

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

from shall remain in force and obedience thereto may be enforced as if no appeal had been taken. Said appeal shall be in order for hearing at the first term of the court, appealed to, held after said appeal is taken, and no continuance thereof shall be had without the consent of the appellant or without legal cause shown therefor to the justice of said court to which appeal is had.'

Approved April 8, 1937.

Chapter 125

AN ACT Regarding Penalty for Depositing Poisons with Intent to Kill Animals.

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

R. S., c. 23, § 18, amended. Section 18 of chapter 23 of the revised statutes is hereby amended to read as follows:

'Sec. 18. Poisons not to be deposited for killing animals; penalty. Whoever for the purpose of killing wolves, foxes, dogs, or other animals, and not for the destruction of insects or vermin in a building, leaves or deposits in any place any arsenic, corrosive sublimate, nux vomica, strychnine, prussic acid, or any other poison or poisonous substance, shall be punished by a fine of not less than ~~twenty dollars~~ \$50, nor more than ~~fifty dollars~~ \$200, or by imprisonment for not less than ~~thirty days~~ 2 months, nor more than ~~sixty days~~ 6 months. Provided, however, that mice may be killed in orchards by the use of any poison or poisonous substance that is recommended by the U. S. Bureau of Biological Survey and used according to the recommendations of the Agricultural Extension Service.'

Approved April 8, 1937.

Chapter 126

AN ACT Relating to Transportation of Game.

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

R. S., c. 38, § 82, amended. Section 82 of chapter 38 of the revised statutes, as revised, is hereby repealed and the following enacted in place thereof:

'Sec. 82. Transportation of game. No person shall transport or offer

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for transportation, nor shall any person or carrier accept for transportation or transport any game animal or bird except as provided in this chapter.

Any resident may transport to his home any game which he has killed and which is legally in his possession, provided he shall have been properly licensed and has met all other requirements of this chapter.

Any non-resident may transport or have transported to his home by a common carrier any game which he has killed and which is legally in his possession, provided he shall have been properly licensed and has met all other requirements of this chapter.

No person or carrier shall transport any game bird or animal in closed season except that any person who has killed said game in open season shall have a reasonable time after the beginning of the closed season in which to transport said game to his home.

All game transported or offered for transportation shall be open to view, tagged and plainly labeled with the owner's name and address and accompanied by him. Game transported for non-residents by a common carrier need not be accompanied by the owner if all other requirements of this chapter are met. Any carrier accepting any game for transportation shall be satisfied that the person presenting said game for shipment is the person to whom the hunter's license offered for inspection was issued and shall securely affix any tags and such other identification and make such returns to the commissioner as may be required by this chapter. Any wild bird or animal or part thereof found in possession of any person in violation of this chapter is subject to seizure and shall be seized and become the property of the state.

The hunting license of any non-resident shall entitle him to have game which he has legally killed, transported to his home without further fee to the state.'

Sec. 2. R. S., c. 38, § 55, amended. The 4th and 5th paragraphs of section 55 of chapter 38 of the revised statutes, as revised, are hereby repealed.

Approved April 8, 1937.

Chapter 127

AN ACT Relating to Municipal Ordinances.

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

R. S., c. 5, § 137, additional. Section 137 of chapter 5 of the revised statutes is hereby amended by adding thereto the following paragraph: