

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

1927

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September of each year, and in the counties of Aroostook, Washington, Hancock, Penobscot, Piscataquis, Somerset, Franklin, Oxford, Kennebec, Knox, Lincoln, Waldo and Cumberland during the months of April, May, June, July, August, and September of each year, during which respective closed seasons it shall be unlawful for any person to hunt, kill, catch, pursue or have any rabbits or parts thereof in possession, except alive.

No person shall set or use any snare or snares, trap or traps, or any other device in the hunting, pursuing or killing of wild hares or rabbits, or hunt or kill the same in any manner except in the ordinary method of shooting with guns in the usual manner; provided, however, it shall be lawful to catch wild hares or rabbits in common box traps during the open seasons provided in this section. Provided, further, it shall be unlawful for any person or corporation to transport or offer for transportation at any time any dead wild hares or rabbits beyond the limits of the state of Maine. The provisions of this section shall not be construed to prohibit the holder of a non-resident hunting license, issued in accordance with the provisions of section fifty-nine of chapter two hundred and nineteen of the public laws of nineteen hundred and seventeen, as amended, from transporting to his home dead wild hares or rabbits which he has legally killed by virtue of his said non-resident hunting license, upon presentation of said wild hares or rabbits and his hunting license to the agent of a transportation company or to an inspector appointed by the department of inland fisheries and game to inspect game shipments, and having an official transportation tag attached thereto, after being identified by said transportation agent or game inspector as the holder of said license. Provided, further, it shall be unlawful for any person to have in possession or transport at any time any wild hares or rabbits taken in closed season or by any method or with any device prohibited by this act. Whoever violates any provision of this section shall pay a fine of ten dollars and costs for each offense, and five dollars additional for each snare or trap or other illegal device set or used in violation of any provision of this section, and one dollar additional for each wild hare or rabbit taken, killed, caught or had in possession in violation of any provision of this section.'

Approved April 11, 1927.

Chapter 113.

An Act in Relation to the Breaking of Roads in Winter.

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

R. S., c. 24, sec. 130; P. L., 1923, c. 158; relating to closing certain

roads in winter, amended. Chapter twenty-four of the revised statutes, as amended by chapter one hundred fifty-eight of the public laws of nineteen hundred twenty-three, is hereby further amended by striking out the whole of said section one hundred thirty and inserting in lieu thereof, the following:

'Sec. 30. Roads may be closed for part of the winter months; period of closing not to exceed ten years; roads may be kept open notwithstanding order; procedure for modification of order. The municipal officers of any city, town or plantation or any seven legal voters in any such city, town or plantation may, at any time between the first day of July and the first day of December of any year, petition the county commissioners of the county in which such city, town or plantation is located, setting forth that any road or roads in such city, town or plantation are so located with reference to population, use and travel thereon, that it is unnecessary to keep said road or roads broken out and open for travel during the winter months of January, February and March, or any part of such months, and praying said commissioners, after notice and hearing on such petition to decide whether such road or roads shall be kept open or closed during such period or part thereof, and for how many years not to exceed ten, such closing order, if made as prayed for, shall be operative.

The county commissioners upon receipt of such petition shall fix a time and place in said city, town or plantation for a public hearing thereon and shall give notice thereof by causing attested copies of such petition and order of notice thereon to be posted in two public places in such city, town or plantation and published in some newspaper printed in the county at least seven days before the time of such hearing. The commissioners at the time and place fixed by such notice shall hear and consider such evidence as may be offered as to the necessity of closing such road or roads to travel or directing that such road or roads be not broken out during such period, or any part thereof, and if satisfied of the necessity thereof, they may make such orders relating thereto as in their judgment the facts warrant.

Any road or roads closed or in regard to which the county commissioners have made an order as to their use, shall be marked by notices posted at both ends thereof, showing in substance such order or regulation, which notices shall be signed by the county commissioners.

The order of the county commissioners, after proceedings under this section, shall relieve such city, town or plantation of any obligation to keep said road or roads open or broken out during the period fixed by such order; but the order of said commissioners shall not prevent any

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town, city or plantation from keeping said roads open if said town, city or plantation shall at any time desire to do so.

Said county commissioners shall retain jurisdiction of said cause and upon a petition, by the municipal officers of said city, town or plantation or of any seven legal voters thereof, praying for a modification or annulment of any orders promulgated by the county commissioners, filed with said county commissioners, at any time, subsequent to one year from the date of any such order, the commissioners shall give a similar notice to that provided in paragraph two of said section and fix a time for hearing thereon, within twenty days following such filing. After hearing, the commissioners may annul, alter or modify their original orders.'

Approved April 11, 1927.

Chapter 114.

An Act to Prohibit the Use of More Than Two Lines for Trolling at Any Time in One Boat or Other Vessel or Conveyance in the Rangeley Chain of Lakes.

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

Sec. 1. Trolling with more than two lines in certain waters, prohibited. It shall be unlawful for the occupants of any one boat, motor boat, canoe, raft or other vessel or conveyance to troll with more than two lines at any time in Rangeley lake, Kennebago lake, Cupsuptic lake, Mooselucmeguntic lake, or Upper or Lower Richardson lakes, said lakes being the Rangeley chain of lakes, so-called, and situated partly in the county of Franklin and partly in the county of Oxford.

Sec. 2. Penalties. Whoever violates any provision of this act shall be subject to a penalty of not less than ten dollars nor more than thirty dollars and costs for each offense.

Sec. 3. Jurisdiction of offenses granted to trial justices, police and municipal courts. In all prosecutions arising under this act, trial justices and police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts.

Approved April 11, 1927.