

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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CHAP. 220

‘Sec. 13. **Determination and assessment of damages in altering highways.** The commission may alter, widen or change the grade of any state or state aid highway whenever in its judgment the public exigency may require, and may lay out, establish and open a new highway as a state or state aid highway. It may also discontinue a highway as a state or state aid highway and the same shall be thereafter maintained by the town or county originally liable therefor, except as herein otherwise provided. Whenever the commission shall alter, widen or change the grade of any state or state aid highway as herein provided, to the injury of an owner of adjoining land, he may within six months, apply in writing for a determination and assessment of his damages in the manner provided by section eleven of this chapter and any person aggrieved by said assessment may have the same determined as provided in section eight of chapter twenty-four. Whenever the commission shall lay out, establish and open a new highway as a state highway or state aid highway, the damages sustained by the owner of any land through which said highway passes shall be determined, assessed and apportioned as provided in section eleven of this chapter, and any person aggrieved by such award may have the damages determined as hereinbefore provided in cases of altering, widening or changing of grade.’

Approved April 4, 1929.

Chapter 220.

An Act Relating to the Powers of the State Highway Police.

Emergency preamble. Whereas, the state highway police have been effective in the enforcement of all the penal laws of the state; and

Whereas, such state highway police have been withdrawn from active enforcement of the laws save those pertaining to motor vehicles; and

Whereas, there is reasonable apprehension on the part of the citizens of Maine lest criminals from other states enter Maine for the purpose of committing offenses against our laws, using such means and force as they see fit, even to the taking of life; and

Whereas, if this act is obliged to take its regular course of awaiting ninety days after the adjournment of the legislature there might result depredations of serious consequence to lives and property; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore

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

Sec. 1. P. L., 1925, c. 144, sec. 2; relating to duties and powers of

highway police, amended. Section two of chapter one hundred and forty-four of the public laws of nineteen hundred and twenty-five is hereby amended by striking out in the seventh, eighth and ninth lines thereof the following: "The chief and members of the state highway police shall have the same power to serve criminal processes against such offenders as sheriffs" and inserting in place thereof the following: 'In addition to such duties and powers, the chief and members of the state highway police hereby are vested with the same powers and duties throughout the several counties of the state as sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this state and to arrest the offenders thereof,' and by adding after the word "duties" in the first line of said section the words 'and powers' and by adding after the word "power" in the ninth line in said section the words 'and duty,' so that said section, as amended, shall read as follows:

'Sec. 2. State highway police vested with powers and duties of sheriffs; to investigate and prosecute; arrest offenders; cooperation with other officials. The specific powers and duties of the state highway police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the provisions of this act and all laws relating to motor driven and horse drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators thereof and prosecuting all offenders against the same. In addition to such duties and powers, the chief and members of the state highway police hereby are vested with the same powers and duties throughout the several counties of the state as sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this state and to arrest the offenders thereof, and also the same power and duty as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the state until a legal warrant can be obtained. They shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve any subpoenas, notices and processes issued by the secretary of state or the state highway commission under authority of this act or chapter two hundred and eleven of the public laws of nineteen hundred and twenty-one and acts amendatory thereof. They shall also at all times be subject to the call of the governor for emergency purposes at his discretion.

The state highway police, sheriffs and deputy sheriffs, constables, city marshals and deputy marshals and police officers of cities and towns shall so far as possible cooperate in the detection of crime, the arrest and prosecution of criminals, and the preservation of law and order throughout the state.'

CHAP. 221

Sec. 2. Act to take effect when approved. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 5, 1929.

Chapter 221.

An Act Relating to Payment of Damage Done by Dogs and Wild Animals to Domestic Animals.

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

Sec. 1. R. S., c. 4, sec. 110; P. L., 1921, c. 223; relating to payment of damages done by dogs and wild animals to domestic animals, amended. Section one hundred and ten, of chapter four of the revised statutes, as amended by chapter two hundred and twenty-three, of the public laws of nineteen hundred and twenty-one is hereby amended by striking out the whole of said section, and inserting in place thereof the following words:

'Sec. 110. Owner must make complaint within 24 hours; owners in unincorporated places; referees; approval of commissioner of agriculture. Whenever any sheep, lambs, or other domestic animals, poultry not included, 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 twenty-four hours 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 for which they are kept, whether as breeders or for other purposes, and make returns of their findings together with the estimated damage, in triplicate, one to go to the town clerk, one to the commissioner of agriculture or state sheep specialist, and one to the state auditor. If the sheep, lambs or other domestic animals are kept in an unincorporated place, the owner may make complaint to the municipal officers of the oldest incorporated adjoining town, or the nearest incorporated town where there are none adjoining, who shall investigate the complaint. The commissioner of agriculture or the state sheep specialist shall approve the bill, or if it seems advisable, investigate the claim. In case of disagreement as to the amount of damage which shall be paid, the amount shall be determined by three referees to be selected in the following manner: one referee to be chosen by the municipal officers, one by the owner of the animals injured or killed, and the third shall be the state sheep specialist. In case one party refuses or neglects to select a referee, the referee selected by the other party, together with the state sheep specialist, after thirty days from the time the notice of the aforesaid