

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842, and Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1937

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

CHAP. 117

'The state shall locate its paupers so that the city, town or plantation in which they reside shall not be put to extra expense for conveyance of the children of said paupers to primary or secondary schools; provided, however, that if the state does not so locate said paupers, the state shall reimburse the city, town or plantation wherein the said paupers reside for the extra expense incurred for said conveyance.'

Approved April 5, 1937.

Chapter 116

AN ACT Relating to Foxes and Raccoons.

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

R. S., c. 38, § 75, amended. Section 75 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 75. Digging out foxes and raccoons, regulated. From the 15th day of February to the 15th day of October, both days inclusive, no person shall at any time dig out, molest, or destroy, in any way, any fox or raccoon den, den tree or hole, or set any trap in any such den, den tree, or hole or remove, or cause to be removed from any such den, den tree, or hole, any fox or raccoon except those enclosed in private fox or raccoon ranches.'

Approved April 5, 1937.

Chapter 117

AN ACT Relating to Dogs Chasing Game or Killing or Attacking Domestic Animals.

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

R. S., c. 38, § 64, amended. Section 64 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 64. Dogs shall be killed for hunting moose, caribou, deer or elk or worrying domestic animals. It is unlawful for any dog to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk or any other wild animal in closed season and no person shall permit any dog owned by him to hunt, chase, kill, wound or pursue any moose, caribou, deer or elk at any time or any other wild animal in closed season. Any officer may kill any dog, which he finds in the act of hunting, chasing, killing, wounding

or pursuing any moose, caribou, deer or elk at any time or any other wild animal in closed season or worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper. Any person having evidence of any dog, hunting, chasing, killing, wounding, or pursuing moose, caribou, deer or elk at any time or any other wild animal in closed season may present said evidence to the commissioner of inland fisheries and game or any game warden or deputy game warden who shall give notice in writing to the owner or keeper of said dog stating the acts committed by said dog. The owner or keeper of any dog so notified, shall not permit any dog mentioned in said notice to leave the immediate control of said owner or keeper under the penalty as provided in section 107. Any dog whose owner or keeper has been so notified in writing by a game warden may be killed by anyone when found committing any act prohibited by this section. Any owner of sheep or poultry, or any member of his family, or any person to whom is intrusted the custody of any sheep or enclosed poultry, shall have a right to kill any dog **killing or attacking** any of said sheep or enclosed poultry. Any person having any evidence of any dog hunting, chasing, killing, wounding or pursuing any moose, caribou, deer or elk, or any other wild animal in closed season, or of any dog kept and used for the purpose, or of any dog, ~~worrying~~ wounding, ~~or~~ killing or attacking any domestic animal or fowl, or any fur-bearing animals legally 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 by any officer. The costs of prosecution shall be paid by the owner or keeper of said dog. Any person may lawfully kill a dog which suddenly assaults him or another person.'

Approved April 5, 1937.

Chapter 118

AN ACT Relating to Deputy Clerk of Courts in Penobscot County.

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

R. S., c. 125, § 41, amended. The 14th line of section 41 of chapter 125 of the revised statutes, as amended by chapter 73 of the public laws of 1935, is hereby further amended to read as follows:

'Penobscot, \$2500; deputy clerk of courts, ~~\$1200~~, \$1350.'

Approved April 5, 1937.