

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 256

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT to amend section 1 of chapter 30 of the Revised Statutes, as amended by chapter 115 of the Public Laws of 1895, and sections 3 and 4 of chapter 30 of the Revised Statutes, in relation to dogs.

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

Section 1 of chapter 30 of the Revised Statutes as amended 2 by chapter 115 of the Public Laws of 1895 is hereby amended 3 by inserting after the word "done" in the fifth line of said 4 section the words 'provided said damage was not occasioned 5 through the fault of the person injured,' so that said section 6 as amended shall read as follows:

'Towns may pass by-laws, to regulate the going at large of 8 dogs therein. When a dog does damage to a person or his 9 property, his owner or keeper and also the parent, guardian, 10 master, or mistress of any minor who owns or keeps such 11 dog, forfeits to the person injured the amount of the damage 12 done, provided said damage was not occasioned through the

13 fault of the person injured; to be recovered by action of tres-  
14 pass.'

Section 3 of chapter 30 of the Revised Statutes is hereby  
16 amended so it shall read as follows:

'Whoever is so assaulted or finds a dog strolling outside of  
18 the premises or immediate care of its owner or keeper, may,  
19 within forty-eight hours thereafter, make written complaint  
20 before the municipal or police court having jurisdiction in  
21 the city or town where the owner or keeper resides, or in case  
22 there is no such court, before a trial justice in said town,  
23 that he really believes and has reason to believe said dog to  
24 be dangerous or vicious; whereupon said court or trial justice  
25 shall order said owner or keeper to appear and answer to  
26 said complaint by serving said owner or keeper of said dog  
27 with a copy of said complaint and order a reasonable time  
28 before the day set for a hearing thereon; and if upon hearing,  
29 the court or trial justice is satisfied that said complaint is  
30 true, he shall order said owner or keeper within twenty-four  
31 hours thereafter either to kill or confine said dog or remove  
32 and keep same beyond the limits of said town or city; and if  
33 said owner or keeper neglects to comply with said order, he  
34 shall forfeit to the use of the city or town aforesaid not less  
35 than one nor more than ten dollars, to be recovered in an  
36 action on the case.'

Section 4 of chapter 30 of the Revised Statutes is hereby  
38 amended by striking out in the first line of said section the  
39 words "after notice so given" and inserting in place thereof  
40 the words 'whose owner or keeper neglects to comply with  
41 said order,' so that said section as amended shall read as  
42 follows:

'If a dog, whose owner or keeper neglects to comply with  
44 said order, wounds any person by a sudden assault as afore-  
45 said, or wounds or kills any domestic animal, the owner or  
46 keeper shall pay the person injured treble damages and costs.'



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 5, 1903.

Reported by Mr. CAMPBELL of Cherryfield, from Committee on  
Legal Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk*