

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 109

—loss of life,
damages for,
how re-
covered.

If the life of any person is lost through such deficiency, his executors or administrators may recover of such county or town liable to keep the same in repair, in an action on the case, brought for the benefit of the estate of the deceased, such sum as the jury may deem reasonable as damages, if the parties liable had said notice of the deficiency which caused the loss of life; at the trial of any such action the court may, on motion of either party, order a view of the premises where the defect or want of repair is alleged, when it would materially aid in a clear understanding of the case.'

Section 2. This act shall take effect when approved.

Approved March 18, 1903.

Chapter 109.

An Act to amend Section one of Chapter thirty of the Revised Statutes, as amended by Chapter one hundred fifteen of the Public Laws of eighteen hundred ninety-five, and Sections three and four of Chapter thirty of the Revised Statutes, in relation to Dogs.

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

Section 1 of
chapter 30
of R. S. as
amended by
chapter 115,
public laws of
1895, further
amended.

Section one of chapter thirty of the revised statutes as amended by chapter one hundred fifteen of the public laws of eighteen hundred ninety-five is hereby amended by inserting after the word "done" in the fifth line of said section the words 'provided said damage was not occasioned through the fault of the person injured,' so that said section as amended, shall read as follows:

Going at large
of dogs,
towns may
regulate.

'Section 1. Towns may pass by-laws, to regulate the going at large of dogs therein. When a dog does damage to a person or his property, his owner or keeper and also the parent, guardian, master, or mistress of any minor who owns or keeps such dog, forfeits to the person injured the amount of the damage done, provided said damage was not occasioned through the fault of the person injured; to be recovered by action of trespass.'

—forfeiture
for damages
done by dogs.

—proviso.

Section 3 of
chapter 30 of
R. S.,
amended.

Written
complaint
may be made
of dogs at
large.

Section 2. Section three of chapter thirty of the revised statutes is hereby amended, so it shall read as follows:

'Section 3. Whoever is so assaulted or finds a dog strolling outside of the premises or immediate care of its owner or keeper, may, within forty-eight hours thereafter, make written complaint before the municipal or police court having jurisdiction in the city or town where the owner or keeper resides, or in case there is no such court, before a trial justice in said town, that he really

CHAP. 110

believes and has reason to believe said dog to be dangerous or 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 a hearing thereon; and if upon hearing, the court or trial justice is satisfied that said complaint is true, he shall order said owner or keeper within twenty-four hours thereafter either to kill or confine said dog or remove and keep same beyond the limits of said town or city; and if said owner or keeper neglects to comply with said order, he shall forfeit to the use of the city or town aforesaid not less than one nor more than ten dollars, to be recovered in an action on the case.'

—dog may be confined or killed.

—forfeiture.

Section 3. Section four of chapter thirty of the revised statutes is hereby amended by striking out in the first line of said section the words "after notice so given" and inserting in place thereof the words 'whose owner or keeper neglects to comply with said order,' so that said section as amended, shall read as follows:

Section 4 of chapter 30 of R. S., amended.

'Section 4. If a dog, whose owner or keeper neglects to comply with said order, wounds any person by a sudden assault as aforesaid, or wounds or kills any domestic animal, the owner or keeper shall pay the person injured treble damages and costs.'

Treble damages and costs when order is neglected.

Approved March 18, 1903.

Chapter 110

An Act in regard to compensation of Town Officers.

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

Towns having four thousand or more inhabitants shall have the right to vote their selectmen a per diem compensation, not exceeding five dollars per day, for time actually spent in the service of the town.

Compensation of selectmen in towns of 4,000 inhabitants.

Approved March 18, 1903.