

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 687

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H. P. 1656      House of Representatives, March 19, 1929.

Reported by Mr. Wight from Committee on Agriculture and  
laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT Relating to Payment of Damage Done by Dogs and  
Wild Animals to Domestic Animals.

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

Section 1. Section one hundred and ten, of chapter four  
2 of the revised statutes, as amended by chapter two hundred  
3 and twenty-three, of the public laws of nineteen hundred  
4 and twenty-one is hereby amended by striking out the whole  
5 of said section, and inserting in place thereof the following  
6 words:

'Sect. 110. Whenever any sheep, lambs, or other domes-  
2 tic animals, poultry not included, owned by a resident of  
3 this state are killed or injured by dogs or wild animals,

4 such owner may make complaint thereof to the mayor of  
5 the city, or to one of the municipal officers of the town  
6 or plantation where such damage was done, within twenty-  
7 four hours after he has knowledge of the same, and there-  
8 upon the municipal officers shall investigate the complaint  
9 and if satisfied that the said damage was committed by  
10 dogs or wild animals within the limits of their city, town,  
11 or plantation, they shall estimate the damage thereof ac-  
12 cording to the full value for which they are kept, whether  
13 as breeders or for other purposes, and make returns of  
14 their findings together with the estimated damage, in tripli-  
15 cate, one to go to the town clerk, one to the commissioner  
16 of agriculture or state sheep specialist, and one to the state  
17 auditor. (If the sheep, lambs or other domestic animals  
18 are kept in an unincorporated place the owner may make  
19 complaint to the municipal officers of the oldest incorpo-  
20 rated adjoining town, or the nearest incorporated town  
21 where there are none adjoining, who shall investigate the  
22 complaint.) The commissioner of agriculture or the state  
23 sheep specialist shall approve the bill, or if it seems ad-  
24 visable investigate the claim. In case of disagreement as  
25 to the amount of damage which shall be paid, the amount  
26 shall be determined by three referees to be selected in the  
27 following manner; one referee to be chosen by the munici-  
28 pal officers, one by the owner of the animals injured or  
29 killed, and the third shall be the state sheep specialist. In  
30 case one party refuses or neglects to select a referee the

31 referees selected by the other party, together with the state  
32 sheep specialist, after thirty days from the time the notice  
33 of the aforesaid damage was given or received, shall choose  
34 a third. The said referees shall submit a written report,  
35 signed by a majority, within fifteen days from the date of  
36 their appointment, stating the amount to be paid by the  
37 state. The report of said referees shall be final and the  
38 expenses of the referees shall be divided equally between  
39 the owner of the animals and the state; the amount of the  
40 expense shared in by the state shall be a proper charge to  
41 the appropriation for damage by dogs and wild animals  
42 to domestic animals. When the claim is approved by the  
43 commissioner of agriculture or the state sheep specialist,  
44 or a report received from the referees the claim shall be  
45 paid by the state to the person sustaining such damage, to-  
46 gether with fifty per cent additional unless in the judgment  
47 of the referees the owner or owners are not entitled to the  
48 additional fifty per cent. The state may maintain an action  
49 on the case against the owner or keeper of the dogs to  
50 recover the amount paid, not to exceed the actual damage  
51 committed and fifty per cent additional. Any person who  
52 keeps a dog that kills or injures sheep or lambs shall be  
53 fined not less than fifty nor more than one hundred dollars  
54 and costs, unless before the final disposition of the case  
55 the owner or keeper of the said dog produces satisfactory  
56 evidence that the dog has been killed. Payment of the  
57 amount of said damage together with the necessary ex-

58 penses of investigation, including a part of the compen-  
59 sation of the commissioner of agriculture or the sheep spe-  
60 cialist shall be charged to the fund received by the state  
61 under section one hundred three, and so much as may be  
62 necessary is hereby appropriated to pay the same.'

Sect. 2. Section one hundred and twelve, of chapter four,  
2 of the revised statutes, is hereby repealed.