

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

CHAP. 40

—penalty for violation of this act.

ployee of a co-operative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. No corporation, contractor, person or partnership shall by a special contract with an employee or by any other means exempt himself or itself from the provisions of this act. Whoever violates the provisions of this act shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved March 16, 1911.

Chapter 40.

An Act to amend Sections eleven and thirteen of Chapter two hundred and twenty-two of the Public Laws of nineteen hundred and nine relating to licensing of Dogs.

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

Section 11, chapter 222, public laws 1909, amended.

—further amended.

Section I. Section eleven of chapter two hundred and twenty-two of the public laws of nineteen hundred and nine is hereby amended by inserting after the word "dogs" in the third line the words 'or wild animals.' Section eleven of chapter two hundred and twenty-two of the public laws of nineteen hundred and nine is further amended by inserting after the word "dogs" in the eighth line the words 'or wild animals' so that said section as amended shall read as follows:

Payment of damages done by dogs to domestic animals.

'Section II. Whenever any sheep, lambs, or other domestic animals, owned by a resident of this state are killed or injured by dogs, or wild animals, such owner may make complaint thereof to the mayor of the city, or to one of the municipal officers of the town or plantation where such damage was done, within seven days after he has knowledge of the same, and thereupon the municipal officers shall investigate the complaint, and if satisfied that the said damage was committed by dogs or wild animals within the limits of their city, town or plantation, they shall estimate the damage thereof according to the full value and fifty per cent. additional for which they are kept, whether as breeders or for other purposes, and direct that the same shall be paid from the town treasury.

—damages, how determined if parties fail to agree.

If the municipal officers and the owner of the sheep or domestic animals are unable to agree as to the amount of the damage which shall be paid the amount shall be determined by three referees to be selected in manner following. One referee to be chosen by the municipal officers, one by the owner of the animals injured or killed, and the third by the two referees already selected. In case one party refuses or neglects to select a ref-

eree, the other party, after thirty days from the time the notice of the aforesaid damage was given or received, shall select two referees, and the two selected shall choose the third. The said referees shall submit a written report, signed by a majority, within fifteen days from the date of their appointment, stating the amount to be paid by the town. The report of said referees shall be final and the expenses of the referees shall be divided equally between the owner of the animals and the town, city or plantation.

Any town paying such damages caused by dogs may maintain an action on the case against the owner or keeper of such dogs to recover the amount paid, not exceeding the actual damage committed and fifty per cent. additional.

—amount may be recovered of owner or keeper of dogs.

Any person who keeps a dog that kills or injures sheep or lambs shall be fined not less than fifty dollars nor exceeding one hundred dollars and costs, unless before the final disposition of the case, the said owner or keeper of the said dog produces satisfactory evidence that the dog has been killed.

—penalty for keeping dog that kills sheep.

Section 2. Section thirteen of chapter two hundred and twenty-two is hereby amended by inserting after the word "identified" in the sixth line the words, or shall have paid such damages for losses caused by wild animals,' so that the section as amended shall read as follows:

Section 13, chapter 222, amended.

'Section 13. When any city, town, or plantation shall have paid damages to the owners of sheep, lambs, or other domestic animals, as provided in section eleven, for losses caused by dogs, and the amount of such damages cannot be collected from the owners or keepers of said dogs, or the dog or dogs causing such losses cannot be identified, or shall have paid such damages for losses caused by wild animals, the mayor of such city, or the municipal officers of said town or plantation, shall forward to the state auditor a statement of facts in each case, showing the amount so paid, and the state shall re-imburse such city, town or plantation to the amount of such damage from the fund received by said state under section four, and so much as may be necessary is hereby appropriated to pay the same.'

Reimbursements for amount paid by cities and towns.