

# MAINE STATE LEGISLATURE

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THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE  
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

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PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

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BANGOR:  
WHEELER & LYNDE.

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1857.

## CHAPTER 127.

## MALICIOUS MISCHIEFS, AND TRESPASSES ON PROPERTY.

- SEC. 1. Maliciously killing or injuring domestic animals.
2. Injuries to dams, canals, machinery, ponds, engines, telegraph fixtures, public bridges, and placing obstructions on bridges and roads.
  3. Penalty for injuring or cutting loose booms, rafts, vessels, or boats, and civil action for double damages.
  4. Malicious injuries to trees, shrubs, fences, gates, bars, or produce, or things attached to land.
  5. Trespasses on gardens, orchards, or improved lands, with intent to take and carry away trees, vegetables or soil.
  6. Passing through gardens or fields after prohibition.
  7. Trespass on timber, or wood standing; earth or stone; produce on lands; goods on wharves or landing places.
  8. Monuments, marked trees, mile stones, guide boards, sign boards, lamps and lamp posts.
  9. Willful injuries to buildings, fixtures, goods or valuable papers of another.
  10. Limitation of prosecutions, and jurisdiction of justices of the peace.

SEC. 1. Whoever willfully or maliciously kills, wounds, maims, disfigures, or poisons any domestic animal, or exposes any poisonous substance with intent that the life of any such animal should be destroyed thereby, shall be punished by imprisonment not more than four years, or by fine not exceeding five hundred dollars.

Maliciously killing or injuring domestic animals.  
R. S., c. 162, § 1.

SEC. 2. Whoever willfully or maliciously injures, removes or destroys any dam, reservoir, canal, trench, or their appurtenances, or the gear or machinery of any mill or manufactory; draws off the water from any mill pond, reservoir, canal, or trench; destroys or injures any engine or its apparatus for the extinguishment of fire, or any posts, glass caps, wires, or other materials used in the construction and operation of any telegraph; removes, injures, or destroys any public or toll bridge, or places any obstruction on such bridge or on any public road, with intent to injure any persons or property passing thereon, shall be punished by imprisonment not more than three years, or by fine not exceeding five hundred dollars.

Injuries to dams, canals, machinery, ponds, engines, telegraph fixtures, public bridges, and placing obstructions on bridges and roads.  
R. S., c. 162, § 2, 3.  
1846, c. 183, & c. 197, § 1.

SEC. 3. Whoever willfully or maliciously, without consent of the owner, cuts away, lets loose, injures, or destroys any boom, raft of logs, or other lumber, vessel, gondola, scow or other boat, fastened to any place of which he is not the owner or legal possessor, shall be punished by fine not exceeding five hundred dollars, and imprisonment less than one year; and shall also be liable to the person injured in an action of trespass for double the damages by him sustained.

Penalty for injuring or cutting loose booms, rafts, vessels, or boats, and civil action for double damages.  
R. S., c. 162, § 4.

SEC. 4. Whoever willfully and maliciously cuts down, destroys, or otherwise injures any shrub or tree for ornament or use; breaks, injures or defaces any fence; throws down or opens any gates or bars; injures, destroys, or severs from the land of another, any produce thereof or thing attached thereto, such articles not being his own, shall be punished by imprison-

Malicious injuries to trees, fences, gates, produce, or things attached to land.  
3 Greenl. 177.  
R. S., c. 162, § 5, 6, 7.

**CHAP. 127.** ment less than one year, and by fine not exceeding one hundred dollars.

Trespasses on improved lands, &c.

R. S., c. 162, § 11.  
1853, c. 5.

**SEC. 5.** Whoever willfully commits any trespass, or knowingly authorizes or employs another to do so, by entering the garden, orchard, pasture, cranberry ground, or improved land, of another, with intent to take, carry away, destroy, or injure the trees, shrubs, grain, grass, hay, fruit, vegetables, turf or soil thereon, shall be punished by a fine not exceeding twenty dollars, and imprisonment not more than thirty days.

Passing through gardens or fields after prohibition.

R. S., c. 162, § 12.

**SEC. 6.** Whoever willfully enters and passes over any garden, yard or other improved field, after being expressly forbidden so to do by the owner or occupant thereof, shall be punished by fine not exceeding five dollars, or imprisonment not more than ten days.

Trespass on timber, or wood standing, &c.

5 Greenl. 409.  
R. S., c. 162, § 9, 10.

**SEC. 7.** If any person, except a highway surveyor acting within the scope of his lawful authority, willfully commits any trespass by cutting, destroying, or carrying away any timber or wood, on the land of another; by digging up, taking, and carrying away therefrom any earth, stone, grass, corn, grain, fruit, hay, or other vegetables, or carrying away from any wharf or landing place any goods in which he has no interest, he shall be punished by imprisonment not more than two months, and by fine not exceeding fifty dollars.

Injuries to monuments, guide boards, lamps, &c.

R. S., c. 162, § 8.

**SEC. 8.** Whoever willfully and maliciously injures or removes any monument erected, or tree marked as a boundary of any land or town; destroys, defaces, or alters the marks thereon, made for the purpose of designating such boundary; injures or defaces any mile stone or guide board erected on any public way or railroad; removes, defaces, or injures any sign board, lamp, or lamp post; or extinguishes any lamp on any bridge, street, way, or passage, shall be punished by imprisonment less than one year and by fine not exceeding one hundred dollars.

Willful injuries to buildings, fixtures, goods or valuable papers of another.

20 Maine, 341.  
33 Maine, 146.  
R. S., c. 162, § 13.

**SEC. 9.** Whoever willfully and maliciously destroys, injures, or defaces any building or fixture attached thereto, without consent of the owner; or destroys, injures, or secretes, any goods, chattels, or valuable papers, of another, shall be punished by imprisonment less than one year, or by fine not exceeding five hundred dollars; and also be liable to the party injured, in an action of trespass, for three times the amount of injury so done.

Limitation of prosecutions, and jurisdiction of justices of the peace.

R. S., c. 162, § 14, 15.

**SEC. 10.** All prosecutions for offences herein described after section three, must be commenced within four years after the commission thereof; and justices of the peace shall have jurisdiction thereof, when the property destroyed, or injury done, is not alleged to exceed ten dollars, and in that case the punishment shall be by fine not exceeding ten dollars, and imprisonment not more than thirty days.