

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 56.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE.

AN ACT to protect Sheep Owners from Damages done to their Flocks by Dogs.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. Every owner or keeper of a dog over four
2 months old, shall annually, on or before the first day of
3 May, cause said dog to be registered, numbered, de-
4 scribed, and licensed for one year, in the town clerk's
5 office in the town wherein said dog is owned or kept, and
6 shall keep around its neck a collar, distinctly marked
7 with the owner's name and its registered number, and
8 shall pay to said town clerk for a license, the sum of one
9 dollar and fifteen cents for each male dog, and three dol-
10 lars and fifteen cents for each female dog.

SECT. 2. Every town clerk shall annually, on or be-
2 fore the first day of June, furnish the selectmen with a
3 list of persons owning or harboring dogs, who have
4 caused the same to be registered, and said selectmen shall

5 thereupon cause a diligent inquiry to be made for un-
6 registered dogs, and the persons owning or harboring the
7 same to be prosecuted, as provided in this chapter, and
8 any town clerk or selectman who shall neglect any of the
9 duties prescribed by this section, shall be fined not more
10 than ten dollars.

SECT. 3. Any person becoming the owner or keeper of
2 any dog, not duly licensed, shall forthwith cause said dog
3 to be registered, numbered, described and licensed, until
4 the first day of the ensuing May, in the manner and upon
5 the terms and conditions provided in section 1.

SECT. 4. Any dog not licensed and collared, as pro-
2 vided in this chapter, may be lawfully killed by any
3 constable or policeman, who, upon presenting satisfactory
4 proof thereof to either of the selectmen, shall be paid a
5 bounty of one dollar by the town wherein such dog was
6 killed.

SECT. 5. Town clerks shall issue licenses as herein-
2 before provided and receive the money therefor, and after
3 deducting fifteen cents for each dog so licensed and
4 numbered, shall pay the same to the treasurer of the town,
5 within thirty days thereafter. And the town treasurer
6 shall pay the moneys so received to the State Treasurer on
7 or before Sept. 1st of the same year, after deducting
8 bounties paid as provided in section 4 of this act.

SECT. 6. Any person owning or keeping a dog, who
2 shall fail to comply with the requirements of this chapter,
3 shall be fined not more than ten dollars, or imprisoned
4 not more than thirty days, or both, and it shall be the
5 duty of the grand jurors, constables and all prosecuting
6 officers, to diligently inquire after and prosecute any
7 violation of this chapter.

SECT. 7. When any person resident of this State shall
2 sustain any damages to his sheep, lambs or cattle by
3 reason of their being killed or injured by dogs, he shall
4 give information thereof to one of the selectmen of the
5 town in which such damage was done, within twenty-four
6 hours after he has knowledge of the same, and thereupon
7 said selectmen shall estimate the amount of such damage ;
8 and all damage done by dogs to sheep, lambs or cattle,
9 proved to the satisfaction of the selectmen to have been
10 committed in their town, shall be paid by such town,
11 and it may recover such damages, when paid, from the
12 owner or keeper of such dog or dogs, if residents of such
13 town. But if the owner or owners shall not be residents
14 of the town in which the damage was done, then said
15 selectmen may institute a suit against the town or towns
16 where such owner or owners reside, unless such owner or
17 owners or such town or towns shall, on notice, pay to the
18 treasurer of the town where such damage was done, the
19 amount of such damage. And any town which shall be
20 obliged to pay any damage as aforesaid, may recover the
21 amount thereof from the owner or owners of the dog or
22 dogs doing such damage.

SECT. 8. The selectmen of each town shall annually,
2 at least twenty days before the first day of May, post a
3 notice in the usual places of posting notices of annual
4 meetings in their respective towns, setting forth all the
5 requirements of this chapter with the penalties for non-
6 compliance with the same.

SECT. 9. Any person who shall steal or confine and
2 secrete, any registered dog, or shall kill any such dog
3 unless such killing be justifiable in the protection of life

4 or property, shall be liable to the owner in a civil action
 5 for the full value of such dog, and shall upon a criminal
 6 complaint be fined not more than ten dollars or imprisoned
 7 not more than thirty days or both.

SECT. 10. When any sheep or lambs shall have been
 2 damaged by two or more dogs at the same time, kept by
 3 two or more persons, the owners or keepers of such dogs
 4 shall be jointly and severally liable for such damage.

SECT. 11. When any town shall have paid damages to
 2 the owners of sheep, lambs, or cattle, for losses incurred
 3 from dogs, as provided in Section 7 of this chapter, and
 4 are unable to identify the dogs doing such damage, or to
 5 collect the amount of said damages from the owners of
 6 said dogs when identified, the selectmen of such town
 7 shall make a statement of facts in the case, together with
 8 the amount of damages so paid, and shall transmit the
 9 same to the State Treasurer, who shall reimburse to the
 10 town paying such damage, the amount of damages so
 11 paid.

SECT. 12. All moneys received by the State Treasurer
 2 as provided in section 5 of this chapter, and not paid out
 3 for damages done by dogs as provided in section 11 of
 4 this chapter, shall be turned into the general school funds
 5 of the State at the close of each year.

SECT. 13. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
 January 30, 1889. }

Reported from Committee on Agriculture, by Mr. LAMB of West-
 brook; ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*