

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

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
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

'Sec. 172. Written complaint of dangerous dogs at large. Whoever is so assaulted or finds a dog strolling outside of the premises ~~or immediate care~~ of its keeper, and the said dog is not safely muzzled, may, within 48 hours thereafter, make written complaint before the municipal court having jurisdiction in the city or town where the owner or keeper resides, or in case there is no court, before a trial justice in said town, that he really believes and has reason to believe that said dog is dangerous and vicious, whereupon said court or trial justice shall order said owner or keeper to appear and answer to said complaint by serving said owner or keeper of said dog with a copy of said complaint and order a reasonable time before the day set for the hearing thereon; and if upon hearing, the court or trial justice is satisfied that the complaint is true, he shall order the dog to be killed ~~or order said owner or keeper of said dog to muzzle the same, restrain the same or confine said dog to the premises of said owner or keeper~~ and the owner or keeper shall pay the costs. If the ~~dog is not killed~~ ~~order of said court or magistrate is not complied with~~ within the time fixed by such order, the court or magistrate making said order, may, upon application by the complainant, or other person, issue his warrant directed to the sheriff of the county or any of his deputies, or to any police officer or constable in the town where the dog is found, commanding such officer forthwith to kill said dog and to make return of his doings on said warrant to the court or magistrate issuing the same within 14 days from date thereof. The officer shall receive from the county treasury \$2 for executing said warrant, together with his legal fees for travel, and the owner or keeper aforesaid shall be ordered to pay the costs of such supplementary proceedings.'

Approved April 6, 1939.

Chapter 185

AN ACT Relating to the Collection and Disposition of Money Received through Violations of the Inland Fish and Game Laws.

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

R. S., c. 38, § 99, amended. Section 99 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 99. Collection and disposition of money received under provisions of this chapter. All fines and penalties recovered and money received, or collected under any provision of this chapter, or for sale of seized fish or game, or fur-bearing animals, or parts thereof, after deducting legal taxable costs shall be paid within 30 days by the person receiving the same to the commissioner, to be paid by him to the treasurer of state. **All officers'**

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fees taxed against a respondent, if any, under any provision of this chapter, which are not paid or recovered from the respondent shall not be assumed or paid by the county where the offense was committed. All fees, fines and penalties recovered and money received, or collected, and paid to the treasurer of state as aforesaid in excess of \$100,000 shall be credited to the department of inland fisheries and game for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, and for printing the report of said commissioner and other expenses incident to the administration of said department, and shall be expended by the said commissioner for the purposes for which said department is created.

Provided, further, that if any of such fees, fines, penalties or other moneys are not expended during the year in which they are collected, the unexpended balance shall not lapse, but be carried as a continuing account and available for the purposes herein specified until expended.

Any officer, or other person who shall receive any fine or penalty, or any part thereof, for the violation of any inland fish or game law, or rule and regulation, or any fees for licenses issued by authority of any inland fish and game law and shall neglect for more than 30 days to pay the same to the commissioner as herein provided, shall be punished by a fine of not less than \$50, nor more than \$100 and costs of prosecution for each offense.'

Approved April 6, 1939.

Chapter 186

AN ACT Relating to Permits for Nonresident Charter Parties.

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

R. S., c. 29, § 41, amended. The 4th paragraph of section 41 of chapter 29 of the revised statutes, as amended by chapter 233 of the public laws of 1933, and chapter 54 of the public laws of 1937, is hereby further amended to read as follows:

'Third. Any passenger bus bringing into the state ~~persons as a single~~ an organized group or party for whose exclusive use such bus has been chartered and is so used, and which is chartered ~~and intended to be used solely~~ for use as a continuous means of conveyance for such group of persons while ~~they are touring~~ traveling in the state and for no other purpose, provided a permit for such operation be issued by the secretary of state. ~~The operator of each such bus shall obtain from the secretary of state, or some of his agents or inspectors a permit describing and identifying the vehicle.~~ Said permit shall state the date of issuance, and