

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 36.**

An Act relating to Lost Goods and Stray Beasts.

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

Section 1. Section ten, of chapter ninety-eight of the revised statutes is hereby amended to read as follows:

Section 10 of chapter 98 of R.S. amended.

'Section 10. Whoever finds lost money or goods of the value of three dollars or more, shall, if the owner is unknown, within seven days give notice thereof in writing to the clerk of the town where they are found and post a notification thereof in some public place in said town. If the value is ten dollars or more, the finder in addition to the notice to the town clerk and the notification to be posted as aforesaid, shall within one month after finding, publish a notice thereof in some newspaper published in the town, if any, otherwise in some newspaper published in the county.'

Money or goods found, finder shall give notice of to clerk of town, within seven days.

—if value be \$10 or more, shall publish notice also.

Section 2. Whoever takes up a stray beast shall within seven days give notice thereof in writing, containing a description of its color, and its natural and artificial marks, to the clerk of the town where such beast is taken, and shall cause a notice thereof, containing a like description of the beast to be posted and, if such beast is of the value of ten dollars or more, published in the manner provided in the preceding section; otherwise he shall not be entitled to compensation for any expenses which he may incur relative thereto.

Stray beast taken up, notice shall be given to clerk of town within seven days.

—if value be \$10 or more, shall publish notice also.

Section 3. Section eleven of the same chapter is hereby amended to read as follows:

Section 11, amended.

'Section 11. Every finder of lost goods or stray beasts of the value of ten dollars or more, shall within two months after finding, and before using them to their disadvantage, procure a warrant from the town clerk or a justice of the peace, directed to two persons, appointed by said clerk or justice, not interested except as inhabitants of the town, returnable at said clerk's office, within seven days from its date, to appraise said goods under oath.'

Warrant to appraise lost goods or stray beasts shall be procured.

Section 4. Section twelve of the same chapter is hereby amended to read as follows:

Section 12 amended.

'Section 12. If the owner of such lost money or goods appears within six months, and if the owner of such stray beasts appears within two months after said notice to the town clerk, and gives reasonable evidence of his ownership to the finder, he shall have restitution of them or the value of the money or goods, paying all necessary charges and reasonable compensation to the finder

Owner may have restitution within certain time.

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for keeping, to be adjudged by a justice of the peace of the county, if the owner and the finder cannot agree.'

Section 13,  
amended.

Section 5. Section thirteen of the same chapter is hereby amended to read as follows:

Final disposi-  
tion of goods  
if no owner  
appears.

'Section 13. If no owner appears within six months such money or lost goods shall belong to the finder, by paying one-half their value to the treasurer of said town, after deducting all necessary charges; but if he neglects to pay it on demand, it may be recovered in an action brought by said treasurer in the name of the town.'

May sell  
goods at  
auction after  
two months.

Section 6. If the owner does not appear and prove his title within said two months, the finder may sell them at public auction, first giving notice of such sale at least four days before the time of sale, in two public places in the town in which the beasts were taken up; and the proceeds of the sale, after deducting all lawful charges, shall be deposited in the town treasury.

—notice.

—proceeds  
shall be de-  
posited in  
town  
treasury.

Section 7. If such owner appears within six months after such notice is filed with the town clerk, and proves his title to the beasts, he shall, if they have not been sold have restitution of the same, after paying the charges arising thereon as provided in section four; and if the beasts have been sold, he shall be entitled to receive the money so deposited in the treasury from the proceeds of the sale. If no owner appears within six months, the beasts or the value or price thereof, after deducting said charges, shall as prescribed in section five be equally divided between the finder and the town.

Restitution,  
how made.

Section 8. Section fourteen of the same chapter is hereby amended to read as follows:

Section 14,  
amended.

Penalty if  
legal notice  
of finding  
money or  
goods is not  
given.

'Section 14. If the finder of lost money or goods, of the value of three dollars or more or if the person taking up such stray beast, neglects to give notice to the town clerk and to cause them to be advertised as herein provided, he forfeits to the owner the full value thereof, unless he delivers or accounts therefor to the owner, in which case he shall forfeit not more than twenty dollars, half to the town and half to the prosecutor.'

Lawful  
charges in-  
curred must  
be paid.

Section 9. Whoever takes away a beast taken up as a stray, without paying all lawful charges incurred in relation to the same, shall forfeit to the finder the value thereof.

Damages in  
land by stray  
beasts, how  
recovered.

Section 10. Any person injured in his land by sheep, swine, horses, asses, mules, goats, or neat cattle, in a common or general field, or in a close by itself, may recover his damages by taking up any of the beasts doing it, and giving the notice provided in section two, or in an action of trespass against the person owning or having possession of the beasts at the time of the damage, and there shall be a lien on said beasts, and they may be attached

in such action and held to respond to the judgment as in other cases, whether owned by the defendant or only in his possession. But if the beasts were lawfully on the adjoining lands, and escaped therefrom in consequence of the neglect of the person suffering the damage to maintain his part of the partition fence, their owner shall not be liable therefor.

—proviso.

Approved March 4, 1903.

### Chapter 37

An Act relating to Houses of Correction.

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

Section 1. Chapter one hundred forty-one of the revised statutes, except sections twenty-three and twenty-four, is hereby repealed.

Chapter 141, R. S., except sections 23 and 24, repealed.

Section 2. A municipal or police court, or trial justice in his county, on complaint under oath may commit to jail or to the house of correction in the town where the person belongs or is found, for a term not exceeding ninety days, all rogues, vagabonds and idle persons going about in any town in the county, begging; persons using any subtle craft, jugglery, or unlawful games, or plays, or for the sake of gain pretending to have knowledge in physiognomy, palmistry, to tell destinies or fortunes or to discover lost or stolen goods; common pipers, fiddlers, runaways, drunkards, night walkers, railers, brawlers and pilferers; persons wanton or lascivious in speech or behavior, or neglecting their callings or employments, misspending what they earn and not providing for the support of themselves and their families; all idle and disorderly persons having no visible means of support, neglecting all lawful calling or employment; and all idle and disorderly persons who neglect all lawful calling or employment and misspend their time by frequenting disorderly houses, houses of ill fame, gaming houses or tipping shops.

Rogues, vagabonds, idle persons, etc., may be committed to jail on complaint to municipal judge or trial justice.

Section 3. A town, at its own expense, may build and maintain a house of correction. Until such house of correction is so built, the almshouse, or any part thereof may be used for that purpose.

Town may maintain a house of correction.