

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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

As Passed by the Eighty-First Legislature

**1923**

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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 and cusk may be taken, by means of nets, for food purposes only in the family of the person taking the same, in such waters as the commissioner of inland fisheries and game may deem advisable, and under such conditions, rules and regulations as he may establish; 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.'

Approved March 8, 1923.

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### Chapter 33.

An Act to Amend Sections Thirty-eight and Thirty-nine of Chapter Eight of the Revised Statutes, Relating to the Suspension by the Governor of Open Season for Hunting.

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

**Sec. 1. R. S., c. 8, sec. 38; authorizing the governor to suspend open season for hunting, amended.** Section thirty-eight of chapter eight of the revised statutes is hereby amended by inserting after the word "state" in the second line thereof the words 'or the taking of fish from the inland waters thereof,' and by striking out the words "possession of firearms" in the third line thereof, and substituting in place thereof the words 'hunting or fishing,' so that said section, as amended, shall read as follows:

**'Sec. 38. May suspend open season for fishing.** Whenever, during an open season for the hunting of any kind of game or game birds in this state, or the taking of fish from the inland waters thereof, it shall appear to the governor that by reason of drought, hunting or fishing in the forests is liable to cause forest fires, he may by proclamation suspend the open season and make it a close season for such time as he may designate.'

**Sec. 2. R. S., c. 8, sec. 39; relating to enforcement of laws during suspended open season, amended.** Section thirty-nine of chapter eight of the revised statutes is hereby amended by striking out all of said section beginning with the word "Whoever" in the fourth line thereof and substituting in place thereof the words, 'Whoever, during the close season fixed by proclamation of the governor, as provided in the preceding section, enters

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upon the wild lands carrying or having in his possession any firearms; or who catches any fish or shoots any wild animal or bird for which there is no close season otherwise provided by law, shall be punished by a fine of not less than ten nor more than one hundred dollars and costs for each offense,' so that said section, as amended, shall read as follows:

'Sec. 39. Penalty provided for catching fish on which there is not otherwise a close season. During the time which shall by such proclamation be made a close season, all provisions of law covering and relating to the close season shall be in force, and a person violating a provision of the same shall be subject to the penalty therein prescribed. Whoever, during the close season fixed by proclamation of the governor, as provided in the preceding section, enters upon the wild lands carrying or having in his possession any firearms; or who catches any fish or shoots any wild animal or bird for which there is no close season otherwise provided by law, shall be punished by a fine of not less than ten nor more than one hundred dollars and costs for each offense.'

Approved March 8, 1923.

### Chapter 34.

An Act to Prohibit the Use of Beam Trawls in the Waters of Sedgwick Harbor, Known as Benjamin's River.

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

Use of beam trawls in Sedgwick Harbor, prohibited. The use of beam trawls or any similar device is hereby prohibited in Sedgwick Harbor, known as Benjamin's river, under a penalty of not less than five or more than fifty dollars; provided, however, that this act shall not be construed as prohibiting the taking of smelts in the usual manner by the use of purse seines during the time when the use of seines for this purpose is lawful in other waters of the state.

Approved March 8, 1923.

### Chapter 35.

An Act to Establish a Game Sanctuary in the City of Bangor and County of Penobscot.

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

Game sanctuary established in city of Bangor; limits defined. No person shall, except as herein provided, at any time, hunt, pursue, shoot at or kill any wild animal or any game or wild bird, within the following described territory situated in the city of Bangor in the county of Penobscot: Bounded on the south by the southerly line of said city of Bangor; on the east