

## ARTICLE 39A.

### FORESTRY.

10-11. Setting woods, etc., on fire; letting fire escape to adjoining lands; penalty; precautions taken in setting woods, etc., on fire; evidence; damages.	<p style="text-align: center;"><b>Roadside Trees.</b></p> 26. Repealed.
	<p style="text-align: center;"><b>Miscellaneous.</b></p> 29-30. Repealed. 33A. Auxiliary forest preserves.

An. Code, 1924, sec. 10. 1912, sec. 10. 1906, ch. 294. 1927, ch. 649, sec. 10.

**10.** Every individual or corporation that wilfully, maliciously, or with intent, sets on fire, or causes or procures 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 \$2,000, or imprisonment for not less than thirty days or more than five years, or both such fine and imprisonment.

An. Code, 1924, sec. 11. 1912, sec. 11. 1906, ch. 294. 1927, ch. 649, sec. 11.

**11.** Every individual or corporation that carelessly or negligently sets on fire, or causes or procures to be set on fire any woods, brush, grass, grain or stubble resulting in damage to the property of another, shall be guilty of a misdemeanor, and upon conviction be punishable by a fine of not less than \$10 or more than \$100, or imprisonment for not less than ten days or more than one year, or both such fine and imprisonment. 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 carelessness or neglect within the meaning of this section, and the land owner from whose land the fire originated shall also 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, unless the said owner can prove to the satisfaction of the Justice or other tribunal before which the case may be tried that the injury complained of was suffered without any negligence on the part of said owner, his, her or its agents, provided, however, that the provisions of Sections 10-11 shall in no manner contravene the provisions of Article 23, Section 244 of the Code of Public General Laws of Maryland, relating to railroad companies.

#### Roadside Trees.

**26.** Repealed by ch. 505 of the Acts of 1929.