

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

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PUBLIC LAWS
OF THE
STATE OF MAINE

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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 his duly authorized agent, shall approve the bill, or if it seems advisable, investigate and adjust 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 by the commissioner of agriculture or his duly appointed agent. In case one party refuses or neglects to select a referee, the referees selected by the other two parties, 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 borne 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 his duly authorized agent, or a report received from the referees, the claim shall be paid by the state to the person sustaining such damage. 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.

Any person who keeps a dog that kills or injures sheep or lambs shall be punished by a fine of not less than fifty dollars, nor more than 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. 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 his duly authorized agent, shall be charged to the fund received by the state under section one hundred fifty-nine.

Approved March 20, 1931.

Chapter 51.

AN ACT Relating to Red, Silver, Silver Black, or Black Foxes.

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

R. S., c. 38, sec. 65, relating to damage by dogs to foxes in captivity, amended. Section sixty-five of chapter thirty-eight of the revised statutes

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is hereby amended by adding after the word "fowl," in the tenth line thereof the words 'or any red, silver, silver black, or black foxes in captivity,' so that said section, as amended, shall read as follows:

'Sec. 65. Dogs shall be killed for chasing game or worrying domestic animals; trial justice or municipal court to issue warrant; dogs assaulting persons may be killed. Any warden or deputy warden, sheriff, deputy sheriff or constable may at any time lawfully kill any dog he may find in the act of hunting moose, caribou or deer, or he may find worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper. Any owner of sheep, or any member of his family, or any person to whom is intrusted the custody of any sheep, shall have a right to kill any dog attacking any of said sheep. Any person having any evidence of any dog hunting moose, caribou or deer, or of any dog kept and used for the purpose, or of any dog worrying, wounding or killing any domestic animal or fowl, or any red, silver, silver black, or black foxes in captivity, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any trial justice or judge of any municipal court, which said trial justice or judge shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why said dog should not be killed; and upon hearing the evidence in said case said court may order said dog killed. Any person may lawfully kill a dog which suddenly assaults him or another person.'

Approved March 20, 1931.

Chapter 52.

AN ACT Relating to Pools at State Fish Hatcheries and Feeding Stations.

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

R. S., c. 38, sec. 21, relating to pools at state fish hatcheries and feeding stations, amended. Section twenty-one of chapter thirty-eight of the revised statutes is hereby amended by inserting in the first line of said section, as a new first sentence, the following:

'Sec. 21. Closed seasons in the several waters of the state. All pools connected with state fish hatcheries and feeding stations shall be closed to all fishing at all times.'

Approved March 20, 1931.