

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 235.

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

11 and three dollars and fifteen cents for each female
12 dog.

SECT. 2. Every town clerk shall annually, on or
2 before the first day of June, furnish the selectmen
3 with a list of the persons owning or harboring dogs,
4 who have caused the same to be registered, and
5 said selectmen shall thereupon cause a diligent in-
6 quiry to be made for unregistered dogs, and the
7 persons owning or harboring the same to be prose-
8 cuted, as provided in this chapter, and any town
9 clerk or selectmen who shall neglect any of the
10 duties prescribed by this section shall be fined not
11 more than ten dollars.

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

SECT. 4. Town clerks shall issue licenses as
2 hereinbefore provided and receive the money there-
3 for, and after deducting fifteen cents for each dog
4 so licensed and numbered, shall pay the same to
5 the treasurer of the town within thirty days there-
6 after. And the town treasurer shall pay the

7 moneys so received to the State Treasurer on or
8 before September 1st of each year.

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

SECT. 6. When any person, resident of this
2 State, shall sustain any damage to his sheep,
3 lambs or cattle by reason of their being killed or
4 injured by dogs, he shall give information thereof
5 to one of the selectmen of the town in which such
6 damage was done, within twenty-four hours after
7 he has knowledge of the same, and thereupon said
8 selectmen shall estimate the amount of such
9 damage; and all damage done by dogs to sheep,
10 lambs or cattle, proved to the satisfaction of the
11 selectmen to have been committed in their town,
12 shall be paid by such town, and any town so paying
13 such damages may maintain an action on the case
14 against the owner or keeper of such dog or dogs
15 to recover such amount as may be adjudged to be
16 the actual damage committed.

SECT. 7. The selectmen of each town shall annually, at least twenty days before the first day of May, post a notice in the usual places of posting notices of annual meetings in their respective towns, setting forth all the requirements of this chapter, with the penalties for non-compliance with the same.

SECT. 8. Any person who shall steal or confine and secrete any registered dog, or shall kill any such dog, unless such killing be justifiable in the protection of life or property, shall be liable to the owner in a civil action for the full value of such dog, and shall, upon a criminal complaint, be fined not more than ten dollars or imprisoned not more than thirty days or both.

SECT. 9. When any sheep or lambs shall have been damaged by two or more dogs at the same time, kept by two or more persons, the owners or keepers of such dogs shall be jointly and severally liable for such damage.

SECT. 10. When any town shall have paid damages to the owners of sheep, lambs, or cattle, for losses incurred from dogs, as provided in section six of this chapter, and are unable to identify the dogs doing such damage, or to collect the

6 amount of said damages from the owners of said
7 dogs when identified, the selectmen of such town
8 shall make a statement of facts in the case, to-
9 gether with the amount of damages so paid, and
10 shall transmit the same to the State Treasurer,
11 who shall reimburse to the town paying such
12 damage the amount of damages so paid.

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

SECT. 12. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 21, 1889. }

Tabled for printing as amended on motion of Mr. TALBOT of East
Machias.

NICHOLAS FESSENDEN, *Clerk.*