

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

1929

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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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

damage was given or received, shall choose a 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 state. 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 state; the amount of the expense shared in by the state shall be a proper charge to the appropriation for damage by dogs and wild animals to domestic animals. When the claim is approved by the commissioner of agriculture or the state sheep specialist, or a report received from the referees, the claim shall be paid by the state to the person sustaining such damage, together with fifty per cent additional, unless in the judgment of the referees the owner or owners are not entitled to the additional fifty per cent. The state may maintain an action on the case against the owner or keeper of the dogs to recover the amount paid, not to exceed the actual damage committed and fifty per cent additional. Any person who keeps a dog that kills or injures sheep or lambs shall be fined not less than fifty nor more than one hundred dollars and costs, unless before the final disposition of the case the owner or keeper of the said dog produces satisfactory evidence that the dog has been killed. Payment of the amount of said damage together with the necessary expenses of investigation, including a part of the compensation of the commissioner of agriculture or state sheep specialist, shall be charged to the fund received by the state under section one hundred and three, and so much as may be necessary is hereby appropriated to pay the same.'

Sec. 2. R. S., c. 4, sec. 112; relating to reimbursement of amount paid by cities and towns, repealed. Section one hundred and twelve, of chapter four, of the revised statutes, is hereby repealed.

Approved April 5, 1929.

Chapter 222.

An Act to Establish a Game Sanctuary in the Town of Standish, in the County of Cumberland.

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

Sec. 1. Game sanctuary established in town of Standish. No person shall, except as herein provided, at any time, hunt, pursue, shoot at, molest or kill any wild animal or any game or wild bird within the following described territory situated in the town of Standish, in the county of Cumberland: beginning at Standish village, thence extending northeasterly towards Sebago lake to Moody road, so-called, thence along Moody road to the Trail road, so-called, leading from Sebago lake to East Sebago village, thence along said Trail road to the Maine Central railroad crossing