

**42-122. Unlawful acts affecting irrigating canals; penalty.** Any person who shall willfully or maliciously cut, dig, break down or open any gate, bank, embankment or side of any ditch, canal, flume, feeder or reservoir, the property of another, used for the purpose of irrigation, manufacturing, mining, or domestic purposes, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than three hundred dollars, and may be imprisoned in the county jail not exceeding ninety days: Provided, That this section shall only apply to tracts of land where said ditch company has secured the right of way through the tract of land as cut or opened.

**History:** L. 1885, ch. 134, § 1; May 1; R.S. 1923, 42-122.