

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

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CHAP. 86

opening, shall present to the court, a list of the officers attending, with a statement of the duties of each; and the court shall determine the number necessary, and disallow charges for others.

'Every deputy sheriff, while performing special duties under order of the sheriff shall receive for such services four dollars a day; except that the deputies so serving in the county of Cumberland shall receive for such services four dollars and a half a day; together with necessary, incidental expenses, to be paid from the county treasury, the bills for which shall be audited as provided in section one, chapter one hundred and thirty-eight of the revised statutes.

'For services under chapter one hundred and fifteen, as follows: Taking a debtor before the justice or justices for disclosure, travel as in service of a writ, and attendance, seventy-five cents; for a bail or other bond, twenty-five cents; and for recommitment of a prisoner when remanded, twenty-five cents; but no dollarage or commission shall be allowed to the officer for an arrest or commitment upon execution or mesne process, except upon the money actually collected; for arresting a debtor on execution, when he discloses without giving bond one dollar, and travel as aforesaid, for keeping him, two dollars a day for himself and each necessary aid; for notifying the creditor and justices, fifty cents each, and travel aforesaid; and no officer is required to arrest a debtor on execution, unless written direction to do so, signed by the creditor or his attorney is endorsed thereon, and a reasonable sum for such fees is paid or secured to him, for which he shall account to the creditor as for money collected on execution.

'Any section of statute inconsistent herewith is hereby repealed.

'For any of the above enumerated services in civil cases which a constable may legally perform he shall receive the same fees as are provided above for deputy sheriffs.'

Approved March 28, 1925.

Chapter 86.

An Act Relating to the Taking of Smelts, Suckers, Bait Fish, White Fish and Cusk.
Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P. L., 1917, c. 219, sec. 26; 1917, c. 244; 1919, c. 196; 1921, c. 218; 1923, cc. 32 and 132; relating to the taking of smelts, amended. Section twenty-six of chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, as amended by chapter two hundred and forty-four of the public laws of nineteen hundred and seventeen, and by

chapter one hundred and ninety-six of the public laws of nineteen hundred and nineteen and by chapter two hundred and eighteen of the public laws of nineteen hundred and twenty-one and by chapters thirty-two and one hundred and thirty-two of the public laws of nineteen hundred and twenty-three, is hereby amended by striking out all of said section and by substituting therefor the following section:

'Sec. 26. Taking of smelts in Sebago lake, Bryant pond and Christopher lake, regulated. 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 daytime 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 daytime, 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 any of the tributaries to Sebago lake except smelts not exceeding six inches in length may be taken with a dip net in any of said tributaries and may be sold only for bait for fishing within this state; and provided, further, that no family shall take, in any one day, more than one peck of said smelts by means of a dip net in said waters; 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; and provided, further, that it shall be unlawful to take any smelts at any time during the spawning season from either of the three tributaries flowing into the head of Bryant pond, or Lake Christopher, so-called, in the town of Woodstock, in the county of Oxford. 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 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.'

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Sec. 2. P. L., 1923, c. 132; repealed in so far as inconsistent. So much of chapter one hundred and thirty-two of the public laws of nineteen hundred and twenty-three as is inconsistent with the provisions of this act is hereby repealed.

Approved March 28, 1925.

Chapter 87.

An Act 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. 219; 1923, c. 214; relating to protection of fur-bearing animals, amended. The first paragraph of section forty-six of chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, as amended by chapter one hundred and thirty-three of the public laws of nineteen hundred and nineteen, as amended by chapter two hundred and eighteen of the public laws of nineteen hundred and twenty-one, as amended by chapter two hundred and fourteen of the public laws of nineteen hundred and twenty-three, is hereby further amended by striking out all of said paragraph and by substituting therefor the following paragraph:

'Sec. 46. Closed time restricted in certain counties to October 15; special provision relating to Somerset county eliminated; three years closed time on muskrats on Cobbosseecontee stream and tributaries, provided for. Whoever, from the first day of March to the fifteenth 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 fifteenth 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, Somerset or Oxford, or whoever has in possession at any time any fur-bearing animal or part or parts 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, however, that for a period of three years from July seventh, nineteen hundred and twenty-five, it shall be unlawful, under the same penalty, for any person to hunt, trap or pursue