

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

## Chapter 219.

An Act to Revise, Collate, Arrange and Simplify 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:*

**Sec. 1. R. S., c. 33, amended; certain public and private laws repealed. Exceptions enumerated.** Chapter thirty-three of the revised statutes and all public and private and special laws relating to inland fish, game and birds, 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 by repealing all public and private and special laws relating to inland fish, game and birds, except section one hundred sixteen of chapter four of the revised statutes, sections thirty-four, thirty-five, thirty-six, thirty-eight, thirty-nine, forty and forty-one of chapter eight of the revised statutes and section eighteen of chapter twenty of the revised statutes and sections thirteen, fourteen and fifteen of chapter twenty-three of the revised statutes and section four of chapter fifty-nine of the revised statutes and section twenty-four of chapter one hundred seventeen of the revised statutes and sections three and four of chapter one hundred twenty of the revised statutes and section twenty-three of chapter one hundred twenty-four of the revised statutes as amended by chapter sixteen of the public laws of nineteen hundred seventeen and section twenty-five of chapter one hundred twenty-four of the revised statutes and chapter sixty-six of the public laws of nineteen hundred seventeen and by repealing all rules and regulations of the commissioners of inland fisheries and game now in force, and by substituting therefor the following:

### Commissioners and Their Duties.

**Sec. 1. Commissioners of inland fisheries and game; appointment, tenure of office, etc.** The governor, with the advice and consent of the council, shall appoint three persons to be commissioners of inland fisheries and game, one of whom shall be the land agent of the state and shall hold the office so long as he shall continue to be land agent; the other two commissioners, one of whom shall be designated and commissioned as chairman, shall hold their offices for three years, and until their successors are appointed and qualified; the land agent shall not be eligible to the office of chairman. Said commissioners shall be provided with an office in the state capitol, with suitable furniture, stationery and other facilities for the transaction of the business of the department, and they may appoint a clerk. They may employ attorneys at trials in inferior courts for violations of the provisions of this chapter, and necessary additional clerks in their office, and may have at least three daily newspapers published in the state, to be selected by them, 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.

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**Sec. 2. Duties of commissioners.** 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 they may regulate the times and places in which and the circumstances under which wild birds, wild animals and inland fish may be taken for a series of years not exceeding four, upon petition of at least twenty-five per cent. of the legal voters of the city, town or plantation in which the waters or lands to be affected are situated, or upon petition of a majority of the municipal officers thereof whenever in the judgment of the commissioners an emergency exists which demands immediate action, and in cases where the lands or waters to be affected are situated in unorganized townships, upon petition of at least twenty-five interested citizens of this state. Provided, however, that said commissioners shall not authorize the taking of wild birds or wild animals or inland fish at a time in which the taking thereof is prohibited by the laws of the state. They may, from time to time, modify or repeal rules and regulations promulgated by them whenever they deem it necessary for the protection and preservation of the wild birds, wild animals and inland fish of the state. They shall file in the offices of the clerks of courts in the counties 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; they shall also, immediately upon the adoption of any rules and regulations contemplated by this section, file a copy of the same in the office of the secretary of state. They may, when they deem it necessary, post notices on the banks of waters affected by rules and regulations promulgated by virtue of this section.

**Sec. 3. Penalty for violation of rules and regulations of commissioners.** Whoever fishes for, takes, catches, kills, destroys or has in possession any protected inland fish, or hunts, chases, catches, kills, takes, destroys or has in possession any protected wild birds or wild animals, or part or parts thereof, in any manner at any time, in violation of any of 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 by law for illegally taking, catching, killing, destroying or having in possession such protected inland fish or for illegally hunting, chasing, catching, killing, taking, destroying or having in possession such protected wild birds or wild animals.

Whoever fishes for, takes, catches, kills, destroys or has in possession any unprotected inland fish, or hunts, chases, catches, kills, destroys or has in possession any unprotected wild birds or wild animals, or part or parts thereof, in any manner at any time, in violation of any of 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 by a fine of not less than ten, nor more than fifty dollars and costs, for each offense.

**Sec. 4. Penalty for wilful defacement of notice of commissioners.** Whoever wilfully mutilates, defaces or destroys any notice, rule or regu-

lation 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.

**Sec. 5. Authority of commissioners.** The commissioners of inland fisheries and game may take fish, game birds and wild animals 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, game birds and wild animals 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 in the county or registry district, 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 the commissioners shall give notice thereof, by publication for two successive weeks in at least one newspaper printed in the county where such waters lie. They may grant permission to take wild animals and game birds for park purposes in this state, under such rules, regulations, and conditions as they shall establish. They may 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. They may grant permits to transport in and beyond the limits of the state, live fish, wild animals or game birds taken in the state, for breeding or advertising purposes.

#### **Propagation of Game Birds and Fur Bearing Animals.**

They may issue permits to any person, firm or corporation to engage in the business of propagating game birds, game or fur-bearing animals, under such regulations as they shall establish. They may issue to any person, firm or corporation permit to fence in or enclose land not exceeding twenty-five acres in area for the above named purpose. When it appears that such application is made in good faith, and upon the payment of an annual fee of two dollars, said commissioners may issue to the applicant a breeder's license permitting the breeding and rearing of any species of game birds, game or fur-bearing animals within such enclosure. Such licensed breeders may at any time sell, transport or kill and sell, and any person, firm or corporation may purchase, have in possession or transport, any game birds, game or fur-bearing animals raised by virtue of the provisions of this section, under such regulations as said commissioners may establish.

### Fishways.

**Sec. 6. Commissioners may cause dams, etc., to be provided with fishways; owners may appeal.** They may 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; they shall give 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 the commissioners of the county where the dam is located; they 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. 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, nor more than one hundred dollars for every day of such neglect.

**Sec. 7. Fishways to be kept in repair; proceedings when owner fails to comply with order of commissions.** 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 warden or deputy inland fish and game warden 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.

#### Fish Hatcheries.

**Sec. 8. Real estate may be taken for fish hatcheries.** The commissioners of inland fisheries and game for the location, construction, repair 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 or any rights 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 registry of deeds in the county, or registry district, where the land or rights are located, and there recorded. The filing of such plan and description shall vest the title to the land and right aforesaid, in the State of Maine, or its grantees, to be held during the pleasure of the state. Either party if aggrieved by a decision of the county commissioners rendered in conformity with the provisions of this section, may appeal as in cases of land taken for highways to the supreme judicial court in the county in which the land is situated.



### Screens.

**Sec. 9. Outlets of ponds and lakes may be screened.** The 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 commissioners of inland fisheries and game, shall pay a fine of fifty dollars and costs for each offense.

### Inland Fish and Game Wardens.

**Sec. 10. Inland fish and game wardens; appointment, tenure, duties, etc.** 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 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 chapter, give bond to the treasurer of state, in the sum of two thousand dollars, with two sureties, or with a surety company authorized to do business in the state, as surety, approved by the commissioners of inland fish 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.

**Sec. 11. Sheriffs, etc. vested with like powers of wardens.** 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.

**Sec. 12. Towns may elect fish and game wardens.** Any city, town or plantation in which there is a lake or 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 meeting, 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.

**Sec. 13. Deputy wardens; tenure, duties and powers.** The commissioners of inland fisheries and game may appoint inland fish and game deputy wardens and may revoke such appointment 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.

### Guides.

**Sec. 14. Guides to be registered; must furnish commissioners with information.** No person shall engage in the business of guiding, either for inland fishing or forest or shore 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 such guide 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 and shore 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.

**Sec. 15. Guides divided into classes. Fees. Registration may be revoked.** Such registration 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, after such investigation as they deem advisable, register such person as a guide in such class 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. 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 or other waters, 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 and shore 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 under such conditions as are herein provided for the registration of resi-

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dent guides; the annual fee for such non-resident guide license shall be twenty dollars.

Whenever a guide registered, as provided in this section, is charged with having violated any of the inland fish and game laws, the commissioners may, at their discretion, temporarily suspend his certificate of registration; and whenever a guide registered, as provided in this section, is convicted of a violation of the inland fish and game laws, said 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 canceled or suspended 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.

### Sporting Camps.

**Sec. 16. Sporting camps, regulation of by commissioners; deer lawfully killed may be purchased for consumption.** 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 the fifteenth day of December of each year shall send such record to the commissioners of inland fisheries and game together with a report of the number of residents and non-residents entertained in such camp, and such other useful information relative to the inland fish and game interests as the commissioners may deem of importance to the state. 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 provision of this section shall pay a fine of fifty dollars and costs for each offense.

### Definition of Terms.

**Sec. 17. Terms "closed season," "open season," "tributaries," etc., defined.** 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. The words "tributary" and "tributaries" wherever used in this chapter shall be construed to mean brooks or streams flowing directly or indirectly 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.

### Fishing.

**Sec. 18. Landlocked salmon, trout, togue, white perch and black bass, annual closed time; exceptions.** 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 twentieth day of June following; provided, however, that it shall be lawful to take black bass, with unbaited artificial flies only, from the time the ice is out of the lake or pond fished in the spring until the twentieth day of June following; provided, further, that any person who catches a white perch, while lawfully trolling, in good faith, for landlocked salmon, trout or togue, during closed season on white perch, may lawfully keep the same, but no person shall in any one day keep more than six white perch so caught; provided, further, that in Sebago lake and Long pond, in Cumberland county, the annual closed season on landlocked salmon, trout and black bass shall be from the first day of October to the thirty-first day of March of the following year, both days inclusive, and in Thompson pond, situated in Androscoggin, Cumberland and Oxford counties, the annual closed season on landlocked salmon, trout and togue shall be from September first to January first of the following year. 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 fifteenth to June twentieth of the following year. Provided, however, 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. Provided, further, that during February, March and April, in the counties of Aroostook, Penobscot, Piscataquis, Somerset, Washington and Hancock, and during February and March in the counties of Androscoggin, Kennebec, York, Sagadahoc, Knox, Lincoln, Waldo, Cumberland, Oxford and Franklin, citizens of the state may fish for and take landlocked salmon, trout, togue, white perch and black bass 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.

Provided, further, that it shall be unlawful to fish through the ice at any time for any other species of fish except as hereinafter provided:

**Pickereel** may be taken at any time through the ice in waters open to ice fishing for landlocked salmon, trout, togue, white perch and black bass, 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.

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**Sec. 19. Size of fish and weight of catch limited; special provisions in various localities.** During the the respective closed seasons on the above-named fish no person shall fish for, take, catch or kill or have any of them in possession; provided, further, that no person shall in any one day during the respective open seasons herein provided take or catch and kill or have in possession at any time, more than fifteen pounds in all of landlocked salmon, trout, togue, white perch and black bass, 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 or have in possession at any time more than twenty-five fish in all of landlocked salmon, trout, togue, white perch and black bass even though the twenty-five fish caught and killed weigh less than fifteen pounds; provided, further, 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 Richardson, Mooselookmeguntic and Cupsuptic lakes, situated in the counties of Franklin and Oxford; provided, further, that it shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Rangeley lake, in the county of Franklin, by still or plug fishing, so called; provided, further, that no person shall fish for, take, catch or kill any trout or landlocked salmon at any time in Messalonskee lake or Snow pond, so called, of the Belgrade Chain of Lakes, in the county of Kennebec, by still or plug fishing, so called, and provided, further, that no landlocked salmon less than twelve inches in length, no trout or white perch less than six inches in length and no black bass less than ten inches in length shall be caught and killed or had in possession by any person at any time, except that in Great, Long, East, North, Ellis, McGraw and Snow ponds, said ponds being part of the Belgrade Chain of Lakes, in Kennebec and Somerset counties, no trout less than ten inches or black bass less than twelve inches in length shall be caught and killed at any time; and provided, further, no person shall take, catch and kill in any one day more than six black bass in all in either of said ponds or in lake Kezar or in Lake Kezar pond in Oxford County.

**Sec. 20. Number of lines limited.** 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.

**Sec. 21. Penalty for violation.** Whoever violates any provision of the three preceding sections 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 provision of said sections.

**Sec. 22. Sale of certain fish prohibited; penalty; exceptions.** Whoever by himself, his clerk, servant, or agent, directly or indirectly, sells or purchases any landlocked 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 this section.

Provided, however, that white perch legally taken in Grand lake, Junior lake, Compass lake and Dobsis lake, in the counties of Washington and Penobscot, and all other lakes and ponds whose outlets empty into any of the above named lakes, may be sold and transported, within or without this state, under such rules and regulations as the commissioners of inland fisheries and game may establish.

**Sec. 23. Fishing for gain or hire prohibited; exceptions.** Whoever 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, shall for every such offense pay a fine of fifty dollars and costs; provided, however, that nothing in this section shall be construed as prohibiting the sale of pickerel legally taken by the person taking the same.

**Sec. 24. Certain implements and devices prohibited; penalty.** Whoever fishes for, takes, catches, kills or destroys any fish, with fish spawn, or grapnel, spear, trawl, weir, gaff, 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, except suckers, eels, hornpouts and yellow perch, as hereinafter provided, with any device or in any other way than by the ordinary mode of angling with single-baited hook and line, 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 provision 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.

**Sec. 25. Jack-lights, spears, trawls, etc., subject to confiscation; possession illegal; penalty.** No person shall have in possession at any time when he is upon the wild lands, waters or highways, or in the woods or fields of the state, or in any camp, lodge, or place of resort for hunters or fishermen, or in its immediate vicinity, any jack-light or light fitted for use in the hunting of game in the night time; nor shall any person have in possession at any time any spear, trawl or net (except such as are authorized for the taking of suckers, eels, hornpouts and yellow perch, as provided in section twenty-seven of this chapter) other than a dip-net, in any camp, lodge or place of resort for hunters or fishermen, or in its immediate vicinity, or on any of the lakes, rivers or streams of the state, or in their immediate vicinity, in the inland territory of the state. Whoever violates any provision of this section shall be subject to a penalty of not less than ten, nor more than one hundred dollars and costs, for each offense, and when

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any such implements or devices are found in possession in violation of any provision of this section they are forfeit and contraband, and shall be seized by any person authorized to enforce the inland fish and game laws.

**Sec. 26. Smelts, cusk, suckers, minnows, etc.; regulations; penalty.** It shall be lawful, however, 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 in the day time with single hook and line at any time in waters open to ice fishing, but they shall not be taken for sale or sold at any time except for bait for fishing in this state; provided, however, that it shall be lawful to take smelts, with single hook and line, in the day time, in Sebago lake for sale within or without the state, during January, February and March of each year, but they shall not be taken with a dip-net in the tributaries to Sebago lake except for consumption as food in the family of the person taking the same; and provided, further, that it shall be unlawful to take smelts at any time in Swan lake, or in any of the tributaries to said lake, in the county of Waldo, in any manner except with single hook and line. Provided, further, that it shall be lawful to take minnows and other fish usually used for bait in fishing, in all the inland waters of the state, 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 with single hook and line at any time, in all the inland waters of the state, but they shall not be taken at night with set lines; and provided, further, that white fish may be taken, by means of nets, during the month of November of each year, for food purposes only in the family of the person taking the same, under rules and regulations of the commissioners of inland fisheries and game, in Millinocket, North Twin, South Twin, Pemadumcook, Jo Mary and Ambejeus lakes, in Penobscot and Piscataquis counties, and in Grand lake and Pokumkus lake or Compass lake, so called, in Washington county; and provided, further, that it shall be lawful to catch cusk at any time in waters open to ice fishing with not more than five set lines to each family when fishing through the ice and when under the immediate personal supervision of the person fishing; and provided, further, that it shall be lawful to take suckers with spears, in all the inland waters of the state, during April and May of each year. Whoever violates any provision of this section shall pay a fine of thirty dollars and costs for each offense.

**Sec. 27. Suckers, eels, hornpouts and yellow perch, commissioners may grant permits for taking; exceptions.** The commissioners of inland fisheries and game may grant permits to take suckers, eels, hornpouts and yellow perch, by means of eel pots, traps, spears or nets, in inland waters frequented by these fish, under such terms, rules and regulations as they may establish, but no exclusive territory permits shall be granted for the taking of any of said fish in the Machias river, in Washington county.

It shall be unlawful for any person to take, catch, kill, destroy or have in possession any suckers, eels, hornpouts or yellow perch in violation of any provision of this section, under a penalty of thirty dollars and costs for each offense.

**Sec. 28. Weight of salmon, trout, togue, white perch and black bass, to be transported limited; regulations.** No person shall transport more than fifteen pounds of landlocked salmon, trout, togue, white perch or black bass in all in any one day, nor shall any corporation or common carrier transport more than fifteen pounds in all, of landlocked salmon, trout, togue, white perch or black bass in any one day 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 the following section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense, and in addition thereto one dollar for every pound of fish being transported in violation of any provision of this section; and all such fish being so transported in violation of this section shall be seized and shall be forfeited to the state; 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.

**Sec. 29. Owner must accompany fish; exceptions. Penalty for violation.** 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 any 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; provided, however, that no person shall, under any of these provisions, send more than one box of fish once in five days. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs, for each offense, and in addition thereto one dollar for each pound of fish transported in violation of any provision of this section.

**Sec. 30. Stocking of lakes and streams without permission of commissioners illegal.** 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 fisheries and game, shall pay a fine of not less than fifty, nor more than five hundred dollars.

**Sec. 31. Tolling by means of "advance baiting" prohibited.** 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.



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Sec. 32. Deposit of slabs, edgings, sawdust, in streams, etc., illegal; special provisions in various localities. 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 town 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 said waters, or with the intent that the same shall fall or be washed into said waters. Whoever violates any provision of this section shall pay a fine of

not less than five dollars and not exceeding one hundred dollars and costs for each offense.

**Sec. 33. Cultivation of useful fish by individuals.** Any riparian proprietor may, within the limits of his own premises, enclose 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 said fish in accordance with the rules and regulations established by the commissioners of inland fisheries and game.

**Sec. 34. Penalty for fishing in private ponds without permission of owners.** 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, for each offense, 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 he is otherwise discharged by due process of law.

**Sec. 35. Jurisdiction of commissioners extends to tide-waters.** 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.

#### Hunting and Trapping.

**Sec. 36. Close time on caribou, cow moose and calf moose; term "calf moose" defined. Penalty.** 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.

**Sec. 37. Bull moose; close time until Nov. 1st, 1919.** There shall be a closed time on bull moose until the first day of November in the year nineteen hundred and nineteen; until said date no person shall hunt, take, catch, kill, destroy or have in possession any bull moose or part thereof. On and after the first day of November, nineteen hundred and nineteen, 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

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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 provision of this section shall pay a fine of not less than one hundred, 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.

**Sec. 38. Deer; may be taken from Oct. 1 to Dec. 15, certain counties. Number limited to two. Exceptions.** 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 and in the town of Deer Isle and in the town of Stonington, in the county of Hancock, and on Cross island and on Scotch island, in the county of Washington, 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.

**November, only, open season in specified counties; number limited to one. Exceptions.** 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, (except that in the town of Isle au Haut, in the county of Knox, and on Swan Island, in the county of Sagadahoc, no deer shall be pursued or killed at any time), 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 part or parts thereof, taken in the counties named in this paragraph; and no person shall between the first day of November and the thirtieth day of November, 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 part 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.

**Deer may be killed when doing damage to crops; provisions and regulations. Salting prohibited.** Provided, however, that if a deer is found doing actual, substantial damage to any growing cultivated crops, the cultivator of such crops may kill the deer, and may consume said deer in his own family but not otherwise; but he shall not pursue the deer 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. Whoever shall cultivate any crops for the manifest purpose of killing deer under the provisions of this paragraph shall in no wise be protected thereby; and it shall be unlawful to place salt in any place for the purpose of enticing deer thereto. Whoever violates any provision of this section shall pay a fine of forty dollars and costs for each offense.

**Sec. 39. Use of dogs, jack-lights, traps, etc., prohibited.** No person shall at any time hunt, catch, take, kill, or destroy, with dogs, jack-lights, artificial lights, snares, or traps, any moose, caribou or deer, under a penalty of one hundred dollars and costs for each offense.

**Sec. 40. Penalty for allowing dog to chase protected animals.** 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.

#### Transportation of Game.

**Sec. 41. Sale of moose or deer outside of state prohibited; transportation limited. License fee.** 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 resident 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 provision of this section shall pay a fine of forty dollars and costs for each offense.

**Sec. 42. Transportation of moose and deer within state.** 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.

**Sec. 43. Lumber camps; number of deer limited.** No owner, keeper or occupant of any camp, house or other building used partly or wholly in lumbering operations, shall have, use or keep in any manner more than two

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deer, or parts thereof, in any one open season for deer in any one year, under a penalty of forty dollars and costs for each deer or part thereof so had in possession or used in violation hereof.

**Sec. 44. Carcasses of moose and deer to be open to view when in transit. Evidence of sex to be preserved.** 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. 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.

**Beaver.**

**Sec. 45. Beaver; commissioners may declare open season on proof of damage. Proceedings.** The commissioners of inland fisheries and game, upon written complaint of any land owner that beaver are doing actual, substantial damage to his property, shall have authority to declare an open season for beaver upon such land for such period of time as they may deem necessary to remove the beaver that are doing the damage complained of, during which open season it shall be lawful for any licensed hunter and trapper of fur-bearing animals to trap beaver thereon. No open season for beaver as contemplated by this section shall take effect until the commissioners of inland fisheries and game shall have caused notice of such proposed open season to be published once in a newspaper printed in the county in which the land on which the open season for beaver is declared is located, and said commissioners shall also file copy of said notice of open season with the clerk of the town or plantation in which such land is located, or if the land is in an unorganized place, with the clerk of courts for the county in which the land is located. Whenever during a special open season on beaver as is contemplated by this section it shall appear to the commissioners of inland fisheries and game that the privileges of such open season are being abused in any place, said commissioners of inland fisheries and game may suspend the open season and declare it close season for beaver on such land for such time as they may designate. No person shall take any beaver anywhere in the state at any time except during such open season as may be declared by the commissioners of inland fisheries and game in accordance with the provisions of this section. Whoever takes any beaver in violation of any provision of this section shall be punished by

fine of twenty-five dollars and costs for each beaver taken, caught or killed in violation of any provision of this section. It shall also be unlawful, under the same penalty, for any person to have in possession at any time, any beaver, or part thereof, taken in violation of any provision of this section.

#### Fur Bearing Animals.

**Sec. 46. Fur-bearing animals; general and special provisions; exceptions.** Whoever, from the first day of March to the fourteenth day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any fur-bearing animal (except bears, muskrats, raccoons, beaver, bobcats, loup-cervier, Canada lynx, and weasels) or whoever, from the first day of March to the fourteenth day of the following August, both days inclusive, hunts, traps, kills, pursues or catches, any raccoon, or whoever from the first day of May to the fourteenth day of the following October, both days inclusive, hunts, traps, kills, pursues or catches, any muskrat, or whoever has in possession at any time any fur-bearing animal or part thereof taken in closed season, 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, caught or had in possession in violation hereof. Provided, further, that it shall be unlawful under the same penalty to take, catch, trap, kill or destroy any muskrat or muskrats at any time in Lower Kezar pond in the town of Fryeburg in the county of Oxford, and in the town of Bridgton in the county of Cumberland, or in the outlet stream of said Lower Kezar pond, or in the Kezar meadows, so-called, adjacent to said pond, (which meadows are bounded by the outlet stream of said pond, by the old Saco river, by the "Uplands," so-called, and by the "Upland" on the easterly side of said meadows) or in the east bog, so-called, or in the west bog, so-called, bounded by the "Uplands," and on the westerly side by a wire fence on land owned by E. C. Buzzell. Provided, further, it shall be unlawful to set a trap at any time within twenty-five feet of a muskrat house, under a penalty of ten dollars and costs for each offense. Whoever at any time hunts, traps, kills, pursues, catches or has in possession any beaver, or part thereof, except as provided in the preceding section, shall pay a fine of one hundred dollars and costs for each offense. Provided, however, that any person may lawfully kill any wild animal (other than beaver) or any wild bird found destroying his property.

**Sec. 47. Fox dens; molestation of, prohibited.** No person shall at any time dig out, molest or destroy in any way any fox den or fox dens, or remove or cause to be removed therefrom any fox or foxes, except those enclosed in private fox ranches. Whoever violates any provision of this section shall pay a fine of ten dollars and costs for each offense.

**Sec. 48. Gray squirrels.** There shall be an annual closed season on gray squirrels during which closed season no person shall shoot at, kill, or have them in possession except alive, from the first day of November of each year until the thirtieth day of September 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

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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 provision of this section shall pay a fine of not more than five dollars and costs, for each offense.

**Sec. 49. Rabbits and wild hares.** There shall be an annual closed season on wild hares or rabbits, during which closed season no person shall hunt, kill, catch, pursue or have them in possession except alive, during the months of April, May, June, July, August and September of each year. No person shall use any snares, traps or other devices in the hunting, pursuing or killing of wild hares or rabbits, or 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. Whoever violates any provision of this section shall pay a fine of ten dollars and costs, for each offense.

**Sec. 50. License must be procured to hunt or trap fur-bearing animals in unorganized townships; exceptions.** Whoever hunts, captures or traps any fur-bearing animals, except bob-cats, loup-cervier or Canada lynx, in any of the unorganized townships of the state shall annually procure a license therefor, from the commissioners of inland fisheries and game, paying therefor a fee of five dollars; and he shall, on or before the fifteenth day of December of each year, make such report to said commissioners as may be called for by them. Whoever violates any provisions of this section shall pay a fine of fifty dollars and costs, for each offense.

**Sec. 51. Traps must be labeled; snares prohibited. Special provisions as to bear traps.** No person shall at any time set a snare for any fur-bearing animal, nor shall any person at any time set any trap or traps of any kind for any wild animal without having the trap or traps plainly labeled with his full name and address, either by having same stamped on the trap or on a metal tag, firmly attached to the trap. Whoever violates any provision of this section shall pay a fine of five dollars and cost for each offense and in addition thereto five dollars for each trap set and not marked as provided herein, and shall forfeit the trap or traps, and any wild animal found therein, to any person finding the same. Provided, that no person shall set a bear trap at any time unless a written or printed notice stating that such trap has been set is posted conspicuously in the immediate vicinity, under a penalty of fifty dollars and costs for each offense; and no person shall set a bear trap at any time unless the same is enclosed in a hut, so-called, under the same penalty.

**Sec. 52. Traps must be visited. Written consent of owner of land must be obtained.** Any person setting a trap in any organized or 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 organized or incorporated place without first obtaining the written consent of the owner or occupant of the land on which said traps are to be set. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense.

**Bounties.**

**Sec. 53. Bounties—bobcat, loupcevier, Canada lynx; provisions, form of certificates, etc.** A bounty of four dollars for every bobcat, loupcevier or Canada lynx killed in any town shall be paid by the treasurer of state to the person killing it upon compliance with the following conditions:

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 a certificate under oath, which said treasurer may administer, stating 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:

**Claimant's Certificate.**

To the treasurer of the town of

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

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19 \_\_\_\_\_.  
Claimant.

Subscribed and sworn to before me the day and year aforesaid.  
Treasurer of \_\_\_\_\_

And the treasurer of said town shall make and send at once to the commissioners of inland fisheries and game a certificate which shall be in the following form:

**Town Treasurer's Certificate.**

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 bobcat, loupcevier or Canada lynx, and signed and made oath to the following certificate:

To the treasurer of the town of

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

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_\_.  
Claimant.

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



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Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19 \_\_\_\_\_  
 Claimant.

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 bobcat, loup-cervier or Canada lynx from the treasurer sent as aforesaid, together with said treasurer's certificate, said state auditor shall audit the claim for bounty and the same shall be paid forthwith by the treasurer of state to the claimant from the appropriation for bounties on bobcat, loup-cervier or Canada lynx. The town treasurer for administering the 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.

#### Perpetually Protected Birds.

**Sec. 54. Perpetual "closed season" on certain birds.** No person shall hunt, chase, catch, kill, destroy or have in possession at any time any eagle, Hungarian partridge, or capercaillie, or cock of the woods, or any black game, or any species of the pheasant, except ruffed grouse or partridge. Whoever violates this section shall pay a fine of ten dollars and costs for each offense.

#### Game Birds.

**Sec. 55. Game birds; general provisions. Regulations as to transportation.** There shall be an annual closed season for ruffed grouse, commonly called partridge, spruce partridge, woodcock, all varieties of wild ducks, brant, geese, plover, snipe, sora and other rails, coots and gallinules, as follows: On partridge and woodcock, above named, from the first day of December of each year to the thirtieth day of September of the following year, both days inclusive; on all varieties of ducks, brant and geese and on coots, gallinules and jacksnipe, or Wilson snipe, from the first day of January of each year to the fifteenth day of the following September, both days inclusive; on black-breasted and golden plover and greater and lesser yellowlegs, from the first day of December of each year to the fifteenth day of August of the following year, both days inclusive; on rails (except coots and gallinules) from the first day of December of each year to the thirty-first day of August 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; provided, further, that it shall be unlawful to hunt, chase, catch, kill or destroy or have in possession at any time, any curlew, woodduck, swans, or any shore birds except black-breasted and golden plover, Wilson or Jacksnipe, woodcock, and greater or lesser yellowlegs; and no person shall, during the respective open seasons for the above-named birds, take,

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catch, kill, destroy or have in possession in any one day more than five partridge or ruffed grouse, ten woodcock, ten ducks, five plover and ten snipe; 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 (except that a person shall have a reasonable time after the beginning of closed season to transport, as hereinafter provided, to his home, game birds legally killed by him in open season,) nor in open season unless open to view, tagged and plainly labeled with owner's name and residence, and accompanied by him, unless tagged with a transportation tag as hereinafter provided; nor shall any person or corporation carry or transport in any one day more than ten ducks, five plover, ten snipe, five partridges and ten woodcock, as the property of one person.

Provided, however, it shall be lawful for a citizen of this state who has purchased a transportation tag 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 attaching said tag 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 transportation 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.

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.

**Sec. 56. Traps, nets, snares, etc., prohibited.** 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 chapter shall pay a fine of five dollars and costs for each bird so taken, and when such prohibited implements or devices are found in possession they are forfeit and contraband and may be seized by any person authorized to enforce the inland fish and game laws.

#### **Wild Birds, not Game Birds, Protected.**

**Sec. 57. Wild birds protected; exceptions. Term "game birds" defined.** 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,

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the common crow, and the hawks and owls, mud hens (or bittern), kingfishers, loons and blue herons are not included among the birds herein protected; and for the purposes of this chapter the following only shall be considered game birds: The anatidæ commonly known as swans, geese, brant, and river and sea ducks; the rallidæ, commonly known as rails, coots, and gallinules; the limicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; the gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails. Nothing in this section, however, shall be construed to affect in any way the protection of game birds, as provided in sections fifty-four and fifty-five. 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 be imprisoned for ten days.

**Sec. 58. Use of power boats prohibited in hunting water fowl.** No person shall at any time 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 inland or tidal waters of this state, under a penalty of not less than twenty-five, nor more than one hundred dollars and costs for each offense.

**Non-Resident Hunters.**

**Sec. 59. Non-resident hunters must be licensed; general and special provisions.** Persons not bona fide residents of the state, and actually domiciled therein, shall not hunt, pursue, take or kill any deer, ducks, partridges, woodcock or other wild birds or wild animals, or have the same or any part thereof, in possession at any time without first having 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 fifteen dollars to hunt 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 ducks, and other birds and wild animals in their respective open seasons, and in the manner provided by law, 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 the respective open seasons and in the manner provided by law, ducks, partridges, woodcock and other birds and wild animals except during the month of November, during which month a fifteen dollar license shall be required in said counties. A person having paid the fee of five dollars may procure a license to hunt deer and other wild animals and wild birds, in their respective open seasons and in the manner provided by law, during the open season on deer by paying an additional fee of ten 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, five partridges, ten ducks and ten woodcock that he has himself lawfully killed under such rules and regulations to be established by the commissioners as may be required to carry out the true intent of this chapter and not inconsistent herewith.

**Sec. 60. Licensee may transport game; regulations.** Each license shall be provided with two coupons, each of which shall permit the transportation of the carcass of one deer or part thereof, and shall be divided into two sections each, lettered "A" and "B" and "C" and "D" respectively, and shall be called the deer coupons.

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 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 deer or part thereof for shipment. If but one deer is offered for shipment the agent shall detach section "A" from the first "deer" coupon of the license, cancel the same by writing or stamping thereon the date and place of shipment and his name, 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 deer 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 "A" and "C" from the "deer" coupons and after canceling the same shall forward them to the commissioners as aforesaid, and sections "B" and "D" shall be likewise canceled and attached to the carcasses of the deer, or parts thereof, offered for shipment, and shall remain attached to the same while they are being transported in this state.

**Sec. 61. Deer transported for non-resident must have license coupon attached; game birds, how transported.** No person shall transport any deer, or part thereof, for any non-resident, otherwise than as provided in this section and the two preceding sections. No agent, servant or employee of any transportation company, railroad company, express company, boat or common carrier shall receive for shipment or transport, or have in his possession with intent to ship or transport any carcass of a deer, or part of the same, or any game birds, for a non-resident, except as provided in this section and the two preceding sections, or refuse or neglect to detach the sections of the coupons as therein provided, or fail to forward to the commissioners of inland fisheries and game, at Augusta, Maine, as therein provided, the sections of coupons by him detached; provided, however, that any person who has purchased a non-resident hunter's license and who has in his possession one pair of game birds which he has legally killed 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

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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 hunter's 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 hunter's 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.

**Sec. 62. Possession of firearms prima facie evidence of violation. Licenses not transferable. Responsibility of guides. Penalties for violation.** The possession of any firearm in the fields or forests or on the waters or ice of the state by any person who is not a bona fide resident of the state and actually domiciled therein, unless the person having such firearm in possession has in his possession a license, as provided by section fifty-nine of this chapter, duly issued to him and covering the period such firearm is found in his possession shall be prima facie evidence of hunting in violation of section fifty-nine of this chapter. Whoever violates any provision of the three preceding sections, or who shall furnish to another person, or permit 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 whoever 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.

**Sec. 63. Non-resident not to enter upon wild lands without guide; not more than five to one guide. Penalties.** Non-residents of the state shall not enter upon the wild lands of the state and camp or kindle 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, and no registered guide shall, at the same time, guide or be employed by more than five non-residents in hunting.

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 time, more than five non-residents in hunting, shall pay a fine of forty dollars and costs for each offense.

**Hunting from Automobiles.**

**Sec. 64. Hunting from automobiles prohibited.** It shall be unlawful for any person to hunt, chase, catch, kill or destroy any wild bird or wild animal at any time from an automobile, or by aid or use of any light or

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lights carried thereon or attached thereto. It shall also be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than forty dollars nor more than one hundred dollars and costs for each offense.

**Unnaturalized Foreigners.**

**Sec. 65. Unnaturalized foreigners, not real estate owners, must be licensed unless resident two years or more in state.** It shall be unlawful for any unnaturalized foreign-born person who is not a taxpayer upon real estate within this state and who has not resided within the limits of this state for two years continuously prior to the time he desires to hunt, to hunt in any manner, at any time, or pursue, catch, kill or have in possession any wild animals or birds, or part or parts thereof, within the limits of this state, unless he is annually licensed so to do as hereinafter provided. 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 to 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 authorize the hunting or killing and having in possession of game birds, game or other wild animals only in their respective open seasons and in the manner provided by law; it 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.

**Sec. 66. Foreign born citizens not to have firearms in possession in fields and forests.** No unnaturalized, foreign-born person required to be licensed under the provisions of the preceding section shall have in possession, when he is upon the wild lands or in the woods or fields of the state, any firearm or firearms unless he is licensed as herein provided and all firearms found in his possession in violation of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws. All firearms seized by virtue of this section shall forthwith be forwarded to the commissioners at Augusta by the person seizing the same, and upon conviction of the person or persons from whom they were seized said firearms shall be sold, and the proceeds from such sale paid to the treasurer of state. Whoever violates any provision of this or the preceding section shall pay a fine of twenty-five dollars and costs for each offense.

### Taxidermists.

**Sec. 67. Taxidermists must be licensed; regulations to be formulated by commissioners.** 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 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; each person so licensed shall, on or before the twentieth day of December of each year, make a detailed report to said commissioners of all they have done during the year by virtue of such license; every licensee or common carrier violating any provision 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.

**Sec. 68. Commissioners may grant licenses permitting persons to deal in deer heads and skins.** The commissioners of inland fisheries and game may annually issue licenses to residents of this state to buy and sell deer skins, and the heads of deer if not detached from said skins, during the months of January, October, November and December. Such licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all such 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, or whoever refuses to exhibit said record upon request to the commissioners of inland fisheries and game or to any person authorized to enforce the inland fish and game laws, shall pay a fine of fifty dollars and costs for each offense.

### Dealers in Fur.

**Sec. 69. Persons, buying skins of fur-bearing animals, must be licensed.** The commissioners of inland fisheries and game may annually issue licenses to residents of this state to engage in the business of buying otter,

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sable or fisher skins or the skins of any other fur-bearing animals. Said licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all skins 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. The fee for such license shall be two dollars to be paid to the said commissioners. 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, or whoever refuses to exhibit said book for inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, shall pay a fine of ten dollars and costs for each offense. All skins of fur-bearing animals bought in violation of the provisions of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws and upon conviction of the person or persons from whom they were seized, they shall be sold, and the proceeds from such sale paid to the treasurer of state.

#### Marketmen.

**Sec. 70. Marketmen, etc., may be licensed to buy and sell deer meat; license fee graded.** 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, deputy inland fish and game wardens, and the commissioners of inland fisheries and game, the name and residence 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 provision 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. 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 the twentieth day of each December, 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 such report shall pay a fine of one hundred dollars and costs.



### Licenses.

**Sec. 71. Expiration of licenses and certificates.** All licenses or certificates issued by virtue of the provisions of this chapter shall expire with the calendar year in which issued.

**Sec. 72. Licenses and certificates may be suspended or revoked by commissioners.** If the holder of any license, certificate or permit, issued in conformity with any provision of this chapter, is charged with having violated or countenanced the violation of any provision of this chapter, the commissioners may, at their discretion, temporarily suspend such license, certificate or permit; and whenever the holder of such license, certificate or permit, as provided in this section, is convicted of the violation of any provision of this chapter, said commissioners may, at their discretion, cancel such license, certificate or permit and strike his name from the official record; but such license, certificate or permit may again be issued at the discretion of the commissioners. Any license, certificate or permit suspended or canceled 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.

### Sunday and Night Hunting.

**Sec. 73. Sunday hunting prohibited; penalty for violation.** Sunday is a closed season, on which it is not lawful to hunt, kill or destroy any wild animals or wild birds of any kind. Whoever hunts, kills, or destroys any wild animal or wild bird on Sunday shall pay a fine of not less than ten, nor more than forty dollars and costs for each offense; provided, however, that if protected wild animals or wild birds are hunted, killed, destroyed or had in possession in violation of this section, the penalty shall be the same as is now imposed therefor during other closed season; but the penalties imposed for the violation of the Sunday laws of the statutes of this state are not hereby repealed or diminished.

**Sec. 74. Night hunting prohibited; special provision as to raccoons.** There shall be a closed season on wild birds in this state from sunset to sunrise of the following morning, and on wild animals from one hour after sunset until one hour before sunrise of the following morning, during which closed season it shall be unlawful to hunt, kill or destroy wild birds or wild animals, of any kind. No person shall have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense; provided, however, that if protected wild birds or wild animals are hunted, killed, destroyed or had in possession in violation of this section the penalty shall be the same as is now imposed therefor during other closed season; provided, further, that the provisions of this section shall not apply to the hunting of raccoons at night from August fifteenth to October thirty-first, following, of each year, both days inclusive.

### Introduction of Wild Birds or Animals.

**Sec. 75. Wild birds and animals not to be introduced into state without consent of commissioners.** Whoever introduces or imports any wild bird or wild animal of any kind or species into the state, or whoever receives or has in possession such wild bird or wild animal so introduced or imported, 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 and costs, for each offense.

### Reservations.

**Sec. 76. Hunting on Kineo Point prohibited.** No person shall at any time hunt, pursue, shoot at or kill any wild bird or wild animal on Kineo Point, in Kineo, in the county of Piscataquis. Whoever violates this section shall pay a fine of not less than ten nor more than forty dollars and costs, for each offense.

**Sec. 77. Hunting in certain specified localities prohibited.** No person shall, except as herein provided, at any time, 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; or on Bartlett's island in Hancock county; or on the one hundred and twelve acres of land, more or less, comprising Prout's Neck, so-called, in the town of Scarborough, in the county of Cumberland; or on Richmond's island, so-called, in the town of Cape Elizabeth, in said county of Cumberland; or on the tract of land comprising sixteen hundred acres, more or less, situated in said town of Cape Elizabeth, and bounded as follows: Southerly by the sea, westerly by the Spurwink river, northerly by the Spurwink road, so-called, leading from Spurwink bridge to Bowery Beach, easterly by a certain private road or way which runs in a southerly direction from the aforesaid Spurwink road to said Bowery Beach, being the road which runs in front of the dwelling house of one Charles L. Jordan and along the easterly boundary of land of said Charles L. Jordan and along the westerly boundary of land of the Great Pond Club, but not including any portion of said Bowery Beach. It shall also be unlawful for any person to have in possession at any time any wild bird or wild animal, or part thereof, taken in violation of any provision of this section.

**Exceptions.** Provided, however, that the provisions of this section shall not prohibit any person residing on said island or within the limits of either of the above described reservations or preserves from shooting at 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 section shall not be construed to prohibit the trapping of wild animals within the above described territory in accordance with the general laws of the state. Whoever violates any pro-

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vision of this section shall be subject to a penalty of not less than ten, nor more than forty dollars and costs, for each offense.

**Sec. 78. Hunting in certain sections of Swan Island, Sagadahoc county, and Back Bay, Cumberland county, prohibited.** No person shall at any time hunt, chase, catch, kill or destroy any wild bird or any wild animal within the following described territory situated on the southerly point of Swan Island, in the county of Sagadahoc: All of the territory situated southerly of the land formerly owned by Robert Reed to highwater mark on the shores thereof; nor shall any person at any time, hunt, chase, catch, kill or destroy any water fowl or any other wild bird in Back Bay, so-called, in Portland, in the county of Cumberland, above the Grand Trunk Railway bridge. No person shall have in possession at any time any water-fowl or any other wild bird or any wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than forty dollars and costs, for each offense.

**Sec. 79. Use of firearms on Megunticook lake and certain contiguous lands, prohibited. Special provision for Camden Rifle Club.** The use of firearms is hereby prohibited from the first day of April of each year to the thirtieth day of September following, both days inclusive, upon the waters of Megunticook lake, formerly called Canaan lake, and its tributary lakes, ponds and streams, and upon the land bordering on the same included within the following roads: Beginning at Hopkins' corner, so-called, in the town of Camden; thence via the Turnpike road, so-called, to Lincolnville center; thence to Wiley's corner in Lincolnville; thence to the Mansfield school house in the town of Camden; thence via the Fish Hatchery to place of beginning; all of said lake, its tributaries and shores being located in the towns of Camden, Lincolnville and Hope, in the counties of Knox and Waldo. Provided, however, that the Camden Rifle Club may establish and maintain a rifle range for target practice within the limits above mentioned, said practice to be held under the regulations of the United States War Department as established by the national board for the promotion of rifle practice in the United States. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense.

#### **Devices for Deadening Sound.**

**Sec. 80. Devices for deadening sound of explosion prohibited; penalties.** No person shall sell, offer for sale, use or have in his possession, any gun, pistol, or other firearm, fitted or contrived with any device for deadening the sound of explosion. Whoever violates any provision of this section shall forfeit such firearm or firearms and the device or silencer, and shall further be subject to a fine not exceeding one hundred dollars, or to imprisonment not exceeding sixty days, or to both fine and imprisonment. Any sheriff, deputy sheriff, constable, inland fish and game warden or deputy inland fish and game warden may seize any firearm or firearms and any device or silencer found in possession of any person in violation of this

section, and on conviction of the party from whom such firearm or firearms are seized, such firearm or firearms shall be sold, the proceeds to be paid to the treasurer of state, and the device or silencer shall be destroyed. This section does not apply to military organizations authorized by law to bear arms, or to the national guard in the performance of its duty. All fines, penalties and forfeitures recovered by any person for any violation of this section shall be paid forthwith by the person receiving the same to the treasurer of state, to be credited to fines and license fees for the protection of birds and game.

### Search and Seizure.

**Sec. 81. Disposition of fish and game seized on account of violation of law.** All birds, fish, game or other wild animals, or parts thereof, hunted, caught, killed, destroyed, bought, sold, carried, transported, or found in possession of any person or corporation, in violation of any provision 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 birds, fish, game or other wild animals, or parts thereof, have 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, who shall be residents of the state, in double the amount of the fine for such violation, conditioned 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 birds, fish, game or other wild animals, or parts thereof, so seized, he shall have no action against the officer for such seizure or for the loss of the birds, fish, game or other wild animals, or parts thereof, seized.

**Sec. 82. Officer seizing fish or game to report to commissioners within ten days.** In all cases, the officer making any seizure or sale of birds, fish, game or other wild animals, or parts thereof, 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.

**Sec. 83. Search and seizure and arrests may be made without warrant; exemptions.** The commissioners of inland fisheries and game and every inland fish and game warden and deputy inland fish and game warden may arrest, with or without a warrant, any person whom he has reason to believe guilty of a violation of any provision of this chapter 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 birds, fish, game or other wild animals, or parts thereof, taken or held in violation of this chapter are to be found, and seize such birds, fish, game or other 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 rail-

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road 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 and game warden or deputy inland fish and 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-four; provided, however, that the inland fish and game commissioners shall, on or before the first day of October 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 and deputy inland fish and game wardens by them designated to exercise the right of search of railroad cars as herein provided, and no others shall, except those so designated, be authorized to exercise the powers herein mentioned as to search of railroad cars.

**Jurisdiction of Offenses—Court Proceedings, etc.**

**Sec. 84. Officer may arrest without process; penalty for abuse of power.** Any officer authorized to enforce the inland fish and game laws may, without process, arrest any violator 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 be punished by a fine of not exceeding one hundred dollars, and costs, or by imprisonment not exceeding three months.

**Sec. 85. Jurisdiction of offenses.** Trial justices, police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts in all prosecutions under any inland fish and game law.

**Sec. 86. Fines and penalties to be paid to commissioners and turned over to state treasurer. Penalty for failure of officer to remit.** All fines and penalties recovered, or money received or collected, under any provision of this chapter, after deducting legal taxable costs, shall be paid forthwith by 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. 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 for each offense.

**Sec. 87. Violations may be settled by commissioners. Fines to be applied to department.** The provisions of section ninety-three or chapter

forty-five, relating to the powers of the commissioners of sea and shore fisheries, are hereby extended to the commissioners of inland fisheries and game.

**Sec. 88. Proceedings in case of violation by corporation.** In case of violation of any provision 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.

**Sec. 89. County attorneys to prosecute violations.** 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.

**Sec. 90. Participant in violation may be compelled to testify.** 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.

**Sec. 91. Result of court cases to be reported to commissioners.** 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.

#### Repeal of Inconsistent Legislation.

**Sec. 92. Inconsistent statutes and acts not incorporated herein repealed. Exceptions.** 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, 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.

But this act shall not be construed as repealing any of the laws pertaining to sea and shore fisheries or section one hundred sixteen of chapter four of the revised statutes or sections thirty-four, thirty-five, thirty-six, thirty-eight, thirty-nine, forty and forty-one of chapter eight of the revised statutes or section eighteen of chapter twenty of the revised statutes or sections thirteen, fourteen and fifteen of chapter twenty-three of

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the revised statutes or section four of chapter fifty-nine of the revised statutes or section twenty-four of chapter one hundred seventeen of the revised statutes or sections three and four of chapter one hundred twenty of the revised statutes or section twenty-three of chapter one hundred twenty-four of the revised statutes as amended by chapter sixteen of the public laws of nineteen hundred and seventeen or section twenty-five of chapter one hundred twenty-four of the revised statutes, or chapter sixty-six of the public laws of nineteen hundred and seventeen.

Approved April 6, 1917.

## Chapter 220.

An Act to Amend Section Nineteen of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Banking Department.

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

**R. S., c. 117, § 19, relating to the banking department, amended.** Amend section nineteen of chapter one hundred seventeen of the revised statutes by striking out in the second line of said section the words "two thousand five hundred" and in place thereof inserting the words 'four thousand'; also amend said section by striking out the word "two" in the seventh line of said section and in place thereof inserting the word 'one'; also amend said section by striking out the word "commissioners" in the last line of the first paragraph and in place thereof inserting the word 'commssioner'. Also further amend said section by adding after the word "commissioner," as amended, in the last line of said paragraph, the following: 'and two of said clerks may be designated as examiners'. Also further amend said section by striking out the last three lines of said section, being the second paragraph of said section, and in place thereof inserting the following: "The deputy bank commissioner shall perform the duties of the bank commissioner whenever the latter shall be absent from the state or when directed by the bank commissioner. The deputy bank commissioner shall receive an annual salary of twenty-two hundred dollars; one examiner shall receive an annual salary of eighteen hundred dollars, and one examiner shall receive an annual salary of fifteen hundred dollars. The deputy bank commissioner and the two examiners shall receive their actual traveling expenses incurred in the performance of their official duties, the payment of which shall be subject to the approval of the governor and council", so that said section as amended shall read as follows:

**'Sec. 19. Salary of commissioner increased to \$4,000; but one deputy commissioner; salary \$2,200. May be two examiners; salaries \$1,800 and \$1,500.** The bank commissioner shall receive an annual salary of four thousand dollars; he shall receive his actual traveling expenses incurred in the performance of his official duties, and the reasonable and necessary expenses of his office, the payment of which shall be subject to the approval of the governor and council. He may employ at the expense of the state one