

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 120

House of Representatives, Feb. 6, 1917.

Referred to Committee on Agriculture and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Hart of Holden.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to amend section eleven of Chapter two hundred and twenty-two of the Public Laws of Nineteen Hundred Nine, as amended by section eleven in Chapter forty in the Public Laws of Nineteen Hundred Eleven relating to damage done to domestic animals by wild animals or dogs.

Be it enacted by the People of the State of Maine, as follows:

Section eleven of Chapter forty of the Public Laws of
2 Nineteen Hundred Eleven is hereby amended by inserting
3 after the word "animals" in the second line, the words 'ex-
4 cept poultry' so that said section as amended shall read as
5 follows:

‘Sect. 11. Whenever any sheep, lambs, or other domestic
2 animal, except poultry, owned by a resident of this state are
3 killed or injured by dogs, or wild animals, such owner may
4 make complaint thereof to the mayor of the city, or to one
5 of the municipal officers of the town or plantation where
6 such damage was done, within said days after he has
7 knowledge of the same, and thereupon satisfied that the
8 said damage was committed by dogs or wild animals within
9 the limits of their city, town or plantation, they shall esti-
10 mate the damage thereof according to the full value and
11 fifty percent additional for which they are kept, whether
12 as breeders or for other purposes, and direct that the same
13 shall be paid paid from the town treasury.

If the municipal officers and the owner of the sheep or
2 domestic animals are unable to agree as to the amount of
3 the damage which shall be paid the amount shall be de-
4 termined by three referees to be selected in manner follow-
5 ing: One referee to be chosen by the municipal officers, one
6 by the owner of the animals injured or killed, and the third
7 by the two referees already selected. In case one party
8 refuses or neglects to select a referee, the other party after
9 thirty days from the time the notice of the aforesaid dam-
10 age was given or received, shall select two referees and the
11 two selected shall choose the third. The said referees shall
12 submit a written report, signed by a majority within fifteen
13 days from the date of their appointment, stating the amount
14 to be paid by the town. The report of said referees shall

15 be final and the expenses of the referees shall be divided
16 equally between the owner of the animal and the town,
17 city or plantation.

Any town paying such damages caused by dogs may main-
2 tain an action on the case against the owner or keeper of
3 such dogs to recover the amount paid not exceeding the
4 actual damage committed and fifty percent additional.

Any person who keeps a dog that kills or injures sheep or
2 lambs shall be fined not less than fifty dollars nor exceeding
3 one hundred dollars and costs, unless before the final dis-
4 position of the case the said owner or keeper of the said
5 dog produces satisfactory evidence that the dog has been
6 killed.