

# MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H   L E G I S L A T U R E

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Legislative Document

No. 1048

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S. P. 509

In Senate, Mar. 17, 1939.

Reported by Sen. Morse of Waldo from Committee on Legal Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

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S T A T E   O F   M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

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**AN ACT Relating to the Keeping of Dogs.**

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

**R. S., c. 5, § 172, amended.** Section 172 of chapter 5 of the revised statutes, as amended, is hereby further amended to read as follows :

**‘Sec. 172. Written complaint of dangerous dogs at large.** Whoever is so assaulted or finds a dog strolling outside of the premises or immediate care of its keeper, and the said dog is not safely muzzled, may, within 48 hours thereafter, make written complaint before the municipal court having jurisdiction in the city or town where the owner or keeper resides, or in case there is no court, before a trial justice in said town, that he really believes and has reason to believe that said dog is dangerous and vicious, whereupon said court or trial justice shall order said owner or keeper to appear and answer to said complaint by serving said owner or keeper of said dog with a copy of said complaint and order a reasonable time before the day set for the hearing thereon ; and if upon hearing, the court or trial justice is satisfied that the complaint is true, he shall order the dog to be killed **or order said owner or keeper of said dog to muzzle the same, restrain the same or confine said dog to the premises of said owner or keeper** and the owner or keeper shall pay the costs. ~~If the dog is not killed~~ **order of said court or magistrate is not complied with** within the time fixed

by such order, the court or magistrate making said order, may, upon application by the complainant, or other person, issue his warrant directed to the sheriff of the county or any of his deputies, or to any police officer or constable in the town where the dog is found, commanding such officer forthwith to kill said dog and to make return of his doings on said warrant to the court or magistrate issuing the same within 14 days from date thereof. The officer shall receive from the county treasury \$2 for executing said warrant, together with his legal fees for travel, and the owner or keeper aforesaid shall be ordered to pay the costs of such supplementary proceedings.'