

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1869.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1869.

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CHAP. 49.**Chapter 49.**

An act to provide for the more effectual protection of fruit growers against trespassers.

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

Persons without permission entering fruit enclosures and taking or destroying fruit guilty of misdemeanor.

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

Penalty therefor.

SECT. 2. Any person who shall wilfully cut down, destroy, or in any way injure any tree, shrub, or vine, within any enclosure or field wherein is cultivated any domestic fruit whatever, and which is kept for such purpose, or shall injure any building, trellis, frame-work, or any appurtenance belonging to or upon any such field or enclosure, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of twenty dollars and costs, and imprisonment not less than thirty days, and in default of payment of said fine and costs, to be imprisoned as provided in section fourth.

Owners authorized to arrest trespassers and take them before a magistrate.

SECT. 3. It shall be lawful for the owner of any orchard, fruit garden, vineyard, or any field or enclosure wherein is cultivated any fruit whatever, or for any person employed in the cultivation of or rightfully in the possession of any such field or enclosure, to arrest and convey before any magistrate of the county wherein such arrest is made, any person who may be found violating any or either of the provisions of this act.

Fines to be paid to overseers of poor for use of the poor.

SECT. 4. All fines imposed under the provisions of this act, when collected shall be paid to the overseers of the poor, for the use of the poor of the city, town or plantation in which conviction is had, and on non-payment of any such fine, the defendant shall be committed to the common jail of the county for a period of not less than thirty days, and at the rate of two days for each dollar of the amount of the said fine and costs in addition thereto.

SECT. 5. This act shall take effect when approved.

Approved March 8, 1869.