

# MAINE STATE LEGISLATURE

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December 10, 1948

To S. F. Dorrance, Livestock Specialist, Animal Industry  
Re: Damage Claim - Pheasants

I received your memo of December 3rd, stating that you have just received a claim for damages of \$495 for pheasants killed by foxes. You state that these pheasants were properly enclosed, which is a requirement of the law; but your question is whether or not they would be considered as poultry and the State would be liable for this damage.

The word "poultry" includes only domestic fowls, including pigeons reared for the table, and birds reared for their eggs or feathers.

Under our statutes a pheasant is a game bird and not a domestic fowl. See Section 79 of the Ninth Biennial Revision of the Inland Fish and Game Laws, page 37, Laws at 1947 (at the back), which provides:

" . . . for the purpose of this chapter the partridge, grouse and pheasant, only, shall be considered game birds, . . . ."

Ralph W. Farris  
Attorney General

RWF:c