

SENATE No. 645

Mr. Hastings moves that the report of the committee on Agriculture, no further legislation necessary, on the report of the special commission on the sheep industry, agriculture and related matters (Senate, No. 293) be amended, in part, by substituting this bill for so much thereof as relates to the subject.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

AN ACT

To provide relief from Depredations caused by Dogs in the Night-time in the Counties of Berkshire, Dukes County, Franklin, Hampden, Hampshire and Worcester.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Every owner, keeper or custodian
2 of a dog shall, from sunset to sunrise, effectively
3 secure and restrain such dog from running at
4 large by confinement on the premises of such
5 owner, keeper or custodian, or on the premises
6 of such other person as may consent to their use
7 for such purpose, but any dog may be taken,

8 caged or in leash or otherwise under effective
9 control, outside of such premises, for any lawful
10 purpose.

1 SECTION 2. Any dog found at large at any
2 time from sunset to sunrise may be summarily
3 killed by a dog officer or by any person on whose
4 premises the dog is found, or by any person having
5 positive evidence that such dog has committed
6 injury to his property.

1 SECTION 3. The owner or keeper of a dog
2 committing damage to persons or property be-
3 tween the hours of sunset and sunrise shall be
4 liable in an action of tort in double damages to
5 the person damaged.

1 SECTION 4. Violation of the provisions of
2 section one shall be punished by a fine not exceed-
3 ing one hundred dollars.

1 SECTION 5. This act shall take effect in any
2 county having more than one thousand sheep, as
3 shown by the official agriculture census of nine-
4 teen hundred and ten; to wit, the counties of
5 Berkshire, Dukes, Franklin, Hampden, Hamp-
6 shire and Worcester.