

to be set on fire, any woods, brush, grass, grain or stubble, on lands not their own, shall be guilty of a misdemeanor, and upon conviction be punishable by a fine of not less than \$25 or more than \$1,000, or imprisonment for not less than thirty days or more than one year, or both such fine and imprisonment.

1906, ch. 294.

11. It shall be unlawful for any person or corporation, as land owner, to set, or procure another to set fire to any woods, brush, logs, leaves, grass or clearing upon their own land, unless they shall have previously taken all possible care and precaution against the spread of such fire to other lands not their own, by previously having cut and piled the same, or carefully cleared around the land which is to be burned, so as to prevent the spread of such fire. The setting of fire contrary to the provisions of this section, or allowing it to escape to the injury of adjoining lands, shall be *prima facie* proof of wilfulness or neglect, and the land owner from whose land the fire originated shall be liable in a civil action for damages for the injury resulting from such fire, and also for the cost of fighting and extinguishing the same.

1906, ch. 294.

12. Logging and railroad locomotives, donkey or threshing engines, and other engines and boilers, operated in, through or near forest or brush, which do not burn oil as fuel, shall be provided with appliances to prevent the escape of fire and sparks from the smoke-stacks thereof, and with devices to prevent the escape of fire from ash-pans and fire boxes. Failure to comply with these requirements shall be a misdemeanor, punishable, upon conviction, by a fine of not less than \$10 nor more than \$100 for such* and every offense thus committed.

1906, ch. 294.

13. All individuals or corporations causing fires by violations of sections 10, 11 and 12 of this article shall be liable to the State, and to the county in which the fire occurred, in an action for debt to the full amount of all expenses incurred by the State or county in fighting and extinguishing such fire.

1906, ch. 294.

14. Justices of the peace for this State in the county wherein the offence shall have been committed shall have jurisdiction to hear and determine all prosecutions for the purpose of enforcing fines and penalties, collectible under the provisions of this article, not exceeding the amount of \$100.00 and of holding the offender, under proper bail if necessary, for hearing before the circuit court, committing them to the county jail until such hearing if the required bail is not furnished. It shall be the duty of the state's attorneys of the several counties to prosecute all violators of section 10 of this article.

*Evidently a typographical error in the act.