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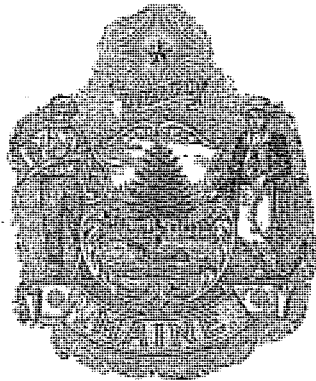
SIXTH REVISION

THE
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closing the windows in the booth or enclosure which must be so contrived as to close automatically in case of accidental ignition of the film. The enclosure or housing provided for such cinematograph, moving-picture machine, or other similar apparatus, shall be located above the main floor of the hall, room or building where such cinematograph, moving-picture machine, or similar apparatus is located. There shall be a sufficient number of exits and fire-escapes leading into a street, lane or passageway, with no obstruction to free exit.

Sec. 18. Penalty for violation. 1909, c. 21, § 5. 1915, c. 241, § 3. Whoever keeps, uses or operates any cinematograph or similar apparatus contrary to the provisions of the four preceding sections shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, to be recovered on complaint or indictment to the use of the city or town in which any such violation occurs; but no final judgment on such complaint or indictment shall be entered during the pendency of an appeal as provided in sections fifteen and sixteen of this chapter and in case such appeal be sustained, such complaint or indictment shall be dismissed.

CHAPTER 33.

Inland Fisheries and Game.

- Sections 1- 5 Commissioners of Inland Fisheries and Game; their appointment; authority to make rules and regulations.
- Sections 6- 7 Maintenance of Fishways.
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Commissioners of Inland Fisheries and Game.

Sec. 1. Commissioners of inland fisheries and game, how appointed; clerk. R. S. c. 32, § 34. 1905, c. 84, § 1. 1913, c. 206, § 19. The governor, with the advice and consent of the council, shall appoint three persons to be commissioners of inland fisheries and game, one of whom shall be the land agent of the state and shall hold the office so long as he shall continue to be land agent; the other two commissioners, one of whom shall

be designated and commissioned as chairman, shall hold their offices for three years, and until their successors are appointed and qualified; the land agent shall not be eligible to the office of chairman. Said commissioners shall be provided with an office in the state capitol, with suitable furniture, stationery and other facilities for the transaction of the business of the department, and they may appoint a clerk. They may employ attorneys at trials in inferior courts for violations of the provisions of this chapter, and necessary additional clerks in their office, and may have at least two daily newspapers published in the state, to be selected by them, for use in their office, all of which shall be paid for out of the regular appropriation for their department. They shall, on or before the thirty-first day of December of each year, make an annual report to the governor.

95 Me. 585.

Note. This chapter includes section thirty-four of chapter thirty-two of the Revised Statutes of 1903 as amended by section one of chapter eighty-four of the Public Laws of 1905, chapter one hundred and twenty-nine of the Public Laws of 1909, and chapter two hundred and six of the Public Laws of 1913. The act last named was entitled "An act to revise, collate, arrange and consolidate the inland fish and game laws of the state, both general and public and private and special, and the rules and regulations of the Commissioners of Inland Fisheries and Game now in force"; thereby all acts and parts of acts, whether public, or, so called, private and special, which are inconsistent with the provisions of said act, and all acts and parts of acts, whether public or private and special, relating to inland fish and game and birds, which were not incorporated in said act, and all rules and regulations of the Commissioners of Inland Fisheries and Game, were repealed.

Sec. 2. Duties; may regulate times and places for hunting and fishing; publication of rules. 1913, c. 206, § 15. The commissioners of inland fisheries and game shall have general supervision of the enforcement of the inland fish and game laws. Whenever they shall deem it for the best interests of the state, after due notice and public hearing in the locality to be affected, they may regulate the times and places in which and the circumstances under which game and inland fish may be taken for a series of years not exceeding four, but they shall not authorize the taking of game or inland fish at a time in which its capture is prohibited by the laws of the state. They may, from time to time, modify or repeal such needful rules and regulations, not contrary to the laws of the state, as they may deem necessary or proper for the protection and preservation of the game and inland fish of the state. They shall file, in the offices of the clerks of the towns in the territory to be affected, a copy of the rules and regulations adopted by them, and publish the same three weeks successively in a newspaper printed in the county, and post on the banks of waters to be affected, as nearly as may be like notices; and whenever any such rules or regulations apply to any unorganized township, a like copy shall be filed with the clerk of courts for that county, and published three weeks successively in a newspaper printed in the county; they shall, immediately upon the adoption of any rules and regulations contemplated by this section, file an attested copy of the same in the office of the secretary of state.

Sec. 3. Penalty for violation of regulations. 1913, c. 206, § 15. Whoever fishes for, takes, catches, kills or destroys any inland fish, or hunts, chases, catches, kills, takes or destroys any inland game, in any manner at any time, in violation of any of the rules and regulations of the commissioners of inland fisheries and game, made and promulgated in conformity with the provisions of this chapter, shall be punished in the same manner and to the same extent as is provided by law for the illegal taking,

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catching, killing or destroying of any inland fish or for the illegal hunting, chasing, catching, killing, taking or destroying of any inland game.

Sec. 4. Penalty for defacing or destroying notices. 1913, c. 206, § 16. Whoever wilfully mutilates, defaces or destroys any notice, rule, or regulation of the commissioners of inland fisheries and game, posted in conformity with the provisions of this chapter, shall pay a fine not exceeding fifty dollars.

Sec. 5. Commissioners may take fish and game for scientific purposes; may set apart waters for fish culture; may grant permits to take game for park purposes. 1913, c. 206, §§ 17, 19. The commissioners of inland fisheries and game may take fish and game of any kind when, where, and in such manner as they choose, for the purposes of science and of cultivation and dissemination, and they may grant written permits to other persons to take fish and game for the same purposes, and may introduce or permit to be introduced, any kind of fish into any waters. They may, after a hearing, set apart, for a term not exceeding ten years, any waters for the use of the state or of the United States commissioner of fish and fisheries, in the prosecution of the work of fish culture and of scientific research relative to fishes. The order setting apart such waters shall be recorded in the registry of deeds in the county or registry district, in which they are situated. In the waters so set apart, they and the United States commissioner of fish and fisheries, and persons acting under their authority may, in their respective fish culture and scientific work, take fish at any time or in any manner, and erect and maintain any fixtures necessary for such purposes. No other person shall take or kill any fish, or use any implement for fishing therein, under a penalty of not less than ten, nor more than one hundred dollars, and a further penalty of one dollar for each fish so taken or killed; provided, however, that before such hearing the commissioners shall give notice thereof, by publication for two successive weeks in at least one newspaper printed in the county where such waters lie. They may grant permission to take moose, caribou, deer, and birds for park purposes in this state, under such rules, regulations, and conditions as they shall establish. They may cause the destruction of any mink or other destructive animal or bird found in or around any fish hatchery or feeding station in this state. They may grant permits to transport beyond the limits of the state, live fish or game taken in the state, for breeding, scientific and advertising purposes.

Maintenance of Fishways.

Sec. 6. Owners of dams must construct and maintain fishways; proceedings in case of disagreement; appeal; commissioners to prescribe times for open fishways. 1913, c. 206, § 17. They may compel the owner or occupant of every dam or other artificial obstruction above tide-water in any river or stream frequented by salmon, landlocked salmon, shad, alewives or other migratory fishes, to provide the same with a durable and efficient fishway, of such form and capacity, and in such location as may, after notice in writing to one or more of said owners or occupants and a hearing thereon, be determined by the commissioners; they shall give written notice

to some owner or occupant specifying the location, form and capacity of the required fishway, and the time within which it shall be built; and said owner or occupant shall keep said fishway in repair, and open and free from obstruction for the passage of fish, during such times as are prescribed by law; provided, however, that in case of disagreement between said commissioners and the owner or occupant of any dam, as to the propriety and safety of the plan submitted to the owner or occupant of such dam for the location and construction of the fishway, such owner or occupant may appeal to the county commissioners of the county where the dam is located, within twenty days after notice of the determination from the commissioners of inland fisheries and game by giving to the latter named commissioners notice in writing of such appeal within that time, stating therein the reasons therefor; and at the request of the appellant or the commissioners of inland fisheries and game, the senior commissioners in office of any two adjoining counties shall be associated with the commissioners of the county where the dam is located; they shall appoint a time to view the premises and hear the parties and give due notice thereof, and after such hearing they shall decide the question submitted, and cause record to be made thereof, and their decision shall be final as to the plan and location appealed from. If the requirements of the commissioners of inland fisheries and game are affirmed, the appellants shall be liable for the costs arising after the appeal, otherwise they shall be paid by the county. If a fishway thus required is not completed to the satisfaction of the commissioners of inland fisheries and game within the time specified, every owner or occupant shall forfeit not more than one hundred, nor less than twenty dollars for every day of such neglect between the first days of May and November. On the completion of a fishway to the satisfaction of the commissioners of inland fisheries and game, or at any subsequent time, they shall prescribe in writing the time during which the same shall be kept open and free from obstruction to the passage of fish each year, and a copy of such writing shall be served on the owner or occupant of the dam. The commissioners of inland fisheries and game may change the time as they see fit. Unless otherwise provided, fishways shall be kept open and unobstructed from the first day of May to the fifteenth day of July. The penalty for neglecting to comply with this section, or with any regulations made in accordance herewith, is not less than twenty, or more than one hundred dollars for every day of such neglect.

Sec. 7. Proceedings when owners neglect to repair fishways; liability of joint owners; penalties may be recovered of non-resident owners by libel against the dam; commissioners may delegate powers. 1913, c. 206, § 18. Whenever the commissioners of inland fisheries and game find a fishway out of repair or needing alterations, they may, as in the case of new fishways, require the owner or occupant to make such repairs or alterations; and all proceedings in such cases and the penalty for neglect shall be as provided in the preceding section without appeal. If the dam is owned and occupied by more than one person, each is liable for the cost of erecting and maintaining such fishway, in proportion to his interest in the dam, and if any owner or occupant neglects or refuses to join with the others

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in erecting or maintaining such fishway, the other owners or occupants shall erect or repair the same, and have an action on the case against such delinquent for his share of the expenses. If the owner or occupant of such dam resides out of the state, said penalties may be recovered by a libel against the dam and land on which it stands, filed in the supreme judicial court in the county where it is located, in the name of the commissioners of inland fisheries and game or of any inland fish and game warden who shall give to such owner or occupant, and all persons interested therein, such notice as the court or any justice thereof in vacation orders, and the court may render judgment therein, against said dam and lands for said penalties and costs, and order a sale thereof to satisfy such judgment and costs of sale, subject, however, to all said requirements for the erection and maintenance or repair of said fishway. The commissioners of inland fisheries and game may delegate to any inland fish and game warden or other lawful officer of inland fisheries and game any of the powers given to said commissioners in relation to the construction of fishways.

Fish Hatcheries and Screens.

Sec. 8. Commissioners may take and hold land for hatcheries; damages; appeal. 1913, c. 206, § 23. 1915, c. 277, § 10. The commissioners of inland fisheries and game for the location, construction, repair and convenient operation of a fish hatchery or fish hatcheries and feeding stations for fish may purchase, lease or take and hold, for and in behalf of the state, as for public uses, land and all materials in and upon it or any rights necessary for the purpose of establishing, erecting and operating fish hatcheries. For real estate so taken, the owners are entitled to damages, to be paid by the state and estimated by the county commissioners, on written application of either party, made within one year after filing the location as hereinafter provided, or if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within one year thereafter. When the commissioners of inland fisheries and game deem that a public exigency requires the taking of any land or rights for the purposes aforesaid, they shall cause the same to be surveyed, located, and so described that the same can be identified, and a plan thereof shall be filed in the registry of deeds in the county, or registry district, where the land or rights are located, and there recorded. The filing of such plan and description shall vest the title to the land and right aforesaid, in the State of Maine, or its grantees to be held during the pleasure of the state. Either party if aggrieved by a decision of the county commissioners rendered in conformity with the provisions of this section, may appeal as in cases of land taken for highways to the supreme judicial court in the county in which the land is situated.

Sec. 9. May authorize screening of outlets; penalty for injury to screens. 1913, c. 206, § 20. The commissioners may in their discretion authorize the screening of the outlet of any pond or lake under such conditions as they may determine. Whoever shall take up, destroy or injure any screen erected at the outlet of any lake or pond by authority of the commissioners of inland fisheries and game, shall pay a fine of fifty dollars and costs for each offense.

Wardens.

Sec. 10. Fish and game wardens, appointment; term; duties and powers; bond. Sheriffs and other officers have powers of wardens. 1913, c. 206, § 66. The governor, with the advice and consent of the council, upon the recommendation of the commissioners of inland fisheries and game, may appoint suitable persons as inland fish and game wardens, who shall hold office for a term of three years unless sooner removed, and who shall enforce all laws relating to inland fisheries and game, and all rules and regulations in relation thereto, arrest all violators thereof, and prosecute all offenses against the same; said inland fish and game wardens shall have the same power to serve criminal processes against such offenders, and shall be allowed the same fees as sheriffs, for like services, and they shall have the same right as sheriffs to require aid in executing the duties of their office. They shall, before being qualified to discharge the duties required by this chapter, give bond to the treasurer of state, in the sum of two thousand dollars, with two sureties, or with a surety company authorized to do business in the state, as surety, approved by the commissioners of inland fisheries and game, conditioned for the faithful performance of the duties of their office. Inland fish and game wardens may serve all processes pertaining to the collection of penalties for violation of the inland fish and game laws.

Sheriffs, deputy sheriffs, police officers and constables are vested with the powers of inland fish and game wardens, and shall receive for their services the same fees.

107 Me. 349.

Sec. 11. When towns may elect a fish and game warden. 1909, c. 66. 1913, c. 206, § 79. Any city, town or plantation in which there is a lake or pond that has been stocked with fish by the state and screened partly by the state and partly by the town or by private subscription, may, at its annual meeting, elect an inland fish and game warden, with all the powers of other inland fish and game wardens, whose duty it shall be to care for and protect said screen.

Sec. 12. Deputy wardens, appointment; powers; term. 1913, c. 206, § 67. The commissioners of inland fisheries and game may appoint inland fish and game deputy wardens and may revoke such appointment at any time. The appointment and discharge of such deputy wardens shall be in writing, and they shall have the same powers and be subject to the same laws, as inland fish and game wardens appointed by the governor and council. All such appointments shall terminate with the calendar year in which the appointment is made.

Registration of Guides.

Sec. 13. Registration of guides; duty of guide to report to commissioners. 1913, c. 206, § 56. 1915, c. 234. No person shall engage in the business of guiding, either for inland fishing or forest hunting, until he shall have filed with the commissioners of inland fisheries and game a certificate and affidavit signed by the municipal officers, or a majority thereof, of the

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town or plantation within which the applicant resides, or, if the applicant is a resident of an unorganized place, a certificate and affidavit signed by the municipal officers, or a majority thereof, of the nearest town or plantation, setting forth in substance that the applicant is a person of good moral character and sobriety, and is deemed by them to be a suitable person to receive a certificate as a guide, and until he has caused his name, age and residence to be recorded in a book kept for that purpose by said commissioners and has procured a certificate from said commissioners, setting forth in substance that he is deemed suitable to act as a guide, either for inland fishing or forest hunting or both, as the case may be, under a penalty of fifty dollars and costs for each offense. Each registered guide shall, from time to time, as often as requested by the commissioners, forward, on blanks furnished him by the commissioners, a statement of the number of persons he has guided in inland fishing and forest hunting during the time called for in said statement, the number of days he has been employed as a guide, and such other useful information relative to inland fish and game, forest fires, and the preservation of the forests in the localities where he has guided, as the commissioners may deem of importance to the state, under a penalty of fifty dollars for unreasonably or wilfully refusing to comply with these requirements.

94 Me. 108.

Sec. 14. Application for registration; registration may be canceled. Required qualifications of guides; territory of guides may be restricted; non-residents in territory contiguous to Maine may be licensed. 1913, c. 206, § 56. Such registration shall be as follows: The applicant shall apply in writing or personally to the commissioners for registration, or to some person designated by the commissioners, setting forth in his application whether he desires to be registered as a general or local guide; and the commissioners shall, as soon thereafter as may be, after such investigation as they deem advisable, register such person as a guide in such class as they shall deem proper; but said commissioners may refuse to register any applicant whom they deem unfit to be a guide, and may, for cause shown, after due notice and hearing, cancel any registration by them made, and may advance anyone from the local class to the general class, whenever they shall deem such person qualified to be a general guide. A fee of one dollar shall be paid annually for the registration as herein provided.

No person shall receive a certificate as a general guide unless he be at least twenty years of age, of good repute, and friendly to the inland fish and game laws, and will discountenance in all proper ways all violations thereof. He shall be thoroughly competent to traverse the hunting grounds in which he is licensed to guide and shall be skilled in the use, management, and handling of such boats or canoes, on lake, pond, or river, as are used in the territory in which he is authorized to guide, and shall be a safe person under all circumstances to be a guide for inland fishing and forest hunting parties. A person may receive a certificate as a local guide who does not, in the judgment of the commissioners, possess all the necessary qualifications of a general guide, yet is deemed suitable to act as such under certain conditions; and guides may be restricted in the territory in

which they are permitted to guide. The commissioners of inland fisheries and game may, in their discretion, license as guides such non-residents as reside in territory contiguous to the state under such conditions as are herein provided for the registration of resident guides; the fee for such non-resident guide license shall be twenty dollars.

Whenever a guide registered, as provided in this section, violates any of the inland fish and game laws, the commissioners may, at their discretion, cancel his certificate of registration and strike his name from the list of registered guides; but such person may thereafter be registered again at the discretion of the commissioners. Any certificate canceled by virtue of this section shall be immediately returned to the commissioners, under a penalty of fifty dollars for refusal or neglect to comply with this requirement.

Sec. 15. Keepers of sporting camps licensed; consent of land owners; report; penalty. 1913, c. 206, § 57. No person shall maintain, occupy or keep a sporting camp, lodge or place of resort for inland hunting or fishing parties within the limits of any of the unorganized townships embraced in the Maine Forestry District without annually procuring a license therefor of the commissioners of inland fisheries and game and paying therefor a fee of five dollars; but such license shall not be granted unless the person applying for the same files with his application therefor the written consent of the owner or owners of the land, or his or their agent, upon which such sporting camp, lodge or place of resort for inland fishing and hunting parties is or may be located; and such licensed persons may purchase for consumption in their sporting camps, lodges or places of resort, deer lawfully killed, but they shall keep a record of all such purchases, of whom purchased and the date of the purchase, and on the fifteenth day of December of each year shall send such record to the commissioners of inland fisheries and game, first making oath to the same. The commissioners of inland fisheries and game may refuse to issue a license or licenses to such person or persons as they deem unsuitable. Whoever violates any provision of this section shall pay a fine of fifty dollars and costs for each offense.

Regulation of Inland Fishing.

Sec. 16. Definitions. 1913, c. 206, §§ 1, 4. 1915, c. 277, § 3. The words "closed season" as used in this chapter mean the time or period during which it is unlawful to hunt, pursue, shoot, wound, trap or destroy any bird or animal, or fish for or catch any fish, and the words "open season" mean the time during which it shall be lawful to take these animals, fish and birds as specified and limited by law. The words "tributary" and "tributaries" wherever used in this chapter shall be construed to mean brooks or streams flowing directly or indirectly into a lake or pond or into another brook or stream, and one great pond or lake shall not be construed as a tributary to another great pond or lake.

Note. Authority of governor to suspend the open season in periods of danger from forest fires, c. 8, §§ 38-41.
Jurisdiction of state to regulate and control fisheries in waters of state, 84 Me. 444; 94 Me. 99.

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Sec. 17. Closed season in lakes and ponds. Taking of landlocked salmon, trout, togue, white perch and black bass, regulated. 1913, c. 206, § 2. 1915, c. 277, § 1. Except as hereinafter provided, there shall be an annual closed season on landlocked salmon, trout, togue, white perch and black bass, in all the lakes and ponds of the state, as follows:

On landlocked salmon, trout and togue, from the thirtieth day of September until the ice is out of the lake or pond fished in the following spring; on white perch and black bass from the thirtieth day of September until the twentieth day of June following; provided, however, that it shall be lawful to take black bass, with unbaited artificial flies only, from the time the ice is out of the lake or pond fished in the spring until the twentieth day of June following; provided, further, that in Sebago lake and Long pond, in Cumberland county, the annual closed season on landlocked salmon, trout and black bass shall be from the first day of October to the thirty-first day of March of the following year, both days inclusive, and in Thompson pond, situated in Androscoggin, Cumberland and Oxford counties, the annual closed season on landlocked salmon, trout and togue shall be from September first to January first of the following year. But in the brooks, streams and rivers of the state, above tide waters, the annual closed season on trout, salmon and landlocked salmon shall be from September fifteenth to the time the ice is out of the brook, stream or river fished in the following spring; on black bass and white perch from September thirtieth to June twentieth of the following year. During the respective closed seasons on the above-named fish no person shall fish for, take, catch or kill or have any of them in possession; provided, however, that no person shall in any one day during the respective open seasons herein provided take or catch and kill or have in possession at any time, more than fifteen pounds in all of the above-named fish, unless one individual fish caught shall weigh more than fifteen pounds, or unless the last fish caught increases the combined weight thereof to more than fifteen pounds, and provided, further, that no person in any one day shall take, catch and kill or have in possession at any time more than twenty-five fish in all of the above-named fish even though the twenty-five fish caught and killed weigh less than fifteen pounds; provided, however, that no person or party or occupants of any one boat, canoe, raft or other vessel or conveyance propelled by steam, electricity, hand or other power shall catch by still or plug fishing, so called, more than four trout and landlocked salmon in any one day, collectively, nor more than two trout and landlocked salmon in any one day, individually, in the waters of Rangeley, Richardson, Mooselookmeguntic and Cupsuptic lakes, situated in the counties of Franklin and Oxford; provided, further, that landlocked salmon and trout may be caught by artificial fly until October first in Moose river, between Moosehead lake and Brassua lake, in Somerset county.

75 Me. 290; 87 Me. 498.

Sec. 18. Fishing through the ice, regulated. 1913, c. 206, § 2. 1915, c. 277, § 2. It shall be unlawful to fish through the ice at any time for any kind of fish except as hereinafter provided; pickerel may be taken at any time through the ice in waters open to ice fishing for landlocked salmon,

trout, togue, white perch and black bass as hereinafter provided, but in no other waters, with not more than five set lines to each family when fishing through the ice in the day time and when under the immediate personal supervision of the person fishing, and during February and March, citizens of the state may fish for and take landlocked salmon, trout, togue, white perch and black bass with not more than five set lines to each family when fishing through the ice in the day time and when under the immediate personal supervision of the person fishing and may convey them to their own homes for consumption therein but not otherwise, in the following named and specified lakes, ponds and rivers, but in no other waters, namely :

In all the lakes, ponds and rivers wholly or partly in Androscoggin county except Lake Auburn and Androscoggin lake, and Pleasant pond in Turner ; in all the lakes, ponds and rivers in Cumberland county except Little Sebago and Forest lakes and Sabbathday, Thomas, Panther and Anonymous ponds ; in Drury pond in Temple and in all the lakes and ponds situated wholly in the town of Chesterville, (on Friday and Saturday of each week) in Franklin county ; in all the lakes, ponds and rivers in Hancock county, except in Turtle and Narraguagus lakes, and except in Noyes pond ; in all the lakes, ponds and rivers in Kennebec county except Cobbosseecontee, Maranacook, Wilson, Echo, Pocasset and Annabessacook lakes and Cochnewagon, Great, East, Long, North, Little, Ellis, McGraw, Snow, Narrows, Buker, Sand, Purgatory, Little Purgatory, Flying, Parker, and Jimmy ponds, the latter named pond being in Litchfield ; in all the lakes, ponds and rivers in Knox county, except Crystal lake ; in all the lakes, ponds and rivers in Lincoln county, except Dyers pond, and in the following named lakes and ponds in Oxford county : North and Bird ponds in Norway, The Five Kezars, Moose, Bear, Long, Two Spec, Pappoose, and McWain ponds in Waterford, Kneeland, Songo, Burnt Land and Crocker ponds in Albany, Proctor pond in Albany and Stoneham, Upper Stone and Horseshoe ponds in Stoneham, Bradley, Farrington and Slab City ponds in Lovell, Moose, Beaver, Long, Grandeur and Little ponds in Denmark, Lovewell's, Clay, Haley, Charles, Pleasant, Lower Kimball and Bog ponds, situated wholly or partly in Fryeburg, and Burnt Meadow pond in Brownfield, Moose and Mud ponds in Paris, Hogan and Whitney ponds in Oxford, the Two Clemons ponds and Bungamuck pond in Hartford, Roxbury pond in Roxbury, Keyes and Stearns ponds in Sweden, Bickford, Long and Colcord ponds in Porter, Rattlesnake pond, easterly of the Maine Central Railroad, in Brownfield, North and Round ponds in Greenwood and Woodstock, Pleasant, Labrador and Little Labrador ponds in Sumner, and Half Moon pond ; in all the lakes, ponds and rivers in Penobscot county, except Cold Stream, Brewer, Ware, Davis and the Puffer ponds ; in the following named lakes and ponds in Piscataquis county : Moosehead, Seboeis, Cedar, Schoodic, North and South Twin, Pemadumcook, Ambajejus, Debsconeag, Nahmakanta, Chesuncook, Sebec, Joe Mary, Caribou, Lobster, Chamberlain, Telos, Webster, Eagle, Allegash, Munsungan, Millinocket, Caucogomoc, Churchill, Chemquassabamticook, Grand, Second and Ragged lakes, and in Fourth Buttermilk, Little Benson, Ebemees, First Buttermilk, Big Benson, Big Huston, Center, Pepper, Large Greenwood, South Branch, Carpenter, Littlefield, Fowler and Whetstone ponds ; in the following named

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lakes and ponds in Somerset county: Moosehead, Great Moose and Brassua lakes, (and in Hayden lake and Lake George on Saturday only of each week) and in Morrill, Palmer, Ellis, Round, Ten Thousand Acre, Rowell, Smith, Oaks, Pickerel, Gilman, Sibley, Fahi, Sandy, Wyman, Weeks, Mud, Stafford, Starbird, Douglass, Mayfield, Kingsbury, Dead Stream, Lower Cold Stream, Horseshoe and Big Wood ponds, and in Gammon pond (and Great Embden pond on Saturday only of each week); in all the lakes, ponds and rivers in Aroostook county; in all the lakes, ponds and rivers in Sagadahoc county; in all the lakes, ponds and rivers in Waldo county; in all the lakes, ponds and rivers in Washington county; in all the lakes, ponds and rivers in York county, except Bonneg Beg, Messabesic, Littlefield, Square, Middle Branch, Mousam, Long and York ponds; provided, further, that no citizen of the state shall in any one day, during the open season herein provided for fishing through the ice, take, catch or have in possession more than fifteen pounds in all of the above-named fish, unless one individual fish caught shall weigh more than fifteen pounds; and provided, further, that no person in any one day shall take, catch and kill more than twenty-five fish in all of the above-named fish even though the twenty-five fish caught and killed weigh less than fifteen pounds; and provided, further, that no landlocked salmon less than twelve inches in length, no trout less than six inches in length, no black bass less than ten inches in length and no white perch less than six inches in length shall be caught and killed or had in possession by any person at any time, except that in Great, Long, East, North, Ellis, McGraw and Snow ponds, said ponds being part of the Belgrade chain of lakes, in Kennebec and Somerset counties, no trout less than ten inches or black bass less than twelve inches in length shall be caught and killed at any time; and provided, further, that no person shall take, catch and kill in any one day more than six black bass in all in either of said ponds or in Lake Kezar or in Lower Kezar pond in Oxford county.

Sec. 19. Protected waters. 1913, c. 206, § 2. In the following named waters it shall be unlawful for any person at any time to fish for in any way or take, catch or kill any fish, except as may be hereinafter provided:

Androscoggin County.

In any of the tributaries to Lake Auburn (and all that part of the waters of said Lake Auburn and Townsend brook, to a point five rods below the bridge on the Turner road shall be considered as tributary waters to said Lake Auburn), or in any of the tributaries to Taylor pond in Auburn, or in any of the tributaries to Round and Long ponds in Livermore, or in any of the tributaries to Pickerel (or Beals) pond, in Turner.

Aroostook County.

In that part of Presque Isle stream above Grindstone, in Chapman plantation, and all the tributaries flowing into said Presque Isle stream except the North Branch of said stream commonly called the Mapleton Branch, the inlet stream of Squa Pan lake and the East Branch of said inlet stream above Thomas Thibodeau's lower landing.

Cumberland County.

In any of the tributaries to Sebago lake; but in Crooked river from its junction with Songo river to Crooked river bridge, and in Songo river above Songo lock it shall be lawful to fish in accordance with the general law of the state.

Franklin County.

In any of the tributaries to Rangeley lake, or in Coos brook, a tributary to Wilson lake, in Wilton, to the upper side of the Wilkins bridge, or in Holland brook, a tributary to said Wilson lake up to its junction with Coos brook, or in any of the tributaries to Varnum and North ponds in Temple and Wilton, or in any of the tributaries to Clearwater pond in Farmington and Industry, or in any of the tributaries to Long pond and Sandy river pond wholly or partly in Sandy River plantation, or in any of the tributaries to Webb pond in Weld, except Alder brook down as far as the mill dam at Hildreth's mills, or in Staples pond in Temple or in any of its tributaries, or in any of the tributaries to Four ponds in Townships E and D, or in any of the tributaries to Tim and Mud ponds in Township Two, Range four, or in Whetstone brook, which flows into Kennebago stream, or in Metalluc and Mill brooks which flow into upper Richardson lake, or in Kamankeag brook, a tributary to Kennebago stream, situated in the town of Rangeley, or in any of the tributaries to Tuft's and Dutton ponds in Kingfield, or in the outlet of the same from Dutton pond to Reed's Falls, or from Tuft's pond to Alder stream or in any of the tributaries to Mooselookmeguntic lake, or in any of the tributaries to Cupsuptic lake, except Cupsuptic river and its tributaries above the foot of the first falls near its mouth, from May first to July first, or in any of the tributaries to Bigelow pond, in Township Number Four, Range three, or in Carrabasset river and tributaries above the bridge at Bigelow.

It shall be unlawful to fish except with unbaited artificial flies in the usual manner, or carry away or transport any fish so taken, in any of the waters in Davis, Stetson, or Seven Ponds Townships and Massachusetts Gore, in Franklin county, except fish so taken in said waters may be transported from the place where caught to a lodge, camp, dwelling-house or hotel situated in the above-named territory.

But in Kennebago stream during open season for fishing it shall be lawful to fish, in accordance with the general law, from Indian Rock to Big Falls in the ordinary way with artificial flies, and to kill two fish in one day when accompanied by a registered guide; also from the sign at the old wharf near the head of Rangeley stream down to the dam across said stream, and from the upper end of the dead water to Indian Rock, in the usual way with artificial flies and kill one fish in any one day.

Hancock County.

In any of the tributaries to Bubble pond or Turtle lake, on Mount Desert Island, or in Upper Patten Pond brook in Orland, or tributaries to Eagle lake.

Kennebec County.

In any of the tributaries to Flying pond in Vienna, except Sucker brook, above the Whittier dam, or in Jimmy pond in Litchfield, or in any of the tributaries to said pond, or in the outlet stream of said pond down as far as Buker pond, or in any of the tributaries to Great, Long, East, North, Little, Ellis, McGraw and Snow ponds, except the Belgrade stream, a tributary to Snow pond up as far as Wing's mill dam, situated wholly or partly in the county of Kennebec, or in any of the tributaries to Cobbosseecontee lake, or in any of the tributaries to Lake Maranacook or in Little pond in Belgrade or in any of the tributaries to Parker pond.

Knox County.

In any of the tributaries to Norton pond, or in any of the tributaries to Alford's lake in Hope, or in any of the tributaries to Lermond's pond in Hope and Union, or in any of the tributaries to Canaan lake in Knox and Waldo counties, or in any of the tributaries to Crystal lake in Washington.

Oxford County.

In any of the tributaries to Indian pond in Greenwood, or in any of the tributaries to South pond in Greenwood, or in any of the tributaries to Twitchell pond in Greenwood, or in any of the tributaries to North pond in Woodstock, or in any of the tributaries to Round pond in Greenwood, or in any of the tributaries to Marshall pond, situated wholly or partly in Oxford, except it shall be lawful to fish in that portion of Donham brook, a tributary to said Marshall pond, which is down stream from a certain rock with staples driven therein, or in any of the tributaries to Rattlesnake pond, in Brownfield, or in any of the tributaries to Garland pond, or in any of the tributaries to Little Pennessewassee in Norway, or in any of the tributaries to Lake Pennessewassee in Norway, or in any of the tributaries to Pickerel pond in Denmark, or in any of the tributaries to Songo pond in Albany, or in Ellis river or in any of its tributaries in Andover, Andover West, North Surplus, Roxbury, Township C and Township D, except on Tuesdays, Thursdays and Saturdays, or in Rapid river or in Pond-in-the-River except in the ordinary way of casting with artificial flies or fly-fishing, or in any of the pools below the dam to the rock at the mouth of the river at Upper Dam except in the ordinary way of casting with artificial flies or fly-fishing.

Penobscot County.

In any of the tributaries to Lumbert lake in Springfield and in Lakeville plantation, or in Wallace brook in Carroll, a tributary to Shaw lake, or in Lowell brook in Lakeville plantation, a tributary to Duck lake, or in Dill brook in Lakeville plantation, a tributary to Bottle lake, or in Getchell brook in Lakeville plantation, a tributary to Duck lake, from the mouth of said brook up to the head of Muzzy Meadows, one mile from Duck lake, or in Sebasticook river from the fish screen or middle bridge to Sebasticook lake.

Piscataquis County.

In Long Pond stream, or in Ship Pond stream above Buck's Falls, or in Davis stream in Willimantic, or in Monson Pond stream, a tributary to said Davis stream, or in Vaughan stream, a tributary to Long Pond stream, or in any of the tributaries to Moosehead lake except Moose river, or in Wilson stream, a tributary to Sebec lake, or in Wilson river, between Wilson pond and Toby Falls.

Somerset County.

In any of the tributaries to Lake George in Canaan, or in Beaver brook in Holeb, or in any of the tributaries to Hayden lake in Madison, or in Mosquito stream below the railroad bridge, or in any of the tributaries to Great Embden pond in Embden, or in Misery stream, an inlet of Brassua lake, or in any of the tributaries to Great Moose lake in Hartland and Harmony, except Main stream, or in Goodwin's brook and Higgins stream below the first dam on said Higgins stream, or in the West Outlet of Moosehead lake, or in any of the tributaries to Parlin or Lang pond, in Township Three, Range seven, or in Lang stream or in any of its tributaries.

Washington County.

In any of the tributaries to Lambert lake; provided that Grand Lake stream, the outlet of Grand lake, and so much of Grand lake as is one hundred yards above the dam at the outlet shall be annually closed to all fishing from the first day of October to the thirty-first day of May of the following year, both days inclusive, and provided, further, that from said dam to a point one hundred yards below said dam on said stream it shall be unlawful to fish for any kind of fish at any time, and it shall be unlawful during open season on said stream and one hundred yards above the dam at the outlet of said lake, to fish for, take, catch or kill any fish by any other method than by the ordinary way of angling with artificial flies.

York County.

In any of the tributaries to Bonneg Beg pond in Sanford and North Berwick, or in York pond in York and Eliot, or in McIntire or Junkins brooks, in York, or Boyd's pond in Limington, or in Dole pond in said Limington.

Sec. 20. Manner of fishing; number of lines limited. 1913, c. 206, § 2. No person shall in any manner, except when fishing through the ice, as now provided by law, fish with more than two lines at any time.

Note. The legislature of 1915 enacted sixty-seven laws, classed as public laws, modifying chapter two hundred and six of the public laws of 1913. These laws are applicable only to certain specified localities. With the approval of the legislative committee on the revision of the statutes, the commissioner has arranged these laws in the following list. They are not included in the repealing act and accordingly remain in force.

Androscoggin County.

Hooper pond, in Greene, and its tributaries, c. 13.

As to ice fishing in Androscoggin lake, c. 8.

Aroostook County.

Burnt land brook, a tributary to Presque Isle stream and the east branch of said

Presque Isle stream, c. 23.

Violette brook, in Van Buren, above Hammond's Mills, c. 302.

As to ice fishing in Ross lake and Cary lake, Littleton, c. 187.

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Cumberland County.

North Branch brook and its tributaries, c. 18.
 Island pond and its tributaries in Harrison, c. 7.
 Otter pond in Bridgton, c. 14.

As to ice fishing in Lower Kezar pond, in Bridgton, c. 132; in Forest lake, c. 64.

Franklin County.

Brook Number One and Brook Number Two, above the railroad track, above Lowell town, c. 76, § 2.

Tuft s, Dutton and Grindstone ponds, in Kingfield, c. 156.

Rangeley stream from the sign at the old wharf near the head of said stream, down to the dam across said stream; Kennebago stream from Big Falls to Indian Rock; Little Kennebago stream from Little Kennebago lake to its junction with Kennebago stream, c. 157.

Bent's pond in New Sharon, c. 171.

Mealluc brook and Mill brook, c. 191.

Mud pond; Mirror lake, sometimes called Parkis pond, and their tributaries; Bog stream, the outlet of said Mirror lake, and its tributaries down as far as North Pond stream, in Jay and Chesterville, c. 226.

Carrabassett river and its tributaries above the bridge at Bigelow, c. 227.

Stratton brook and its tributaries, and Mount Bigelow ponds, c. 245.

Kennebago lake, Little Kennebago lake and Little Kennebago stream, c. 290.

Hancock County.

As to ice fishing in Passadumkeag river, c. 67; in Brewer pond, in Bucksport, c. 87.

Kennebec County.

Jimmy pond and its outlet stream down as far as Buker pond, c. 6.

Pattee's pond in Winslow; Wilson brook from the Abbott road to the junction of said brook with the outlet stream of said Pattee's pond, c. 12.

Bent's pond, in Vienna, c. 171.

Fifteen Mile stream and its tributaries, c. 185.

Mud pond; Mirror lake, sometimes called Parkis pond, and their tributaries; Bog stream, the outlet of said Mirror lake, and its tributaries down as far as North Pond stream, in Fayette, c. 226.

Belgrade stream, a tributary to Snow pond, from Long pond to Belgrade bridge, c. 229.

As to ice fishing in Androscoggin lake, c. 8: in Tilton pond, David pond and Basin pond, in Fayette, c. 85; in Berry pond in Winthrop and Wayne, and as to fishing in the tributaries of said Berry pond, c. 211; as to ice fishing in Pleasant pond, in Gardiner, West Gardiner and Litchfield, and in Mud pond in Litchfield, and in Horseshoe pond and Oxbow pond, in West Gardiner, c. 214.

Knox County.

Fresh pond, in North Haven, c. 16.

As to the use of firearms upon Megunticook lake, formerly called Canaan lake, and its tributary lakes, ponds and streams, and upon the land bordering the same, c. 133.

Lincoln County.

As to ice fishing in Little Dyer's pond, in Jefferson, c. 4.

Oxford County.

Island pond and its tributaries in Waterford, c. 7; Ward's brook and Ward's pond, in Fryeburg, c. 20; Rapid river, from Lower Richardson lake to Umbagog lake, and Pond-in-the-River, c. 131.

Aziscohos lake and its tributaries; Parmachenee lake and its tributaries; Long pond; Magalloway river above Aziscohos dam, and its tributaries above Aziscohos dam; Little Magalloway river below Wheeler dam, c. 135.

Kennebago stream from Big Falls to Indian Rock, c. 157.

Bryant's pond and its tributaries, c. 160.

Above dead water in any of the tributaries to Lake Kezar, in Lovell, Stoneham and Stowe; and the tributaries to Kezar river, in Lovell and Sweden, c. 161.

Overset pond, in Greenwood, c. 163.

Dead Cambridge river, in Upton, from Umbagog lake to C pond; C pond; and their tributaries except Swift Cambridge river, c. 188.

Mill brook and Metalluc brook, tributaries to Upper Richardson lake, c. 190.

Shagg pond, in Woodstock; Little Concord pond, in Woodstock, and Abbott pond, in Sumner, c. 228.

From the mouth of Cupsuptic stream at high water mark to Little Falls on said stream, c. 279.

As to ice fishing in Webber pond in Sweden, Dan, Charles and Cushman ponds, in Lovell, Horseshoe pond in Lovell and Stoneham, Little pond in Sweden, Shell pond in Stowe and Black pond in Fryeburg, c. 5; in Lower Kezar pond, in Fryeburg, c. 132; and Lake Kezar, in Lovell, Stoneham and Stowe, c. 155; in Sand pond, in Denmark, c. 212.

As to fly-fishing in the pool at Upper Dam and in the river running from said pool to Lake Mollychunkamunk, c. 128.

As to taking smelts in Bryant's pond and its tributaries in Greenwood, c. 160.

As to protection of muskrats in Lower Kezar pond and its outlet and in Kezar meadows, c. 19.

Penobscot County.

Booker brook, in Levant, c. 225.

As to ice fishing in Passadumkeag river, c. 67; in Brewer pond, in Orrington and Holden, c. 87.

Piscataquis County.

Horseshoe pond, in West Bowdoin College township, c. 158.

Tributaries to Upper Wilson pond and tributaries to Lower Wilson Pond, c. 162.

Rum pond, in Greenville and in township eight, range ten, N. W. P., c. 192.

Davis stream, down as far as Hathaway brook, and Monson pond stream, c. 208.

Ship pond stream, c. 209.

As to ice fishing in Whetstone pond, in Kingsbury and Blanchard, c. 210.

As to ice fishing in Kingsbury pond, and in the Bennett ponds in Guilford, c. 216; in Lake Hebron, in Monson, c. 11; in Harlow pond, in Parkman, c. 53; in four Davis ponds, in Guilford and Willimantic, c. 134.

Sagadahoc County.

As to ice fishing in Pleasant pond, and in Mud pond, in Richmond, c. 214.

As to protection of fish, game and birds on southerly point of Swan Island, in Perkins, c. 93.

Somerset County.

Big Turner pond; Little Turner pond; Calf pasture adjacent to said Big Turner pond; Fish pond; Little Fish pond and McKenney pond, c. 76, § 1.

Ellis pond, southerly of the boat landing on the west side of said pond and southerly of the first point above the outlet on the east side of said pond, in township one, range six, E. K. P. W. K. R., c. 186.

Jackson pond, in Concord, c. 215.

As to ice fishing in Big Indian pond, in St. Albans, c. 88; in Martin pond, sometimes called Long pond, in The Forks plantation, c. 77; in Barker pond, in Cornville, c. 213; in the Kennebec river, c. 246.

Waldo County.

Meadow brook and its tributaries in Stockton Springs and Prospect, c. 52.

Fifteen Mile stream and its tributaries, c. 185.

Washington County.

Simpson pond in Roque Bluffs, c. 189.

York County.

Little river and its tributaries in Old Orchard, c. 54.

Great brook, a tributary to Salmon Falls river, and Dixon brook, a tributary to said Great brook, c. 301.

Sec. 21. Penalty for violation of four preceding sections. 1913, c. 206, § 3. Whoever violates any provision of the four preceding sections shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any provision of said sections.

Sec. 22. Penalty for unlawfully selling or purchasing fish. 1913, c. 206, § 5. Whoever by himself, his clerk, servant, or agent, directly or indirectly, sells or purchases any landlocked salmon, trout, togue, black bass or white perch, shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense, and in addition thereto one dollar for each fish sold, purchased or had in possession in violation of this section.

Sec. 23. Penalty for fishing on inland waters above tide-waters for hire. 1913, c. 206, § 26. 1915, c. 277, § 11. Whoever shall, for the whole or any part of the time, engage in the business or occupation of fishing on any of the inland waters of the state above tide-waters, for landlocked salmon, togue, trout, black bass, pickerel, or white perch, for gain or hire, shall for every such offense pay a fine of fifty dollars and costs; provided, however, that nothing in this section shall be construed as prohibiting the sale of pickerel legally taken by the person taking the same.

Sec. 24. Illegal mode of fishing; use of dynamite prohibited; penalty. 1913, c. 206, § 6. 1915, c. 277, § 4. Whoever fishes for, takes, catches, kills or destroys any fish, with fish spawn, or grapnel, spear, trawl, weir, gaff, seine, trap, (or set lines, except when fishing through the ice, and then with not more than five set lines to a family in the day time) or shall use any dynamite or other explosive or poisonous or stupefying substance for the purpose of destroying or taking fish, or takes any kind of fish, except suckers, eels, hornpouts and yellow perch, as hereinafter provided, with any device or in any other way than by the ordinary mode of angling with single-baited hook and line, artificial flies, artificial minnows, artificial insects, spoon-hooks and spinners, so called, shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any provision of this section; and when prohibited implements or devices are found in use or possession they are forfeit and contraband and any person finding them in use may destroy them.

Sec. 25. Spear, trawl, dynamite, etc., if found in camp may be seized. 1913, c. 206, § 7. 1915, c. 277, § 5. No person shall have in possession at any time any jack-light, spear, trawl, or net (except such as are authorized

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for the taking of suckers, eels, hornpouts and yellow perch, as provided in section twenty-seven of this chapter) other than a dip-net, in any camp, lodge or place of resort for hunters or fishermen, or in its immediate vicinity, or on any of the lakes, rivers or streams of the state, or in their immediate vicinity, in the inland territory of the state, under a penalty of not less than ten, nor more than thirty dollars and costs of prosecution for each offense, and when such implements or devices are found in possession in violation of this section they are forfeit and contraband and may be seized by any person authorized to enforce the inland fish and game laws.

80 Me. 349.

Sec. 26. Taking of smelts above tide-waters, minnows, white fish and cusk, regulated. 1913, c. 206, § 8. 1915, c. 277, § 6. 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 day time 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 at any time for sale in any of the tributaries to Sebago lake, with a dip-net in the usual and ordinary way, and in Sebago lake, with single hook and line, during January, February and March of each year; provided, further, that it shall be lawful to take minnows and other fish usually used for bait in fishing 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 and cusk with single hook and line at any time, but they shall not be taken at night with set lines; and provided, further, that it shall be lawful to take suckers with spears 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.

Note. Taking of smelts in Bryant's pond or in any of its tributaries, in Woodstock and Greenwood, in Oxford county, regulated, P. L. 1915, c. 160; this act is not repealed.

Sec. 27. Commissioners may regulate the taking of suckers, eels, hornpouts, etc. 1913, c. 206, § 9. 1915, c. 277, § 7. Suckers, eels, hornpouts and yellow perch may be taken with eel-pots, traps, spears or nets, in such inland waters and under such rules and regulations as may be established by the commissioners of inland fisheries and game. The commissioners shall establish and designate by public notice the waters in which suckers, eels, hornpouts and yellow perch may be taken as provided in this section. No person shall take, catch, kill or destroy any suckers, eels, hornpouts or yellow perch, or have in possession any of said fish, in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of thirty dollars and costs for each offense.

Sec. 28. Limit of weight of fish for transportation; transportation in possession of owner. 1913, c. 206, § 10. 1915, c. 277, § 8. No person shall transport more than fifteen pounds of landlocked salmon, trout, togue, white perch or black bass in all in any one day, nor shall any corporation or common carrier transport more than fifteen pounds in all, of landlocked salmon, trout, togue, white perch or black bass in any one day as the property of one person, but nothing herein contained shall prevent any person, corporation or common carrier from transporting one fish weigh-

ing more than fifteen pounds; nor shall any such be transported except in the possession of the owner thereof, plainly labeled with the owner's name and residence, and open to view, except as is provided in the following section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense, and in addition thereto one dollar for every pound of fish being transported in violation of any provision of this section; and all such fish being so transported in violation of this section shall be seized and shall be forfeited to the state; provided, however, that nothing herein contained shall prohibit any person having less than twenty-five fish weighing in all less than fifteen pounds from transporting one additional fish, nor prohibit any transportation company from transporting said additional fish under the conditions prescribed in this section for the transportation of fish.

90 Me. 55.

Sec. 29. Transportation of fish not accompanied by owner. 1913, c. 206, § 11. 1915, c. 277, § 9. No landlocked salmon, trout, togue, black bass or white perch shall be carried or transported in any way except in the possession of the owner, accompanied by him, plainly labeled with the owner's name and address, and open to view, except any person who has lawfully in his possession one landlocked salmon, one trout, one togue, one black bass or one white perch, or ten pounds of any kind of these fish, may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent therefor a tag, paying for a landlocked salmon, trout, togue or black bass, one dollar for each, or one dollar for each ten pounds of the same, and fifty cents for one white perch or ten pounds of the same; provided, however, that no person shall, under any of these provisions, send more than one box of fish once in thirty days, except that one box of fish as aforesaid, may be sent as herein specified once in ten days by one person taking them lawfully from Moosehead lake. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs, for each offense, and in addition thereto one dollar for each pound of fish transported in violation of any provision of this section.

Sec. 30. Introduction of fish in waters of the state without permission, forbidden. 1913, c. 206, § 12. Whoever introduces fish of any kind into any of the waters of the state by means of live fish or otherwise, except upon written permission of the commissioners of inland fisheries and game, shall pay a fine of not less than fifty, nor more than five hundred dollars.

Sec. 31. Advance baiting prohibited. 1913, c. 206, § 13. Whoever deposits any meat, bones, dead fish or parts of the same, or other food for fish, in any of the inland waters of the state, for the purpose of luring fish known as "advance baiting," shall pay a fine of not less than ten, nor more than thirty dollars and costs of prosecution, for each offense.

See. c. 45, § 84.

Protection of Streams.

Sec. 32. Mill waste shall not be deposited in lakes and ponds. 1913, c. 206, § 14. No person or corporation shall place or deposit in any of the lakes or ponds of the state, or into any of the following named rivers,

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brooks and streams, to wit, in Aroostook county, the Aroostook river or any of its tributaries above the mouth of Beaver brook, in Sheridan plantation, except sawdust made by gang saws, main rotaries, up and down saws in water mills in use prior to nineteen hundred and three; Fish river and all its tributaries down as far as the foot of Eagle lake, except Sly brook; Wallagrass river for a distance of three miles from its mouth; Little Madawaska river or any of its tributaries; in Cumberland county, in any of the rivers, brooks or streams lying wholly or in part in the towns of Naples, Casco and Raymond; Breakneck brook and its tributaries; in any of the tributaries to Highland lake; Mill brook in Westbrook; in Franklin county, in any of the tributaries to Lake Webb; in Kennebec county, in any of the tributaries to McGraw, Ellis, East, North, Great, Long, Little and Snow ponds; in Potter mill stream, in Litchfield; in any of the tributaries to any of the lakes or ponds lying wholly or partly in the towns of Vienna and Mount Vernon; in Knox county, in any of the tributaries to Crawford pond in Union and Warren; in Lincoln county, in Jackson mill stream, or in Joe Weeks' mill stream, tributaries to Damariscotta lake; in Oxford county, Bog brook and its tributaries, in Oxford and Hebron (and in Minot and Mechanic Falls in Androscoggin county); Swift river and its tributaries, in the counties of Oxford and Franklin; the outlet of Worthley pond in Peru; in Ellis river and its tributaries; Cambridge river, in Upton and Grafton; Bear river, in Newry and Grafton; Cold river and its tributaries, in Stowe; the tributaries to Upper Kezar pond in Lovell; in Penobscot county, the West branch of Mattawamkeag stream and its tributaries; Kimball brook, Shin brook and Seboeis river, tributaries to East branch of the Penobscot river; Fish stream, a tributary to Mattawamkeag river; Olamon stream; in Piscataquis county, Ferguson stream; the South branch of the Piscataquis river and its tributaries in the town of Kingsbury; Thorn brook and its tributaries in the towns of Abbot, Kingsbury and Blanchard; Higgins stream and its tributaries in the counties of Somerset and Piscataquis; in Waldo county, Half Moon or Sandy stream and its tributaries; the tributaries to Seven Tree pond; the tributaries to Unity pond; St. Georges river, in Montville and Searsmont; Ellis stream, in Waldo, Brooks and Belfast; in Washington county, Baskahegan stream, in the town of Danforth; in York county, Heath brook, in the town of Acton; Little Ossipee river, within the limits of the towns of Shapleigh, Newfield, Waterboro, Limerick and Limington; Norton and Brown brooks and their tributaries, in Shapleigh and Limerick, or allow the same to be done by anyone in their employ, any slabs, edgings, sawdust, chips, bark, mill waste, shavings or fibrous material created in the manufacture of lumber, or place or deposit the same on the banks of any of the above-named waters in such negligent or careless manner that the same shall fall or be washed into said waters, or with the intent that the same shall fall or be washed into said waters. Whoever violates any provision of this section shall pay a fine of not less than five dollars and not exceeding one hundred dollars and costs for each offense.

Private Fish Ponds.

Sec. 33. Riparian proprietors may enclose waters for cultivation of fishes; persons legally engaged in cultivation of fishes, may take and sell same. 1913, c. 206, § 21. Any riparian proprietor may, within the limits of his own premises, enclose the waters of a stream not navigable, for the cultivation of useful fishes; provided that he furnishes suitable passages for migratory fishes naturally frequenting such waters, and does not obstruct the passage of boats and other craft and materials, in places where the same have a right to pass. Any person legally engaged in the artificial culture and maintenance of fishes, may take them in his own enclosed waters wherein the same are so cultivated and maintained, as and when he pleases, and may at all times sell, ship or transport them from his own pools or ponds, without accompanying the shipment, having first procured a license therefor and tagged said fish in accordance with the rules and regulations established by the commissioners of inland fisheries and game.

Sec. 34. Penalty for taking fish from such enclosure without permission. 1913, c. 206, § 22. No person without permission of the proprietor, shall fish in that portion of a pond or other water in which fish are artificially cultivated or maintained by written permission of the commissioners of inland fisheries and game, under a penalty of not less than ten, nor more than one hundred dollars, besides two dollars for each fish so taken or killed; and, in default of payment, such offender shall be imprisoned at the expense of the prosecutor, until said forfeiture is paid or he is otherwise discharged by due process of law.

Sec. 35. Application of this chapter. 1913, c. 206, § 24. The provisions of this chapter, so far as they relate to fish of all varieties and fishways, apply to fish and fishways down to tide-waters.

Regulation of Hunting.

Sec. 36. Unlawful hunting of caribou or moose; term "calf moose" defined. 1913, c. 206, § 27. Whoever hunts, pursues, kills or has in possession any caribou or any cow moose or any calf moose, or part thereof, at any time, shall pay a fine of two hundred dollars and costs for each offense; and the term "calf moose" as herein used, shall be construed to mean that these animals are calves until they are at least one year old and have at least two prongs or tines not less than three inches long to each of their horns.

82 Me. 179; 89 Me. 209.

Sec. 37. Closed time on bull moose. 1913, c. 206, § 28. 1915, c. 146. There shall be a closed time on bull moose until the first day of November in the year nineteen hundred and nineteen; until said date no person shall hunt, take, catch, kill, destroy or have in possession any bull moose or part thereof. On and after the first day of November, nineteen hundred and nineteen, no person shall, except as otherwise provided, between the first day of December of each year and the thirty-first day of October of the following year, both days inclusive, hunt, take, catch, kill, destroy or have in possession any moose or part thereof, and no person shall during the month of November of each year hunt, take, catch, kill, destroy or have

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in possession more than one bull moose or part thereof. Whoever violates any provision of this section shall pay a fine of not less than one hundred, nor more than two hundred dollars and costs for each offense or be imprisoned not exceeding four months. A person lawfully killing a bull moose 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 close season.

Sec. 38. Closed season on deer in certain counties. Deer destroying crops may be killed. 1913, c. 206, § 29. There shall be an annual closed season on deer in the counties of Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington from December sixteenth of each year to September thirtieth of the following year, both days inclusive, (except that on the island of Mount Desert no deer shall be pursued or killed at any time), during which said closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer or have in possession any part or parts thereof whenever or wherever taken, caught or killed; and no person shall between October first and December fifteenth next following of each year, both days inclusive, except as hereinafter provided, take, catch, kill or have in possession, whenever or wherever taken, caught or killed, more than two deer or parts thereof.

There shall be an annual closed season on deer 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, during which closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer, or have in possession any parts thereof, taken in the counties named in this paragraph; and no person shall between the first day of November and the thirtieth day of November, of each year, both days inclusive, except as hereinafter provided, take, catch or kill in the counties named in this paragraph more than one deer; it shall also be unlawful for any person to have in possession more than one deer, or parts thereof, taken in the counties named in this paragraph in 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.

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 commissioners 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 forty dollars and costs for each offense.

83 Me. 236; 87 Me. 208; 88 Me. 385.

Sec. 39. Use of dogs, jack-lights, etc., forbidden. 1913, c. 206, § 30. No person shall at any time hunt, catch, take, kill, or destroy, with dogs, jack-lights, artificial lights, snares, or traps, any moose, caribou or deer, under a penalty of one hundred dollars and costs for each offense.

Sec. 40. Keeping any dog for hunting moose, etc., forbidden. 1913, c. 206, § 31. Any person owning or having in his possession any dog for the purpose of hunting or chasing moose, caribou or deer, or who permits any dog owned by him or in his possession to hunt or chase moose, caribou or deer, after notice that such dog has chased moose, caribou or deer, shall pay a fine of forty dollars and costs for each offense.

Sec. 41. Selling or giving moose or deer to be transported out of state, forbidden. 1913, c. 206, § 32. No person shall sell or give away any moose or deer or part thereof to be transported or carried beyond the limits of this state; and no person shall buy or accept as a gift any moose or deer or part thereof to so transport the same; and no citizen of this state shall carry or transport in any manner beyond the limits of this state more than one deer or part thereof in any one year. Any citizen of Maine who has lawfully in his possession a bull moose may personally take the same out of the state by procuring a license therefor from the commissioners of inland fisheries and game, paying therefor a fee of five dollars, and said license shall be attached to said moose or part thereof being transported. Whoever violates any provision of this section shall pay a fine of forty dollars and costs for each offense.

Sec. 42. License for transportation of moose or deer within the state. 1913, c. 206, § 33. Any citizen of the state who has lawfully killed a bull moose or a deer may send the same to his home or to any hospital in the state, without accompanying the same, by purchasing of the duly constituted agent therefor a tag, paying for the moose five dollars, for a deer two dollars, and said tag shall be attached to the bull moose or deer, or part thereof, being transported. The commissioners of inland fisheries and game may appoint agents in convenient localities who may sell these tags, under such rules and regulations as said commissioners may adopt.

Sec. 43. Number of deer kept in any lumber camp. 1913, c. 206, § 36. No owner, keeper or occupant of any camp, house or other building used partly or wholly in lumbering operations, shall have, use or keep in any manner more than six deer, in any one open season for deer in any one year, under a penalty of forty dollars and costs for each deer so had in possession or used in violation hereof.

Sec. 44. Moose or deer shall be plainly labeled when transported. 1913, c. 206, § 37. Except as herein provided no person or corporation shall carry or transport from place to place any bull moose or deer or part thereof in closed season nor in open season unless open to view, tagged, and plainly labeled with the name and residence of the owner thereof, and accompanied by him while being transported and identified by him at such places as the commissioners of inland fisheries and game shall have designated by publication in the daily newspapers in the state, under a penalty of forty dollars

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and costs for each bull moose, deer or part thereof so transported or carried, and any person not the actual owner of such bull moose or deer, or part thereof, who, to aid another in such transportation, falsely represents himself to be the owner thereof, shall be liable to the same penalty; and it shall be prima facie evidence that said moose or deer or part thereof, that is being transported or carried in violation of this section, was illegally killed. Whoever lawfully kills a bull moose, shall, while the same, or any part thereof, is being transported, preserve and transport it with the evidence thereon of the sex of the same.

Sec. 45. Commissioners may declare open season on beaver when necessary; unlawful to take beaver except during such open season. 1913, c. 206, § 39. 1915, c. 222. The commissioners of inland fisheries and game, upon written complaint of any land owner that beaver are doing actual, substantial damage to his property, shall have authority to declare an open season for beaver upon such land for such period of time as they may deem necessary to remove the beaver that are doing the damage complained of, during which open season it shall be lawful for any licensed hunter and trapper of fur-bearing animals to trap beaver thereon. No open season for beaver as contemplated by this section shall take effect until the commissioners of inland fisheries and game shall have caused notice of such proposed open season to be published once in a newspaper printed in the county in which the land on which the open season for beaver is declared is located, and said commissioners shall also file copy of said notice of open season with the clerk of the town or plantation in which such land is located, or if the land is in an unorganized place, with the clerk of courts for the county in which the land is located. Whenever during a special open season on beaver as is contemplated by this section it shall appear to the commissioners of inland fisheries and game that the privileges of such open season are being abused in any place, said commissioners of inland fisheries and game may suspend the open season and declare it close season for beaver on such land for such time as they may designate. No person shall take any beaver anywhere in the state at any time except during such open season as may be declared by the commissioners of inland fisheries and game in accordance with the provisions of this section. Whoever takes any beaver in violation of any provision of this section shall be punished by fine of twenty-five dollars and costs for each beaver taken, caught or killed in violation of any provision of this section. It shall also be unlawful, under the same penalty, for any person to have in possession at any time, any beaver, or part thereof, taken in violation of any provision of this section.

Sec. 46. Closed season on fur-bearing animals; exceptions. 1913, c. 206, § 40. 1915, c. 334. 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, bobcats, beaver, loup-cervier, Canada lynx, and weasels) or whoever, from the first day of May to the thirty-first day of the following October, both days inclusive, hunts, traps, kills, pursues or catches, any muskrat, 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 or

caught in violation hereof, or whoever at any time hunts, traps, kills, pursues, catches or has in possession any beaver, or part thereof, except as provided in the preceding section, shall pay a fine of one hundred dollars and costs for each offense. It shall be unlawful to set a trap within twenty-five feet of a muskrat house, under penalty of ten dollars and costs for each offense. The foregoing provisions shall not apply to fur-bearing animals artificially propagated and under control of the owner. Provided, however, that any person may lawfully kill any wild animal (other than beaver) or any wild bird found destroying his property.

Note. An act relating to the protection of muskrats in Lower Kezar pond and its vicinity in Fryeburg and Bridgton, P. L. 1915, c. 19, is not repealed.

Sec. 47. Closed time on foxes. 1915, c. 51. No person shall at any time between the first day of March and the first day of November following of each year dig out, molest or destroy in any way any fox den or fox dens, or remove or cause to be removed therefrom any fox or foxes, except those enclosed in private fox ranches. Whoever violates any provision of this section shall pay a fine of ten dollars and costs for each offense.

Sec. 48. Closed season on gray squirrels. 1913, c. 206, § 35. 1915, c. 277, § 12. There shall be an annual closed season on gray squirrels during which closed season no person shall shoot at, kill, or have them in possession except alive, from the first day of November of each year until the thirtieth day of September of the following year, both days inclusive; provided, however, that there shall be a perpetual closed season on gray squirrels within all public or private parks and within the limits of the compact or built-up portion of any city or village. Whoever shall shoot at or kill or have in possession any gray squirrel in violation of any provision of this section shall pay a fine of not more than five dollars and costs, for each offense.

Sec. 49. Closed season on rabbits. 1913, c. 206, § 38. 1915, c. 154. There shall be an annual closed season on wild hares or rabbits, during which closed season no person shall hunt, kill, catch, pursue or have them in possession except alive, during the months of April, May, June, July, August and September of each year. No person shall use any snares, traps or other devices in the hunting, pursuing or killing of wild hares or rabbits, or hunt or kill the same except in the ordinary method of shooting with guns in the usual manner; provided, however, that it shall be lawful to catch wild hares or rabbits in common box traps during the open season provided in this section. Whoever violates any provision of this section shall pay a fine of ten dollars and costs, for each offense.

Sec. 50. Trappers of fur-bearing animals licensed. 1913, c. 206, § 58. Whoever hunts, captures or traps any fur-bearing animals in any of the unorganized townships of the state shall annually procure a license therefor, from the commissioners of inland fisheries and game, paying therefor a fee of five dollars; and he shall, on or before the fifteenth day of December of each year, make such report to said commissioners as may be called for by them. Whoever violates any provision of this section shall pay a fine of fifty dollars and costs, for each offense.

Sec. 51. Traps shall be labeled with owners' name. 1913, c. 206, § 59. 1915, c. 277, § 16. No person shall at any time set a snare for any fur-

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bearing animal, nor shall any person at any time set any trap or traps of any kind for any wild animal without having the trap or traps plainly labeled with his full name and address, either by having the same stamped on the trap or on a metal tag, firmly attached to the trap. Whoever violates any provision of this section shall pay a fine of five dollars and costs for each offense and in addition thereto five dollars for each trap set and not marked as provided herein, and shall forfeit the trap or traps, and any wild animal found therein, to any person finding the same. Provided, that no person shall set a bear trap at any time unless a written or printed notice stating that such a trap has been set is posted conspicuously in the immediate vicinity, under a penalty of fifty dollars and costs for each offense; and no person shall set a bear trap at any time unless the same is enclosed in a hut, so called, under the same penalty.

Sec. 52. Care of traps; consent of owner of land. 1913, c. 206, § 60. 1915, c. 277, § 17. Any person setting a trap in any organized or incorporated place shall visit said trap, or cause the same to be visited, at least once in every twenty-four hours and remove therefrom, or cause to be removed, any animal found caught therein. No person shall set traps in any organized or incorporated place without first obtaining the written consent of the owner or occupant of the land on which said traps are to be set. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense.

Note. An act for the protection of fish, game and birds on southerly point of Swan Island in town of Perkins, in Sagadahoc county, P. L. 1915, c. 93, is not repealed.

Bounties.

Sec. 53. Bounty on bobcats and on Canada lynx. 1913, c. 206, § 41. A bounty of four dollars for every bobcat, loupcevriev or Canada lynx killed in any town shall be paid by the treasurer of state to the person killing it upon compliance with the following conditions:

No bounty shall be paid unless the claimant, within five days after he has killed such animal, or has returned from the hunting in which he killed it, exhibits to the town treasurer the entire skin thereof with the ears, nose and tail thereon in as perfect a state as when killed, except natural decay, and signs a certificate under oath, which said treasurer may administer, stating that he killed such animal and the time and place, which shall be within the state, and the treasurer shall thereupon cut off the whole of the tail from such skin and forward the same by mail to the commissioners of inland fisheries and game, at Augusta, Maine, together with the claimant's certificate, which certificate shall be in the following form:

CLAIMANT'S CERTIFICATE.

To the treasurer of the town of _____ :

I hereby certify that on the _____ day of _____, A. D. 19____, at _____, in the State of Maine, I killed the bobcat, loupcevriev or Canada lynx, the skin of which I now exhibit to you, and I claim the bounty allowed by law for killing the same.

Dated at _____, this _____ day of _____, A. D. 19____.

Claimant.

Subscribed and sworn to before me the day and year aforesaid.

Treasurer of

And the treasurer of said town shall make and send at once to the commissioners of inland fisheries and game a certificate which shall be in the following form:

TOWN TREASURER'S CERTIFICATE.

To the commissioners of inland fisheries and game:

I hereby certify that as required by law, _____, of _____, on the _____ day of _____, A. D. 19____, at _____, exhibited to me the whole of the skin of a bobcat, loupcevrier or Canada lynx, and signed and made oath to the following certificate:

To the treasurer of the town of _____:

I hereby certify that on the _____ day of _____, A. D. 19____, at _____, in the State of Maine, I killed the bobcat, loupcevrier or Canada lynx, the skin of which I now exhibit to you, and I claim the bounty allowed by law for killing the same.

Dated at _____, this _____ day of _____, A. D. 19____.

Claimant.

I further certify that I cut off the whole of the tail from the skin of the bobcat, loupcevrier or Canada lynx described in this certificate and enclose the same herewith.

Dated at _____, this _____ day of _____, A. D. 19____.

Treasurer of the town of _____

Subscribed and sworn to the day and year aforesaid.

Justice of the Peace.

Upon receipt by the state auditor of a certificate from the commissioners of inland fisheries and game showing that said commissioners have received the tail of the bobcat, loupcevrier or Canada lynx from the treasurer sent as aforesaid, together with said treasurer's certificate, said state auditor shall audit the claim for bounty and the same shall be paid forthwith by the treasurer of state to the claimant from the appropriation for bounties on bobcat, loupcevrier or Canada lynx. The town treasurer for administering the oath to a claimant's certificate as above, and for forwarding the same with the tail of the animal to the commissioners of inland fisheries and game, shall be paid by the claimant the sum of twenty-five cents.

Game Birds.

Sec. 54. Hunting of Hungarian partridge, etc., forbidden; penalty. 1913, c. 206, § 42. No person shall hunt, chase, catch, kill, destroy or have in possession at any time any Hungarian partridge or any capercaillie, or cock of the woods, or any black game, or any species of the pheasant, except ruffed grouse or partridge. Whoever violates this section shall pay a fine of ten dollars and costs for each offense.

Sec. 55. Closed season for partridge, woodcock and ducks; number of birds to be taken regulated; transportation regulated. 1913, c. 206, § 43. 1915, c. 258. There shall be an annual closed season for ruffed grouse, commonly called partridge, spruce partridge, woodcock, all varieties of wild ducks, brant, geese, plover, snipe, sora and other rails, coots and gallinules, as follows:

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On partridge and woodcock, above named, in the counties of Oxford, Franklin, Somerset, Piscataquis, Penobscot, Aroostook, Washington and Hancock, from the fifteenth day of November of each year until the fourteenth day of September of the following year, both days inclusive, and in the counties of Androscoggin, Cumberland, York, Knox, Waldo, Lincoln, Sagadahoc and Kennebec, from the first day of December of each year until the thirtieth day of September of the following year, both days inclusive; on all varieties of ducks, brant and geese, from the sixteenth day of December of each year to the thirty-first day of August of the following year, both days inclusive; on black-breasted and golden plover, jacksnipe or Wilson snipe, and greater and lesser yellowlegs, from the first day of December of each year to the fourteenth day of August of the following year, both days inclusive; on rails, including sora, coots and gallinules, from the first day of December of each year to the thirty-first day of August of the year following, both days inclusive, during which closed seasons it shall be unlawful to hunt, chase, catch, kill or have in possession any of the above-named birds except as hereinafter provided; provided, further, that it shall be unlawful to hunt, chase, catch, kill or destroy or have in possession at any time, any curlew, wood duck, or any shore birds except black-breasted and golden plover, Wilson or jacksnipe, woodcock, and greater and lesser yellowlegs; and no person shall, during the respective open seasons for the above-named birds, take, catch, kill, destroy or have in possession in any one day more than five partridge or ruffed grouse, ten woodcock, ten ducks, five plover and ten snipe; nor shall any person at any time buy or sell any of the above-named birds; nor shall any person or corporation carry or transport from place to place any of the birds mentioned in this section in closed season (except that a person shall have a reasonable time after the beginning of closed season to transport, as hereinafter provided, to his home game birds legally killed by him in open season), nor in open season unless open to view, tagged and plainly labeled with the owner's name and residence, and accompanied by him, unless tagged with a transportation tag as hereinafter provided; nor shall any person or corporation carry or transport in any one day more than ten ducks, five plover, ten snipe, five partridges and ten woodcock, as the property of one person. Whoever violates any of the provisions of this section shall pay a fine of ten dollars and costs for each offense, and in addition thereto one dollar for each bird of the above-named varieties taken, caught, killed, had in possession or transported in violation hereof.

Provided, however, it shall be lawful for a citizen of this state who has purchased a transportation tag therefor of the commissioners of inland fisheries and game, and paid five dollars for the same, to take with him out of the state five partridges or ten ducks or ten woodcock which he himself has lawfully killed, by attaching said tag to the birds being transported by virtue of this paragraph.

Provided, further, that any citizen of this state who has lawfully in his possession one pair of either of the birds named in this section, may send the same anywhere in this state without accompanying the same, by purchasing of the duly constituted agent therefor a transportation tag, paying

therefor the sum of fifty cents, and attaching said tag to the pair of birds. Provided, further, that no person shall under any of the provisions of this paragraph send as aforesaid more than one pair of game birds once in seven days.

113 Me. 459.

Sec. 56. Penalty for taking protected birds; implements forfeited. 1913, c. 206, § 44. 1915, c. 277, § 13. Whoever at any time or at any place with any trap, net, snare or contrivance other than the usual method of shooting with firearms takes any bird of any variety in anywise protected by this chapter shall pay a fine of five dollars and costs for each bird so taken, and when such prohibited implements or devices are found in possession they are forfeit and contraband and may be seized by any person authorized to enforce the inland fish and game laws.

Sec. 57. Protection of wild birds; plumage, etc., shall not be sold, nor nests destroyed; game birds defined. 1913, c. 206, § 46. No person shall within the state, kill or catch or have in his or her possession, living or dead, any wild bird, other than a game bird, nor purchase, offer or expose for sale, any such wild bird after it has been killed or caught. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale. Nor shall any person take or needlessly destroy the nest or the eggs of any wild bird, nor have such nest or eggs in possession. The English or European house sparrow, the common crow, and the hawks and owls, mud hens (or bittern), kingfishers, loons and blue herons are not included among the birds herein protected; and for the purposes of this chapter the following only shall be considered game birds; the anatidæ, commonly known as swans, geese, brant, and river and sea ducks; the rallidæ, commonly known as rails, coots, and gallinules; the lemicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tatlors and curlews; the gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails. Nothing in this section, however, shall be construed to affect in any way the protection of game birds, as provided in sections fifty-four and fifty-five. Any person who violates any of the provisions of this section shall pay a fine of five dollars and costs, for each offense, and an additional five dollars for each bird, living or dead, or part of a bird, or nest, or egg possessed in violation of this section, or be imprisoned for ten days.

Sec. 58. Hunting water fowl in motor boats forbidden. 1913, c. 206, § 47. 1915, c. 345. No person shall at any time use a boat or launch of any kind propelled by steam, naphtha, gasoline or electricity, or any other mode than the ordinary sailboat or rowboat, in chasing, hunting or gunning any sea birds, duck or water fowl in any inland waters of this state, or in the Kennebec river below the Gardiner and Randolph bridge, or in Eastern river, or in Merrymeeting bay, so called, or in Bluehill bay, so called, on the coast of Maine, in Hancock county, or in Eggmoggin reach, so called, in said Hancock county, or in Saco bay, so called, in Cumberland county and in York county, or in Frenchman's bay, so called, in

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Hancock county, under a penalty of not less than twenty-five, nor more than one hundred dollars and costs for each offense.

For the purposes of this section Bluehill bay, so called, is defined and bounded as follows: On the west by Bluehill and Brooklin to the end of Naskeag point, so called; on the east by Long island and Tinkers' island to Pond island, so called; on the south by a direct line from the southern extremity of said Pond island to the end of Naskeag point, so called.

For the purposes of this section Eggemoggin reach, so called, shall be considered to be the waters extending from Little Deer Isle to Cape Rosier on the west; thence easterly to the end of Naskeag point, so called; thence in a direct line to the eastern end of Stinson's neck, so called, in the eastern part of Deer Isle, said waters being bounded on the north by the towns of Brooksville, Sedgwick and Brooklin and on the south by Deer Isle and Little Deer Isle.

For the purposes of this section Saco bay, so called, shall be considered to be the waters lying within those points of land marked by Cape Elizabeth Light, in the town of Cape Elizabeth, on the east, and by Wood Island Light near the entrance to the Saco river, on the west.

For the purposes of this section Frenchman's bay, so called, is defined and bounded as follows: On the north by the towns of Hancock and Sullivan; on the east by the towns of Gouldsboro and Winter Harbor; on the south by Mount Desert island and a straight line from Schoodic point, so called, to Great Head, so called; on the west by Thompson's toll-bridge.

Non-Resident Hunters' Licenses.

Sec. 59. Non-resident hunters shall procure licenses; licensed hunters may take game home under regulations. 1913, c. 206, § 51. 1915, c. 230. Persons not bona fide residents of the state, and actually domiciled therein, shall not hunt, pursue, take or kill any deer, ducks, partridges, woodcock, or other wild birds or wild animals, or have the same or any part thereof, in possession, at any time without first having procured a license therefor as hereinafter provided. Such licenses shall be issued by the commissioners of inland fisheries and game, upon application in writing and payment of fifteen dollars to hunt deer, ducks, partridges, woodcock and other birds and wild animals during their respective open seasons, and in the manner provided by law, in October, November and December. But to hunt ducks, and other birds and wild animals in their respective open seasons, and in the manner provided by law, in the counties of Aroostook, Washington, Hancock, Penobscot, Piscataquis, Somerset, Franklin and Oxford up to October first of each year a license fee of five dollars shall be paid annually, provided, further, that in the counties of Androscoggin, Cumberland, Knox, Kennebec, Lincoln, Sagadahoc, Waldo and York such person may procure a license for five dollars to hunt, in the respective open seasons and in the manner provided by law, ducks, partridges, woodcock and other birds and wild animals except during the month of November, during which month a fifteen-dollar license shall be required in said counties. A person having paid the fee of five dollars may procure a license

to hunt deer and other wild animals and wild birds, in their respective open seasons and in the manner provided by law, during the open season on deer by paying an additional fee of ten dollars. Such license shall entitle the purchaser to take to his home in addition as now provided, properly tagged with the tag detached from his license, and open to view, five partridges, ten ducks and ten woodcock that he has himself lawfully killed under such rules and regulations to be established by the commissioners as may be required to carry out the true intent of this chapter and not inconsistent herewith.

Sec. 60. Coupons; detached by railroad official; detached coupons forwarded to commissioners. 1915, c. 230. Each license shall be provided with two coupons, each of which shall permit the transportation of the carcass of one deer, or part thereof, and shall be divided into two sections each, lettered "A" and "B" and "C" and "D" respectively, and shall be called the deer coupons.

The holder of a non-resident hunter's license shall be entitled to offer for transportation and have transported, within or without this state, by any railroad company, express company, boat or other transportation company, the carcass of one deer, or part of the carcass of one deer, that he himself has lawfully killed, on each of the deer coupons attached to his said license, by presenting to the agent of any transportation company, his license, with the coupons attached to the license at the time when he shall offer the deer or part thereof for shipment. If but one deer is offered for shipment the agent shall detach section "A" from the first "deer" coupon of the license, cancel the same by writing or stamping thereon the date and place of shipment and his name, and shall forward the same forthwith to the commissioners of inland fisheries and game, at Augusta, Maine; section "B" of said coupon shall be likewise canceled and shall be attached to the carcass, or part of the carcass, of the deer offered for shipment and shall remain attached to the same while it is being transported in this state.

In case two deer are offered for shipment the agent receiving the same for shipment shall detach sections "A" and "C" from the "deer" coupons and after canceling the same shall forward them to the commissioners as aforesaid, and sections "B" and "D" shall be likewise canceled and attached to the carcasses of the deer, or parts thereof, offered for shipment, and shall remain attached to the same while they are being transported in this state.

Sec. 61. Shipment of game, regulated. 1915, c. 230. No person shall transport any deer, or part thereof, for any non-resident, otherwise than as provided in this section and the two preceding sections. No agent, servant or employee of any transportation company, railroad company, express company, boat or common carrier shall receive for shipment or transport, or have in his possession with intent to ship or transport any carcass of a deer, or part of the same, or any game birds, for a non-resident, except as provided in this section and the two preceding sections, or refuse or neglect to detach the sections of the coupons as therein provided, or fail to forward to the commissioners of inland fisheries and game, at Augusta, Maine, as therein provided, the sections of coupons by him detached; provided, how-

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ever, that any person who has purchased a non-resident hunter's license and who has in his possession one pair of game birds which he has legally killed may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent therefor a tag, paying for the same fifty cents, and by presenting said tag with the pair of game birds offered for shipment to the agent of any transportation company or common carrier, together with his non-resident hunter's license. Before accepting a pair of game birds for shipment as herein provided, the agent of the transportation company or common carrier to whom the same is offered for shipment shall be satisfied that the person presenting the pair of game birds for shipment is the person to whom the non-resident hunter's license offered for inspection was issued, and shall securely affix the tag to such shipment; provided, further, that no person shall send more than one pair of game birds under a special tag, as provided herein, but once in thirty days.

Sec. 62. Penalty for violation of §§ 59-61. 1915, c. 230. Whoever violates any provision of the three preceding sections, or who shall furnish to another person, or permit another person to have or use any license or coupon issued to him, or change or alter the same in any manner, or who has or uses any license or coupon issued to another person, or whoever knowingly guides any non-resident in hunting who has not a license to hunt as herein provided, shall pay a fine of not less than twenty-five, nor more than one hundred dollars and costs, for each offense.

Sec. 63. Non-residents shall employ guides. 1913, c. 206, § 53. Non-residents of the state shall not enter upon the wild lands of the state and camp or kindle fires thereon while engaged in hunting or fishing, without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, and no registered guide shall, at the same time, guide or be employed by more than five non-residents in hunting.

Sec. 64. Penalty for violation of section 63. 1913, c. 206, § 54. Any such non-resident who enters upon the wild lands of the state and camps or kindles fires thereon, while engaged in hunting or fishing without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, in violation of the provisions herein contained, or any guide who shall guide at the same time, or be employed by, at the same time, more than five non-residents in hunting, shall pay a fine of forty dollars and costs for each offense.

Sec. 65. Unnaturalized persons not residents of state for two years shall take out license annually. 1913, c. 206, § 55. 1915, c. 277, § 15. It shall be unlawful for any unnaturalized foreign-born person who is not a taxpayer upon real estate within this state and who has not resided within the limits of this state for two years continuously prior to the time he desires to hunt, to hunt in any manner, at any time, or pursue, catch, kill or have in possession any wild animals or birds, within the limits of this state, unless he is annually licensed so to do as hereinafter provided. The commissioners of inland fisheries and game, upon the application of any unnaturalized foreign-born person who is a resident of any city, town or

plantation within the state, and upon the payment of a fee of fifteen dollars may issue to such person a license upon a form to be supplied by them, bearing the name, age and place of residence of the licensee with a description of him as near as may be, authorizing the said licensee to hunt and kill game birds, game or other wild animals on any lands on which said hunting or killing is not forbidden by law, or by written or printed notices posted thereon by the owner, lessee or occupant thereof. Such license shall authorize the hunting or killing of game birds, game or other wild animals only in their respective open seasons and in the manner provided by law; it shall not be transferable and shall be exhibited upon demand to any of the commissioners of inland fisheries and game, and to any inland fish and game warden or deputy inland fish and game warden, and to any sheriff, constable, police officer or other officer qualified to serve process. The fees received from said licenses shall annually be paid into the state treasury.

Sec. 66. Seizure of weapons of unnaturalized persons, who are not licensed. 1915, c. 277, § 15. No unnaturalized, foreign-born person required to be licensed under the provisions of the preceding section shall have in possession, when he is upon the wild lands or in the woods or fields of the state, any firearm or firearms unless he is licensed as herein provided and all firearms found in his possession in violation of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws. All firearms seized by virtue of this section shall forthwith be forwarded to the commissioners at Augusta by the person seizing the same, and upon conviction of the person or persons from whom they were seized said firearms shall be sold, and the proceeds from such sale paid to the treasurer of state. Whoever violates any provision of this or the preceding section shall pay a fine of twenty-five dollars and costs, for each offense.

Regulations as to Trade.

Sec. 67. Taxidermists may be licensed; licenses may be revoked; report. 1913, c. 206, § 64. The commissioners of inland fisheries and game may, upon application and payment of a fee of two dollars by the applicant, issue a license to such persons as taxidermists, who, in their judgment, are skilled in that art, of good reputation, and friendly to the inland fish and game laws of the state; taxidermists licensed as aforesaid may at all times have in their possession, at their places of business, fish and game lawfully caught or killed in open time, for the sole purpose of preparing and mounting the same; and such fish and game, or parts thereof, may be transported to such licensee and retained by him for the purposes aforesaid, under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners. Such licenses may be revoked by said commissioners, at any time after notice and an opportunity for a hearing; each person so licensed shall, on or before the twentieth day of December of each year, make a detailed report to said commissioners of all they have done during the year by virtue of such license; every licensee or common carrier violating any provision of this chapter, or any of the rules, restrictions, or limitations made by said commissioners in accordance

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with the provisions of this section, shall pay a fine of not less than twenty, nor more than fifty dollars and costs for each offense.

Sec. 68. License to buy and sell deer skins; record shall be kept; penalty for buying without a license or failure to keep record. 1913, c. 206, § 61. 1915, c. 277, § 18. The commissioners of inland fisheries and game may annually issue licenses to residents of this state to buy and sell deer skins, and the heads of deer if not detached from said skins, during the months of October, November and December. Such licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all such heads and skins purchased, of whom purchased and the date of each purchase, and shall send such record annually to the commissioners of inland fisheries and game on or before the twentieth day of December of each year. The fee for such license shall be ten dollars, to be paid to the said commissioners. All deer skins and deer heads purchased by virtue of this section shall be transported only under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners. Whoever buys any skins or heads of deer without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, or whoever refuses to exhibit said record upon request to the commissioners of inland fisheries and game or to any person authorized to enforce the inland fish and game laws, shall pay a fine of fifty dollars and costs for each offense.

Sec. 69. Buyers of skins of fur-bearing animals shall be licensed; record shall be kept; penalty; forfeiture of skins. 1913, c. 206, § 62. 1915, c. 277, § 19. The commissioners of inland fisheries and game may annually issue licenses to residents of this state to engage in the business of buying otter, sable or fisher skins or the skins of any other fur-bearing animals. Said licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all skins purchased, as aforesaid, in an appropriate book furnished them by the said commissioners, and shall send such record, under oath, to said commissioners on or before the twentieth day of December of each year. The fee for such license shall be two dollars to be paid to the said commissioners. Whoever buys any skins of otter, sable or fisher or the skins of any other fur-bearing animals without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, or whoever refuses to exhibit said book for inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, shall pay a fine of ten dollars and costs for each offense. All skins of fur-bearing animals bought in violation of the provisions of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws and upon conviction of the person or persons from whom they were seized, they shall be sold, and the proceeds from such sale paid to the treasurer of state.

Sec. 70. Marketman may have three deer and sell the same after procuring license; record shall be kept; penalty; fee for license. 1913, c. 206, § 63. Any marketman or provision dealer having an established place of business in the state, may purchase and have in possession at his said place of business not more than three deer, lawfully killed or destroyed, or any part thereof, at one time, and may sell the same at retail to his local customers, and may sell the heads of such deer to any licensed taxidermist; provided, however, that said marketman or provision dealer, shall annually procure a license of the commissioners of inland fisheries and game to carry on said business of buying and selling deer as aforesaid; and provided further, that said marketman shall record in a book kept for that purpose, and open to the inspection of inland fish and game wardens and the commissioners of inland fisheries and game, the name and residence of each person of whom he purchases any deer, and the date of such purchase; and if any marketman or provision dealer shall violate any provision of this section, he shall pay a fine of five hundred dollars, for each offense, and be prohibited for five years thereafter from the benefits of this section. All marketmen or provision dealers licensed as aforesaid shall pay to the commissioners of inland fisheries and game in cities and towns of over three thousand inhabitants, five dollars annually, and three dollars in all other places; said marketmen and provision dealers holding these licenses shall, on the twentieth day of each December, make, sign and send to the commissioners, under oath, a statement setting forth in detail the number of deer by them bought, and of whom bought, and the date of each purchase, during the time covered by their licenses; and whoever fails to make such report shall pay a fine of one hundred dollars and costs.

Sec. 71. Expiration of licenses. 1913, c. 206, § 65. All licenses or certificates issued by virtue of the provisions of this chapter shall expire with the calendar year in which issued.

Sec. 72. Revocation of licenses. 1913, c. 206, § 74. If the holder of any license, certificate or permit, issued in conformity with any provision of this chapter, shall flagrantly or knowingly violate or countenance the violation of any provision of this chapter, such license, certificate or permit may be revoked by the commissioners of inland fisheries and game after due notice given of the alleged violation, and an opportunity afforded to appear and show cause against the same.

General Provisions.

Sec. 73. Sunday is a closed season for game or birds. 1913, c. 206, § 50. 1915, c. 277, § 14. Sunday is a closed season, on which it is not lawful to hunt, kill or destroy any wild animals or wild birds of any kind. Whoever hunts, kills, or destroys any wild animal or wild bird on Sunday shall pay a fine of not less than ten, nor more than forty dollars and costs for each offense; provided, however, that if protected wild animals or wild birds are hunted, killed, destroyed or had in possession in violation of this section, the penalty shall be the same as is now imposed therefor during other closed season; but the penalties imposed for the violation of the Sunday laws of the statutes of this state are not hereby repealed or diminished.

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Sec. 74. Closed time on wild birds and wild animals during night. 1915, c. 170. There shall be a closed season on wild birds in this state from sunset to sunrise of the following morning, and on wild animals from one hour after sunset until one hour before sunrise of the following morning, during which closed season it shall be unlawful to hunt, kill or destroy wild birds or wild animals, of any kind. No person shall have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense; provided, however, that if protected wild birds or wild animals are hunted, killed, destroyed or had in possession in violation of said section the penalty shall be the same as is now imposed therefor during other closed season.

Sec. 75. Penalty for introducing wild bird or animal without permission. 1913, c. 206, § 52. Whoever introduces any wild bird or wild animal of any kind or species into the state, except upon written permission of the commissioners of inland fisheries and game, shall forfeit not less than fifty dollars nor more than five hundred dollars, for each offense.

Sec. 76. Hunting on Kineo Point prohibited. 1913, c. 206, § 48. 1915, c. 75. No person shall at any time hunt, pursue, shoot at or kill any wild animal or bird on Kineo point, in Kineo, in the county of Piscataquis. Whoever violates this section shall pay a fine of fifty dollars and costs for each offense.

Sec. 77. Hunting in a part of town of Eden prohibited. 1913, c. 206, § 49. No person shall, except as herein provided, at any time, hunt, pursue, shoot at or kill any wild animal or any game or other wild bird within the following described territory situated in the town of Eden, in the county of Hancock; bounded on the north and east by the Atlantic ocean; on the south by the highway leading from Hull's Cove bridge to the Beaver Dam bridge near Shea brothers' farm; and on the west by the highway leading from said Beaver Dam bridge to Salisbury cove. The provisions of this section shall not prohibit any person residing within the limits of the above described territory from shooting at or destroying any wild bird, except ruffed grouse or Hungarian partridge, or any wild animal, when found destroying his property; and provided, further, that the provisions of this section shall not be construed to prohibit the trapping of wild animals within this territory in accordance with the general laws of the state. Whoever violates this section shall pay a fine of fifty dollars and costs for each offense.

Sec. 78. Hunting wild birds in Back bay prohibited. 1915, c. 153. No person shall hunt, chase, catch, kill or destroy any water fowl or any other wild bird, at any time, in Back bay, so called, in Portland, in the county of Cumberland, above the Grand Trunk Railway bridge. No person shall have in possession, at any time, any water fowl or any other wild bird taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of ten dollars and costs for each offense; and in addition thereto one dollar for each bird taken, caught, killed, destroyed or had in possession in violation of any provision of this section.

Sec. 79. Use of firearms prohibited upon the shores and waters of Lake Megunticook and its tributaries. 1915, c. 133. The use of firearms is hereby prohibited from the first day of April of each year to the thirtieth day of September following, both days inclusive, upon the waters of Megunticook lake, formerly called Canaan lake, and its tributary lakes, ponds and streams, and upon the land bordering on the same included within the following roads: Beginning at Hopkins' Corner, so called, in the town of Camden; thence via the Turnpike road, so called, to Lincolnville Center; thence to Wiley's Corner in Lincolnville; thence to the Mansfield school-house in the town of Camden; thence via the fish hatchery to place of beginning. All of said lake, its tributaries and shores being located in the towns of Camden, Lincolnville and Hope, in the counties of Knox and Waldo. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense.

Sec. 80. Use of firearms fitted with device to deaden sound, prohibited; seizure of firearms; military organizations not affected. 1909, c. 129. No person shall sell, offer for sale, use or have in his possession, any gun, pistol, or other firearm, fitted or contrived with any device for deadening the sound of explosion. Whoever violates any provision of this section shall forfeit such firearm or firearms and the device or silencer, and shall further be subject to a fine not exceeding one hundred dollars, or to imprisonment not exceeding sixty days, or to both fine and imprisonment. Any sheriff, deputy sheriff, constable, inland fish and game warden or deputy inland fish and game warden may seize any firearm or firearms and any device or silencer found in possession of any person in violation of this section, and on conviction of the party from whom such firearm or firearms are seized, such firearm or firearms shall be sold, the proceeds to be paid to the treasurer of state, and the device or silencer shall be destroyed. This section does not apply to military organizations authorized by law to bear arms, or to the national guard in the performance of its duty. All fines, penalties and forfeitures recovered by any person for any violation of this section shall be paid forthwith by the person receiving the same to the treasurer of state, to be credited to fines and license fees for the protection of birds and game.

Prosecutions.

Sec. 81. Birds, fish, game or wild animals, unlawfully taken, may be seized, and forfeited upon conviction. 1913, c. 206, § 68. All birds, fish, game or other protected wild animals, hunted, caught, killed, destroyed, bought, sold, carried, transported, or found in possession of any person or corporation, in violation of any provision of this chapter, shall be liable to seizure, and in case of conviction for such violation, the same shall be forfeited to the state, to be sold for the benefit of the state. Any person whose fish, game, or birds has been seized for violation of any game or fish law, shall have it returned to him on giving to the officer a bond with sufficient sureties, residents of the state, in double the amount of the fine for such violation, conditioned that, if convicted of such violation, he will, within thirty days thereafter, pay such fine and costs. If he neglects or

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refuses to give such bond and take the game, fish or birds so seized, he shall have no action against the officer for such seizure or for the loss of the game or fish seized.

Sec. 82. All seizures shall be reported to commissioners. 1913, c. 206, § 78. In all cases, the officer making any seizure or sale of fish, game or birds, shall within ten days thereafter, report all the particulars thereof and an itemized statement of the proceeds, expenses and fees, and the disposition thereof to the commissioners of inland fisheries and game at Augusta. The failure of any person or officer to perform any act, duty, or obligation enjoined upon him by this chapter, shall be deemed a violation thereof.

Sec. 83. Commissioners and officers may make arrests; may enter camps; magistrates may issue search warrants. 1913, c. 206, § 69. The commissioners of inland fisheries and game and every inland fish and game warden may arrest, with or without a warrant, any person whom he has reason to believe guilty of a violation of any provision of this chapter and with or without a warrant, may open, enter and examine all buildings, camps, vessels, boats, wagons, cars, stages, tents, and other receptacles and places, and examine all boxes, barrels and packages where he has reason to believe that game, fish or game birds or protected wild animals, or parts thereof, taken or held in violation of this chapter are to be found, and seize such game, fish, or game birds or wild animals, or parts thereof, if any be found therein; but no dwelling-house shall be searched for the above purposes without a warrant and then only in the day time, and no sealed railroad car shall be entered for the above purposes without such warrant. Any magistrate may issue warrants to search, within his jurisdiction, any dwelling-house, in the day time, or any other place at any time, for the purposes above set forth, to any inland fish and game commissioner or to any inland fish and game warden, sheriff or any of his deputies; such warrants shall be issued subject to the requirements of section thirteen of chapter one hundred and thirty-four; provided, however, that the inland fish and game commissioners shall, on or before the first day of October of each year, in writing, notify the superintendents of all transportation companies doing business within the state, of the names of the inland fish and game wardens by them designated to exercise the right of search of railroad cars as herein provided, which number shall not exceed four for any one transportation company, and no others shall, except those so designated, be authorized to exercise the powers herein mentioned as to search of railroad cars.

Sec. 84. Violators may be arrested without process; jurisdiction. 1913, c. 206, § 70. Any officer authorized to enforce the inland fish and game laws may, without process, arrest any violator of said laws, and shall with reasonable diligence, cause him to be taken before any trial justice or any municipal or police court, in the county where the offense was committed, or in any adjoining county, for a warrant and trial. Jurisdiction in such cases is hereby granted to all trial justices and all other courts to be exercised in the same manner as if the offense had been committed in that county; and any officer who shall maliciously, or without probable cause, abuse his power in such proceedings shall upon conviction be punished by a fine of not exceeding one hundred dollars, and costs, or by imprisonment not exceeding three months.

Sec. 85. Jurisdiction of court. 1913, c. 206, § 71. Trial justices, police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts in all prosecutions under any inland fish and game law.

Sec. 86. Disposition of fines. 1913, c. 206, § 72. All fines and penalties recovered, or money received or collected, under any provision of this chapter, after deducting legal taxable costs, shall be paid forthwith by the person receiving the same to the commissioners of inland fisheries and game, at Augusta, Maine, to be paid by them to the treasurer of state. Any officer or other person who shall receive any fine or penalty or any part thereof, for the violation of any inland fish or game law, and shall neglect for more than thirty days to pay the same to the commissioners of inland fisheries and game, as herein provided, shall pay a fine of not less than fifty, nor more than one hundred dollars, and costs of prosecution.

Sec. 87. Provisions of c. 45, § 93 apply. 1913, c. 206, § 25. The provisions of section ninety-three of chapter forty-five, relating to the powers of the commissioner of sea and shore fisheries, are hereby extended to the commissioners of inland fisheries and game.

Sec. 88. Service of warrant on a corporation. 1913, c. 206, § 73. In case of violation of any provision of this chapter by a corporation, the warrant may be served by an attested copy, on the president, secretary, manager, or any general agent thereof in the county where the action is pending, and upon return of such warrant so served, the corporation shall be deemed in court and subject to the jurisdiction thereof, and any fine imposed may be collected by execution against the property of such corporation; but this section shall not be deemed to exempt any agent or employee from prosecution.

Sec. 89. Duty of county attorneys. 1913, c. 206, § 75. Each county attorney shall prosecute all violations of this chapter occurring within his county, when such cases may come to his knowledge, or when he may be so requested by the commissioners of inland fisheries and game, or any officer charged with its enforcement; such prosecution shall at all times be subject to the supervision and control of the commissioners.

Sec. 90. Witnesses may be compelled to testify. 1913, c. 206, § 76. In any prosecution under this chapter, any participant in a violation thereof, when so requested by the county attorney, commissioners of inland fisheries and game, or other officer instituting the prosecution, may be compelled to testify as a witness against any other person charged with violating the same, but his evidence so given shall not be used against himself in any prosecution for such violation.

Sec. 91. Report of magistrate or clerk of court. 1913, c. 206, § 77. Every magistrate or the clerk of the court before whom any prosecution under this chapter is commenced, or shall go on appeal, within twenty days after the trial or dismissal thereof, shall report in writing the result thereof and the amount of fines collected, if any, and the disposition thereof, to the commissioners of inland fisheries and game at Augusta.

Note. Notices on petitions to legislature for special legislation relating to fish and game, c. 2, § 40.

Fish and game wardens are constituted state fire wardens, c. 8, § 34.

Notice of special benefits from legislation for protection of fish to be posted on banks and shores of protected waters, c. 45, § 87.

Penalty for falsely assuming to be an inland fish and game warden, or a commissioner of inland fisheries and game, c. 124, § 25.