

# MAINE STATE LEGISLATURE

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# FORTY-EIGHTH LEGISLATURE.

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HOUSE.

No. 80.

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## STATE OF MAINE.

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

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AN ACT to provide for the more effectual protection of  
fruit growers against trespassers.

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

SECTION 1. Any person who shall at any time enter  
2 upon any orchard, fruit garden, vineyard, or any field  
3 or enclosure wherein is cultivated any domestic fruit  
4 whatever, and which is kept for such purpose, without  
5 the consent of the owner or occupant thereof being  
6 previously had and obtained, and with intent to take,  
7 or destroy, or injure anything there growing, shall be  
8 deemed guilty of a misdemeanor, and on conviction  
9 thereof shall be punished as is provided in section two.

SECT. 2. Any person who shall wilfully cut down,  
2 destroy, or in any way injure any trees, shrub, or

3 vines, within any enclosure or field wherein is cul-  
4 tivated any domestic fruit whatever, and which is kept  
5 for such purpose, or shall injure any building, trellis,  
6 frame work, or any appurtenance belonging to or upon  
7 any such field or enclosure, shall be deemed guilty of  
8 a misdemeanor, and on conviction thereof shall be pun-  
9 ished by a fine of twenty dollars and costs and impris-  
10 onment not less than thirty days, and in default of  
11 payment of said fine and costs to be imprisoned as  
12 provided in section fourth.

SECT. 3. It shall be lawful for the owner of any  
2 orchard, fruit garden, vineyard, or any field or en-  
3 closure wherein is cultivated any fruit whatever, or  
4 for any person employed in the cultivation of or right-  
5 fully in the possession of any such field or enclosnre,  
6 to arrest and detain in custody and convey before any  
7 magistrate of the county wherein such arrest is made,  
8 any person who may be found violationg any or either  
9 of the provisions of this act.

SECT. 4. All fines imposed under the provisions of  
2 this act, when collected shall be paid to the overseers  
3 of the poor, for the use of the poor of the city, town  
4 or plantation in which conviction is had, and on non-  
5 payment of any such fine, the defendant shall be com-  
6 mitted to the common jail of the county for a period  
7 of not less than thirty days, and at the rate of two

TRESPASSERS.

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8 days for each dollar of the amount of the said fine and  
9 costs in addition thereto.

SECT. 5. This act will take effect from and after its  
2 approval by the governor.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 27, 1869. }

Reported by Mr. REED of Portland, from the Committee on the  
Judiciary.

S. J. CHADBOURNE, *Clerk.*