

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1893.

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Chapter 287.

An Act for the better protection of Sheep.

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

Inventories shall include lists of all dogs.

SECT. 1. Assessors of cities, towns and plantations shall include in their inventories, lists of all dogs owned by or in possession of any inhabitant on the first day of April, setting the number and sex thereof opposite the names of their respective owners or persons in whose possession the same are found.

Dogs shall annually be registered and licensed.

SECT. 2. Every owner or keeper of a dog more than four months old shall annually, before the first day of April, cause it to be registered, numbered, described and licensed for one year from the first day of April, in the office of the clerk of the city, town or plantation where said dog is kept, and shall keep around its neck a collar, distinctly marked with the owner's name and its registered number, and shall pay to said clerk for a license the sum of one dollar and fifteen cents for each male dog, and three dollars and fifteen cents for each female dog, and a person becoming the owner or keeper of a dog after the first day of April, not duly licensed, shall cause it to be registered, numbered, described and licensed as provided above. Every owner or keeper of dogs, kept for breeding purposes, may receive annually a special kennel license authorizing him to keep such dogs for said purpose. When the number of dogs so kept does not exceed ten, the fee for such license shall be ten dollars, when the number of dogs so kept exceeds ten, the fee for such license shall be twenty dollars, and no fee shall be required for the dogs of such owner or keeper under the age of six months. Dogs covered by the kennel license shall be excepted from the provisions of this section, requiring registration, numbering or collaring.

—collar.

—license fees.

—special kennel license.

—license fees.

Clerk shall issue license, receive fees and pay same into the town treasury, who shall pay it into state treasury.

SECT. 3. The clerks of cities, towns and plantations shall issue said license and receive the money therefor, and pay the same to the treasurer of their respective cities, towns and plantations, within thirty days thereafter, retaining to their own use fifteen cents for each license issued; and the said treasurer shall pay the money so received to the state treasurer on or before September first of each year. Clerks of cities, towns and plantations shall keep a record of all

—record of licenses.

licenses issued by them, with the names of the owners or keepers of dogs licensed, and the sex, registered numbers and description of all such dogs; provided, however, that the sex, registered numbers and description shall not be required of dogs covered by a kennel license.

SECT. 4. Each city, town and plantation treasurer shall keep an accurate and separate account of all moneys received and expended by him under the provisions of this act.

Treasurers shall keep account of all moneys received.

SECT. 5. Whoever keeps a dog contrary to the provisions of this act shall forfeit ten dollars, five of which shall be paid to the complainant and five to the treasurer of the city, town or plantation in which such dog is kept.

Penalty for keeping dog contrary to provisions of act.

SECT. 6. The mayor of each city, the selectmen of towns and the assessors of plantations shall annually, within ten days from the first day of May issue a warrant to one or more police officers or constables directing them to proceed forthwith either to kill or cause to be killed all dogs within such city, town and plantation not licensed and collared according to the provisions of this act, and to enter complaint against the owners or keepers thereof. Such officers shall receive from the city, town or plantation, one dollar for each dog so killed. All bills for such services shall be approved by the mayor of cities, and municipal officers of towns and plantations.

Warrants to be issued to officers, to kill all unlicensed dogs.

—Fees of officers

SECT. 7. Each police officer or constable to whom the warrant named in section six of this act is issued, shall return the same on or before the first day of July following to the officer or officers issuing the same, and shall state in said return the number of dogs killed and the names of the owners or keepers thereof, and whether all unlicensed dogs therein have been killed and the names of persons against whom complaint has been made under the provisions of this act.

Return of warrant and what it shall contain.

SECT. 8. Any city or town officer who refuses or willfully neglects to perform the duties imposed by this act shall be punished by fine not less than ten dollars nor exceeding fifty dollars by an action at law, the same to be paid into the town treasury.

Penalty, if officer refuses or neglects duty.

SECT. 9. When any person, resident of this state, shall sustain any damage to his sheep, lambs or other domestic animals, by reason of their being killed or injured by dogs, he shall give information thereof to the mayor of cities or to one of the municipal officers of towns or plantations where such

Payment of damage done by dogs to sheep, lambs, or other domestic animals provided for.

CHAP. 287

damage was done within twenty-four hours after he has knowledge of the same, and thereupon said mayor or municipal officers shall estimate the amount of such damage and all damage done by dogs to sheep, lambs or other domestic animals proved to the satisfaction of the above officers, to have been committed in their city, town or plantation, shall be paid by said officers and any city, town or plantation paying such damages may maintain an action on the case against the owner or keeper of such dog or dogs, to recover such amount as may be adjudged to be the actual damage committed.

Municipal officers shall annually post notices of requirements of this act.

SECT. 10. The mayor of each city and the municipal officers of each town or plantation shall annually at least twenty days before the first day of April, post a notice in the usual place of posting notices, of their annual meetings in their respective cities, towns and plantations, setting forth all the requirements of this chapter with the penalties for non-compliance with the same; which notices shall be forwarded annually to the several cities, towns and plantations by the secretary of state.

Owner of registered dog may recover full value of same if stolen, or killed unlawfully.

SECT. 11. Any person who shall steal or confine and secrete any registered dog, or shall kill any such dog, unless such killing be justifiable in the protection of person or property, shall be liable to the owner in a civil action for the full value of such dog.

Joint owners of dogs liable jointly and severally.

SECT. 12. When any sheep, lambs or other domestic animals shall have been damaged by two or more dogs at the same time, kept by two or more persons, the owners or keepers of such dogs shall be jointly and severally liable for such damage.

When damage shall be paid by state treasurer.

SECT. 13. When any town shall have paid damages to the owners of sheep, lambs or other domestic animals for losses incurred from dogs, as provided in section nine of this act, and are unable to identify the dog or dogs doing such damage, or to collect the amount of said damages from the owners of said dogs when identified, the municipal officers of such cities, towns and plantations shall make a statement of facts in the case, together with the amount of damages so paid, and shall transmit the same to the state treasurer, who shall reimburse to the city, town or plantation paying such damage, the amount of damage so paid; provided, however, the amount paid by the state treasurer to reimburse said cities,

towns and plantations, as aforesaid, shall in no case exceed the amount received from licenses aforesaid. CHAP. 288

SECT. 14. All moneys received by the state treasurer as provided in section three of this act, and remaining unexpended at the end of the year, shall be credited to the several cities, towns and plantations upon their state tax, in proportion to the amount each has paid into the treasury under the provisions of this act. How moneys in state treasury shall be disposed of.

SECT. 15. All acts or parts of acts inconsistent with this act, including chapter one hundred forty-one of the public laws of eighteen hundred ninety-one, are hereby repealed. Inconsistent acts, repealed.

SECT. 16. This act shall take effect when approved.

Approved March 29, 1893.

### Chapter 288.

An Act to amend Section twenty-one of Chapter ninety-five of the Public Laws of eighteen hundred ninety-one, relating to the killing of wood, dusky or black, teal or gray duck.

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

SECT. 1. Section twenty-one of chapter ninety-five, public laws of eighteen hundred and ninety-one, is hereby amended as follows: By striking out the word "April" in the fourth line of said section, and inserting the word "May"; so that said section as amended, shall read as follows:

Sec. 21, ch. 95, Pub. Laws, 1891, amended.

SECT. 21. Whoever kills or has in possession, except alive, or exposes for sale, any wood duck, dusky duck, commonly called black duck, teal or gray duck, between the first days of May and September, or kills, sells or has in possession, except alive, any ruffed grouse, commonly called partridge, or woodcock, between the first days of December and September following; or kills, sells or has in possession, except alive, any quail between the first day of December and the first day of October following, or pinnated grouse, commonly called prairie chicken, between the first days of January and September, or plover between the first days of May and August, forfeits not less than five nor more than ten dollar-, for each bird so killed, had in possession, or exposed for sale. And no person shall at any one time, kill, expose for sale, or have in possession, except alive, more

Certain birds, not to be killed between May 1 and Sept. 1.
  
—others. between Dec. 1 and Sept. 1, Dec. 1, and Oct. 1.