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## Maine Hunting and Trapping Laws, 1949-1950

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**MAINE**  
**Hunting and Trapping**  
**Laws**



**1949-1950**

STATE OF MAINE  
GENERAL LAW SUMMARY—1949-1950

**GAME BIRDS**  
**GAME AND FUR BEARING ANIMALS**

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**DEER—Open Seasons**

Aroostook, Penobscot, Somerset, Piscataquis,  
Franklin and Oxford north of route 302 Oct. 21-Nov. 30

Androscoggin, Cumberland, Hancock, Kennebec,  
Knox, Lincoln, Oxford south of route 302,  
Sagadahoc, Waldo, York and Washington  
Nov. 1-Nov. 30

Season Limit on Deer—One of Either Sex—All Deer  
Killed Must Be Registered

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**RABBITS—Open Seasons**

Waldo ..... Oct. 1-Mar. 15  
Franklin, Somerset, Oxford ..... Oct. 1-Mar. 31  
All other Counties ..... Oct. 1-Feb. 28  
Daily Limit ..... 4

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**FUR BEARING ANIMALS—Open Seasons**

Mink ..... Month of November only  
Muskrat ..... No open season until November 1950  
Sable ..... No Open Season  
Fisher ..... Month of January 1950 only  
Fox ..... No Closed Season in Organized Territory  
Raccoons—trapping season ..... Nov. 1-Feb. 15  
(May be hunted with dogs) ..... Oct. 16-Dec. 15  
All other fur-bearing animals (except beaver,  
bobcat and lynx) ..... Nov. 1-Feb. 15  
Bear and Bobcats ..... No closed season

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**GAME BIRDS—Open Seasons**

	Open Season	Daily Limit	Possession at One Time
Woodcock	Oct. 1-Oct. 30	4	8
*Pheasants	Oct. 1-Nov. 15	2	2
**Partridge	Oct. 1-Nov. 15	4	4

Daily and possession limit 4 in the aggregate of  
pheasants and partridge.

\*Seasonal limit 12

\*\*Seasonal limit 25

# **HUNTING AND TRAPPING LAWS**

## **STATE OF MAINE**

### **1949-1950**

This pamphlet contains an abstract of the hunting and trapping laws as contained in the Biennial Revision 1949 (Chapter 33 of the Revised Statutes 1944).

Unless otherwise specified, the sections referred to in this book refer to Chapter 33 of the Revised Statutes 1944, Biennial Revision 1949.

The commissioner of inland fisheries and game is hereinafter designated as "the commissioner."

GEORGE J. STOBIE, Commissioner  
Augusta, Maine



# HUNTING AND TRAPPING LAWS

## STATE OF MAINE

### 1949-1950

**Sec. 13. Keeping of wild animals in captivity prohibited; exceptions; fees; care and treatment.** It shall be unlawful for any person to keep any wild animal in captivity upon any street or highway, or upon land, public or private, adjoining any street or highway or upon land public or private, in the vicinity of any commercial establishment, 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 "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.

**Confining and keeping of wild birds and animals for exhibition purposes along roadsides within Hancock county; prohibited.** No person shall keep any wild bird or wild animal in confinement for exhibition purposes along or near the sides of any public road or way within the county of Hancock.

#### Guides.

**Sec. 27. Guides shall be registered by commissioner; must furnish such information as commissioner requires.** No person shall engage in the business of guiding, either for inland fishing or forest or shore hunting, until he has procured a certificate so to do from the commissioner. Each registered guide shall, from time to time, as often as requested by said commissioner, forward, on blanks furnished him by said commissioner, a statement of the number of persons he has guided during the time called for in said statement, the number of days he has been employed as a guide, and such other information relative to inland fish and game, forest fires, and the preservation of the forests in the localities where he has guided, as the commissioner may deem of importance to the state.

**Sec. 29. Applications for registration shall be made to the commissioner in writing; classification; fees; revocation of registration.** An applicant for registration as a guide shall apply in writing to the commissioner, setting forth in his application whether he desires to be registered as a

Class A or Class B guide; and the commissioner may, upon sufficient proof as to his competency, register such person as a Class A or Class B guide. No person shall be issued a Class A guide's certificate unless he is physically, mentally and morally capable of guiding and caring for a party anywhere in the forests or on the waters of the state and said

commissioner may, at his discretion, promote or demote guides from one class to another.

**Guides may fish and hunt by virtue of their guide's license.**

A fee of \$7.50 shall be paid annually for the registration of a Class A guide and a fee of \$6.00 shall be paid annually for a Class B guide. Non-residents may be so licensed upon payment of a fee of \$50.00.

Class A Guide	\$ 7.50
Class B Guide	6.00
Non-Resident Guide	50.00

Whenever a guide registered, as provided in this section, is charged with having violated any of the inland fish and game laws, the commissioner may suspend his certificate of registration.

**Sec. 32. VII.** 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.

**Sec. 32. IX.** Indians to have free hunting, trapping and fishing. Indians over 18 years of age of both the Passamaquoddy and Penobscot Tribes may procure a free license to hunt, trap and fish from the commissioner, through their respective Indian Agents. No person shall be considered an Indian unless his father and mother were Indians.

**Sec. 43.** 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 described in this section.

**Sec. 48.** 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. 56-A.** 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. 56-B. Regulating boats for hire; exemption; penalty.** Any boat, except a canoe, maintained for hire upon any inland body of water to which the public has the right of access shall be properly painted, repaired and fitted with oars. Any canoe maintained for hire upon any inland body of water to which the public has right of access shall be properly painted, repaired and fitted with paddles. The commissioner, through the warden service, shall have authority to determine if such boats and canoes meet the requirements of this section and shall fix the number of persons who may be lawfully transported in each boat or canoe at any 1 time. The owner of such boat or canoe shall cause figures indicating the capacity so established to be placed on the boat or canoe either in paint or metal and it shall be unlawful for any person to load such boat or canoe beyond the capacity established.

### **Hunting and Trapping. Definitions.**

**Sec. 58. Hunting, alien, jack-light, trapping, resident, defined.** 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 provision 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 97.

**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.

### **Sec. 59. Trapping licenses; fees.**

Resident trapping license, state wide, (including beaver)	\$10.00 annually
Resident trapping license, in organized territory,	5.00      "
Fee for sealing and stamping of each beaver skin by warden	2.00      "
Fee for tagging and marking of each fisher skin	2.00      "
Non-resident trapping license,	200.00      "
Alien trapping license,	200.00      "

Any resident who traps for any wild animal except rabbits shall annually procure a license therefor from the commissioner.

Any resident under 16 years of age may trap for any fur-bearing animal, except beaver, in the organized cities, towns



or plantations without a trapping license; in unorganized townships a license is required.

Any resident of any age who traps for beaver or any wild animal, except as above, must be licensed.

Any resident, or a member of his immediate family may hunt or trap for wild animals, (except beaver) on land which he is legally entitled to possess, on which he is actually domiciled, within the limits of an organized township, and which land is used exclusively for agricultural purposes, without a license.

Any person aiding, assisting or helping another in trapping or attending to traps shall be considered a trapper and must procure a license therefor.

Whoever traps for any wild animal in violation of any provision of this section, or whoever fails to file the annual report required by this section, or whoever has in possession at any time any fur-bearing animal, or part thereof, taken in violation of any provision of this section, shall be subject to the penalties of section 119 of this chapter.

Any person who has been found guilty by the court of breaking and entering, or of larceny, shall not be eligible thereafter to obtain a trapper's license.

**Sec. 60. Traps shall be visited every 24 hours; exception.** 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 land owner 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 land owner may trap only with water-sets, so called, within  $\frac{1}{2}$  mile of the built-up section of any city or village.

**Sec. 61. Use of snares; guns set on swivels, or poison, forbidden; traps to be labeled; bear traps to be enclosed in huts; partridge or grouse as bait prohibited.** No person shall set a snare or a swivel pivot or set gun, or use or deposit any poisonous or stupefying substance for any wild animal, or use in any manner as a bait for trapping any partridge, grouse or pheasants, or parts thereof. Any snare or swivel, pivot or set gun, or poisonous substance, and any wild animal taken by use of the same, shall be forfeited to the state.

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 in a hut, so called, or by at least 2 strands of barbed wire, one 4 and one 5 feet from the ground, said wire to be securely held in position and to be not less than 5 yards at any point from the enclosed trap.

It shall be unlawful for any person to take any fur-bearing animal from any trap other than his own without the consent of the owner of such trap.

**Sec. 62. Poisons shall not be used for purposes of killing animals.** Whoever for the purpose of killing wolves, foxes, dogs, or other animals, and not for the destruction of insects or vermin in a building, leaves or deposits in any place any poison or poisonous substance shall be subject to the penalties of section 119. The commissioner may, however, grant permits to agents of the Federal Fish and Wildlife Service and to fruit growers to use poisons in the destruction of rodents. Whoever violates any of the provisions of this section 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.

**Sec. 63. Hunting licenses for residents and non-residents; fees therefor.**

Hunting Licenses, Resident (over 18 years)	\$2.25
Combination, Hunting and Fishing	\$4.25
Hunting Licenses, Non-Resident:	
Deer License (includes small Game)	\$20.25
All species of game except deer (may be exchanged for Deer license upon payment of)	\$10.25
Junior: All species of game except deer (under 16 years)	\$5.25
Duplicate licenses to replace those lost or destroyed (Application must be made to commissioner)	.25
Transportation License for residents (permits holder to slip deer beyond limits of this state)	\$20.25

No person shall hunt or have in his possession any wild bird or animal 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 he or she is legally entitled to possession, and on which he or she is 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 wild animal 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 and animals, and which shall be exhibited to any warden, employee of this department, or guide, upon request.



For the purpose of issuing licenses, the clerks of all towns are authorized agents. The commissioner may appoint additional agents.

The license shall be issued to a resident by the clerk of the town in which the applicant resides, or if domiciled in an unorganized territory, then by the clerk of the nearest town, upon payment of a fee of \$2.25, of which 25c shall be retained by the town clerk. 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 \$4.25, 25c to be retained by the town clerk.

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

**III.** No non-resident or alien shall hunt or have in his possession any wild bird, 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 and animals, and which shall be exhibited upon request to any warden, employee of this department, or guide.

Non-resident 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 \$20.25, 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 non-resident license may turn the same in for a \$10 credit on the purchase of a \$20.25 non-resident hunting license.

**IV.** 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.

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.

**VI.** Any non-resident between the ages of 12 and 16 years may buy a junior non-resident hunting license entitling him to hunt wild birds and animals during the open season therefor, except deer, upon payment of \$5.25 providing the application is accompanied by the written consent of his or her parent or guardian.

Any resident between the ages of 12 and 18 years may hunt with firearms without a license if accompanied at all times by a parent or guardian while in the fields or forests or on the waters or ice of the state. Any resident between the ages of 12 and 18 years may procure a license to hunt with firearms by filing with the clerk issuing the license the written consent of his parent or guardian.

**VII.** Any person obtaining a license through fraud, misstatement or misrepresentation shall be subject to the penalties set forth in section 119.

**VIII.** 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.

**Sec. 64. Hunting and fishing licenses; revocation of.** The commissioner shall 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 13, 61, 62, 65, 66, 67, 68, 69, 71, 80, 81, 82, 83, 85, 89, 105 and 106.

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 any or all 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 commissioner pursuant hereto.

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 shall 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 shall 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 of inland fisheries and game a transcript of the records of said proceedings with a record of any appeal entered on any judgment or sentence of said court, together with the license or licenses of the offender.

**Sec. 65. Hunting while intoxicated or under the influence of drugs prohibited; prima facie evidence of hunting in violation of law; penalty.** 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 con-

viction, 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. 66. Sunday closed to hunting of birds and animals.** It shall be unlawful to hunt on Sunday.

**Sec. 67. Night hunting prohibited; exception.** 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 97. 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 97. 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.

**For daily time limits on Migratory Game Birds consult regulations of the Fish and Wildlife Service.**

**Sec. 68. Hunting from automobiles prohibited.** It shall be unlawful for any person to hunt any wild bird or wild animal at any time from an automobile, 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. No person excepting a law enforcement officer while in the line of duty shall have a loaded rifle or loaded shotgun or a gun with a cartridge in the magazine thereof in or on any motor vehicle.

**Sec. 69. Hunting from railways prohibited.** 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 moving along rails under its own power, or 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 rifle or shotgun, either loaded or with a cartridge in the magazine thereof, in or on a hand car, flat car, or any other car or vehicle moving along rails under its own power, or drawn along rails by an engine.

**Sec. 70. Vehicles required to stop upon signal.** It shall be unlawful for the operator of any motor vehicle to 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.



**Sec. 71. Use of silencers on firearms prohibited; use of firearms regulated; non-combusible wads.** 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 119. 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 adjustment 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 cartridges, or to any auto-loading pistol having a barrel less than 8 inches in length.

All persons engaged in hunting game on any of the woodlands within any town or unincorporated place in this state shall use non-combustible wads in the loading of firearms used by them.

**Sec. 72. Kindling of fires by non-residents, regulated.** Non-residents shall not kindle fires upon any unorganized township, while engaged in camping, fishing or hunting from May 1st to November 30th, inclusive, without being in charge of a registered guide except at public camp sites maintained by the forestry department. No guide shall be employed by more than three non-residents while hunting at the same time.

**Sec. 73. Walls and fences shall not be destroyed, nor gates left open by hunters; penalty.** 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. And in addition to the penalties

of section 119, the commissioner shall have authority to revoke and forfeit the hunting or fishing license of the person so doing.

**Sec. 74. Wild birds or wild animals shall not be 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. 75. Federal regulations on migratory game birds to govern 1945, c. 158; open season on pheasants.** No person shall hunt or have in his possession any eagle, Hungarian partridge or capercaillie, cock of the woods, or any black game.

There shall be a closed season on partridge or grouse and pheasant from November 16th to September 30th of the following year, both days inclusive, and no person shall, during the open season, have in possession in any 1 day more than 4 partridges, or 2 pheasants or not more than 4 partridges and pheasants in the aggregate, or in any 1 open season for partridge or grouse more than 25 partridge or 12 pheasants; nor shall any person at any time buy or sell any partridge or grouse or pheasant, except that there shall be a closed season on pheasants in the county of Aroostook until Sept. 30, 1952. No person shall have in possession any partridge or pheasant taken in closed season.

There shall be an annual open season on waterfowl as follows: In all that portion of the state lying westerly and northerly of route No. 1, during such period as is denominated in the Federal Migratory Bird Treaty Act as open season in the Northern Zone, and in all that portion of the state lying easterly and southerly of route No. 1, during such period as is denominated in the Federal Migratory Bird Treaty Act as open season in the Intermediate Zone.

There shall be an annual open season on woodcock from October 1st to October 31st, both days inclusive, and during the open season no person shall take or kill more than 4 woodcock in any one day or have more than 8 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. 76. Field trials permitted 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. 76-A. Training and field trials for beagles and other rabbit hounds permitted.** It shall be lawful to train and hold field trials for beagles and other rabbit hounds be-



tween 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. 77. Nets, traps, snares and guns larger than 10-gauge shall not be used.** No person shall hunt with a net, trap, snare or contrivance other than the usual method of shooting with a firearm not larger than number 10-gauge, any bird of any variety protected by law. Any prohibited implements or devices used in violation of the provisions of this section shall be forfeited to the state.

**Sec. 78. Use of pole traps regulated; penalty.** 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. 79. 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. 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 hawks, owls and kingfishers are not included among the birds therein protected; 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 shore-birds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, 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 75.

**Sec. 80. Use of power-boats in hunting waterfowl prohibited; decoys and blinds in Merrymeeting bay.** 1945, c. 256. 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, Cath-

ance, Abbagadasset and Eastern rivers, and the Richmond-Dresden toll 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 duck 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 regarding seasons, live decoys, bag limits and shooting hours shall conform to the regulations issued by the United States Fish and Wildlife Service.

**Sec. 81. Hunting of moose and caribou prohibited.** No person shall hunt, kill or have in his possession any caribou or moose, or parts thereof, which shall have been taken within the territorial limits of the state.

**Sec. 82. 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, Sagadahoc, Waldo, Washington, York and that portion of Oxford county south of route 302. 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, Franklin and Oxford north of route 302. 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 in the town of Deer Isle, and in the town of Stonington, which last mentioned towns are in the county of Hancock, and on Cross Island and Scotch Island, which last mentioned place is in Washington county, and on the Isle au Haut, which last mentioned island is in the county of Knox, and on Swan Island, which last mentioned place is in the county of Sagadahoc, and in game sanctuaries which have been established by law where the closed season shall be perpetual.

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

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 providing the deer has been properly registered in accordance with the provisions of section 88.

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. 83. Horning or driving deer prohibited.** It shall be unlawful to drive deer by use of horns, whistles, or other noise-making devices. It shall also be unlawful for any person to hunt deer after he has killed one during the open season of that calendar year.

**Sec. 83-A. Use of airplane in driving wild birds or animals, prohibited; penalty.** 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 and not more than \$300.

**Sec. 84. Crop and orchard damage. I. (1945, c. 315, § 1)** Any person may take on land owned or occupied by him deer which he can prove was in the act of doing substantial damage to a fruit tree or a crop, 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, in writing signed by him, to a fish and game warden. Such report shall state the time and place of such wounding or killing and the amount of damage done by the deer. 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, 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, found doing damage as provided in paragraph I. Said cultivator, owner, mortgagee or keeper shall within 12 hours make the report as provided in paragraph I and shall dress the carcass, or carcasses, and care for the meat as provided in said paragraph 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. Such certificate shall entitle said cultivator, owner, mortgagee or keeper to the ownership of the carcass or carcasses.

The owner, or occupier of land, mentioned in paragraph I of this section or the cultivator, owner, mortgagee or keeper, mentioned in paragraph II of this section shall within 3 days after he discovers there is damage being done to said fruit tree, orchard or growing crop except grass, by deer or other protected animals, or birds, report the same in writing to the commissioner of inland fisheries and game either directly or to the inland fish and game warden in whose district said crop, or fruit tree, or orchard, is being damaged. Said commissioner shall thereupon cause to be made such investigation as is necessary to determine the facts, and, if he finds that damage has been done as alleged, he shall authorize payment for said damage.

**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. (1945, c. 316, § 2)** 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.

**VI.** No damage shall be paid under the provisions of this chapter if any part of the land on which the damage occurred shall have been posted against hunting at any time during the current or previous open season for deer hunting.

**Sec. 84-A. Motor vehicle damage; investigation.** The owner or driver of every motor vehicle which has been damaged by a protected wild animal or bird shall, within 24 hours thereafter report all the facts relative to such accident to a fish and game warden. The warden shall immediately investigate the case and shall give to such person a certificate of his finding in the matter. Within 60 days thereafter, the owner of such motor vehicle shall send to the commissioner the receipted repair bill of the damage claimed. The commissioner shall thereupon cause to be made such investigation as is necessary to determine the facts, and, if he finds the damage has been done as alleged and furthermore finds that the operator of the damaged motor vehicle was without blame in the case, he shall authorize payment for such damage as he determines; but not to exceed \$100 and crediting on said amount any indemnity received from any source whatsoever.

In case of damage to a motor vehicle as provided for herein which occurred prior to the effective date of this section and which was reported to a fish and game warden within 24 hours after such accident, the commissioner may waive the requirement that the receipted repair bill of the damage claimed shall have been sent to him within 60 days after such accident but before any authorization for payment for such damage is made he must nevertheless require a receipted repair bill.

**Sec. 84-B. Limitation.** The provisions of section 84-A shall not apply to residents of those states which do not extend similar privileges to residents of this state.

**Sec. 85. Use of dogs, lights, snares, traps, etc., prohibited.** 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.

No person shall have in his possession at any time any spear, trawl or net, except such as are authorized for the taking of suckers, eels, hornpouts and yellow perch as provided in section 44, in any lodge or place of resort for hunters or fishermen or in its immediate vicinity, or on any of the lakes, rivers or streams of the state, or in their immediate vicinity, in the inland territory of the state.

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

**Sec. 86. Dogs shall be 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 sea-

son 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 in the act of 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 of inland fisheries and game 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 119. 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 sheep or poultry, or any member of his family, or any person to whom is entrusted the custody of any sheep or enclosed poultry, shall have a right to kill any dog killing or attacking any of said sheep 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 suddenly assaults him or another person.

**Sec. 87. Deer shall not be transported beyond limits of the 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 91.

**Sec. 88. 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 agent shall register each and every deer 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 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 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 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 3d party that the name and address of the party transporting the name 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. 89. Sale of deer or parts thereof.** No person shall at any time 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 or dealer in deer skins and heads as provided in sections 104 and 105.

**Sec. 90.** Deer may be 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. 91. Licenses for transportation of game.** Each non-resident deer hunting license, so called, shall be provided with a coupon, which shall permit the transportation of the carcass of 1 deer or part thereof, and shall be divided into 2 sections lettered "A" and "B" respectively, and shall be called the deer coupon.

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, on the deer coupon attached to his said license, by presenting to the agent of any transportation company his license with the coupon attached to the license at the time when he shall offer the deer or part thereof for shipment. The agent shall detach section "A" from the "deer coupon" of the license, cancel the same by writing or stamping thereon the date and place of shipment and his name, and shall forward the same forthwith to the commissioner at Augusta, Maine; section "B" of said coupon shall be likewise cancelled and shall be attached to the carcass, or part of the carcass, of the deer offered for shipment and shall remain attached to the same while it is being transported in this state. The following words shall be printed on the back of section "B": "This Deer Was Shot in the State of Maine." The first 8 words to be printed in 10 point Gothic medium type and the word Maine to be printed in 84 point Gothic caps type:

THIS DEER WAS SHOT  
IN THE STATE OF  
MAINE.

**Sec. 92.** Transportation of moose and caribou killed outside the territorial limits of this state; permission shall be received before importation. No person who has legally killed a caribou or moose beyond the limits of this state shall have the same in possession or import the same into this state unless he has obtained a permit from the commissioner to import the same for the purpose of consumption or for mounting, but not for sale.

**Sec. 92-A.** Registration stations for bear killed. The commissioner shall establish registration stations for the purpose of registering bear killed. Town clerks shall be the agents designated by the commissioner to register bear except that additional agents may be designated wherever necessary. Said agent shall register each and every bear presented for registration and shall tag each bear in the manner as di-

rected and with the materials furnished by the commissioner. Each registration tag shall be at least 3 inches by 6 inches in size, and each tag shall bear the words "This bear was killed in Maine" in as large size lettering as the tag will carry. A fee of 25c shall be paid by the individual registering the bear to the registration agent. No person shall transport, or attempt to transport beyond the limits of the state, any bear unless it shall have been registered and shall have attached thereto a registration tag.

**Sec. 93. 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 except as provided in this chapter.

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

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

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

All game transported or offered for transportation shall be open to view, and accompanied by the person who killed said game. Game transported for non-residents 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 non-resident shall entitle him to have game, which he has legally killed, transported to his home without further fee to the state.

**Sec. 94. Fish, game, and fur-bearing animals; transportation of, by airplane.** No person shall transport, attempt to transport or offer for transportation by airplane 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 of inland fisheries and game, stating that the same may be so transported and bearing the signature of the pilot of the plane in which transported. The pilot of any airplane, other than those of regular transport lines, shall procure from the commissioner of inland fisheries and game 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 of inland fisheries and game. Whoever violates any provisions of this section shall be punished as set forth in section 119 and in addition thereto, all licenses or permits issued by the department of inland fisheries and game may be revoked for 1 year.

**Sec. 95. 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 and Somerset where there shall be a closed season from the 1st day of April to the 30th day of the following September, both days inclusive; and except in the county of Waldo, where there shall be a closed season from the 16th day of March 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; 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 non-resident 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 sell or offer for sale any wild hares or wild rabbits.

**Sec. 96. Closed time on gray squirrels.** There shall be a closed season on gray squirrels during every calendar month of the year except the month of October. No person shall kill or have in possession more than 4 gray squirrels at any one time during the open season.

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.

**Sec. 97. Trapping season regulated with reference to counties.** 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 close season periods except in accordance with the provisions of section 11.

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, muskrat and otter shall be during the month of November in each calendar year; provided that there shall be no open season on muskrat until the month of November 1950.

There shall be no open season on fisher and sable, except that there shall be an open season on fisher by trapping only, during the month of January 1950.

It shall also 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 and 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 \$2 must be paid by the trapper for each skin tagged and marked.

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

**II.** It shall be unlawful for any person to set or place a trap within twenty-five 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.

See § 119, re penalty as to beavers.

**III.** It shall be lawful to trap bear, hedgehogs, or bobcats at any time anywhere in the state, and it shall be law-



ful to hunt bear, hedgehogs or bobcats at any time anywhere in the state except during Sundays and in the night-time.

**IV.** It shall be unlawful for any person to hunt skunks and raccoons at night, except that they may be hunted at night from October 15th to December 15th of each year under the following provisions: when accompanied by a dog and with the use of a kerosene light; provided, that an electric flash light of not more than 3 cells may be used in addition to a kerosene light while locating in and taking 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. 1949, c. 381, § 4.** For a period of 2 years, it shall be lawful to dig out foxes at any time and to hunt foxes at any time, except Sunday and in the night-time, in organized territory in 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.

**VIII.** 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. 97-A. Game laws on raccoons may be 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.

**Sec. 98. Training of dogs.** 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. 99. Unlawful to hunt or trap fur-bearing animals in certain localities.** No person shall at any time hunt or trap any fur-bearing animal on Number Three pond, located in the town of Lee, and in Township Number 3, Range 1, north of the Bingham and Penobscot Purchase, nor on any stream flowing into said pond. No person shall at any time hunt or trap any fur-bearing animals on Runnell's brook and its tributaries in the town of Whiting, in the county of Washington. Whoever violates the provisions of this section shall be subject to the penalties provided under section 119.

**Sec. 100. Commissioner may declare special open season on beaver; taking or transportation of beaver otherwise prohibited.** There shall be a perpetual closed season on beaver except as provided in this section.

The commissioner of inland fisheries and game may declare an open season for trapping beaver from January 1 to February 7, inclusive, of each year, in any territory in which he finds the following:

I. That beaver are polluting the water supplies;

II. That they are doing actual substantial damage to property or likely to cause damage to property;

III. When the beaver in a certain locality are detrimental to fishing, hunting or lumbering operations.

Before said open season for beaver shall take effect, the commissioner shall cause a notice of such proposed open season to be published once in a newspaper printed in the county in which the land is located, and said commissioner shall file a copy of said notice of open season with the clerk of the town or plantation in which said land is located.

The commissioner may suspend or close the so-called open season whenever it shall appear to him that there is no likelihood of further damage from beaver in that locality.

During such open season, beaver may be trapped without the consent of the land owner, except that the owner of any land in organized towns on which the commissioner has declared an open season on beaver in accordance with the provisions of this section may, by conspicuously posting the area occupied by said beaver, against trapping and notifying the commissioner of his action, trap said beaver to the exclusion of all other persons. This right is not transferable. Provided that in any instance wherein any person, after posting the area occupied by said beaver against trapping and notifying the commissioner as set forth herein, fails to trap said beaver within 5 days, the commissioner may declare said area open to the trapping of beaver by all properly licensed persons.

No person shall take beaver anywhere in the state at any time except during such open season as may be declared by the commissioner in accordance with the provisions of this section. It shall also be unlawful for any person to have in possession at any time any beaver, or part thereof, except as expressly permitted by this section. 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 and if said supervisor 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. A fee of \$2 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 \$2 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 the 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. No person shall molest or destroy any beaver house or set any trap within 25 feet of the same. No person shall set or tend any trap within 25 feet of any beaver dam.

**Sec. 101. Digging out foxes, regulated.** Subject to the provisions of subsection VII of section 97, it shall be unlawful after July 9th, 1947, for any person to dig out, molest or destroy in any way any fox den, or hole, or to set any trap in any such den, or hole, or remove or cause to be removed from any such den, or hole, any fox during that part of the calendar year from February 15th to the 15th day of October, inclusive, of the same calendar year, but this section shall not apply to an enclosed private fox farm ranch.

**Sec. 102. Bounty on bobcat, loup cervier and Canada lynx.** There shall be a bounty of \$15 for every bobcat, loup cervier 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 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 he 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 bob-cat, loup cervier, or Canada lynx, the skin of which I now exhibit to you, and I claim the bounty allowed by law for killing the same.

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

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

(P. O. Address of Claimant)

.....  
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



## INLAND FISH AND GAME COMMISSION

Augusta, Maine, ..... 19....

I hereby certify that I have received from .....  
Game Warden, the tail of the bobcat, loup cervier, 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 re-  
ceived the tail of the bobcat, loup cervier or Canada lynx  
from the warden sent as aforesaid, said controller shall  
audit the claim for bounty and the same shall be paid forth-  
with 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 ex-  
hausted, 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 bal-  
ance thereof shall revert to the general fund of the depart-  
ment of inland fisheries and game.

**Sec. 103. Bounty on bears.** For a period of 2 years, from  
August 13, 1949 a bounty of \$15 shall be paid for each and  
every bear killed in organized townships and plantations and  
unorganized territory 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 treas-  
urer the entire skin thereof or the entire animal for the  
killing of which such bounty is claimed, and sign a certi-  
ficate under oath, which said treasurer may administer, stat-  
ing 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 war-  
den or warden supervisor in whose district the same was  
killed, with implements provided by the commissioner. 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 of inland fisheries  
and game, 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 I have received from .....  
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 re-  
ceived of ..... treasurer ..... dollars,  
being the bounty allowed by law for killing the bear de-  
scribed 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 reim-  
bursed 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 of inland fisheries  
and game 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 nec-  
essary to pay said bounties and any expenses incident there-  
to, is hereby appropriated to pay the same.

**Sec. 104. 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 unnat-  
uralized, 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 busi-  
ness, 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 com-  
missioner 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; such taxidermist may sell skins from animals received for mounting.

**Sec. 105. Licenses for dealers in deer skins and heads.** The commissioner may annually issue licenses to residents of this state to buy and sell deerskins, 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. 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 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. 106. Dealers in furs.** Any person engaging in the buying of raw furs must be licensed. The annual fee for residents of Maine \$25, for non-residents \$100. No unlicensed person may assist in the sorting or grading of furs.

**Sec. 107. 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. And 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 appears, 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 110.

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 libelant 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 libelant 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. 108. Officer 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. 109.** Commissioner or wardens may make arrest or search buildings, camps, boats, etc., with or without warrants; commissioner to notify transportation companies of the 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. 110.** 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, and paid to the treasurer of state as aforesaid shall be 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, 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 fee 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. 111.** 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 the municipal court nearest to where the offense is alleged to have been committed, for a warrant and trial and in such case, jurisdiction is hereby granted to all municipal courts in adjoining counties to be exercised in the same manner as if the offense had been committed in that county. Provided, however, that if a trial justice whose usual place of holding court in the county where the offense is alleged to have been committed is nearer to where the offense is alleged to have been committed than is any municipal court, 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. 112. 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. 113. 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 recognizance of the prisoner in the sum of not exceeding \$100 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. 117. Participant in violation may be compelled to testify.** In any prosecution under the provisions of this chapter, any participant in a violation thereof, when so requested by the county attorney, commissioner, or other officer instituting the prosecution, may be compelled to testify as a witness against any other person charged with violating the same, but his evidence so given shall not be used against himself in any prosecution for such violation.

**Sec. 118. Result of court cases shall be 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. 118-A. 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. 119. 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 two paragraphs of section 61 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. 120. 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. 121. 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. 125. Carelessly shooting human being while engaged in hunting; penalty.** 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. 127. Hunting in game preserves.** Hunting or possession of firearms within limits of game preserves forbidden; exceptions. 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 hereby 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. 128. Game preserves and sanctuaries, established; certain exceptions.** 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	Natanis game preserve
Augusta, east side of Kennebec river	Old Orchard Beach bird sanctuary
Back Bay, Portland	Old Town game preserve
Bangor	Osoola Stream
Bartlett Island	Orrington game preserve
Baxter State Park	Piscataquis and Somerset game preserve
Big Squaw Mt.	Pittston farm
Cape Elizabeth	Prouts Neck
Drake's Island game preserve	Rangeley game preserve, Franklin
Dry Pond	Rangeley Lake sanctuary
Fairfield	Readfield and Winthrop
Ganeston Park, Augusta	Richmond island
Gero Island	Salmon Pond, Guilford
Grassy Pond, Glencove, Rockport	Simpson's Pond
Gray game preserve	Standish
Gribbel game preserve	Stockholm game preserve
Jefferson and Whitefield	Swan Island game preserve
Kineo Point	Thornecrag-Stanton bird sanctuary
Limington, Hollis, Waterboro	Tomhegan game sanctuary
Mapleton and Chapman	Wells
Maranacook game preserve	Wells and York game preserve
Megunticook Lake and vicinity	Willow Water game preserve
Moosehead Lake	Windham
Narragansett game preserve, Gorham	York game sanctuary

Any violations of the provisions of this section relating to game preserves shall be punishable in accordance with the provisions of section 119 unless otherwise provided.

Provided, however, that the provisions of this section shall not be construed to prohibit a person residing within the limits of a game preserve from killing any wild bird, except grouse, or any wild animal, except beaver, when found destroying his property.

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# FEDERAL REGULATIONS—MIGRATORY BIRDS

1 9 4 9

	Open Season Oct. 7-22 Nov. 23-Dec. 8	Daily Limit 4	Poss. at One Time 8
*DUCKS			
WOODDUCKS	Same as above	1	1
**GEESE (except Snow Geese, Ross Geese, Brant and Swans).	Same as above	2	2
***SCOTERS (or Sea Coots) and EIDER DUCKS	Same as above	7 in the aggregate	14 in the aggregate
WOODCOCK	Oct. 1-30 Statewide	4	8

\*American and Red-breasted Mergansers, 25 singly or in the aggregate. No possession limit.

\*\*Two Canada Geese or its subspecies, or 2 white-fronted geese, and in addition 3 blue geese a day or in possession.

\*\*\*Scoters (or Sea Coots) and Eider Ducks may be taken during season applicable for other ducks and otherwise may be taken in open coastal waters only, beyond outer harbor lines from October 7 to December 8th.

Shooting hours on waterfowl will be from one-half hour before sunrise to one hour before sunset EXCEPT on opening day including the first day of each split season when shooting will start at 12 o'clock noon.

WOODCOCK shooting hours one-half hour before sunrise to sunset.

DUCK hunters are required to have Federal Duck Hunting Stamp.

**FROM**

**Department of Inland Fisheries and Game**

**State House**

**Augusta, Maine**

**Place  
1½ Cent  
Stamp  
Here**

**TO:**

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