

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-seventh Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

---

KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1955

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

---

---

stream and marsh of said pond and by the highway leading from South Jefferson to Alna; on the south by the Alna town line; on the west by the road leading from Alna to said Weary pond, in the town of Whitefield.'

Effective August 20, 1955

## Chapter 238

### AN ACT Relating to Open Season on Deer in Towns of Deer Isle and Stonington.

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

R. S., c. 37, § 91, amended. The 3rd paragraph of section 91 of chapter 37 of the revised statutes is hereby amended to read as follows:

'There shall be a continual closed season on deer on the island of Mount Desert ~~and in the town of Deer Isle, and in the town of Stonington~~ and all Swan Island in the town of Swan's Island, which last mentioned ~~towns are town~~ is in the county of Hancock, and on Cross Island and Scotch Island, which last mentioned places are in Washington county, and on the Isle au Haut, which last mentioned island is in the county of Knox, and in game sanctuaries which have been established by law where the closed season shall be perpetual.'

Effective August 20, 1955

## Chapter 239

### AN ACT Relating to Amending Declaration or Pleading Anew After Demurrer.

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

R. S., c. 113, § 38, amended. The 1st sentence of section 38 of chapter 113 of the revised statutes is hereby amended to read as follows:

'A general demurrer to the declaration may be filed; and in any stage of the pleadings either party may demur and the demurrer must be joined, and it shall not be withdrawn without leave of court and of the opposite party; but the justice shall rule on it and ~~his ruling shall be final unless the party aggrieved excepts; and before exceptions are filed and allowed, he has the same power as the full court to allow the plaintiff to amend or the defendant to plead anew~~ the aggrieved party may except. The justice may allow the plaintiff to amend or the defendant to plead anew at any time.'

Effective August 20, 1955

## Chapter 240

### AN ACT Relating to Special Mobile Equipment Under Motor Vehicle Laws.

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

Sec. 1. R. S., c. 22, § 1, amended. Section 1 of chapter 22 of the revised statutes is hereby amended by inserting before the 7th paragraph from the end thereof, the following paragraph:

“Special mobile equipment” shall mean every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including road construction or maintenance machinery, ditch-digging apparatus, stone-crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section.’

Sec. 2. R. S., c. 22, § 16, sub-§ III, amended. The 4th paragraph from the end of subsection III of section 16 of chapter 22 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Special mobile equipment which is permanently mounted on a traction unit or motor chassis, shall be registered and a fee of \$10 shall be paid for such registration in lieu of all other registration fees. Registration under the provisions of this paragraph shall not include any vehicle which may be used for the conveyance of property except hand tools or parts which are used in connection with the operation of such equipment, except that road construction or maintenance machinery coming under the definition of special mobile equipment may be used for the transportation of earth on that portion of the highway actually under construction. Such special mobile equipment may be operated unloaded over the highway between construction projects and to or from the place where such vehicles are customarily kept, if a permit for such movement is first obtained in accordance with section 98.’

Effective August 20, 1955

## Chapter 241

### AN ACT Relating to Hunting of Woodcock.

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

R. S., c. 37, § 85, amended. Section 85 of chapter 37 of the revised statutes is hereby amended to read as follows:

‘Sec. 85. Federal regulations on migratory game birds to govern; open season on partridge and pheasants. No person shall hunt or have in his possession any eagle, Hungarian partridge or capercaillie, ~~cock of the woods or any black game, sharp-tailed grouse or bob-white quail.~~

There shall be a closed season on partridge or grouse and pheasant from November 16th to September 30th of the following year, both days inclusive, and no person shall, during the open season, have in possession in any one day more than 4 partridge or 2 pheasants or not more than 4 partridge and pheasants in the aggregate, or in any one open season for partridge or grouse more than 25 partridge or 12 pheasants, nor shall any person at any time buy or sell any partridge, grouse or pheasant; provided further, that there shall be a closed season on pheasants within the following described territory until September 30, 1958: All of Penobscot county north of the Canadian Pacific railroad tracks, running from Megantic to Mattawamkeag and Maine Central railroad tracks running from Mattawamkeag to Vanceboro. No person shall have in possession any partridge or pheasants taken in closed season.