

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Sixty-Sixth Legislature.

HOUSE.

No. 49.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-THREE.

AN ACT for the Prevention of Cruelty to Animals.

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

SECTION 1. Section 29 of chapter 124 of the Revised
2 Statutes is hereby amended, so that said section shall
3 read as follows :

4 'Section 29. Every person who cruelly over drives,
5 over-loads, or over-works, who torments, tortures, maims,
6 wounds, or deprives of necessary sustenance, or who
7 cruelly beats, mutilates or kills any horse or other animal,
8 or causes the same to be done, or having the charge or
9 custody thereof, as owner or otherwise, unnecessarily
10 fails to provide such animal with proper food, drink,
11 shelter and protection from the weather; every person,
12 owning or having the charge or custody of any animal,

13 who knowingly and wilfully authorizes or permits the
14 same to suffer tortures or cruelty; and every owner,
15 driver, possessor or person having the custody of an old,
16 maimed, disabled or diseased animal, who cruelly works
17 the same when unfit for labor, or who cruelly abandons
18 such animal; and every person who carries or causes to be
19 carried, or has the care of, in or upon a car or other
20 vehicle or otherwise, any animal in a cruel or inhuman
21 manner, shall for every such offense be punished by
22 imprisonment in jail not exceeding one year, or by fine
23 not less than five dollars and not exceeding two hundred
24 dollars, or both.'

SECT. 2. Section 35, chapter 124, of the Revised
2 Statutes, as amended by chapter 25 of the laws of 1891,
3 and section 36 of chapter 124, of the Revised Statutes,
4 shall apply to the owners, shippers, charterer of cars, or
5 other person having the care, custody or charge of animals
6 loaded into any car, or transported upon any railroad;
7 and such owner, shipper, charterer of cars, or other per-
8 son having the care, custody or charge of animals, loaded
9 into cars, or transported over any railroad, for a viola-
10 tion of any of the provisions of said sections 35 and 36,
11 shall be subject to the same penalties as are imposed
12 upon railroad companies for a like violation, by section
13 37 of said chapter.

SECT. 3. Section 37 of chapter 124 of the Revised
2 Statutes, is hereby amended by striking out all of said
3 section after the word "offense" in the third line.

SECT. 4. Section 42 of chapter 124 of the Revised
2 Statutes, as amended by chapter 289 of the laws of 1889,

PREVENTION OF CRUELTY TO ANIMALS.

3 is hereby amended, so that said section shall read as
4 follows :

‘Section 42. Such officer or agent may take possession
6 of any old, maimed, disabled, diseased or injured animal,
7 and apply to any municipal or police court or trial justice
8 for process to cause the same to be destroyed. If the
9 owner is known, a copy of such application shall be
10 served upon him in hand with an order of court to appear
11 at a time and place named, to show cause why such animal
12 should not be destroyed, and its value fixed. If the
13 owner is not known, then the court shall order notices to
14 be posted in two public and conspicuous places in the town,
15 stating the case in substance, and giving forty-eight hours’
16 notice of a hearing thereon. At such hearing if it appears
17 that such animal is old, maimed, disabled, diseased or
18 injured, and is unfit for use, the court shall determine the
19 value of such animal, and shall issue process directing
20 the officer to destroy the same. The defendant may
21 appeal as in civil action, but before such appeal shall be
22 allowed, the defendant shall give sufficient security to
23 said officer, to be approved by the court, to pay all the
24 expenses for the care and support of such animal pending
25 such appeal.’

SECT. 5. Section 47 of chapter 124 of the Revised
2 Statutes, as amended by chapter 364 of the laws of 1885,
3 is hereby amended so as to read as follows :

‘Section 47. Municipal and police courts and trial
5 justices shall on complaint cause to be arrested any per-
6 son charged with the commission in their counties of any
7 of the offences described in the eighteen preceding sec-
8 tions ; the offence may be deemed to have been committed

9 in any county where such animal may be found; and
10 when such offences are not of a high and aggravated
11 nature, may try and punish by fine not less than five dol-
12 lars nor exceeding twenty dollars, and by imprisonment
13 not exceeding thirty days; but when on examination the
14 offence appears to be one not within their jurisdiction for
15 trial, they may cause the person or persons charged with
16 the commission of the same to recognize with sureties to
17 appear before the Supreme Judicial or Superior courts,
18 and in default thereof to be committed to jail.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 3, 1893.

Reported by Mr. SMITH of Presque Isle, from Committee on Agri-
culture, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*