

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

An act to protect the rights of owners of islands.

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

Trespass on islands in salt waters within this state after notice.

SECT. 1. Any person who shall knowingly trespass upon any island in this State, situated within salt waters, for the purpose of shooting or hunting thereon, after notice by the owner, occupant, or lessee thereof, in any of the ways provided in the following section, shall be liable to such owner, occupant or lessee, in exemplary damages to an amount not less than twenty dollars, nor more than fifty dollars, in addition to all actual damage sustained by said owner, occupant or lessee, and shall also be liable to said owner, occupant or lessee in the sum of five dollars, for each bird of any kind shot, caught, taken or killed on such island, all said sums to be recovered in an action of debt. The possession of guns, decoys, or other implements of shooting or hunting, shall be presumptive evidence that the purpose of the trespass was for shooting or hunting.

Liabilities and damages.

—how recovered.

Notices, how given.

SECT. 2. The notices referred to in the preceding section shall be given by erecting and maintaining sign-boards, at least one foot square, in at least two conspicuous places on the premises, one of them to be near one of the usual landing places on said island, such notice to read as follows : ' All persons are forbidden from shooting or hunting on this island ;' and shall have appended thereto the name of the owner, occupant or lessee ; or said notice may be given verbally, or in writing by the owner, occupant or lessee of any such island, to any person, and such verbal or written notice, shall be binding on the person so notified, whether the sign-boards herein named, are erected and maintained or not ; and any person who shall tear down, or in any way deface or injure any such sign-board, shall be liable to a penalty of one hundred dollars, to be recovered by the owner, occupant or lessee of such island, in an action of debt.

Penalty for injuring sign boards.

Damages or penalties, how recovered.

SECT. 3. Actions to recover any of the sums or penalties named in this act, may be brought before any supreme, superior, police or municipal court, or any trial justice in the county in which such island is situated, or in any county adjacent thereto, or in the county in which either the plaintiff or defendant resides.

—non-payment of.

SECT. 4. On the non-payment of the penalties prescribed by this act, the defendant shall be committed to the common jail of the county where conviction is had, for a period of not less than five days, and at the rate of one day for each dollar of the amount of the judgment, where the sum is over five dollars in amount.

Approved March 4, 1874.