

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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PUBLIC LAWS
OF THE
STATE OF MAINE

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'Sec. 6. Penalties for operating without certificate or after certificate has been revoked. Any person, firm or corporation who operates an automobile for the purposes as set forth in section one of this act, without first obtaining a certificate from the public utilities commission or after said certificate has been revoked by the public utilities commission, shall be subject to a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment for not less than thirty days nor more than ninety days, or by both fine and imprisonment.'

Approved April 5, 1923.

Chapter 212.

An Act to Amend Section Thirty-eight of Chapter Two Hundred Nineteen, of the Public Laws of Nineteen Hundred Seventeen, as Amended by Chapter Thirty-seven of the Public Laws of Nineteen Hundred and Nineteen, and as Amended by Chapter One Hundred Seventeen of the Public Laws of Nineteen Hundred Twenty-one, Relating to the Protection of Deer.

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

P. L., 1917, c. 219, sec. 38; 1919, c. 37; 1921, c. 117; relating to close time on deer in certain counties, amended. Section thirty-eight of chapter two hundred nineteen of the public laws of nineteen hundred seventeen, as amended by chapter thirty-seven of the public laws of nineteen hundred nineteen and as amended by chapter one hundred seventeen of the public laws of nineteen hundred twenty-one, is hereby amended by inserting after the word "Aroostook" in the second line of said section, the words 'Hancock and Washington,' and by striking out the words "September thirtieth" in the third line of said section, and by inserting in place thereof the words 'October fifteenth,' and by striking out the words "and in the counties of Hancock and Washington, from December fifteenth of each year to October fourteenth of the following year, both days inclusive," in the fourth, fifth and sixth lines of said section, and by striking out the words "one of which shall be a buck with antlers; provided, however, that a spikehorn deer shall not be considered a deer with antlers; provided further, that it shall be unlawful for any person to kill, or have in possession, during any open season in one year, more than one female deer, or part or parts thereof," in the twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth lines of said section, and by striking out all of the second paragraph in said section beginning with the word "provided" and ending with the word "period," so that said section, as amended, shall read as follows:

'Sec. 38. Close time on deer from Dec. 1 to Oct. 15; Hancock and Washington counties included; provision that one deer taken shall be a buck, eliminated. There shall be an annual closed season on deer in the

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counties of Aroostook, Hancock, Washington, Franklin, Oxford, Penobscot, Piscataquis and Somerset, from December first of each year to October fifteenth of the following year, both days inclusive; and 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 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, and in Isle au Haut, in the county of Knox, and on Swan Island, in the county of Sagadahoc, and on Kineo Point, and Katahdin Park Game Preserve in the county of Piscataquis, and all other places in the state where hunting is prohibited by law, no deer shall be pursued or killed at any time) during which said closed seasons, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer or have in possession any parts or part thereof, whenever or wherever taken, caught or killed; and no person shall during the open seasons above named, except as hereinafter provided, take, catch, kill or have in possession, whenever or wherever taken, caught or killed, more than two deer, or part of parts thereof; and provided, further, it shall be unlawful for any person to hunt, chase, catch or kill, except as hereinafter provided, more than one deer in the counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Waldo, Sagadahoc and York collectively, or to have in possession more than one deer, or part or parts thereof, taken in all of the last named counties collectively in any 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 doing damage to crops may be killed; notice of killing to be given; baiting and salting prohibited; penalty. 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 commissioner 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 not less than fifty dollars, nor more than one hundred dollars, and costs for each offense.'

Approved April 6, 1923.

Chapter 213.

An Act for the Better Protection of Salmon, Shad, Alewives and Smelts.

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

Certain migrating fish under concurrent jurisdiction. All sea salmon, shad, alewives and smelts that migrate from the ocean into fresh water shall be under the concurrent jurisdiction of the sea and shore fisheries and the inland fish and game commission wherever found.

Approved April 6, 1923.

Chapter 214.

An Act to Amend Section Forty-six of Chapter Two Hundred Nineteen of the Public Laws of Nineteen Hundred Seventeen, as Amended by Chapter One Hundred Thirty-three of the Public Laws of Nineteen Hundred Nineteen, and as Amended by Chapter Two Hundred Eighteen of the Public Laws of Nineteen Hundred Twenty-one, Relating to the Protection of Fur-bearing Animals.

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

P. L., 1917, c. 219, sec. 46; 1919, c. 133; 1921, c. 218; relating to protection of fur-bearing animals, amended. Section forty-six of chapter two hundred nineteen of the public laws of nineteen hundred seventeen, as amended by chapter one hundred thirty-three of the public laws of nineteen hundred nineteen, and as amended by chapter two hundred eighteen of the public laws of nineteen hundred twenty-one, is hereby amended by striking out all of said section and by substituting therefor the following section:

'Sec. 46. Close time on certain fur-bearing animals, May 1, to Nov. 30; close time on muskrats established; penalties. Whoever, from the first day of March to the thirty-first day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any fur-bearing animal (except bears, muskrats, beaver, bobcats, loup-cervier, Canada lynx and weasels) or whoever from the first day of May to the thirtieth day of the following November, both days inclusive, hunts, traps, kills, pursues or catches any muskrat or muskrats in the county of Androscoggin, Cumberland, York, Sagadahoc, Kennebec, Lincoln, Waldo or Knox, or whoever from the fifteenth day of May to the thirty-first day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any muskrat or muskrats in the county of Washington, Hancock, Aroostook, Penobscot, Piscataquis, Franklin or Oxford, or whoever from the first