

1-1-1956

Maine Hunting and Trapping Laws 1955-56 Summary

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**MAINE
HUNTING AND TRAPPING LAWS
1955-56
SUMMARY**



**ROLAND H. COBB
COMMISSIONER**

**Department of Inland Fisheries and Game
Augusta, Maine**

State of Maine

GENERAL LAW SUMMARY — 1955-56

GAME BIRDS, GAME AND FUR BEARING ANIMALS

DEER — Open Seasons

Aroostook, Penobscot, Somerset, Piscataquis, Franklin...	Oct. 21 - Nov. 30
Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, Waldo, Washington and York....	Nov. 1 - Nov. 30
Special Archery Season, All Counties except that part of Piscataquis south of main line of Canadian Pacific R.R.	Oct. 3 - Oct. 15
Season Limit on Deer — One of Either Sex — All Deer Killed Must be Registered	
For Archery Season Special License Required and Special Registration of Deer Killed	

RABBITS — Open Seasons

Counties, Franklin, Oxford, Knox, Somerset, Penobscot, Piscataquis, Aroostook and York.....	Oct. 1 - Mar. 31
All Other Counties.....	Oct. 1 - Feb. 29
Daily Limit 4 — Possession Limit 8	

GRAY SQUIRRELS — Open Season

All Counties.....	Oct. 1 - Nov. 15
Daily Limit 4 — Possession Limit 8	

FUR BEARING ANIMALS — Open Seasons

Mink.....	Month of November only
Muskrat.....	Month of November only except Washington and York Mar. 20 - Apr. 20
Sable.....	No Open Season
Fisher.....	See Laws on special territories open.....Nov. 16 - Dec. 15 (Stamping fee on fisher 50c)
* Fox.....	No Closed Season in Organized Territory
All other fur-bearing animals (except beaver, bobcat and lynx)	Nov. 1 - Feb. 15
* Bear and Bobcats.....	No Closed Season
Otter.....	Month of November and Jan. 1 to Feb. 28
Raccoons — Trapping Season.....	Nov. 1 - Feb. 15
— May be hunted with dogs at night.....	Aug. 15 - Dec. 15
Skunks — Hunted with dogs at night.....	Sept. 1 - Dec. 15

GAME BIRDS — Open Seasons

	Open Season	Daily Limit	Possession at one time
Woodcock	Oct. 1 - Nov. 9	4	8
Pheasants	Oct. 1 - Nov. 15	2	2
No open season on Pheasants in Penobscot County North of the Canadian Pacific R.R. tracks running from Megantic to Matta- wamkeag, and M.C.R.R. tracks running from Mattawamkeag to Vanceboro.			
Partridge	Oct. 1 - Nov. 15	4	8

* Nighttime and Sundays — Closed to hunting of all wild birds and animals (except raccoons and skunks which may be hunted in the nighttime).

HINTS TO THE WISE

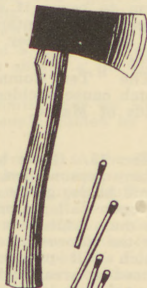
Get the Most Out of Your Hunting Trip

ALWAYS carry a big strong jackknife.



ALWAYS carry a map of the region.

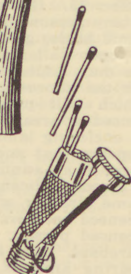
ALWAYS carry a belt axe.



ALWAYS carry a good compass. Learn to use it properly, then keep it with you and believe it.

ALWAYS carry emergency matches in a waterproof case.

ALWAYS carry a little food that is rich in concentrated energy (cheese, chocolate, raisins).



ON BEING LOST

First of all, don't get lost. Get a good map of the country you will be in and STUDY it. If you don't know how to use it, and a compass, go into the deep woods only with a guide or companion who does know these details.

Secondly, take time to notify a game warden of your planned destination. He is your friend. Get his name and 'phone number and post them in camp. If a companion is lost, notify the warden immediately.

If you become lost: Don't rush. Sit down and think it over. If still confused and you have been out but a short time, remain there, especially if others know your approximate location.

If you have been out a long time, look for an open space. The shore of a lake, a big meadow, or the top of a high hill, are good in the order given.

Nothing in the Maine woods will harm you.

Build a fire, collect lots of dry wood, keep the fire going. Pile green boughs on it to make a smoke signal.

You can live for days without food if you conserve your energy.

Keep warm, keep calm. Make the woods work for you. Keep that smoke signal going. Our warden planes will spot it and find you.

A WARNING ABOUT HUNTING ACCIDENTS

Fatal accidents frequently involve experienced hunters, who may be over-anxious to bag their deer or other game. These accidents are classified under the heading "Mistaken Identity." There isn't any need for them to occur if every hunter will wait until he is sure of his target. Experienced hunters usually hit what they aim at and when human lives are at stake, they should be absolutely certain they are shooting only at game.

The "Ten Commandments of Hunting Safety" point out the pitfalls which cause accidents. Memorize them and live by them in the woods and fields of Maine.

Sec. 15. Game breeders licensed. The Commissioner may issue permits to any person, firm or corporation to engage in the business of propagating game birds, game or wild animals, or wild rabbits on islands surrounded by open salt water all year under such regulations as he shall establish. He may issue to any person, firm or corporation permit to fence in land for the above-named purpose, providing that the fence shall be of a type which will prevent fur-bearing animals from entering or leaving the fenced-in area, and except that such permit may be issued without fencing or enclosing land in the case of islands used to propagate rabbits. When it appears that such application is made in good faith, and upon the payment of an annual fee of \$10, said Commissioner may issue to the applicant a breeder's license permitting the breeding and rearing of any species of game birds or wild animals within such enclosure or on such island. Such licensed breeders may at any time sell, transport, or kill and sell, and any licensed person, firm or corporation, resident of the State of Maine, may purchase, have in possession or transport any game birds, game or fur-bearing animals, or the skins thereof, raised by virtue of the provisions of this section, under such regulations as said Commissioner may establish. No person shall engage in the business of breeding or rearing any game birds or game or fur-bearing animals at any time without first having procured a breeder's license as provided in this section.

The Commissioner may issue permits to any person, firm or corporation to take, have in possession, band and transport wild birds and wild animals for scientific purposes. He may issue such rules and regulations as may be necessary.

Every licensed game or fur farmer and every person authorized to take birds or wild animals or fish for scientific purposes shall, on or before the 31st day of December of each year, make detailed report to said Commissioner of all he has done during the year by virtue of such license or permit, on blanks to be furnished by the said Commissioner.

Sec. 18. Keeping of wild animals in captivity; fees; care and treatment. It shall be unlawful for any person to keep any wild animal in captivity for exhibition, or the evident purpose of attracting trade or to have any wild animal in his custody or control for such purpose, except that the Commissioner may grant permits for a "roadside menagerie." Applications therefor shall be made on forms prepared and furnished by the Commissioner. The applications shall show the name and address of the applicant, the location or proposed location of the roadside menagerie, the approximate number and kinds of wild animals being or to be kept, space and method of housing and confinement measures taken to protect the public from injury by any wild animal, and such further information as the Commissioner shall prescribe. Each application shall be accompanied by a fee of \$50.

GUIDES

Sec. 36. Applications for guide's licenses made to Commissioner in writing; fees; revocation of license. A guide is any person who receives any form of remuneration for his services in accompanying or assisting any hunter, fisherman or camper in the fields, forests or waters of the State.

No person shall act as a guide until he has procured a license to do so from the Commissioner and he shall not be eligible to obtain a license to guide until he is 18 years of age.

Each guide shall make an annual report to the Commissioner on forms furnished by the Department, stating the number of people guided by him and the fish and game taken by them.

Application for a guide's license shall be made in writing to the Commissioner on forms furnished by the Department and shall be approved by an inland fish and game warden. The Commissioner may, upon sufficient proof as to his competency, issue the license. No person shall be issued a guide's license unless he is physically, mentally and morally capable of guiding and caring for a party in the forests or on the waters of the State and said Commissioner may, at his discretion, suspend or revoke the license of any guide for incompetency or for failure to discourage violations of the fish and game laws.

A fee of \$8.50 shall be paid annually for a resident guide's license. Non-residents may be so licensed upon payment of a fee of \$50. Persons licensed under this section may hunt and fish by virtue of their guide's license or, if requested by the applicant, the persons licensed under this section may be restricted to fishing.

Whenever a guide, licensed as provided in this section, is charged with having violated any of the inland fish and game laws, the Commissioner may suspend his license. Whenever a licensed guide is convicted of having violated any of the inland fish and game laws in the conduct of his guiding activities, the Commissioner shall suspend his license as provided in section 74.

Any person who guides without first having procured a license to do so from the Commissioner shall be subject to a fine of not less than \$25 and each day that he so guides shall constitute a separate offense.

Nothing in this section shall be construed so as to prevent a councilor at a bona fide children's summer camp, said camp being licensed by the Department of Health and Welfare, from performing his usual duties as such councilor without obtaining a guide's license.

(The license fee in the 1st sentence of the 5th paragraph of this section shall become effective January 1, 1956.)

Sec. 39.

VIII. No resident hunting or fishing license or combination of same shall be issued unless the applicant shall present a poll tax receipt from the town where he resided in the year immediately preceding the date of the application, or the applicant exhibits a valid unexpired State of Maine motor vehicle operator's license bearing the applicant's name, or the applicant must exhibit a certificate from the taxing authority that he was exempted from paying a poll tax, or that the same has been abated or that the applicant is not required by law to pay a poll tax.

X. Indians to have free hunting, trapping and fishing. The Commissioner shall issue a hunting, trapping and fishing license to any Indian over the age of 16 years of the Passamaquoddy and Penobscot tribes without any charge or fee, providing the Indian presents a certificate from the Commissioner of Health and Welfare stating that the person described is an Indian and a member of that tribe. For the purpose of this section, an Indian shall be a person whose mother and father were Indians. Holders of such licenses shall be subject to all of the laws, rules and regulations of this chapter.

XII. A license to hunt or fish shall be issued, at the resident license fee, to any member of the armed forces of the United States of America who is a citizen of the United States and stationed at some military or naval post, station or base within the State, or his or her spouse or minor child who is at least 16 years of age. Said member of the armed forces, desiring a hunting or fishing license, must present certification from the commander of said post, station or base, or his designated agent, that the person mentioned in the certification is stationed at or attached to said post, station or base.

Licenses may be issued by the clerk or agent in the town in which said military or naval post, station or base is situated.

Holders of such licenses shall be subject to all the laws of the State and the rules and regulations of the Commissioner regulating hunting and fishing; and for violations of said laws or rules and regulations, such license shall be revoked in the same manner as provided in this chapter for the revocation of hunting and fishing licenses.

Sec. 51. Lumber camps not to use certain game as food. No owner, keeper or employee thereof or any other person shall take any protected game bird or game animals, or parts thereof, at any time for the purpose of serving or consuming the same in any camp, house or other building used partly or wholly in lumbering operations, log driving or construction of any kind.

It shall be prima facie evidence of a violation of this section on the part of any keeper or owner of such camp used in lumbering or construction operations to have in his possession in such camp any animal or bird, or parts thereof, described in this section.

Sec. 57. The Commissioner may issue a permit to any licensed trapper to take not more than 20 pounds of eels annually for use in baiting traps.

Sec. 65. Operation of boat upon great pond, river or inland body of water. Whoever operates any boat upon any great pond, or upon any river or any inland body of water to which the public has a right of access:

I. Recklessly;

II. At an excessive rate of speed; or

III. In a wanton manner causing injury to any person or property;

shall be guilty of reckless operation of a boat and upon conviction shall be punished by a fine of not more than \$200, or by imprisonment for not more than 3 months, or by both such fine and imprisonment.

Sec. 66. Boats and canoes inspected and registered; operators licensed; accidents investigated; penalties; jurisdiction. The owner of every boat or canoe maintained for hire upon any inland body of water to which the public has access, including duck skiffs and boats propelled by outboard motor but excluding boats under the jurisdiction of the Public Utilities Commission as set forth in chapter 49, before renting or offering for hire such boat or canoe shall apply and obtain from the Commissioner a certificate authorizing its use for such purpose. No certificate shall be issued until the Commissioner, through the warden service, shall have inspected such boat or canoe and found it to be properly painted, repaired and fitted with oars or paddles, as the case may be. Any certificate granted shall terminate on the last day of the calendar year in which it is issued. The Commissioner, through the warden service, shall fix the number of persons who may be lawfully transported in each such boat or canoe at any one time. The owner of such boat or canoe shall cause the registration number and figures indicating the capacity established to be displayed upon each side of the bow, in numerals painted or attached thereto of suitable size and color and so placed as to be always plainly visible.

Every operator of a boat or canoe propelled by outboard motor and carrying passengers for hire shall be examined by the Commissioner, through the warden service as to his qualifications, and if satisfied therewith, the Commissioner shall grant him a license for such operation, which license shall expire on the last day of the calendar year in which it is issued unless sooner revoked by the Commissioner for intemperance, incompetency or willful violation of duty. The Commissioner may grant a renewal of such license upon written application and without further examination. Said license shall be in the possession of the operator at all times when he is carrying passengers for hire in such boat or canoe.

Any boat or canoe kept for use or rental in connection with any camp, cottage or real estate shall be considered as kept for hire; provided, however, that any boat or canoe kept for use in connection with any boys' or girls' camp licensed by the Department of Health and Welfare, and any

owner or operator thereof, shall be exempted from the provisions of this section unless such boat or canoe is rented or offered for hire to the general public.

The Commissioner is hereby empowered to make any rules and regulations necessary for the proper administration of this section, including lighting of boats and canoes used in the nighttime, examination for operator's license, requirements for registration of boats or canoes, and shall set reasonable fees for such registration.

In case of damage to any boat or canoe subject to the provisions of this section by collision, fire or explosion, the Commissioner shall forthwith, and in other cases in his discretion the Commissioner may, through the warden service, investigate the cause thereof, and if found to have been occasioned by a violation of any of the aforesaid provisions or of the orders, regulations and requirements of said Commissioner, he shall so certify to the Attorney General and to the county attorney in the county where the offense was committed, together with the names of the parties and witnesses, and prosecution shall be instituted forthwith against all parties liable.

Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment. Trial justices shall have jurisdiction concurrent with municipal courts and the Superior Court of all complaints and prosecutions under the preceding sections.

The section becomes effective January 1, 1956.

HUNTING AND TRAPPING. DEFINITIONS.

Sec. 68. Hunting, alien, jack-light, trapping, resident and game management. In addition to the definition of words and terms mentioned in this chapter, are the following:

I. "Hunting" means to hunt for, pursue, catch, take, kill, wound or destroy wild birds and wild animals.

II. For the purpose of this chapter, all aliens shall be classified as non-residents. Any alien who has resided in this State continuously for 2 years and in addition thereto is assessed and pays taxes on real estate in the municipality in which he resides may purchase any resident license issued under the provisions of this chapter.

III. "Jack-light" means any artificial light used while hunting, except lights used and permitted under the provisions of subsection IV of section 113.

IV. The words "to trap" shall mean to trap for wild animals, or the act of trapping or attending to traps.

V. Any citizen of the United States shall be eligible for any resident license required under the provisions of this chapter, providing such person is domiciled in Maine with the intention to reside here, and who has resided in this State during the 3 months next prior to the date an application is filed for any license under the provisions of this chapter.

VIII. "Sunrise" and "sunset" shall be the time given in the Maine Farmers Almanac.

Sec. 69. Trapping licenses; fees. Any resident who traps for any wild animal except rabbits as hereinafter provided shall annually procure a license therefor from the Commissioner, paying therefor \$10; provided, however, that the annual fee for such trapping within the limits of cities, towns and plantations of the State shall be \$5; provided further, that whoever traps for any beaver on any land in the State open to beaver trapping by said commissioner shall pay therefor a fee of \$10 annually, and an additional fee of \$1 for the tagging and marking of each skin as required by law, skins to be so tagged and marked by a warden supervisor as provided in section 119. The fee for a nonresident for a trapping license shall be \$200. Any resident under 16 years of age may trap for any wild animal, except beaver, in the organized cities, towns or plantations without a trapping license; in unorganized townships a license is required. Any person trapping for wild animals must, on or before the 31st day of December of each year or before being issued a license for the following year, send a written report of all wild animals and the number of each kind taken during that year, to the Commissioner. Any resident or his immediate family may hunt or trap for wild animals, except beaver, in accordance with the laws of the State without such trapping license on land to which he is legally entitled to possess and which is used by him and his family exclusively for agricultural purposes, and on which he is actually domiciled, within the limits of an organized township. Whoever traps for any wild animal in violation of any provision of this section or whoever fails to file an annual report required by this section, or whoever has in his possession at any time any wild animal, or part thereof, taken in violation of any provisions of this section, shall be subject to the penalties provided for in section 139. Any person who has been found guilty of breaking and entering, or of larceny, shall not be eligible thereafter to obtain a trapper's license. Any person aiding, assisting or helping another in trapping or attending to traps shall be considered as a trapper and must procure a license therefor.

See free trapping licenses for Indians.

Sec. 70. Traps visited every 24 hours. Any person trapping in any organized or incorporated place shall visit each trap or cause the same to be visited at least once in every calendar day including Sunday, except beaver sets, so called, and remove therefrom or cause to be removed any animal found caught therein. No person shall trap on or in any organized or incorporated place, or in any unorganized place on the cultivated or pasture area of land that is used for agricultural purposes, and on which land there is an occupied dwelling, or within 200 yards of any occupied dwelling, without first obtaining the written consent of the owner or occupant of the land on which said trap is to be set. It shall be the duty of the landowner or occupant to prove his ownership or occupancy of the land in question before any prosecution is made under this particular part of this section.

No person shall trap outside his own land, within $\frac{1}{2}$ a mile of the compact built up portion of any city or village, except by the use of water sets, so called, for mink and muskrat. A water set shall be a trap so set that it shall be completely covered by water at all times. Provided further, that any person who has a written permit from the landowner may trap only with water sets, so called, within $\frac{1}{2}$ mile of the built up section of any city or village.

Sec. 71. Use of snares; guns set on swivels; poisons; traps labeled; bear traps enclosed in huts. No person shall set a snare, or a swivel, pivot or set gun, or use or deposit any poisonous or stupefying substance for the purpose of killing, taking, catching, wounding, harming or molesting any wild animal or wild birds. Any snare, or swivel, pivot or set gun, or poisonous substance, and any wild animal or wild bird taken by use of the same, shall be forfeited to the State. The Commissioner or his duly appointed agents in an emergency may use such devices or methods as are necessary for control of wild dogs or other wild animals when approved by the Advisory Council.

No person shall advertise or give notice of the sale, or keeping for sale, of any snare, or swivel, pivot or set gun, or poisonous substance for the taking of wild animals or wild birds.

No person shall set any trap for any wild animal without having the trap plainly labeled with his full name and address, and he shall forfeit to the State the trap or traps not so marked and any wild animal found therein; provided further, that no person shall set a bear trap unless the same is enclosed by at least 2 strands of barbed wire, one 2 and one 4 feet from the ground, said wire to be securely held in position and to be not less than 5 yards or more than 10 yards at any point from the enclosed trap. Said enclosure shall be marked by substantial signs with the words "BEAR TRAP" and "TRAPPE D'OURS" with letters not less than 3 inches in height, said signs to be spaced around each enclosure at intervals of not more than 20 feet and each sign securely fastened to the top strand of barbed wire.

Sec. 72. Poisons not used for purposes of killing animals. It shall be unlawful to use poison to kill foxes, dogs or other animals, except insects or vermin within a building. Any person who leaves or deposits in any place any poison or poisonous substance or kills by poisoning any fox, dog or other animal, except insects or vermin within a building, shall be subject to the penalties of section 139; provided that the Commissioner may, however, grant permits to agents of the Federal Fish and Wildlife Service and to fruit growers to use poison in the destruction of rodents.

The Commissioner or his duly appointed agents may, however, in an emergency use such devices or methods as are necessary for control of wild dogs or other wild animals when approved by the Advisory Council.

Sec. 73. Hunting licenses for residents and nonresidents; fees. No resident over 16 years of age and no nonresident over 12 years of age shall hunt or have in possession wild birds, or parts thereof, or wild animals, or parts thereof, except in accordance with the following provisions:

I. Any resident and members of his immediate family may hunt without a license on land to which they are legally entitled to possession, and on which they are actually domiciled and which land is used exclusively for agricultural purposes.

II. No resident shall hunt or have in his possession any wild bird, or parts thereof, or wild animal, or parts thereof, without first having procured from the Commissioner or his authorized agent a written license which shall be kept upon the person while hunting or transporting such birds, or parts thereof, and animals, or parts thereof, and which shall be exhibited to any warden, employee of this Department or guide, upon request.

III. For the purpose of issuing licenses, the Commissioner may appoint clerks of towns or such other agents as he deems necessary and shall determine the period during which they shall act.

The license may be issued to a resident by the clerk or agent in the town in which the applicant resides, or if domiciled in an unorganized territory, then by the clerk or agent in the nearest town, upon payment of a fee of \$2.75, of which 25c shall be retained by the town clerk or agent. The Commissioner may appoint agents in unorganized towns for the purpose of issuing resident hunting licenses to the residents domiciled in that unorganized town.

A combination of hunting and fishing license may be issued on payment of \$5.25, 25c to be retained by the town clerk or agent.

Each agent shall forward to the Commissioner on the 1st day of each calendar month all of the funds collected by him during the previous calendar month, together with a list of the persons and the kind of licenses issued to them. The funds received by the Commissioner shall be deposited in the State Treasury. Each agent shall be entitled to retain the sum of 25c for each license issued.

(The license fees in this subsection become effective January 1, 1956.)

IV. The Governor may issue complimentary fishing and hunting licenses to members of the Canadian Immigration and Customs Forces serving along the Maine border.

V. No nonresident shall hunt or have in his possession any wild bird, or parts thereof, or wild animal, or parts thereof, without first having procured from the Commissioner or his authorized agent a written license which shall be kept upon the person while hunting or transporting such birds, or parts thereof, and animals, or parts thereof, and which shall be exhibited upon request to any warden, employee of this Department or guide.

Nonresident hunting licenses shall be of 2 classes: one class shall be issued upon the payment of \$10.25, which will license the holder to hunt wild birds or animals during the open season therefor, except deer; the other class shall be issued upon the payment of \$25.25, which will entitle the holder to hunt wild birds and animals including deer during the open season therefor. The agent issuing the license shall be allowed to retain 25c from the license fee. The purchaser of a \$10.25 nonresident hunting license may turn the same in for a \$10 credit on the purchase of a \$25.25 nonresident hunting license.

(The license fees in this subsection become effective January 1, 1956.)

VI. Each license shall expire at midnight December 31st of the calendar year for which it is issued. Licenses may be issued prior to the date upon which such license may be in force. Application blanks and licenses shall be furnished by the Commissioner in such form as he shall designate.

VII. Any nonresident between the ages of 12 and 15 years may buy a junior nonresident hunting license entitling him to hunt wild birds and animals during the open season therefor, except deer, upon payment of \$5.25. Any nonresident over the age of 12 years may purchase the \$25.25 license to hunt wild birds and animals, including deer; provided, however, that between the ages of 12 and 16, the application shall be

accompanied by the written consent of his or her parent or guardian; and provided further, that such nonresident must be accompanied at all times while hunting by parent or guardian or an adult approved by parent or guardian.

Any resident between the ages of 10 and 16 years may hunt with firearms without a license, if accompanied at all times while hunting by a parent or guardian or by an adult approved by parent or guardian.

No resident under the age of 10 years and no nonresident under the age of 12 years may hunt wild birds or animals with firearms at any time.

VIII. Any person obtaining a license through fraud, misstatement or misrepresentation shall be subject to the penalties set forth in section 139. It shall be unlawful for a town clerk to willfully issue a resident hunting license to a person not a resident of the municipality in which the license is issued.

IX. Failure to produce such license within a reasonable time when requested by any authorized person shall be prima facie evidence of a violation of this section.

X. All funds derived from the sale of licenses under the provisions of this chapter shall be used for the management, propagation and protection of all birds, animals, fish life, conservation education and other expenses incident to the administration of these functions.

Provided further, that if any of such funds are not expended during the year in which they were collected the unexpended balance shall not lapse, but shall be carried as a continuing account available for the purposes herein specified, until expended.

Duplicate licenses; fees. The Commissioner shall issue a duplicate license to any person who has accidentally lost or destroyed any license issued to him under the provisions of this chapter, upon payment of a fee of 25c.

Sec. 74. Hunting and fishing licenses; revocation. The Commissioner may revoke the license, for 1 year from the date of conviction, issued to a person to carry on the particular activity in which he was engaged at the time of the violation of sections 71, 72, 75, 76, 77, 81, 90, 91, 92, 97 and 101.

On conviction of any person holding a license or licenses issued under the provisions of this chapter of the violation of any of the sections of this chapter not hereinbefore mentioned or of any rules or regulations of the Commissioner, the Commissioner may revoke any license or licenses held by such person for a period of not less than 3 months nor more than 1 year from the date when notified of said conviction as hereinafter provided.

Any person whose license or licenses has been revoked under the provisions of the 2nd paragraph of this section may request a hearing by the Commissioner, at which hearing all the facts concerning the violation shall be presented and the license or licenses may be reinstated.

The Commissioner may suspend licenses held by any person who has appealed from a sentence imposed upon an alleged violation of the provisions of this chapter or of any rules and regulations adopted by the Com-

missioner pursuant hereto. Such suspension shall apply only to the particular activity in which the licensee was engaged at the time of the alleged violation.

If at the time of committing a violation of any of the provisions of this chapter, the offender shall not be the holder of a license or licenses to conduct the particular activity in which he was engaged at the time of such violation, the Commissioner may not issue any license to said person until 1 year has elapsed from the date of final determination of any complaint or legal proceedings instituted as a result of the violation.

A conviction of a 2nd violation of any of the provisions of this chapter or a violation of any of the rules and regulations of the Commissioner may require the Commissioner to revoke the license or licenses of such offender for a period of 2 years from the date of the final conviction of the alleged violation.

Trial justices, judges or recorders of municipal courts, and clerks of superior courts, upon conviction of any person for violation of any of the provisions of this chapter, shall immediately forward to the Commissioner a transcript of the records of said proceedings with a record of any appeal entered on any judgment or sentence of said court.

Sec. 75. Hunting while intoxicated or under the influence of drugs; prima facie evidence of hunting in violation of law. No person shall hunt while under the influence of intoxicating liquor or drugs. The possession of any firearms in the fields or forests or on the waters or ice in the State by any person while under the influence of intoxicating liquor or drugs shall be prima facie evidence that the possessor was hunting in violation of law. Whoever violates any provision of this section shall, upon conviction, be punished by a fine of not less than \$10, nor more than \$300, or by imprisonment for not less than 30 days, nor more than 6 months.

Sec. 76. Sunday closed to hunting of birds and animals. It shall be unlawful to hunt on Sunday, and possession of firearms in the fields and forests or on the waters or ice of this State on Sunday shall be prima facie evidence of such hunting unless such firearm is carried, securely wrapped in a complete cover, fastened in a case or carried in at least 2 separate pieces in such a manner that it cannot be fired unless the separate pieces are joined together again. For the purpose of this section a clip, magazine or cylinder of a firearm shall not be considered a piece of such firearm.

Sec. 77. Night hunting. It shall be unlawful to hunt wild birds in this State from sunset to $\frac{1}{2}$ hour before sunrise of the following morning.

It shall be unlawful to hunt wild animals from $\frac{1}{2}$ hour after sunset until $\frac{1}{2}$ hour before sunrise of the following morning, except skunks and raccoons, as provided in section 113. For the purpose of this section, the time shall be that which is recognized as legal in the State of Maine.

No person shall have in his possession at any time any wild animal, or part thereof, taken in violation of the provisions of this section except as provided in section 113. Any person convicted of a violation under the provisions of this section shall be punished for the 1st offense by a fine of not less than \$200 and costs, nor more than \$400 and costs, which fine and costs shall not be suspended, and an additional penalty of not more than 30 days in jail, at the discretion of the court; and for a 2nd or subsequent offense, by a fine of not less than \$400 and costs, nor more than \$800 and

costs, and 30 days in jail, which fine, costs and jail sentence shall not be suspended, and an additional penalty of not more than 60 days in jail, at the discretion of the court.

Sec. 78. Hunting from automobiles. It shall be unlawful for any person to hunt any wild bird or wild animal at any time from any motor vehicle or trailer, or by aid or use of any light or lights carried thereon, therein or attached thereto. It shall be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. It shall be unlawful for any person excepting a law enforcement officer while in the line of duty, or persons licensed as provided in section 19 of chapter 137 to have in or on a motor vehicle or trailer any firearm with a cartridge or shell in the chamber, magazine, clip or cylinder; provided further, that no person except a law enforcement officer in the line of duty may have in or on any motor vehicle or trailer any loaded pistol or revolver with a barrel length of over 4 inches. The word "firearm" shall include all instruments used in the propulsion of shot, shell or bullets by the action of gunpowder exploded within it. For the purpose of this section, a motor boat shall not be considered a motor vehicle.

Sec. 79. Hunting from railways. It shall be unlawful for any person to hunt any wild bird or wild animal at any time from a hand car, flat car or any other car or vehicle capable of moving along rails under its own power, or capable of being drawn along rails by an engine; or by aid or use of any light or lights carried thereon or attached thereto. It shall be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. No person shall have a loaded rifle or loaded shotgun, or a gun with a cartridge in the magazine thereof, in or on a hand car, flat car or any other car or vehicle capable of moving along rails under its own power or capable of being drawn along rails by an engine.

Sec. 80. Vehicles required to stop upon signal. It shall be unlawful for the operator of any vehicle to immediately fail or refuse to stop any such vehicle or conveyance of any kind, upon request or signal of any officer whose duty it is to enforce the game laws when such officer is in uniform.

Whoever violates any provision of this section shall be punished by a fine of not less than \$100, nor more than \$400, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

Sec. 81. Use of silencers on firearms; use of firearms. No person shall sell, offer for sale, use or have in his possession any gun, pistol or other firearms, 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 the penalties of section 139. Any sheriff, deputy sheriff, constable or warden may seize any firearm and any device or silencer found in possession of any person in violation of the provisions of this section, and on conviction of the party from whom such firearm is seized, such firearm shall be sold and the proceeds 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.

No person shall use for hunting, or have in his possession at any time in the fields and forests or on the waters of the State, any automatic firearm, or any firearm that has been converted to an automatic type, or any firearm which has built-in mechanical adjustments which will permit it to function as an automatic arm.

No person shall use for hunting or have in his possession at any time in the fields and forests or on the waters of the State any auto-loading firearm having a magazine capacity of more than 5 cartridges. All auto-loading firearms having a magazine capacity in excess of 5 cartridges shall have the magazine permanently altered so as to contain not more than 5 cartridges before it may be used in this State. It shall be unlawful for any person to use cartridges containing tracer bullets or cartridges containing explosive bullets.

An automatic firearm shall be defined as one that will continue to fire as long as the trigger is held back.

An auto-loading firearm shall be defined as one that reloads itself after each shot, and requires that the trigger be pulled for each shot.

No part of the 2nd or 3rd paragraph of this section shall apply to firearms used by any law enforcement agency in this State. The 3rd paragraph shall not apply to firearms using the .22 cal. rim fire cartridge or to any auto-loading pistol having a barrel less than 8 inches in length.

Sec. 83. Walls and fences not destroyed, nor gates left open by hunters. No person shall tear down or destroy any fence or wall, or leave open any gate or bars, or trample or destroy any crop on the land of another person while taking, trapping, hunting or pursuing any wild animal, wild bird or fish. In addition to the penalties of section 139, the Commissioner shall have authority to revoke and forfeit the hunting or fishing license of the person so doing.

Sec. 84. Wild birds or wild animals not imported without written permission of Commissioner. No person shall introduce or import any wild bird or wild animal, or part thereof, of any kind or species into the State or receive or have in possession such wild bird or wild animal, or part thereof, so introduced or imported, without written permission of the Commissioner.

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

There shall be a closed season on partridge or grouse and pheasant from November 16th to September 30th of the following year, both days inclusive. No person shall at any time buy or sell any partridge, grouse or pheasant; provided further, that there shall be a closed season on pheasants within the following described territory until September 30, 1958: All of Penobscot county north of the Canadian Pacific railroad tracks, running from Megantic to Mattawamkeag and Maine Central railroad tracks running from Mattawamkeag to Vanceboro. No person shall have in possession any partridge or pheasants taken in closed season.

During the open season, it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 partridge or 2 pheasants taken, shot or killed in any one day, and not more than 8 partridge and not more than 2 pheasants in possession at any one time.

Except as provided in this section it shall be unlawful for any person to hunt, capture, kill, take, possess, buy or sell any migratory game bird at any time; but it shall not be deemed to be a violation of this chapter to hunt, capture, kill, take, possess, buy or sell any migratory game bird or part thereof at the times, in the manner and numbers, and by the means specifically permitted by regulations adopted and approved pursuant to the provisions of the Federal Migratory Bird Treaty Act (Act of Congress approved July 3, 1918).

Sec. 85-A. Open season on wild turkeys. There shall be no open season on wild turkeys; except that beginning in 1960 there shall be an open season on wild turkeys beginning October 13 for a period of 15 days, Sundays not included. During the open season no person shall take or kill more than one wild turkey, of either sex, in any one day or have more than one in possession at any one time.

Sec. 86. Nets, traps, crossbow, snares and guns larger than 10-gauge not used. No person shall hunt with a net, trap, crossbow, snare or contrivance other than the usual method of shooting with a firearm not larger than number 10-gauge or by shooting with a long bow and arrow, any bird or animal of any species protected by law. Any prohibited implements or devices used in violation of the provisions of this section shall be forfeited to the state. The user of such prohibited implement or device shall be subject to the penalties of section 139.

Sec. 87. Use of pole traps. It shall be unlawful for any person to set or use any steel trap on the top of a pole, constituting a device commonly known as a "pole trap" for the purpose of catching any wild bird, without a written permit from the Commissioner; such permit to be issued only when found by the Commissioner to be necessary for the protection of poultry, game birds or game fish, where raised by a private individual or by the State. Whoever violates any of the provisions of this section shall be punished by a fine of not more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

Sec. 88. Other than game birds protected; "game birds" and "migratory game birds" defined. No person shall have in his possession, living or dead, any wild bird other than a game bird or a migratory game bird, except under a permit issued in accordance with the provisions of the Federal Migratory Bird Treaty Act (Act of Congress approved July 3, 1918). 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 eggs of any wild bird nor have such nest or eggs in possession. The English or European house sparrow, the common crow, the great-horned owl, kingfishers, and cormorants or shag, and the European starling are not included among the birds therein protected; provided, however, nothing herein contained shall be deemed to make it unlawful for the owner or occupant of land to kill hawks or owls when in the act of destroying poultry; and for the purpose of this chapter the partridge, grouse and pheasant, only, shall be considered game birds, and the following, only, shall be considered migratory game birds: anatidae or waterfowl, including brant, wild ducks, geese and swans; gruidae or cranes, including little brown, sandhill and whooping cranes; rallidae or rails, including coots, gallinules, and sora and other rails; limicolae or shorebirds, including avocets, curlew, dowitchers, dogwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turn-

stones, willet, woodcock and yellowlegs: columbidae or pigeons, including doves and wild pigeons. Nothing in this section, however, shall be construed to affect in any way the protection of game birds or migratory game birds as provided in section 85.

Sec. 89. Use of power boats in hunting waterfowl; decoys and blinds in Merrymeeting bay. No person shall at any time hunt any sea birds, duck or waterfowl in any inland or tidal waters of the State from an automobile, airplane, power boat, sailboat, any boat under sail, any floating device towed by a power boat or any boat propelled by a motor attached in any manner.

The provisions of this and the 3 following paragraphs shall apply to the waters of Kennebec river, known as Merrymeeting bay, bounded as follows: From the high tension wires at Chop's Point to the first dam on the Androscoggin river, to the first road bridge on the Muddy, Cathance, Abbagadasset and Eastern rivers, and the Richmond-Dresden bridge on the Kennebec river, being in the counties of Cumberland, Sagadahoc and Lincoln.

No artificial cover which is termed stationary blind, or parts thereof, used for hunting purposes shall be left or allowed to remain in the waters of Merrymeeting bay, as described above, between 1 hour after legal shooting time and 1 hour before legal shooting time.

No decoys shall be allowed to remain in waters of Merrymeeting bay from 1 hour after legal shooting time until 1 hour before legal shooting time.

All regulations shall conform to the regulations issued by the United States Fish and Wildlife Service.

Sec. 90. Hunting of moose and caribou. No person shall hunt, kill or have in his possession any caribou or moose, or parts thereof; provided that no person who has legally killed a caribou or moose beyond the limits of this State shall have in his possession or import such caribou or moose, or parts thereof, into this State, unless he has obtained a permit from the Commissioner to import such caribou or moose, or parts thereof, for the purpose of consumption or for mounting, but not for sale. Such permit authorizing the importation of caribou or moose, or parts thereof, shall set forth the inclusive dates when such possession shall be legal.

Possession of caribou or moose, or parts thereof, without a permit as set out in this section, or after such permit has expired, shall be prima facie evidence of a violation of this section.

Sec. 91. Closed time on deer in certain counties. There shall be an annual open season on deer during the month of November in each calendar year in the counties of Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, Waldo, Washington and York. All the rest of the calendar year before and after the open season shall be a closed season on deer.

There shall be an open season on deer in each calendar year beginning the 21st day of October and ending the 30th day of November, both dates inclusive, in the counties of Aroostook, Penobscot, Somerset, Piscataquis and Franklin. All of the rest of the calendar year, either before or after the open season, shall be a closed season on deer in these counties.

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

It shall be unlawful for any person to hunt deer after he has killed one during the open season of that calendar year.

There shall be a continual closed season on deer in the town of Islesboro, located in the county of Waldo, until July 1st, 1959.

There shall be a continual closed season on deer on the whole of Cranberry Isles, Hancock county, until July 1, 1957.

There shall be a continual closed season on deer on the whole of Long Island in Long Island plantation, located in the county of Hancock, until November 1, 1958.

There shall be a continual closed season on deer in the town of Vinalhaven, Knox county, and the islands within the confines of the town of Vinalhaven, until July 1, 1962.

During the closed seasons, except as hereinafter provided, it shall be unlawful to hunt any deer or have in possession any part thereof; and except as hereinafter provided, no person shall have in possession more than one deer or part thereof during any open season.

A person lawfully killing a deer during the open season may have the same in his possession during a closed season provided the deer has been properly registered in accordance with the provisions of section 100.

Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than \$100 which shall not be suspended.

Sec. 92. Horning or driving deer. It shall be unlawful to drive deer by use of horns, whistles or other noisemaking devices. It shall be unlawful for more than 8 persons to participate in a joint hunt for deer, wherein an effort is made to drive deer.

Sec. 93. Use of airplane in driving wild birds or animals. No person shall use an airplane in driving or molesting any wild birds or animals.

Any person convicted of violating any provision of this section shall be punished by a fine of not less than \$50, nor more than \$300.

Sec. 94. Crop and orchard damage.

I. Any person may take or kill deer, night or day, on land owned or occupied by him, where substantial damage is being done by deer to a fruit tree or a crop, including legumes, except grass; and he may authorize a member of his family or a person employed by him to take such deer. A person by whom, or under whose direction, such deer is wounded or killed shall within 12 hours report all the facts relative to such act to a fish and game warden. Such report shall state the time and place of such wounding or killing. A person who kills such deer shall immediately properly dress the carcass or carcasses and care for the meat. The fish and game warden shall immediately investigate the case and if he is satisfied that the deer was taken as herein provided,

he shall give the person a certificate of his finding in the matter. Such certificate shall entitle such person to the ownership of the carcass or carcasses.

II. The cultivator of any orchard or growing crop, including legumes, except grass, or the owner, mortgagee or keeper of said crops or orchard may kill deer or other protected wild animals, except beaver or birds, night or day, doing damage as provided in subsection I. Said cultivator, owner, mortgagee or keeper shall within 12 hours make the report as provided in subsection I and shall dress the carcass or carcasses and care for the meat as provided in said subsection I. The fish and game warden shall immediately investigate the case and, if he is satisfied that the deer was taken as herein provided, he shall give said cultivator, owner, mortgagee or keeper a certificate of his finding in the matter. Said certificate shall entitle said cultivator, owner, mortgagee or keeper to the ownership of the carcass or carcasses.

III. It shall be unlawful to place salt or any other bait or food in any place for the purpose of enticing deer thereto.

IV. Any dead deer found not having a tag attached thereto identifying the owner thereof shall be the property of the State and shall be seized by the first warden who finds said carcass, to be disposed of by direction of the Commissioner.

V. Whenever deer are doing damage to orchards and crops, including legumes, except grass, the department shall furnish to the owner or agent of such orchards and crops suitable repellents without cost to such owner or agent; and the Commissioner may follow such other good conservation practice as will alleviate such damage. No claims for crop or orchard damage by deer or other protected animals or birds shall be paid by the State from any source or fund.

VI. Whenever the Commissioner deems it impossible to keep deer from doing damage to young orchards, he may enter into an agreement with the owner of such orchard whereby the department will assume $\frac{1}{2}$ the cost of fencing such orchard.

Sec. 95. No payments for motor vehicle damage. No claim for damages to motor vehicles by a protected wild animal or wild bird shall be paid by the State.

Sec. 96. Disposal of wild animals. The resident owner of every motor vehicle which has been substantially damaged by collision with a deer shall, within 24 hours thereafter, report the accident to a game warden. The warden shall investigate and, if he finds the damage has been done as alleged, he shall give a certificate to such person entitling such person to the ownership of the carcass to be possessed and consumed only within the immediate family of the owner of said vehicle.

Sec. 97. Use of dogs, lights, snares, traps, etc. It shall be unlawful to use a dog for the hunting of deer, caribou or moose. It shall be unlawful to use an artificial light, snare, trap, swivel, pivot or set gun for the hunting and killing of any deer, caribou or moose.

Nothing in this section shall be construed as affecting or restricting the legitimate possession and sale of flashlights.

Sec. 98. Dogs killed for hunting moose, caribou, deer or elk, or worrying domestic animals. It is unlawful for any dog to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk or any other wild animal in closed season and no person shall permit any dog owned by him to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk at any time or any other wild animal in closed season.

Any officer may kill any dog which he finds hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk at any time or any other wild animal in closed season or worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper.

Any person having evidence of any dog hunting, chasing, killing, wounding or pursuing moose, caribou, deer or elk at any time or any other wild animal in closed season may present said evidence to the Commissioner or any game warden who shall give notice in writing to the owner or keeper of said dog stating the acts committed by said dog. The owner or keeper of any dog so notified shall not permit any dog mentioned in said notice to leave the immediate control of said owner or keeper under the penalty as provided in section 139. After the owner of the dog has received written notice that his dog has committed any act prohibited by this section, it shall be lawful for anyone to kill the dog when found committing any of the acts prohibited herein.

Any owner of domestic animals or enclosed poultry, or any member of his family, or any person to whom is entrusted the custody of any domestic animals or enclosed poultry shall have a right to kill any dog killing or attacking any of said domestic animals or enclosed poultry.

Any person having any evidence of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk, or any other wild animal in closed season, or of any dog kept and used for the purpose, or of any dog wounding, killing or attacking any domestic animal or fowl, or any fur-bearing animals legally in captivity, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any trial justice or judge of any municipal court, which said trial justice or judge shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why said dog should not be killed; and upon hearing the evidence in said case said court may order said dog killed by any officer. The costs of prosecution shall be paid by the owner or keeper of said dog.

Any person may lawfully kill a dog which assaults him or another person.

Sec. 99. Deer not transported beyond limits of State. No person shall sell or give away any deer or part thereof to be transported or carried beyond the limits of this State nor shall any person buy or accept as a gift any deer or part thereof for its transportation; nor shall any resident of this State at any time carry or transport in any manner or attempt to carry or transport in any manner beyond the limits of this State any deer or part thereof; provided, however, that any resident of this State may purchase a license which will entitle him to transport or cause to be transported a deer legally killed by him within this State to a place beyond the limits of this State, and the fee for this license shall be \$20.25.

Twenty-five cents of this fee shall be retained by the clerk or other agent of the Commissioner issuing such license. The Commissioner is authorized to provide for such suitable tags as he may deem necessary to mark such deer.

Any tag or other marker issued under the provisions of this section shall be in lieu of that provided for by section 103.

Sec. 100. Transportation of deer within State. The Commissioner shall establish game registration stations for the purpose of registering all deer killed. Said stations shall be in charge of an agent designated by the Commissioner and a list of the same shall be published in one or more daily newspapers of the State. Said agents shall register each and every deer legally presented for registration, and shall tag each deer in the manner as directed and with the materials furnished by the Commissioner.

All deer killed shall be presented for registration by the person who killed the same and it shall be registered in his name at the first open game registration station. No person shall at any time in any manner transport or move any deer, or part thereof, unless open to view and there is securely attached thereto a tag bearing the name and address of the person who killed said deer and it shall be accompanied by him while being transported, except as otherwise provided in this chapter. Provided, however, that any person who has lawfully killed a deer may employ an agent to transport said deer, open to view and being attached thereto a tag bearing the name and address of the person who killed said deer. Said agent shall transport said deer to the first open game inspection station on the route taken by the agent. The game inspector at said game inspection station shall receive said deer and hold it until called for by the person who killed said deer, and at such person's risk.

No person shall keep a deer which he has killed, at his home, or at any place of storage, except a game inspection station as hereinbefore provided, more than 12 hours unless said deer has been legally registered.

If any person leaves the woods without taking a deer which he has killed with him, he shall notify a warden in writing within 12 hours as to the location of the deer and the circumstances necessitating his leaving the same in the woods.

No person shall present a deer for registration or permit to be registered in his name any deer which he himself did not kill, and no person shall have in possession at any time any deer, or part thereof, except as herein provided.

No person shall have in possession at any time any parts of a deer which has not been legally registered as provided in this section. It shall be lawful for the owner of any legally registered deer to give away not to exceed $\frac{1}{2}$ of said deer. No person shall have in possession any part or parts of a deer given to him unless each separate part is plainly labeled with the name and address of the person who registered the deer and the name and address of the person to whom it was given and if said part be transported by any 3rd party that the name and address of the party transporting the same be affixed thereto. The provisions of this paragraph shall not apply to any deer or parts of deer being transported by a common carrier, a railroad company, express company, boat or other transportation company in accordance with other provisions of this chapter.

Sec. 101. Sale of deer or parts thereof. No person shall at any time buy, sell or offer for sale or barter any deer, or part thereof, except that the heads and hides thereof may be sold to any properly licensed taxidermist for the purpose of preserving and mounting as provided in section 123 and to any dealer as provided in section 124. Whoever aids in buying, selling or offering for sale or barter any deer, or part thereof, or counsels or otherwise aids in procuring the same shall be punished in the manner

prescribed for the punishment of the principal offender. Provided, however, that any agent of the Commissioner may buy or sell deer, or parts thereof, for use as evidence in prosecution of a violation of this chapter.

Sec. 102. Deer transported without owner accompanying it, provided he uses certain tags. Any citizen of the State who has lawfully killed a deer may send the same to his home in his own name or to any hospital in the State without accompanying the same, by purchasing from an agent appointed therefor by the Commissioner a tag, paying therefor \$2, and said tag shall be attached to the deer, or part thereof, being transported.

The Commissioner may appoint agents to sell these tags.

All deer killed shall be presented for registration at the first game registration station on the route taken by the person who killed the same and shall be registered in his name.

Sec. 103. Transportation of deer by nonresidents. The holder of a non-resident deer hunting license shall be entitled to offer for transportation and have transported, within or without the State, by any railroad company, express company, boat or other transportation company, the carcass of 1 deer, or part of the carcass of 1 deer, that he himself has lawfully killed and registered in his name, and to which the deer coupon portion of his license is securely attached. There shall be printed upon the back of this coupon the following words: **THIS DEER WAS SHOT IN THE STATE OF MAINE.** The first 8 words shall be printed in 18-point caps and the word "MAINE" in 96-point Gothic type.

Sec. 104. Transportation of game. No person shall transport or offer for transportation, nor shall any person or carrier accept for transportation or transport, any game animal or bird, or parts thereof, except as provided in this chapter.

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

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

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

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

The hunting license of any nonresident shall entitle him to have game, which he has legally killed, transported to his home without further fee to the State.

Sec. 105. Fish, game and fur-bearing animals; transportation of, by aircraft. No person shall transport, attempt to transport or offer for transportation by aircraft any fish, game or fur-bearing animals, or parts thereof, unless such fish, game or fur-bearing animals, or parts thereof, shall bear a transportation tag issued by the Commissioner, stating that the same may be so transported and bearing the signature of the pilot of the aircraft in which transported. The pilot of any aircraft, other than those of regular transport lines, shall procure from the Commissioner a permit to transport any such fish, game, fur-bearing animals, or parts thereof, by air, together with a supply of tags with directions for using the same and shall tag all fish, game and fur-bearing animals transported by him as directed by the Commissioner.

Whoever shall transport, attempt to transport or offer for transportation by aircraft any fish, game or fur-bearing animals shall, as a condition of transporting such fish, game or fur-bearing animals, have such fish, game or fur-bearing animals open to view to the pilot whenever the pilot may request that such fish, game or fur-bearing animals be subject to inspection by him.

Whoever violates any provision of this section shall be punished as set forth in section 139 and in addition thereto all licenses or permits issued by the Department may be revoked for 1 year. Any certified aircraft pilot as provided for in chapter 24, who shall be found guilty of transporting fish, game or fur-bearing animals when such fish, game or fur-bearing animals shall not bear a transportation tag as provided for in this section or who shall be found guilty of transporting fish, game or fur-bearing animals illegally in possession, may have his pilot's certificate suspended by the Aeronautics Commission for not less than 1 year nor more than 2 years.

Sec. 106. Closed time on wild hares and rabbits; transportation of. There shall be a closed season on wild hares or rabbits from the 1st day of March to the 30th day of the following September, both days inclusive, except in the counties of Franklin, Oxford, Knox, Somerset, Penobscot, Piscataquis, Aroostook and York, where there shall be a closed season from the 1st day of April to the 30th day of the following September, both days inclusive.

During the open season it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 rabbits taken, shot or killed in any one day and not more than 8 rabbits so shot or killed in possession at any one time.

No person shall set or use any snares or traps or use any other device in the hunting of wild hares or rabbits or hunt the same in any except the ordinary method of shooting with guns or long bow and arrow; provided, however, that it shall be lawful at any time for the Commissioner to take and transport live hares or rabbits by purchasing live hares or rabbits from local trappers who may take the hares or rabbits by box traps for this purpose throughout the several counties of the State, whenever he may deem it necessary for the proper distribution and conservation of said animals.

It shall be unlawful for any person or corporation to transport or offer for transportation at any time any wild hares or rabbits destined beyond the limits of the State.

The provisions of this section shall not be construed to prohibit the holder of a nonresident hunting license from transporting to his home dead wild hares or rabbits which he has legally killed by virtue of his said non-resident hunting license.

It shall be unlawful for any person to have in possession or transport at any time any wild hares or rabbits taken during the closed season or by any method or with any device prohibited by this section.

It shall be unlawful for any person to buy, sell or offer for sale any wild hares or wild rabbits.

The provisions of this section shall not apply to the propagation of wild hares or rabbits on islands surrounded by open salt water all year.

Sec. 107. Closed time on gray squirrels. There shall be a closed season on gray squirrels from the 16th day of November to the 30th day of the following September, both dates inclusive.

During the open season it shall be unlawful for any person to shoot, take, kill or have in possession more than 4 squirrels taken, shot or killed in any one day and not more than 8 squirrels shot or killed, in possession at any one time.

There shall be a perpetual closed season on gray squirrels within the limits of lands dedicated as public or private parks and within the limits of compact or built up portions of any city or town.

HUNTING WITH BOW AND ARROW.

Sec. 108. Open season. There shall be an annual open season on deer in all counties of the State, except that portion of Piscataquis county south of the main line of the Canadian Pacific railway, beginning on the 1st Monday of October and ending the 2nd Saturday thereafter, both days inclusive, for the purpose of hunting deer with bow and arrow only.

Sec. 109. Licenses; tags. An archery license shall be issued by the Commissioner to take deer under the provisions of sections 108 to 112, inclusive, the fee for which shall be \$4.25 for hunting deer by residents of this State and \$10.25 for hunting deer by nonresidents; except that such archery licenses shall also permit the hunting of such wild birds and animals which can be legally hunted beginning on the 1st Monday in October for a period beginning the 1st Monday in October and ending the 2nd Saturday thereafter, both days inclusive. Archery deer tags shall be issued for use in the same manner as regular deer tags. If a person does take a deer with bow and arrow during the special season provided in section 108, he is precluded from further hunting for deer during that year. If a person does not take a deer with a bow and arrow during the special season provided in section 108, he is not precluded from obtaining a hunting license for the regular open season.

The provisions of subsection I of section 73 shall not apply to archery licenses.

No resident under the age of 10 years and no nonresident under the age of 12 years shall hunt with bow and arrow at any time. Any resident between the ages of 10 and 16 and any nonresident between the ages of 12 and 16, who hunts deer under the provisions of section 108, shall purchase an archery license with the written consent of parent or guardian and shall be accompanied at all times while hunting by parent or guardian or an adult approved by parent or guardian.

Sec. 110. Equipment. Deer may be taken under the provisions of sections 108 to 112, inclusive, only by means of long bow with a minimum pull of 40 pounds and broad head arrow. The arrow head shall be not more than 2½ inches in length and not less than ⅞ inch in width. No

person shall use arrows with either poisonous or explosive tips. No person shall carry firearms of any kind while hunting with bow and arrow. No deer shall be shot from a raised platform or standing tree.

Sec. 111. Application. Except as provided in sections 108 to 112, inclusive, the provisions of this chapter relating to deer shall be applicable to the taking of deer with bow and arrow.

Sec. 112. Registration. All deer killed under the provisions of sections 108 to 112, inclusive, shall be inspected by a warden before being registered under the provisions of section 100. If the warden finds the deer to have been legally killed by bow and arrow he shall approve the deer for registration. If it appears to the warden that the deer was not legally killed with bow and arrow he shall seize the deer and prosecute the offender.

Sec. 113. Trapping season. Except as provided in this chapter, there shall be a perpetual closed season on hunting or trapping any wild animal.

Fur-bearing animals taken during any open season shall not be kept alive into or during closed season periods except in accordance with the provisions of section 15; provided, however, the Commissioner may issue a permit to any individual to keep in captivity a skunk or raccoon and may revoke any permit so issued at any time. All permits so issued shall be valid only for the calendar year in which they were issued.

I. The Commissioner may declare an open season on muskrats that are polluting water supplies or damaging property if the owner makes a written complaint thereof to the Commissioner.

No muskrats shall be hunted or trapped in Lake Alamoosook and Dead river and its tributaries in the town of Orland situated in Hancock county.

Muskrats shall not be taken by the use of wire nets, box traps or any trap other than the ordinary steel trap.

The open season on mink and muskrat shall be during the month of November in each calendar year; except that the open season on muskrat in Washington and York counties shall be only from March 20th to April 20th, inclusive in each year.

The open season on otter shall be during the month of November and from January 1 to February 28, inclusive, of each year.

There shall be an open season on fisher from November 16, 1955 to December 15, 1955, both dates inclusive, and from November 16, 1956 to December 15, 1956, both dates inclusive, in the area described as follows: North of a line formed by Route 5 from the New Hampshire Border near Fryeburg to the junction of the Appalachian Trail near South Arm, thence along the Appalachian Trail to the junction of the Canadian Pacific Railroad near Onawa Lake (Piscataquis County); thence easterly along the Canadian Pacific Railroad to junction of Bangor and Aroostook Railroad at Brownville Junction; thence, northeasterly along the Bangor and Aroostook Railroad to the junction of Route 11 at Grindstone; and west of Route 11 from Grindstone to the Canadian border at Fort Kent. The Commissioner, with the approval of the Advisory Council, shall have the power to close any or all of the above described open area if it becomes necessary during the November 16, 1956 to December 15, 1956 season.

It shall be unlawful for any person to have in possession at any time any fisher, or part thereof, except as expressly permitted by this section. It shall also be unlawful for any person to sell, give away, buy, accept as a gift, offer for transportation or transport any fisher skin or fisher skins, unless each skin is tagged and marked as directed by the Commissioner.

Any fisher skin or fisher skins that come into this State in any manner from any other state or country must have the official stamp, tag or seal of the state or country from which said skin or skins were taken. All fisher skins shall be presented for tagging or marking within 10 days from the closing of the so-called open season.

All fisher skins must be presented to the warden supervisor in whose division they were caught and if said supervisor is reasonably satisfied that the fisher presented were legally trapped in his division, he shall tag and mark the same in the manner as directed and with the materials furnished by the Commissioner. A fee of 50c must be paid by the trapper for each skin tagged and marked.

There shall be no open season on sable (marten).

The open season on all other wild or fur-bearing animals, excepting bobcats, loupcevrier, Canada lynx and beaver, shall be from November 1 of each calendar year to February 15th in the next following year.

II. It shall be unlawful for any person to set or place a trap within 25 feet of a muskrat den or house at any time, or to molest or destroy the muskrat house or den. No person shall make any advance preparation on the trapping grounds for the taking of beaver or muskrat previous to the open season on these animals.

III. It shall be lawful to trap bear, hedgehogs or bobcats at any time anywhere in the State, and it shall be lawful to hunt bear, hedgehogs or bobcats at any time anywhere in the State except during Sundays and in the nighttime.

IV. It shall be unlawful for any person to hunt skunks and raccoons at night, except that skunks may be hunted at night from September 1st to December 15th of each year and raccoons may be hunted at night from August 15th to December 15th of each year under the following provisions: when accompanied by a dog; provided that an electric flashlight of not more than 3 cells may be used while locating in and flashing from a tree any raccoon treed by a dog; provided further, it shall be unlawful to use or have in possession any firearm except a 22 caliber pistol while hunting as hereby provided.

V. Any person may lawfully kill any wild animal, excepting beaver, or any wild bird found in the act of destroying that person's property.

VI. All of the rest of the calendar year which is not specifically opened to trapping shall be deemed to be a closed season.

VII. It shall be lawful to hunt and kill raccoons on the islands of North Haven and Vinalhaven, in the county of Knox, at any time except on Sunday and at night. Night shall be the period from $\frac{1}{2}$ hour after sunset until $\frac{1}{2}$ hour before sunrise of the following morning; except that it shall be lawful to hunt raccoons during the open season as provided in subsection IV.

Sec. 114. Game laws on raccoons suspended. The Commissioner is empowered to suspend the game laws in respect to raccoons in such restricted localities and for such periods of time as he finds it advisable to relieve excessive damage being done by them to sweet corn or other crops, provided further, that the Commissioner is empowered to suspend section 98 for the purpose only of allowing dogs to be used in hunting and killing raccoons, providing the dogs are under the personal supervision of the owner or trainer at all times, for such periods of time as the Commissioner finds it advisable.

Sec. 115. Training of dogs. Except as provided in section 116, it shall be lawful to train dogs on foxes, raccoons and rabbits from September 1st to the following October 15th, inclusive, in each calendar year, providing the dogs are under the personal supervision of the owner or trainer at all times.

Sec. 116. Special dog training areas. Upon application of any club or organization having 25 or more members who are citizens who have been residents of the State for at least 6 months immediately prior to making application, and the payment of a fee of \$10, the Department may issue a license authorizing the establishment and maintenance by such club or organization on land owned by them, or over which they have legal control, of a special dog training area wherein and whereon dogs may be trained at any time during the year. No such dog training area shall be of less than 100 acres, nor of more than 400 acres, nor shall licenses be issued for more than 2 special dog training areas in any one county.

The Department may from time to time during each year stock pieces of game and shall charge the licensees a reasonable price therefor. Nothing herein shall be construed as authorizing licensees to liberate on such area any wild bird or quadruped coming from without the State. The licensees may at any time during the year train their own dogs or the dogs of other persons on such area. Any person not a licensee may do likewise by making application in writing to licensee and receiving a permit to do so, for which a charge of not to exceed \$1.10 may be made, of which amount \$1 shall be paid to the Commissioner. Failure of a licensee to make reasonable provision for the use of such area by persons not licensees shall be deemed sufficient grounds for the Department to deny a renewal of license. No person shall hunt on a licensed dog training area except the owner of the lands who may hunt unprotected birds and animals only. The Department may make rules regulating the use of such areas.

The boundary line of such special dog training area shall be plainly and conspicuously posted prior to October 1st of each year with legible notices at least 11 inches square, placed not more than 100 yards apart which shall bear the following warning:

“SPECIAL DOG TRAINING FIELD TRIAL AREA — HUNTING AND TRAPPING IS UNLAWFUL. This land is set aside under special license for the training of dogs and the holding of field trials. Entering hereon for the purpose of hunting or permitting dogs to enter without proper authorization is prohibited. (Name and address of licensee to be printed on notice.)”

The licensees may hold field trials at any time on such area or permit in writing others to hold such trials thereon under such conditions as shall be mutually agreed upon.

No person shall train a dog, hold a field trial, enter accompanied by a dog or permit a dog of which he is the owner or trainer to enter upon an area licensed and posted as provided in this section, except as provided herein.

Sec. 117. Field trials for bird dogs or coon dogs. It shall be lawful to hold bird dog or coon dog field trials at any time. During the field trials permitted in this section, no person shall use any firearm other than a pistol loaded with blank ammunition.

Sec. 117-A. Field trials for retrieving dogs. Upon application of any incorporated or unincorporated club or organization having in its membership 25 or more members who are citizens who have been residents of the State for at least 6 months immediately prior to making application and the payment of a fee of \$10, the Department may at its discretion issue a license to such club or organization to hold at the time and place stated in such license a field trial for retrieving dogs for the purpose of demonstrating the skill of such dogs in retrieving dead or wounded game birds. A separate application shall be filed for each field trial proposed to be held by any such club or organization. Such license when issued shall authorize members of the licensee to shoot and kill with firearms, under supervision of a representative of the Department, game birds propagated or legally acquired by members of the licensee and released by members of the licensee at the field trial held at the time and place specified in such license, but only during the daylight hours and only with the consent of the owner of or person having legal control of the land on which such field trial is held. Before any game bird so shot is consumed or removed from the premises, a representative of the Department shall attach a tag thereto. Such tag shall be furnished by the Department for a reasonable fee and shall remain attached to the bird until the same is prepared for consumption. Licensees shall pay the Department for services of its representative at such field trials at the rate of \$15 per day. Persons participating in any such field trial pursuant to the provisions of this section shall not be required to have hunting licenses. Game birds so released or shot pursuant to the provisions of this section shall not be deemed to be wild birds.

Sec. 118. Training and field trials for beagles and other rabbit hounds. It shall be lawful to train and hold field trials for beagles and other rabbit hounds between September 1st and April 10th, both days inclusive. During the training and field trials permitted in this section, no person shall use any firearm, other than a pistol loaded with blank ammunition, except during open season for hunting.

Sec. 119. Open season on beaver; taking; stamping; transportation. There shall be an annual open season on beaver from January 1 to February 28, inclusive, except in those areas declared closed or shortened by the Commissioner.

Before the closing of an area to beaver trapping shall take effect, the Commissioner shall cause notice of such proposed closed area to be published at least once in a newspaper printed in the county in which the land is located and said Commissioner shall also file a copy of said notice of closed areas with the clerk of the town or plantation in which said land is located.

During such open season beaver may be trapped without the consent of the landowner in unorganized territory, and only with the consent of the landowner in organized territory.

No person shall take beaver anywhere in the State at any time except during such open season, except that the Commissioner may cause Department personnel to take nuisance beaver at any time without the consent of the landowner.

It shall be unlawful for any person to have in possession at any time any beaver, or part thereof, except as expressly permitted by this section and section 15. It shall also be unlawful for any person, firm or corporation to sell, give away, buy, accept as a gift, offer for transportation or transport any beaver skin or beaver skins unless each skin is tagged and marked as directed by the Commissioner.

All beaver skins must be presented to the warden supervisor in whose division they were caught, or a warden of that division authorized by the chief warden to tag and mark beaver, and if said supervisor or warden is satisfied that the beaver presented were legally trapped in his division, he shall tag and mark the same in the manner as directed and with the materials furnished by the Commissioner. There shall be not less than 3 wardens, in addition to the supervisor, designated in any warden division for the purpose of stamping beaver skins. A fee of \$1 shall be paid by the trapper for each skin tagged and marked.

In case said beaver skins are libeled under the provisions of this chapter, and the libel is, for any reason, quashed or ruling thereon is against the State, or in case any complaint or indictment involving said skins results in a verdict for the defendant, said skins shall on request and payment of the \$1 fee be immediately tagged, marked and delivered to the person entitled to possession of the same.

All beaver skins shall be presented for tagging and marking within 10 days from the closing of the so-called open season. All beaver which are not tagged and marked in accordance with the provisions of this section shall be seized and confiscated by the wardens.

Any beaver skin or beaver skins that come into this State in any manner from any other state or country shall have official stamp, tag or seal of the state or country from which said skin or skins were taken.

No person, except as hereinbefore provided, shall molest or destroy any beaver dam or set or tend any trap within 10 feet of the same. No person shall molest or destroy any beaver house or set any trap within 25 feet of the same. A beaver dam is defined as a dam that actually maintains water for a live colony of beaver.

Sec. 120. Digging out foxes. It shall be lawful to dig out foxes at any time and to hunt foxes at any time, except Sunday and in the nighttime, in organized territory of this State. It shall be lawful to trap foxes or to cause to have foxes trapped at any time on one's own land, within a distance of 100 yards from a shelter or range where poultry is raised or kept.

Sec. 121. Bounty on bobcat, loupcevrie and Canada lynx. There shall be a bounty of \$15 for every bobcat, loupcevrie and Canada lynx which is killed within the State, to be paid by the Treasurer of State to the person killing the same upon compliance with the following conditions. No bounty shall be paid unless the claimant, within 10 days after he has killed such animal, exhibits to the warden or warden supervisor in whose

district the animal was killed the entire skin thereof, with the ears, nose and tail thereon in as perfect a state as when killed, except for natural decay, and signs a certificate under oath stating that he killed such animal and the time and place within the State. Such certificate must be approved by and bear the signature of the warden or warden supervisor in whose district the animal was killed, stating that he believes the cat to have been killed at the time and place stated therein, and the person claiming the bounty shall thereupon cut off the whole of the tail from the skin and forward the same to the Commissioner, together with the claimant's certificate in the following form:

Claimant's Certificate

To the Commissioner of Inland Fisheries and Game:

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....
.....

(P. O. Address of Claimant)

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

.....
Notary Public Justice of the Peace

It is believed that the cat was killed at the time and place stated herein.

This day of

.....
Game Warden

DEPARTMENT OF INLAND FISHERIES AND GAME

Augusta, Maine, 19....

I hereby certify that I have received from, Claimant, the tail of the bobcat, loupcevrier or Canada lynx described in the foregoing certificate.

.....
For Inland Fish and Game Commissioner

Note—Claim for bounty must be made within 10 days after the killing of the animal.

Upon receipt by the State Controller of a certificate from the Commissioner showing that said Commissioner has received the tail of the bobcat, loupcevrier or Canada lynx from the claimant sent as aforesaid, said Controller shall audit the claim for bounty and the same shall be paid forthwith by the Treasurer of State to the claimant from fines and penalties recovered and money received or collected under any provision of the inland fish and game laws or amendments thereof, or for sale of any seized or confiscated articles. After the foregoing appropriation has been exhausted, any further bounties shall be paid from the general appropriation of the

Department of Inland Fisheries and Game and, if said appropriation is not exhausted, any balance thereof shall revert to the general fund of the Department of Inland Fisheries and Game.

Sec. 122. Bounty on bears. For a period of 2 years, from August 13, 1955, except in that portion of Franklin county north of the Appalachian Trail, a bounty of \$15 shall be paid for each and every bear killed in organized townships and plantations and unorganized townships adjoining organized townships and plantations to the person killing the same, by the treasurer of the organized township or plantation in which said bear was killed or the treasurer of any organized township or plantation adjoining the unorganized territory in which said bear was killed. These bounties shall be paid by such treasurers.

No bounty shall be paid unless claimant within 72 hours after he has killed such animal exhibits to the town treasurer the entire skin thereof or the entire animal for the killing of which such bounty is claimed, and signs a certificate under oath, which said treasurer may administer, stating that he killed such animal and the time and place within the State. Such certificate must be approved by and bear the signature of the fish and game warden or warden supervisor in whose district the animal was killed stating that he believes the bear to have been killed at the time and place stated therein. The skin of all bears on which bounty is claimed must be marked and sealed by the warden or warden supervisor in whose district the same was killed, with implements provided by the Commissioner, and such warden or warden supervisor shall slit the right ear of the bear lengthwise. The town treasurer shall then pay the bounty and take the claimant's receipt therefor upon the same paper with such certificates and the town treasurer shall make upon the same paper, at the time of his monthly report, a certificate under oath addressed to the Commissioner, that all the requirements of law have been met by the claimant and that the bounty has been paid to him.

The 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 bear, 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

I believe that the bear was killed at the time and place stated herein.

This day of

.....

Game Warden

Bear Tag Number

Claimant's Receipt

On this day of A. D., 19...., I received of
....., treasurer of dollars, being the bounty
allowed by law for killing the bear described in the above certificate.
..... Claimant

Town Treasurer's Certificate

To the Commissioner 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 bear, which I found to have been stamped
and sealed by a warden, and then paid the said bounty, for which I have
taken his receipt as above.

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

.....
Treasurer of

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

.....
Justice of the Peace

The bounty so paid by the town treasurer shall be reimbursed by the State out of the fees for licenses for dogs upon presentation of the claim as hereinbefore set forth and any expense incurred by the Department incident to the enforcement of this section shall also be taken from the fees for licenses for dogs, and so much of the fees received for dog licenses as may be necessary to pay said bounties, and any expenses incident thereto, is appropriated to pay the same.

Sec. 123. Licenses for taxidermists. The Commissioner may, upon application, license as a taxidermist anyone who is skilled in that art and of good reputation; residents of this State shall pay an annual fee of \$5, except that unnaturalized, foreign-born residents shall pay an annual fee of \$25, for such license; taxidermists licensed as aforesaid may at all times have in their possession, at their places of business, fish and game lawfully caught in open season 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 and limitations as may be made by said Commissioner. Such licenses may be revoked by said Commissioner at any time after notice and an opportunity for a hearing; each person so licensed shall, on or before the 31st day of December each year, make a detailed report to said Commissioner of all they have done during the year by virtue of such license.

Sec. 124. Licenses for dealers in deer skins and heads. The Commissioner 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 January, February, March, October, November and December, and the time may be extended by the Commissioner upon written application, and the extension shall also be in writing signed by the Commissioner. All persons aiding or assisting another in buying the skins

or heads of deer shall be considered as engaged in the business of buying the skins or heads of deer and must procure a license therefor. Provided, however, that deer heads so purchased may, when detached from the skins, be sold to licensed taxidermists. Such licensee shall keep a true and complete record which shall be open to inspection by the Commissioner or his agent, of all such heads and skins purchased, the name and residence of whom purchased and the date of each purchase, and shall send such record annually, under oath, to the Commissioner on or before the 31st day of December of each year. The fee for such license shall be \$25, to be paid to the said Commissioner. All deer skins and deer heads purchased by virtue of this section shall be transported only under such rules as shall be made by said Commissioner. No person shall buy any skins or heads of deer without being licensed as herein provided, or no licensee as aforesaid shall neglect to keep the record and forward the same to said Commissioner as herein provided, nor refuse to exhibit said record upon request to the Commissioner or his agent. For any violation of the provisions of this section the Commissioner may as an additional penalty revoke said license.

Sec. 125. Licenses for dealers in furs. The Commissioner may annually issue licenses to citizens of the United States to engage in the business of buying the skins of any fur-bearing animals. Each licensee shall keep a complete record which shall be open to inspection at all times by the Commissioner or his agent, of all skins purchased, as aforesaid, in such book as is furnished him by said Commissioner, and shall send each record, under oath, to said Commissioner on or before the 31st day of December of each year. The fee for the license shall be \$25 for residents of this State and \$150 for nonresidents, to be paid to the said Commissioner. Whoever buys any skins of any fur-bearing animals without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward same to said Commissioner as herein provided, or whoever refuses to exhibit said book for inspection by said Commissioner or his agent, shall be subject to the penalties of section 139. All skins of fur-bearing animals bought in violation of any 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. All persons aiding or assisting another in buying, sorting or grading the skins of fur-bearing animals shall be considered as engaged in the business of buying the skins of fur-bearing animals and must procure a license therefor.

Sec. 126. Seizure and disposition of game and equipment for violation of law. All birds, fish or animals, or parts thereof, hunted, bought, sold, carried, transported or found in possession of any person in violation of the provisions of this chapter, or equipment possessed in violation of the provisions of this chapter, shall be contraband and shall be forfeited to the State. In all cases where a warden may find birds, fish or animals, or parts thereof, or equipment possessed in violation of the provisions of this chapter, he may seize the same without a warrant and keep them for a reasonable time. The officer who made such seizure may within reasonable time file with a magistrate a libel against such birds, fish or animals, or parts thereof, or any equipment possessed in violation of the provisions of this chapter, except that articles of less than \$10 in value shall not be libeled unless reasonable doubt exists as to the ownership thereof, setting forth their seizure by him, describing such birds, fish or animals, or parts thereof, or equipment and that they were hunted, taken, caught, killed or had in possession in violation of the provisions of this

chapter, and pray for a decree of forfeiture thereof, and such magistrate shall thereupon fix a time for the hearing of such libel, and shall issue his monition and notice of the same to all persons interested, citing them to appear at the time and place appointed and show cause why said birds, fish or animals, or parts thereof, or equipment possessed should not be declared forfeited, by causing a true and attested copy of said libel and monition to be posted in 2 conspicuous places in the town or place where such birds, fish or animals, or parts thereof, or equipment possessed were seized, or in such place or places as is ordered by the magistrate, 10 days at least before the day to which said libel is returnable. Copies shall be served on common carriers.

In case the magistrate finds that the birds, fish or animals, or any parts thereof, seized will be unsuitable for food, or other use, at the day to which said libel is returnable, he shall order the officer making the seizure to dispose of the same; and the officer disposing of the same shall, in case of sale, hold the proceeds of said sale subject to order of the court for decision as to the right of the claimant, if any appear, to said birds, fish or animals, or parts thereof. If the magistrate finds the claimant, if any appear, is not entitled to said birds, fish or animals, or parts thereof, the officer making such seizure shall turn over to the magistrate the proceeds of such sale, and such magistrate shall forward the proceeds thereof to the Commissioner in the same manner as is provided by section 129.

If no claimant appears, such magistrate shall, on proof of notice as aforesaid, declare the same forfeited to the State. If any person appears and claims such articles, or any part thereof, as having a right to the possession thereof at the time when the same were seized, he shall file with the magistrate such claim in writing, stating specifically the right so claimed, and the foundation thereof, the items so claimed, the time and place of the seizure and the name of the officer by whom the same were seized, and in it must declare that they were not had in possession in violation of the provisions of this chapter, with his knowledge or consent, and also state his business and place of residence, and shall sign and make oath to the same before said magistrate. If any person so makes claim, he shall be admitted as a party to the process; and the magistrate shall proceed to determine the truth of the allegations in said claim and libel, and may hear any pertinent evidence offered by the libellant or claimant. If the magistrate is, upon the hearing, satisfied that said birds, fish or animals, or parts thereof, or any equipment possessed were not had in possession in violation of the provisions of this chapter, and that the claimant is entitled to the custody of any part thereof, he shall give him an order in writing, directed to the officer having the same in custody commanding him to deliver to said claimant the articles, or proceeds derived from the sale of the same, to which he is so found to be entitled, within 48 hours after demand. If the magistrate finds the claimant entitled to no part of said articles so seized, he shall render judgment against him for the libellant for costs, to be taxed as in civil cases before such magistrate, and issue execution thereon, and shall declare said articles forfeited to the State. The claimant may appeal and shall recognize with sureties as on appeals in civil causes from a magistrate.

Sec. 127. Officers seizing fish or game to report to Commissioner within 10 days. In all cases, the officer making any seizure or sale of birds, fish, game or other wild animals, or parts thereof, shall within 10 days thereafter report all particulars thereof and an itemized statement of the proceeds, expenses and fees, and the disposition thereof to the Commissioner. 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. 128. Commissioner or wardens may make arrest or search buildings, camps, boats, etc., with or without warrants; Commissioner to notify transportation companies of names of wardens so empowered. The Commissioner and wardens 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, motor vehicles, airplanes, stages, tents and other receptacles and places, and examine all boxes, barrels and packages where he has reason to believe that birds, fish, game or other wild animals, or parts thereof, taken or held in violation of the provisions of this chapter, are to be found, and seize such birds, fish, game or other 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 daytime, 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 or premises for the purpose above set forth; provided, however, that the Commissioner shall, on or before the 1st 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 wardens by him designated to exercise the right of search of railroad cars as herein provided, and no other except those so designated shall be authorized to exercise the powers herein mentioned as to search of railroad cars.

Sec. 129. Collection and disposition of money received under provisions of this chapter. All fines, penalties, officers' costs and all other moneys recovered by the court under any provision of this chapter shall accrue to the Treasurer of State and shall be paid into the treasury of the county where the offense is prosecuted. All officers' fees taxed against a respondent, if any, under any provision of this chapter, which are not paid or recovered from the respondent shall not be assumed or paid by the county where the offense was committed. All fees, fines and penalties recovered and money received or collected shall be paid to the Treasurer of State and credited to the Department of Inland Fisheries and Game for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, information and education on conservation and for printing the report of said Commissioner and other expenses incident to the administration of said Department, and shall be expended by the said Commissioner for the purposes for which said Department is created.

Provided further, that if any of such fees, fines, penalties or other moneys are not expended during the year in which they are collected, the unexpended balance shall not lapse, but be carried as a continuing account and available for the purposes herein specified until expended.

Any officer or other person who shall receive any fine or penalty, or any part thereof, for the violation of any fish or game law, or rule or regulation, or any fees for licenses issued by authority of any inland fish and game law and shall neglect for more than 30 days to pay the same as herein provided, shall be punished by a fine of not less than \$50, nor more than \$100, and costs of prosecution for each offense.

Sec. 130. Officers may arrest without process; jurisdiction; impersonating game wardens. 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 a municipal court in the county in which the offense is alleged to have been committed,

for a warrant and trial; or if a municipal court in an adjoining county is the nearest court to the place of arrest, jurisdiction is given to such municipal court to hear and try such case.

Provided, however, that if there is a trial justice whose usual place of holding court is in the county in which the offense is alleged to have been committed, such violator may be taken before such trial justice for warrant and trial. Any game warden may arrest with or without warrant any person who impersonates or represents himself as being a game warden.

Sec. 131. Jurisdiction. Trial justices and municipal courts within their counties shall have original and concurrent jurisdiction with the superior court in all prosecutions under any provisions of this chapter.

Sec. 132. Fish and game wardens may accept personal recognizances in certain cases. Any warden of the Department making an arrest for any violation of any provision of this chapter at a point more than 50 miles distant from the nearest trial justice, or municipal court having jurisdiction, may accept the personal recognizances of the prisoner in the sum of not exceeding \$250 for his appearance before the nearest trial justice or municipal court on a specified date and a deposit in money to the amount of said recognizance. Said warden shall forthwith report all such recognizances and forward all such deposits to the court to which such recognizance is returnable.

If such person fails to appear in court on the day specified, either in person or by counsel, the court shall order the recognizance and money deposited as aforesaid forfeited, and shall notify the Commissioner of said default and forfeiture who shall revoke any and all licenses or permits held by said respondent issued under the provisions of this chapter.

All money forfeited as aforesaid shall be immediately forwarded to the Commissioner.

Sec. 137. Result of court cases reported to Commissioner. Every magistrate or the clerk of the court before whom any prosecution under the provisions of this chapter is commenced or shall go on appeal, within 20 days after the trial or dismissal thereof, shall report in writing the result thereof and the amount of fines collected, if any, and disposition thereof, to the Commissioner.

Sec. 138. Jail costs. The costs for imprisonment in a county jail for the violation of any provision of this chapter or rules and regulations promulgated thereunder shall be paid by the Commissioner to the county involved. Such costs shall not exceed the average amount paid for board of federal prisoners.

Sec. 139. Penalties. Whoever violates any of the provisions of this chapter or rules and regulations promulgated thereunder, or rules and regulations heretofore promulgated and still in force and effect, excepting only those for the violation of which specific penalties have been hereinbefore provided, shall be punished by a fine of not less than \$10, nor more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, except as hereafter noted:

I. Whoever violates any provision of this chapter relating to beaver shall be punished by a fine of not less than \$50 and costs and \$50 additional for each beaver or skin involved, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

II. Whoever violates any of the provisions of the first 2 paragraphs of section 71 shall be punished by a fine of not less than \$200, nor more than \$300 and costs, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

III. Wherever any particular violation of any section of this chapter carries a specific fine which cannot be suspended, the provisions of this section shall not apply.

Sec. 140. Possession of firearms in forests without license *prima facie* evidence of violation of law. The possession of any firearm in the fields, forests or on the waters or ice within the territorial limits of the State by any person who does not possess the required hunting license duly issued to him, covering the period of time within which said firearm is found in his possession, shall be *prima facie* evidence of hunting in violation of law unless such person furnishes satisfactory evidence of the issuance of such license.

Sec. 141. Possession of fishing tackle in waters of State without license *prima facie* evidence of violation of law. The possession of any fishing tackle in the fields, forests or on the waters or ice within the territorial limits of the State by any person who does not possess the required fishing license duly issued to him, covering the period of time within which such fishing tackle is found in his possession, shall be *prima facie* evidence of fishing in violation of law unless such person furnishes satisfactory evidence of the issuance of such license.

Sec. 142. Expiration date of licenses. All licenses and permits issued under the provisions of this chapter shall expire at midnight on December 31st of the calendar year in which the license or permit was issued, unless the license or permit specifically provides otherwise.

Sec. 146. Carelessly shooting human being while engaged in hunting. Whoever, while on a hunting trip or in the pursuit of wild game or game birds, negligently or carelessly shoots and wounds, or kills any human being, shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 10 years. The hunting license of any such person convicted under the provisions of this section shall be immediately revoked by the Commissioner and such person shall not thereafter be eligible to procure a hunting license; provided, however, that such license shall not be revoked pending appeal. Persons convicted of negligently and carelessly shooting and wounding a human being while hunting in another state shall not be issued a license to hunt in this State.

Sec. 147. County attorney and sheriff to investigate violations; failure to act. County attorneys and sheriffs, in their respective counties, shall promptly investigate any alleged violations of the preceding section after having knowledge thereof, and prosecute every person accused thereof; for failure so to investigate and prosecute, each of said officers shall be punished by a fine of not more than \$1,000, and shall be removed from office.

Sec. 148. Hunting in game preserves; hunting or possession of firearms within limits of game preserves. No person shall at any time hunt, trap, chase, catch, kill or destroy any wild birds or wild animals or have in his possession firearms of any description within the limits of any

game preserve or closed territory except as provided in this chapter, and except that the Commissioner is authorized to regulate the trapping of wild animals thereon and to use such means as may seem necessary to exterminate vermin of any description in all game preserves and sanctuaries and in any other localities where damage is being done.

Sec. 149. Game preserves and sanctuaries. No person shall, except as herein provided, at any time, trap, hunt, pursue, shoot at or kill any wild animal or any game or other wild birds within the following described territories:

Androscoggin Game Preserve
Augusta
Black Bay, Portland
Bangor
Bartlett's Island
Baxter State Park
Beauchamp Point
Big Squaw Mountain
Colby College Game Management
Area
Drake's Island Game Preserve
Dry Pond
Fairfield
Ganeston Park
Gero Island
Grassy Pond; Glencove; Rockport
Gray Game Preserve
Gribbel Game Preserve
Jefferson and Whitefield
Kineo Point
Limington, Hollis and Waterboro
Maranacook Game Preserve
Megunticook Lake and Vicinity
Monroe Island Game Preserve
Moosehead Lake Game Preserve
Moosehorn Game Preserve
Narragansett Game Sanctuary
Natanis Game Preserve
Old Orchard Beach Bird Sanctuary

Old Town Game Preserve
Oosoola Stream Game Preserve
Orono Game Preserve
Prout's Neck; Richmond's Island;
Cape Elizabeth
Orrington Game Preserve
Piscataquis and Somerset Game
Preserve
Pittston Farm
Rangeley Game Preserve, in the
County of Franklin
Rangeley Lake Sanctuary
Readfield and Winthrop Sanctu-
ary
Salmon Pond
Standish
Stockholm Game Preserve
Swan Island Game Management
Area
Thorncrag-Stanton Bird Sanctu-
ary
Tomhegan Game Sanctuary
Wells
Wells and York Game Preserve
Willow Water Game Preserve
Windham
York Game Sanctuary, in the
County of Franklin

Any violations of the provisions of this section relating to game preserves shall be punishable in accordance with the provisions of section 139 unless otherwise provided.

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FEDERAL REGULATIONS — MIGRATORY BIRDS 1955

See Federal Regulations, Synopsis, Published by Department of Inland Fisheries and Game.

FROM

**Department of Inland Fisheries and Game
State House
Augusta, Maine**

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