish from inclosure of riparian owners without permission.

Commissioners may take and hold land for hatcheries, etc.

Damages for land taken, how estimated.

Plan of land to be taken shall be filed in registry of deeds.

Filing shall vest title of land.

CHAP. 206 the land and right aforesaid, in the State of Maine, or its grantees, to be held during the pleasure of the state.

Provisions
of this
chapter
apply down
to tide
waters.

Provisions
of section
61.

Penalty for
fishing on
inland
waters above
tide waters
for hire.

Penalty for
hunting
caribou or
cow moose
or calf
moose, or
having same
in posses-
sion.

—term
“calf moose”
defined.

Close time
on moose.

Penalty for
violation of
this section.

Bull moose
legally killed
in open sea-
son may be
transported
in close
season.

Closed sea-
son on deer
in certain
counties.

—except-
tion.

—proviso.

Section 24. The provisions of this chapter so far as they relate to fish of all varieties and fishways apply to fish and fishways down to tide waters.

Section 25. The provisions of section sixty-one of chapter forty-one of the revised statutes, relating to the powers of the commissioner of sea and shore fisheries, are hereby extended to the commissioners of inland fisheries and game.

Section 26. If any person shall, for the whole or any part of the time, engage in the business or occupation of fishing on any of the inland waters of the state above tide waters for landlocked salmon, togue, trout, black bass, pickerel, or white perch, for gain or hire, he shall for every such offense pay a fine of fifty dollars and costs.

Section 27. Whoever hunts, pursues, kills or has in possession any caribou or any cow moose or any calf moose, or part thereof, at any time, shall pay a fine of two hundred dollars and costs for each offense; and the term “calf moose” as herein used, shall be construed to mean that these animals are calves until they are at least one year old and have at least two prongs or tines not less than three inches long to each of their horns.

Section 28. No person shall, except as otherwise provided, between the first day of December of each year and the thirty-first day of October of the following year, both days inclusive, hunt, take, catch, kill, destroy or have in possession any moose or part thereof, and no person shall during the month of November of each year hunt, take, catch, kill, destroy or have in possession more than one bull moose or part thereof.

Whoever violates any of the provisions of this section shall pay a fine of not less than one hundred dollars nor more than two hundred dollars and costs for each offense or be imprisoned not exceeding four months.

A person lawfully killing a bull moose in open season shall have a reasonable time in which to transport the same to his home and may have the same in possession at his home in close season.

Section 29. There shall be an annual closed season on deer in the counties of Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington from December sixteenth of each year to September thirtieth of the following year, both days inclusive, (except that on the island of Mount Desert no deer shall be pursued or killed at any time), during which said closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer or have in possession any part or parts thereof whenever or wherever

taken, caught or killed; and no person shall between October first and December fifteenth next following of each year, both days inclusive, except as hereinafter provided, take, catch, kill or have in possession, whenever or wherever taken, caught or killed, more than two deer or parts thereof.

And provided, further, that there shall be an annual closed season on deer in the counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York from the first day of December of each year to the thirty-first day of October of the following year, both days inclusive, during which closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer, or have in possession any parts thereof, taken in the counties named in this paragraph; and no person shall between November first and November thirtieth of each year, both days inclusive, except as hereinafter provided, take, catch or kill in the counties named in this paragraph more than one deer; it shall also be unlawful for any person to have in possession more than one deer, or parts thereof, taken in the counties named in this paragraph in one open season; a person lawfully killing a deer in open season shall have a reasonable time in which to transport the same to his home and may have the same in possession at his home in closed season.

Provided, however, that if a deer is found doing actual, substantial damage to any growing cultivated crops, the cultivator of growing cultivated crops may kill the same, and may consume the same in his own family but not otherwise, but he shall not pursue the same beyond the limits of his cultivated land in which the damage is being done.

Provided, further, that whoever kills a deer in accordance with the provisions herein contained shall forthwith give notice in writing to the commissioners of inland fisheries and game, at Augusta, Maine, of the fact of such killing and the character and estimated amount of damage done. Whoever fails to give such notice shall in no wise be protected by the provisions hereof.

And provided further, that whoever shall cultivate any crops for the manifest purpose of killing deer under the provisions of this act shall in no wise be protected thereby; and provided, further, that it shall be unlawful to place any salt in any place for the purpose of enticing deer thereto.

Whoever violates any of the provisions of this section shall pay a fine of forty dollars and costs for each offense.

Section 30. No person shall at any time hunt, catch, take, kill, or destroy, with dogs, jack lights, artificial lights, snares,

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—not more than two deer to be killed or taken by any one person.

Closed season on deer in certain counties.

—no person shall take more than one deer in counties named in this paragraph.

—reasonable time allowed for transportation in closed season.

Owner of cultivated crops may kill deer if destroying same.

Notice of killing deer in accordance with these provisions, shall be given.

Further proviso.

—salting deer forbidden.

Penalty for violation of this section.

Use of dogs, jack lights, etc., forbidden.

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—penalty.

Keeping any dog for hunting moose, etc., forbidden.

—penalty.

Selling or giving moose or deer to be transported out of state, forbidden.

—no citizen of this state shall transport more than one deer in any one year.

Transportation of bull moose out of state by a citizen provided for.

Penalty for violation of this act.

License for transportation of moose or deer within the state.

—fee for license.

Closed season on gray squirrels.

Closed season perpetual in parks, etc.

Penalty for violation of this section.

or traps, any moose, caribou or deer, under a penalty of one hundred dollars and costs for each offense.

Section 31. Any person owning or having in his possession any dog for the purpose of hunting or chasing moose, caribou or deer, or who permits any dog owned by him or in his possession to hunt or chase moose, caribou or deer, after notice that such dog has chased moose, caribou or deer, shall pay a fine of forty dollars and costs for each offense.

Section 32. No person shall sell or give away any moose or deer or part thereof to be transported or carried beyond the limits of this state; and no person shall buy or accept as a gift any moose or deer or part thereof to so transport the same; and no citizen of this state shall carry or transport in any manner beyond the limits of this state more than one deer or part thereof in any one year.

Any citizen of Maine who has lawfully in his possession a bull moose may personally take the same out of the state by procuring a license therefor from the commissioners of inland fisheries and game, paying therefor a fee of five dollars, and said license shall be attached to said moose or part thereof being transported.

Whoever violates any of the provisions of this section shall pay a fine of forty dollars and costs for each offense.

Section 33. Any citizen of the state who has lawfully killed a bull moose or a deer may send the same to his home or to any hospital in the state, without accompanying the same, by purchasing of the duly constituted agent therefor a tag, paying for the moose five dollars, for a deer two dollars, and said tag shall be attached to the bull moose or deer, or part thereof, being transported. The commissioners of inland fisheries and game may appoint agents in convenient localities who may sell these tags, under such rules and regulations as said commissioners may adopt.

Section 35. There shall be an annual closed season on gray squirrels, during which closed season it shall be unlawful to shoot at, kill, or have them in possession except alive, from the first day of November of each year until the thirty-first day of August of the following year, both days inclusive.

Provided, however, that there shall be a perpetual closed season on gray squirrels within all public or private parks and within the limits of the compact or built up portion of any city or village.

Whoever shall shoot at or kill or have in possession any gray squirrel in violation of any of the provisions of this section shall pay a fine of not more than five dollars and costs for each offense.

Section 36. It shall be unlawful for any owner, keeper or occupant of any camp, house or other building used partly or wholly in lumbering operations, to have, use or keep in any manner more than six deer, in any one open season for deer in any one year, under a penalty of forty dollars and costs for each deer so had in possession or used in violation hereof.

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Not more than six deer shall be kept or had in any lumber camp in any one open season.
—penalty.

Section 37. Except as herein provided no person or corporation shall carry or transport from place to place any bull moose or deer or part thereof in closed season nor in open season unless open to view, tagged, and plainly labeled with the name and residence of the owner thereof, and accompanied by him while being transported and identified by him at such places as the commissioners of inland fisheries and game shall have designated by publication in the daily newspapers in the state, under a penalty of forty dollars and costs for each bull moose, deer or part thereof so transported or carried, and any person not the actual owner of such bull moose or deer, or part thereof, who, to aid another in such transportation, falsely represents himself to be the owner thereof, shall be liable to the same penalty; and it shall be prima facie evidence that said moose or deer or part thereof, that is being transported or carried in violation of this section, was illegally killed.

Moose or deer shall be plainly labeled when transported from place to place.

—penalty for violation of this section.

Whoever lawfully kills a bull moose, shall, while the same, or any part thereof, is being transported, preserve and transport it with the evidence thereon of the sex of the same.

Evidence of sex shall be transported with bull moose.

Section 38. There shall be an annual closed season on wild hares or rabbits during which closed season it shall be unlawful to hunt, kill, catch, pursue or have them in possession, except alive, during the months of April, May, June, July and August of each year.

Closed season on rabbits.

It shall be unlawful to use any snares, traps or other devices in the hunting, pursuing or killing of wild hares or rabbits, or to hunt or kill the same except in the ordinary method of shooting with guns in the usual manner; provided, however, that it shall be lawful to catch wild hares or rabbits in common box traps during the open season provided in this section.

—use of traps, etc., forbidden.

—exception.

Whoever violates any of the provisions of this section shall pay a fine of ten dollars and costs for each offense.

Section 39. Whoever at any time kills, hunts, destroys or has in possession any beaver, or part thereof, except as herein provided, shall pay a fine of one hundred dollars and costs for each offense and in addition thereto twenty-five dollars for each beaver caught, killed, destroyed or had in possession, or part or parts thereof, in violation of any provision of this section.

Beaver shall not be hunted, etc.
—penalty.

Provided, however, that the commissioners of inland fisheries and game, upon complaint of any land owner that beaver

—exception.

CHAP. 206

are doing actual, substantial damage to his property, shall have authority to take, catch, kill and dispose of the same. All moneys received by the commissioners of inland fisheries and game by virtue of this section shall be by them paid to the state treasurer.

Closed sea-
son on fur
bearing
animals.

—except-
tions.

—musk-
rats.

Section 40. Whoever, from the first day of March to the thirty-first day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any fur bearing animal (except bears, muskrats, bob cats, beaver, loupcevrie, Canada lynx, foxes, and weasels), or whoever, from the first day of May to the thirty-first day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any muskrat, shall pay a fine of ten dollars and costs for each offense and in addition thereto three dollars for each fur bearing animal hunted, trapped, killed, pursued or caught in violation hereof, or whoever at any time hunts, traps, kills, pursues, catches or has in possession any beaver, or part thereof, except as herein provided, shall pay a fine of one hundred dollars and costs for each offense. It shall be unlawful to set a trap within twenty-five feet of a muskrat house, under penalty of ten dollars and costs for each offense.

—proviso.

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

Bounty on
bob cats and
on Canada
lynx.

Section 41. A bounty of four dollars for every bob cat, loupcevrie or Canada lynx killed in any town shall be paid by the state treasurer to the person killing it upon compliance with the following conditions:

No bounty
shall be
paid unless
entire skin
is exhibited.

No bounty shall be paid unless the claimant, within five days after he has killed such animal, or has returned from the hunting in which he killed it, exhibits to the town treasurer the entire skin thereof with the ears, nose and tail thereon in as perfect a state as when killed, except natural decay, and signs and makes oath to a certificate which said treasurer may administer, in which he shall state that he killed such animal and the time and place, which shall be within the state, and the treasurer shall thereupon cut off the whole of the tail from such skin and forward the same by mail to the commissioners of inland fisheries and game, at Augusta, Maine, together with the claimant's certificate, which certificate shall be in the following form:

—tail shall
be for-
warded to
com'rs of
inland fish
and game.

CLAIMANT'S CERTIFICATE.

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To the treasurer of the town of

: For of cer-
tificate.

I hereby certify that on the day of
A. D. 19 , at , in the State of Maine, I
killed the bob cat, loupcevrie 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 once
to the commissioners of inland fisheries and game a certificate
which shall be in the following form:

TOWN TREASURER'S CERTIFICATE.

Form of cer-
tificate.

To the commissioners 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, loupcevrie 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, loupcevrie 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, loupcevrie or Canada lynx described in
this certificate and enclose the same herewith.

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

Treasurer of the town of

Subscribed and sworn to the day and year aforesaid.

Justice of the Peace.

Upon receipt by the state auditor of a certificate from the
commissioners of inland fisheries and game showing that said
commissioners have received the tail of the bob cat, loupcevrie
or Canada lynx from the treasurer sent as aforesaid, together

State auditor
shall audit
claims for
bounty.

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Fee of town
treasurer for
oath, etc.

Hunting of
Hungarian
partridge,
etc., for-
bidden.

—excep-
tion.

—penalty.

Closed sea-
son for
partridge,
woodcock,
ducks, etc.

—par-
tridges and
woodcock.

—ducks.

—plover,
snipe and
sandpipers.

—limit of
number of
birds to be
taken.

—birds, how
trans-
ported.

—limit of
number of
birds to be
trans-
ported.

—penalty
for violation
of this
section.

with said treasurer's certificate, said state auditor shall audit the claim for bounty and the same shall be paid forthwith by the state treasurer to the claimant from the appropriation for bounties on bob cat, loup cervier or Canada lynx.

The town treasurer for making oath to a claimant's certificate as above, and for forwarding the same with the tail of the animal to the commissioners of inland fisheries and game, shall be paid by the claimant the sum of twenty-five cents.

Section 42. It shall be unlawful to hunt, chase, catch, kill, destroy or have in possession at any time any Hungarian partridge or any capercailzie, or cock of the woods, or any black game, or any species of the pheasant, except ruffed grouse or partridge.

Whoever violates any of the provisions of this section shall pay a fine of ten dollars and costs for each offense.

Section 43. There shall be an annual closed season for ruffed grouse, commonly called partridge, spruce partridge, woodcock and all varieties of ducks, plover, snipe and sandpipers, as follows: On partridges above named and woodcock, from the first day of December of each year to the fourteenth day of September of the following year, both days inclusive; on all varieties of ducks, from the first day of January to the thirty-first day of the following August of each year, both days inclusive; on plover, snipe and sandpipers, from the first day of December of each year to the thirty-first day of July of the following year, both days inclusive, during which closed seasons it shall be unlawful to hunt, chase, catch, kill or have in possession any of the above named birds, except as hereinafter provided; and no person shall during the respective open seasons for the above named birds take, catch, kill or destroy in any one day more than five partridge or ruffed grouse, ten woodcock, ten ducks, five plover, ten snipe and fifty sandpipers; nor shall any person at any time buy or sell any of the above named birds; nor shall any person or corporation carry or transport from place to place any of the birds mentioned in this section in closed season nor in open season unless open to view, tagged and plainly labeled with the owner's name and residence, and accompanied by him, unless tagged with a special shipping tag as hereinafter provided; nor shall any person or corporation carry or transport in any one day more than fifteen ducks, five plover, ten snipe, ten partridges, fifty sandpipers, ten woodcock, as the property of one person. Whoever violates any of the provisions of this section shall pay a fine of ten dollars and costs for each offense, and in addition thereto one dollar for each bird of the above

named varieties taken, caught, killed, had in possession or transported in violation hereof.

Provided, however, it shall be lawful for a citizen of this state who has purchased a license therefor of the commissioners of inland fisheries and game, and paid five dollars for the same, to take with him out of the state five partridges or ten ducks or ten woodcock which he himself has lawfully killed, by detaching from said license the proper coupon and attaching the same to the birds being transported by virtue of this paragraph.

Provided, further, that any citizen of this state who has lawfully in his possession one pair of either of the birds named in this section, may send the same anywhere in this state without accompanying the same, by purchasing of the duly constituted agent therefor a tag, paying therefor the sum of fifty cents, and attaching said tag to the pair of birds. Provided, further, that no person shall under any of the provisions of this paragraph send as aforesaid more than one pair of game birds once in seven days.

Section 44. Whoever at any time or at any place with any trap, net, snare or contrivance other than the usual method of shooting with firearms takes any bird of any variety in anywise protected by this act shall pay a fine of five dollars and costs for each bird so taken.

Section 45. The general supervision of the department of sea and shore fisheries as heretofore fixed by law is hereby extended to embrace all the islands in the sea within the jurisdiction of the state, the deer and other game and birds found thereon, and said department shall have charge of the enforcement of the laws relating to all ducks, shore and other birds on the seacoast of the state one mile inland, including all bays and inlets so far as the tide ebbs and flows, except the Kennebec river above the city of Bath.

Section 46. No person shall within the state, kill or catch or have in his or her possession, living or dead, any wild bird, other than a game bird, nor 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 take or needlessly destroy the nest or the eggs of any wild bird, nor have such nest or eggs in possession. The English or European house sparrow, the common crow, and the hawks and owls, mud hens (or bittern), king-fishers, loons and blue herons 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,

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License for a citizen to take birds out of the state.

License to send birds out of state.

—proviso.

Penalty for snaring, netting or trapping birds mentioned in this act.

Game on islands in the sea, how protected.

—ducks, etc. on seacoast, how protected.

Protection of wild birds.

—plumage, etc., shall not be sold.

—nests shall not be destroyed.

—exceptions.

—game birds defined.

CHAP. 206

geese, brant, and river and sea ducks; the rallidæ, commonly known as rails, coots, and gallinules; the lemicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tatlers 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 forty-two and forty-three. Any person who violates any of the provisions of this section shall pay a fine of five dollars and costs, for each offense, and an additional five dollars for each bird, living or dead, or part of a bird, or nest, or egg possessed in violation of this section, or imprisoned for ten days.

—penalty for violation of this section.

Penalty for hunting water fowl in motor boats.

Section 47. It shall be unlawful for any person at any time to use a boat or launch of any kind propelled by steam, naphtha, gasoline or electricity, or any other mode than the ordinary sail boat or row boat, in chasing, hunting or gunning any sea birds, duck or water fowl in any of the inland waters of this state, under a penalty of not less than twenty-five dollars nor more than one hundred dollars and costs for each offense.

Hunting on Kineo Point forbidden.

Section 48. It shall be unlawful for any person at any time to hunt, pursue, shoot at or kill any wild animal or bird on Kineo Point, so-called, and for the purpose of this act Kineo Point shall be construed to mean all the lands lying southerly of the top of Mt. Kineo and extending to the pavilion at North Bay.

Penalty.

Whoever violates any of the provisions of this section shall pay a fine of fifty dollars and costs for each offense.

Hunting in a part of town of Eden prohibited.

Section 49. It shall be unlawful, except as herein provided, for any person at any time to hunt, pursue, shoot at or kill any wild animal or any game or other wild bird within the following described territory situated in the town of Eden, in the county of Hancock; bounded on the north and east by the Atlantic ocean; on the south by the highway leading from Hull's Cove bridge to the Beaver Dam bridge near Shea brothers' farm; and on the west by the highway leading from said Beaver Dam bridge to Salisbury cove.

—exceptions.

The provisions of this section shall not prohibit any person residing within the limits of the above described territory from shooting or destroying any wild bird, except ruffed grouse or Hungarian partridge, or any wild animal, when found destroying his property; and provided, further, that the provisions of this act shall not be construed to prohibit the trapping of wild animals within this territory in accordance with the general laws of the state.

Whoever violates any of the provisions of this section shall pay a fine of fifty dollars and costs for each offense. CHAP. 206

Section 50. Sunday is a closed season, on which it is not lawful to hunt, kill, or destroy game or birds of any kind, under the penalties imposed therefor during other closed season, but the penalties already imposed for the violation of the Sunday laws by the statutes of this state are not hereby repealed or diminished.

Penalty.
Sunday is a
closed sea-
son for
game or
birds.

Section 51. Persons not bona fide residents of the state, and actually domiciled therein, shall not hunt, pursue, take or kill any bull moose, deer, or ducks, partridges, woodcock or other birds or wild animals at any time without having first procured a license therefor as hereinafter provided. Such licenses shall be issued by the commissioners of inland fisheries and game, upon application in writing and payment of twenty-five dollars to hunt bull moose, deer, ducks, partridges, woodcock and other birds and wild animals during their respective open seasons, and in the manner provided by law, in October, November and December. But to hunt, in their respective open seasons, and in the manner provided by law, ducks, partridges, woodcock and other birds and wild animals in the counties of Aroostook, Washington, Hancock, Penobscot, Piscataquis, Somerset, Franklin and Oxford up to October first of each year a license fee of five dollars shall be paid annually; provided, further, that in the counties of Androscoggin, Cumberland, Knox, Kennebec, Lincoln, Sagadahoc, Waldo and York such person may procure a license for five dollars to hunt, in their respective open seasons and in the manner provided by law, ducks, partridges, woodcock and other birds and wild animals prior to November first of each year. A person having paid the fee of five dollars may procure a license to hunt bull moose, deer and other wild animals and wild birds in their respective open seasons during the open season on bull moose and deer by paying an additional fee of twenty dollars. Such license shall entitle the purchaser to take to his home, in addition as now provided, properly tagged with the tag detached from his license, and open to view, ten partridges, fifteen ducks and ten woodcock that he has himself lawfully killed, and under such rules and regulations to be established by the commissioners, as may be required to carry out the true intent of this act and not inconsistent herewith.

Non-resi-
dent hunters
shall pro-
cure licenses.

—license
fees as
fixed by law.

—the taking
of game
home by
licensed
hunter,
rules and
regulations
for.

Each license shall be provided with three coupons, one of which shall permit the transportation of the carcass of one bull moose, or part thereof, and shall be divided into two sections, lettered "A" and "B" respectively, and shall be called the "moose" coupon; the other two coupons shall permit the transportation of the carcass of one deer, or part thereof, each, and

Moose and
deer
coupons.

CHAP. 206 shall be divided into two sections each, lettered "C" and "D" and "E" and "F" respectively, and shall be called the "deer" coupons.

Shipment
of game by
licensed
hunter, rules
and regula-
tions for.

—bull moose
carcass shall
have moose
coupon
attached.

—deer shall
have deer
coupon
attached,

—coupons
shall be
detached by
agent at
time of
shipment.

—coupons
shall be
sent to
com'rs of
inland fish
and game.

When deer
is shipped
license must
be presented
to agent.

—duties of
agent.

Shipments
must be
made as
provided in
this act.

The holder of a non-resident hunter's license shall be entitled to offer for transportation and have transported, within or without this state, by any railroad company, express company, boat, or other transportation company, the carcass of one bull moose, or part of the carcass of one bull moose that he himself has lawfully killed, on the "moose" coupon attached to such license; also the carcass of one deer, or part of the carcass of one deer, that he himself has lawfully killed, on each of the "deer" coupons attached to his said license, by presenting to the agent of any transportation company, his license, with the coupons attached to the license at the time when he shall offer the bull moose or deer for shipment. The agent receiving the carcass or part of a carcass, for shipment shall, if it is a bull moose, detach section "A" from the "moose" coupon of the license, cancel the same by writing or stamping thereon the date and place of shipment and his initials, and shall forward the same forthwith to the commissioners of inland fisheries and game, at Augusta, Maine; section "B" of said coupon shall be likewise canceled and shall be attached to the carcass, or part of the carcass of the bull moose offered for shipment and shall remain attached to the same while it is being transported in this state.

In case of deer received for shipment, the license must be presented to the agent with the coupons attached as aforesaid, and, if but one deer is offered for shipment, the agent shall detach section "C" from the first "deer" coupon and shall cancel it and forward the same to the commissioners of inland fisheries and game as aforesaid, and section "D" of said coupon shall be likewise cancelled and attached to the carcass of the deer, or part thereof, offered for shipment and shall remain attached to the same while it is being transported in this state.

In case two deer are offered for shipment the agent receiving the same for shipment shall detach sections "C" and "E" from the "deer" coupons and after cancelling the same shall forward them to the commissioners as aforesaid, and sections "D" and "F" shall be likewise cancelled and attached to the carcass of the deer or parts thereof, offered for transportation, and shall remain attached to the same while it is being transported in this state.

No person shall transport any moose or deer, or parts thereof, for any non-resident, otherwise than as provided herein.

It shall be unlawful for any agent, servant or employee of any transportation company, railroad company, express company, boat or common carrier to receive for shipment or transport, or have in his possession with intent to ship or transport any carcass of a moose, or part of the same, or any carcass of a deer or part of the same, or any game birds, for a non-resident, except as herein provided, or refuse or neglect to detach the sections of the coupons as herein provided, or fail to forward to the commissioners of inland fisheries and game, at Augusta, Maine, as herein provided, the sections of coupons by him detached.

Provided, however, that any person who has purchased a non-resident hunting license and who has lawfully in his possession one pair of game birds, may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent therefor a tag, paying for the same fifty cents, and by presenting said tag with the pair of game birds offered for shipment to the agent of any transportation company or common carrier, together with his non-resident hunting license.

Before accepting a pair of game birds for shipment as herein provided, the agent of the transportation company or common carrier to whom the same is offered for shipment shall be satisfied that the person presenting the pair of game birds for shipment is the person to whom the non-resident hunting license offered for inspection was issued, and shall securely affix the tag to such shipment.

Provided, further, that no person shall send more than one pair of game birds under a special tag, as provided herein, but once in thirty days.

Whoever violates any of the provisions of this section or who shall furnish to another person, or permits another person to have or use any license or coupon issued to him, or change or alter the same in any manner, or who has or uses any license or coupon issued to another person, or any registered guide who knowingly guides any non-resident in hunting who has not a license to hunt as herein provided, shall pay a fine of not less than twenty-five nor more than one hundred dollars and costs for each offense.

Section 52. Whoever introduces any wild bird or wild animal of any kind or species into the state, except upon written permission of the commissioners of inland fisheries and game, shall forfeit not less than fifty dollars nor more than five hundred dollars for each offense.

Section 53. Non-residents of the state shall not enter upon the wild lands of the state and camp or kindle fires thereon while

CHAP. 206

Agents of transportation companies shall receive shipments of game as herein provided.

Non-resident licensed hunter may ship one pair of game birds to his home or to a hospital.

—must purchase a tag.

Duties of agent in shipping one pair of game birds.

Shipment by same person limited to once in thirty days.

Penalty for violation of this act.

Penalty for introducing wild bird or wild animal to this state without permission.

Non-residents shall employ guides.

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engaged in hunting or fishing, without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, and no registered guide shall, at the same time, guide or be employed by more than five non-residents in hunting.

Penalty for violation of section 53.

Section 54. Any such non-resident who enters upon the wild lands of the state and camps or kindles fires thereon, while engaged in hunting or fishing without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, in violation of the provisions herein contained, or any guide who shall guide at the same time, or be employed by, at the same, more than five non-residents in hunting, shall pay a fine of forty dollars and costs for each offense.

Unnaturalized persons not residents of state for two years shall take out license annually.

Section 55. It shall be unlawful for any unnaturalized foreign-born person who has not resided within the limits of this state for two years continuously prior to making application for a license as provided herein and who is not a taxpayer upon real or personal property within this state, to hunt in any manner, at any time, or pursue, catch, kill or have in possession any wild animals or birds within the limits of this state, unless he is annually licensed so to do as hereinafter provided.

Com'rs of inland fish and game may license unnaturalized foreign-born residents.

The commissioners of inland fisheries and game, upon the application of any unnaturalized foreign-born person who is a resident of any city, town or plantation within the state, and upon the payment of a fee of fifteen dollars may issue such person a license upon a form to be supplied by them, bearing the name, age and place of residence of the licensee with a description of him as near as may be, authorizing the said licensee to hunt and kill game birds, game or other wild animals on any lands on which said hunting or killing is not forbidden by law, or by written or printed notices posted thereon by the owner, lessee or occupant thereof. Such license shall be good only for that period of the year when game birds, game or other wild animals may be lawfully killed and shall authorize the hunting or killing of game only under such restrictions and for such purposes as are imposed or authorized by law. Said licenses shall not be transferable and shall be exhibited upon demand to any of the commissioners of inland fisheries and game, and to any inland fish and game warden or deputy inland fish and game warden, and to any sheriff, constable, police officer or other officer qualified to serve process. The fees received from said licenses shall annually be paid into the state treasury.

—such license shall be good only in open season.

—licenses not transferable.

Possession of firearm without license, evidence of violation of this act.

If any firearm or firearms are found in the possession of any foreign-born unnaturalized person required to be licensed under

the provisions of this act, when he is upon the wild lands or in the woods of the state, not having a license as herein provided, it shall be prima facie evidence that such person is hunting in violation of the provisions of this act and he shall be subject to a penalty of twenty-five dollars and costs for each offense, and a further penalty of forfeiture to the state of all firearms found in his possession in violation of this section, and any person authorized to enforce the inland fish and game laws, is authorized to seize all firearms found in possession in violation of the provisions of this section, and shall forthwith forward them to the commissioners at Augusta, and upon conviction of the person or persons from whom they were seized shall sell them, the proceeds from such sale to be paid to the treasurer of state.

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—penalty.

—firearms
shall be
seized.

Whoever violates any of the provisions of this section shall pay a fine of fifty dollars and costs for each offense.

—penalty.

Section 56. No person shall engage in the business of guiding, either for inland fishing or forest hunting, until he has caused his name, age and residence to be recorded in a book kept for that purpose by the commissioners of inland fisheries and game, and has procured a certificate from said commissioners, setting forth in substance that he is deemed suitable to act as a guide, either for inland fishing or forest hunting or both, as the case may be, under a penalty of fifty dollars and costs for each offense. Each registered guide shall, from time to time, as often as requested by the commissioners, forward, on blanks furnished him by the commissioners, a statement of the number of persons he has guided in inland fishing and forest hunting during the time called for in said statement, the number of days he has been employed as a guide, and such other useful information relative to inland fish and game, forest fires, and the preservation of the forests in the localities where he has guided, as the commissioners may deem of importance to the state, under a penalty of fifty dollars for unreasonably or wilfully refusing to comply with these requirements.

Registra-
tion of
guides.—state-
ment of
number of
persons
guided shall
be made to
com'rs.—penalty
for refusal.

Such registration as is provided for in this section shall be as follows: The applicant shall apply in writing or personally to the commissioners for registration, or to some person designated by the commissioners, setting forth in his application whether he desires to be registered as a general or local guide; and the commissioners shall, as soon thereafter as may be, reg-

Applicant
shall apply
for registra-
tion.—commis-
sioners shall
register
suitable
applicants.

CHAP. 206

—registration may be cancelled.

—fee for registration.

Required qualifications of a general guide.

—required qualifications of a local guide.

—territory of guides may be restricted.

Non-residents in territory contiguous to Maine may be licensed.

—fee for license.

Keepers of sporting camps required to procure license.

—fee.

ister such person as a guide in such class as they shall deem proper, after such investigation as they shall deem proper; but said commissioners may refuse to register any applicant whom they deem unfit to be a guide, and may, for cause shown, after due notice and hearing, cancel any registration by them made, and may advance anyone from the local class to the general class, whenever they shall deem such person qualified to be a general guide.

Whenever a guide registered, as provided in this section, is convicted of any violation of any of the inland fish and game laws, the commissioners may, at their discretion, cancel his certificate of registration and strike his name from the list of registered guides; but such person may thereafter be registered again at the discretion of the commissioners. Any certificate cancelled by virtue of this section shall be immediately returned to the commissioners, under a penalty of fifty dollars for refusal or neglect to comply with this requirement. A fee of one dollar shall be paid annually for the registration as herein provided.

No person shall receive a certificate as a general guide unless he be at least twenty years of age, of good repute, and friendly to the inland fish and game laws, and will discountenance in all proper ways all violations thereof. He shall be thoroughly competent to traverse the hunting grounds in which he is licensed to guide and shall be skilled in the use, management, and handling of such boats or canoes, on lake, pond, or river, as are used in the territory in which he is authorized to guide, and shall be a safe person under all circumstances to be a guide for inland fishing and forest hunting parties. A person may receive a certificate as a local guide who does not, in the judgment of the commissioners, possess all the necessary qualifications of a general guide, yet is deemed suitable to act as such under certain conditions; and guides may be restricted in the territory in which they are permitted to guide.

The commissioners of inland fisheries and game may, in their discretion, license as guides such non-residents as reside in territory contiguous to the State of Maine, under such conditions as are herein provided for the registration of resident guides; the fee for such non-resident guide license shall be twenty dollars.

Section 57. No person shall maintain, occupy or keep a sporting camp, lodge or place of resort for inland hunting or fishing parties within the limits of any of the unorganized townships embraced in the Maine Forestry District without annually procuring a license therefor of the commissioners of inland fisheries and game and paying therefor a fee of five dollars; but such license shall not be granted unless the person applying for

the same files with his application therefor the written consent of the owner or owners of the land, or his or their agent, upon which such sporting camp, lodge or place of resort for inland fishing and hunting parties is or may be located, and such licensed persons may purchase for consumption in their sporting camps, lodges or places of resort, deer lawfully killed but they shall keep a record of all such purchases, of whom purchased and the date of the purchase, and on December fifteenth of each year shall send such record to the commissioners of inland fisheries and game, first making oath to the same; the commissioners of inland fisheries and game may refuse to issue a license or licenses to such person or persons as they deem unsuitable.

Whoever violates any of the provisions of this section shall pay a fine of fifty dollars and costs for each offense.

Section 58. Whoever hunts, captures or traps any of the fur bearing animals of the state in any of the unorganized townships of the state shall annually procure a license therefor of the commissioners of inland fisheries and game, paying therefor a fee of five dollars; and he shall, on or before December fifteenth of each year, make such report to said commissioners as may be called for by them.

Whoever violates any of the provisions of this section shall pay a fine of fifty dollars and costs for each offense.

Section 59. It shall be unlawful for any person to set any trap or traps of any kind for any wild animal without having the trap or traps plainly labeled with his name and address, either by having the same stamped on the trap or on a metal tag firmly attached to the trap. Whoever violates any of the provisions of this section shall pay a fine of five dollars for each trap set and not marked as provided in this section, and the forfeiture of the trap or traps and any wild animal found therein to any person finding the same not marked in accordance with the provisions of this section.

Section 60. Any person setting a trap in any incorporated place shall visit said trap, or cause the same to be visited, at least once in every twenty-four hours and remove therefrom, or cause to be removed, any animal found caught therein.

No person shall set traps in any incorporated place without first obtaining the written consent of the owner or occupant of the land on which said traps are to be set.

Any person violating any of the provisions of this section shall pay a fine of not less than ten dollars nor more than fifty dollars and costs for each offense.

Section 61. The commissioners of inland fisheries and game may annually issue licenses to residents of this state to buy

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—consent of land owners a prerequisite to obtaining a license.

—report.

—penalty for violation.

Trappers of fur bearing animals shall procure license.
—fee.

—shall make report.

—penalty for violation.

Traps shall be labeled with owner's name.

—penalty for violation.

Traps in incorporated places shall be visited once in 24 hours.

—animals found shall be removed.

Consent of owner of land shall be obtained.

—penalty for violation.

License may be issued to buy and tan deer skins.

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—record
shall be
kept..

—fee for
license.

—penalty
for viola-
tion of this
section.

License for
buying skins
of fur bear-
ing animals
shall be
procured.

—record
shall be
kept.

—penalty
for violation
of this
section.

Marketman
may have
three deer
and sell the
same after
procuring
license.

—record
shall be
kept.

and sell or tan deer skins, and the heads of deer if not detached from the skins. Such licensee shall keep a record of all the heads and skins purchased, of whom purchased and the date of each purchase, and shall send such record annually to the commissioners of inland fisheries and game on or before the twentieth day of December of each year. The fee for such license shall be ten dollars, to be paid to the said commissioners. All deer skins and deer heads purchased by virtue of this section shall be transported only under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners.

Whoever buys any skins or heads of deer without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, shall pay a fine of fifty dollars and costs for each offense.

Section 62. Whoever engages in the business of buying otter, sable or fisher skins or the skins of any other fur-bearing animals shall procure a license for that purpose annually of the commissioners of inland fisheries and game, paying therefor the sum of two dollars.

Such persons so licensed as aforesaid, shall keep a record of all such skins by them purchased, as aforesaid, in an appropriate book furnished them by the said commissioners, and shall send such record, under oath, to said commissioners on or before the twentieth day of December of each year.

Whoever buys any skins of otter, sable or fisher, or the skins of any other fur-bearing animals without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, shall pay a fine of ten dollars and costs for each offense.

Section 63. Any marketman or provision dealer having an established place of business in the state, may purchase and have in possession at his said place of business not more than three deer, lawfully killed or destroyed, or any part thereof, at one time, and may sell the same at retail to his local customers, and may sell the heads of such deer to any licensed taxidermist; provided, however, that said marketman or provision dealer, shall annually procure a license of the commissioners of inland fisheries and game to carry on said business of buying and selling deer as aforesaid; and provided further, that said marketman shall record in a book kept for that purpose, and open to the inspection of inland fish and game wardens and the commissioners of inland fisheries and game, the name and residence

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of each person of whom he purchases any deer, and the date of such purchase; and if any marketman or provision dealer shall violate any of the provisions of this section, he shall pay a fine of five hundred dollars for each offense, and be prohibited for five years thereafter from the benefits of this section.

—penalty
for violation
of this act.

All marketmen or provision dealers licensed as aforesaid shall pay to the commissioners of inland fisheries and game in cities and towns of over three thousand inhabitants, five dollars annually, and three dollars in all other places; said marketmen and provision dealers holding these licenses shall, on December twentieth, make, sign and send to the commissioners, under oath, a statement setting forth in detail the number of deer by them bought, and of whom bought, and the date of each purchase, during the time covered by their licenses; and whoever fails to make the report required in this section shall pay a fine of one hundred dollars and costs.

—fee for
license.

Section 64. The commissioners of inland fisheries and game may, upon application and payment of a fee of two dollars by the applicant, issue a license to such persons as taxidermists, who, in their judgment, are skilled in that art, of good reputation, and friendly to the inland fish and game laws of the state; taxidermists licensed as aforesaid may at all times have in their possession, at their places of business, fish and game lawfully caught or killed in open time for the sole purpose of preparing for and mounting the same; and such fish and game, or parts thereof, may be transported to such licensee and retained by him for the purposes aforesaid, under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners. Such licenses may be revoked by said commissioners, at any time after notice and an opportunity for a hearing; such licenses shall expire with the calendar year in which issued, and each person so licensed shall, on or before December twentieth of each year, make a detailed report to said commissioners of all they have done during the year by virtue of such license; and every licensee or common carrier violating any of the provisions of this chapter, or any of the rules, restrictions, or limitations made by said commissioners in accordance with the provisions of this section, shall pay a fine of not less than twenty nor more than fifty dollars and costs for each offense.

Taxider-
mists may
be licensed.

—licensed
taxider-
mists may
have fish
and game in
their posses-
sion.

—licenses
may be
revoked.

—licenses
shall expire
with calen-
dar year.

—penalty
for violation
of this act.

Section 65. All licenses or certificates issued by virtue of the provisions of this act shall expire with the calendar year in which issued.

All licenses
shall expire
with calen-
dar year.

Section 66. The governor, with the advice and consent of the council, upon the recommendation of the commissioners of inland fisheries and game, may appoint suitable persons as inland fish and game wardens, who shall hold office for a term

Fish and
game war-
dens, ap-
pointment of.

—term.

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—duties.

—power to
serve
processes.

—shall give
bond.

Sheriffs and
other officers
vested with
powers of
wardens.

Deputy
wardens, ap-
pointment
of.

—powers.

—term.

Birds, fish,
game or
protected
wild animals
if unlaw-
fully taken,
etc., may be
seized.

—forfeited
in case of
conviction.

—bond to be
given in
contested
cases.

Commis-
sioners and
other officers
may make
arrests.

of three years unless sooner removed, and who shall enforce all laws relating to inland fisheries and game, and all rules and regulations in relation thereto, arrest all violators thereof, and prosecute all offenses against the same; said inland fish and game wardens shall have the same power to serve criminal processes against such offenders, and shall be allowed the same fees as sheriffs, for like services, and they shall have the same right as sheriffs to require aid in executing the duties of their office. They shall, before being qualified to discharge the duties required by this act, give bond to the treasurer of the state, with two good and sufficient sureties, in the penal sum of two thousand dollars, approved by the commissioners of inland fisheries and game, conditioned for the faithful performance of the duties of their office. Inland fish and game wardens may serve all processes pertaining to the collection of penalties for violation of the inland fish and game laws.

Sheriffs, deputy sheriffs, police officers and constables are vested with the powers of inland fish and game wardens, and shall receive for their services the same fees.

Section 67. The commissioners of inland fisheries and game may appoint inland fish and game deputy wardens and may revoke such appointments at any time. The appointment and discharge of such deputy wardens shall be in writing, and they shall have the same powers and be subject to the same laws, as inland fish and game wardens appointed by the governor and council. All such appointments shall terminate with the calendar year in which the appointment is made.

Section 68. All birds, fish, game or other protected wild animals, hunted, caught, killed, destroyed, bought, sold, carried, transported, or found in possession of any person or corporation, in violation of any of the provisions of this chapter, shall be liable to seizure, and in case of conviction for such violation, the same shall be forfeited to the state, to be sold for the benefit of the state. Any person whose fish, game, or birds has been seized for violation of any game or fish law, shall have it returned to him on giving to the officer a bond with sufficient sureties, residents of the state, in double the amount of the fine for such violation, on condition that, if convicted of such violation, he will, within thirty days thereafter, pay such fine and costs. If he neglects or refuses to give such bond and take the game, fish or birds so seized, he shall have no action against the officer for such seizure or for the loss of the game or fish seized.

Section 69. The commissioners of inland fisheries and game and every inland fish and game warden may arrest, with or without a warrant, any person whom he has reason to believe

guilty of a violation thereof, and with or without a warrant may open, enter and examine all buildings, camps, vessels, boats, wagons, cars, stages, tents, and other receptacles and places, and examine all boxes, barrels and packages where he has reason to believe that game, fish or game birds or protected wild animals, or parts thereof, taken or held in violation of this chapter are to be found, and seize such game, fish, or game birds or wild animals, or parts thereof, if any be found therein, but no dwelling-house shall be searched for the above purposes without a warrant and then only in the day time, and no sealed railroad car shall be entered for the above purposes without such warrant. Any magistrate may issue warrants to search, within his jurisdiction, any dwelling-house, in the day time, or any other place at any time, for the purposes above set forth, to any inland fish and game commissioner or to any inland fish or game warden, sheriff or any of his deputies; such warrants shall be issued subject to the requirements of section thirteen of chapter one hundred and thirty-three of the revised statutes; provided, however, that the inland fish and game commissioners shall, on or before October first of each year, in writing, notify the superintendents of all transportation companies doing business within the state of the names of the inland fish and game wardens by them designated to exercise the right of search of railroad cars as herein provided, which number shall not exceed four for any one transportation company, and no others shall, except those so designated, be authorized to exercise the powers herein mentioned as to search of railroad cars.

Section 70. Any officer authorized to enforce the inland fish and game laws may, without process, arrest any violator of any of said laws, and shall with reasonable diligence, cause him to be taken before any trial justice or any municipal or police court, in the county where the offense was committed, or in any adjoining county, for a warrant and trial. Jurisdiction in such cases is hereby granted to all trial justices and all other courts to be exercised in the same manner as if the offense had been committed in that county; and any officer who shall maliciously, or without probable cause, abuse his power in such proceedings shall upon conviction pay a fine not exceeding one hundred dollars and costs, or imprisonment not exceeding three months.

Section 71. Trial justices, police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial and superior courts in all prosecutions under any inland fish and game law.

Section 72. All fines and penalties recovered, or money received or collected, under any of the provisions of this chapter, after deducting legal taxable costs, shall be paid forthwith by

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—without a warrant.

—may enter camps, etc.

—exception.

—magistrates may issue search warrants.

Violators of this chapter may be arrested without process.

—jurisdiction.

—abuse of power by officer.

Jurisdiction.

All fines shall be paid to the com'rs and by them to state treasurer.

CHAP. 206 the person receiving the same to the commissioners of inland fisheries and game, at Augusta, Maine, to be paid by them to the treasurer of state.

Penalty of officer who neglects to pay fines to com'rs.

Any officer or other person who shall receive any fine or penalty or any part thereof, for the violation of any inland fish or game law, and shall neglect for more than thirty days to pay the same to the commissioners of inland fisheries and game, as herein provided, shall pay a fine of not less than fifty nor more than one hundred dollars and costs of prosecution.

How warrant may be served on a corporation.

Section 73. In case of a violation of any of the provisions of this chapter by a corporation, the warrant may be served by an attested copy on the president, secretary, manager, or any general agent thereof in the county where the action is pending, and upon return of such warrant so served, the corporation shall be deemed in court and subject to the jurisdiction thereof, and any fine imposed may be collected by execution against the property of such corporation; but this section shall not be deemed to exempt any agent or employee from prosecution.

Licenses may be revoked if holder violates provisions of this chapter.

Section 74. If the holder of any license, certificate, or permit, issued in conformity with any of the provisions of this chapter, shall flagrantly or knowingly violate or countenance the violation of any of the provisions of this chapter, such license, certificate or permit may be revoked by the commissioners of inland fisheries and game after due notice given of the alleged violation, and an opportunity afforded to appear and show cause against the same.

County attorneys shall make prosecutions.

Section 75. Each county attorney shall prosecute all violations of this chapter occurring within his county, when such cases may come to his knowledge, or when he may be so requested by the commissioners of inland fisheries and game or any officer charged with its enforcement, such prosecution shall at all times be subject to the supervision and control of the commissioners.

Witnesses may be compelled to testify against any other person.

Section 76. In any prosecution under this chapter, any participant in a violation thereof, when so requested by the county attorney, commissioners of inland fisheries and game or other officer instituting the prosecution, may be compelled to testify as a witness against any other person charged with violating the same, but his evidence so given shall not be used against himself in any prosecution for such violation.

Report of magistrate or clerk of court.

Section 77. Every magistrate or the clerk of the court before whom any prosecution under this chapter is commenced, or shall go on appeal, within twenty days after the trial or dismissal thereof shall report in writing the result thereof and the amount of fines collected, if any, and the disposition thereof to the commissioners of inland fisheries and game at Augusta.

Section 78. In all cases, the officer making the seizure or sale of fish, game or birds, shall within ten days thereafter, report all the particulars thereof and an itemized statement of the proceeds, expenses and fees, and the disposition thereof to the commissioners of inland fisheries and game at Augusta. The failure of any person or officer to perform any act, duty, or obligation enjoined upon him by this chapter, shall be deemed a violation thereof.

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All seizures etc., shall be reported to commissioners.

Section 79. Any city, town or plantation in which there is a lake or a pond that has been stocked with fish by the state and screened partly by the state and partly by the town or by private subscription, may, at its annual election, elect an inland fish and game warden, with all the powers of other inland fish and game wardens, whose duty it shall be to care for and protect said screen.'

When cities, towns or plantations may elect a fish and game warden.

Section 2. All acts and parts of acts, whether public, or, so-called, private and special, which are inconsistent with the provisions of this act, and all acts and parts of acts, whether public or private and special, relating to inland fish and game and birds, and which are not incorporated in this act, and all rules and regulations of the commissioners of inland fisheries and game, are hereby repealed.

All acts inconsistent with this act repealed.

But this act shall not be construed as repealing any of the laws pertaining to the sea and shore fisheries or the protection of ducks of any variety and all other birds on the coast or on the tidal waters of Maine, or to the protection of deer on the islands of the sea off the coast of Maine, or chapter fifty-two of the public laws of nineteen hundred and nine, entitled "An Act authorizing the Governor to issue his proclamation to Prevent the use of Firearms in the Forests during a dangerously dry time," or chapter one hundred twenty-nine of the public laws of nineteen hundred and nine, entitled "An Act to prohibit the use of Firearms fitted with any device to deaden the sound of explosion," or sections three and four of chapter one hundred and nineteen of the revised statutes, or section thirty-four of chapter thirty-two of the revised statutes, or chapter eighty-four of the public laws of nineteen hundred and five or chapter twenty-three of the public laws of nineteen hundred and nine.

This act does not repeal laws pertaining to sea and shore fisheries.

—nor to certain other acts.