

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1861.



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1861.

FORTIETH LEGISLATURE.

SENATE.

No. 15

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SIXTY-ONE.

AN ACT relating to dogs.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. Every owner or keeper of a dog shall
2 annually, on or before the last day of April, cause it
3 to be registered, numbered, described and licensed for
4 one year from the first day of the ensuing May, in the
5 office of the clerk of the city, town or plantation where-
6 in he resides, and shall cause it to wear around its neck
7 a collar distinctly marked with its owner's name and
8 registered number, and shall pay for such license one
9 dollar for a male and five dollars for a female dog.

SECT. 2. The clerk shall issue the license and receive and pay the money therefor into the city, town or plantation treasury, retaining to his own use ten cents for each license. The treasurer shall keep an accurate and separate account of all sums received and paid out under the provisions of this act, which account shall at all times be open to the inspection of any voter of the place.

SECT. 3. The clerk shall annually, within one week after the first of May, post in some conspicuous public place a list of all dogs licensed for the current year, and shall furnish a copy thereof to the chief of police of the city, or one of the constables of the town or plantation, and shall also, from time to time, furnish said officers with a list of such dogs as are subsequently licensed during the year.

SECT. 4. Any owner of a dog may, at any time, have it licensed until the first day of the ensuing May upon paying the sum as provided in section one of this act, but such license shall not exempt him from the penalty for any damage done prior to the granting said license.

SECT. 5. Whoever keeps a dog contrary to the provisions of this act, shall forfeit ten dollars, to be recovered by complaint to the use of the place wherein the dog is kept.

SECT. 6. Whoever wrongfully removes the collar
2 from, or steals a dog licensed and collared as aforesaid,
3 shall be punished by a fine not exceeding fifty dollars ;
4 and whoever wrongfully kills, maims, or entices, or
5 carries away such a dog, shall be liable to its owner
6 for double the value thereof.

SECT. 7. Any person may, and every police officer
2 and constable shall, kill or cause to be destroyed all
3 dogs going at large and not licensed and collared ac-
4 cording to the provisions of this act, and such officers,
5 when not otherwise paid for their services, shall re-
6 ceive from the city or town treasury fifty cents for
7 each dog so destroyed by them.

SECT. 8. Any person may kill a dog that suddenly
2 attacks him while he is peaceably walking or riding
3 without the enclosure of its owner or keeper, or that
4 is found out of the enclosure or immediate care of its
5 owner or keeper, worrying, wounding or killing any
6 neat cattle, sheep or lambs, whether such dog is col-
7 lared or not ; and if any person so assaulted or finding
8 a dog strolling out of the enclosure or immediate care
9 of its owner, shall, within forty-eight hours after such
10 assault or finding, make oath thereof before a justice of
11 the peace, or before the clerk of the city, town or
12 plantation where the owner of the dog dwells, and
13 further swears that he suspects the dog to be danger-

14 ous or mischievous, and shall give notice thereof to its
15 owner or keeper by delivering him a certificate of such
16 oath, signed by such clerk or justice, the owner or
17 keeper shall forthwith confine or kill it; and if he
18 neglects so to do for twenty-four hours after such
19 notice, he shall forfeit a sum not less than ten dollars.

SECT. 9. If, after such notice, the dog is not killed
2 or confined, and is found strolling out of the enclosure
3 of its owner or keeper, and shall assault, wound or
4 cause to be wounded, any person or persons, or shall
5 worry, wound or kill any neat cattle, sheep or lambs,
6 or do any other mischief, the owner or keeper shall
7 be liable to pay to the person injured thereby, treble
8 the amount of damage therefor.

SECT. 10. Whoever suffers loss by reason of the
2 worrying, maiming or killing of his sheep, lambs or
3 other domestic animals by dogs, may, within thirty
4 days after he knows of such loss, present proof thereof
5 to the mayor or selectmen of the city, town or planta-
6 tion wherein the damage is done, and thereupon the
7 said officers shall draw an order in favor of the person
8 so suffering, upon the treasurer of said city, town or
9 plantation, for the amount of such loss. The treasurer
10 shall register such order at the time of its presenta-
11 tion, and annually on the first day of January pay
12 them in full, if the gross amount received by his city,

13 town or plantation, under the provisions of this act,
14 and not previously paid out, is sufficient therefor, other-
15 wise he shall divide such amount pro rata among such
16 orders in full discharge thereof. After such order is
17 drawn, the city, town or plantation may recover
18 against the owner or keeper of any dog concerned in
19 doing the damage the full amount thereof.

SECT. 11. The mayor and aldermen of any city,
2 and selectmen of any town or plantation, shall require
3 all dogs not licensed and collared according to the pro-
4 visions of this act, to be destroyed, and shall enforce
5 all penalties herein provided. Any officer refusing or
6 neglecting to perform the duties herein imposed upon
7 him, shall be punished by a fine not exceeding twenty-
8 five dollars, to be paid into the city, town or planta-
9 tion treasury.

SECT. 12. All fines and penalties provided for in
2 this act, may be recovered on complaint before any
3 police court or trial justice in the county where the
4 offence is committed.

SECT. 13. All acts and parts of acts heretofore en-
2 acted inconsistent with the provisions of this act, are
3 hereby repealed.

STATE OF MAINE.

IN SENATE, February 23, 1861.

On motion of Mr. WARREN of Somerset,

ORDERED, That bill "An act relating to dogs," reported from the Committee on Agriculture, be laid on the table, and 350 copies of the same printed for the use of the Legislature.

JAMES M. LINCOLN, *Secretary.*