

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAP. 117.

TITLE ELEVEN.

Crimes and offences, proceedings in criminal cases, punishments and incidental provisions.

-
- CHAP. 117. Offences against the sovereignty of the state.
118. Offences against the lives and persons of individuals.
119. Offences against habitations and other buildings.
120. Larceny, and receiving stolen goods.
121. Forgery and counterfeiting, and fraudulent stocks.
122. Offences against public justice.
123. Offences against the public peace.
124. Offences against chastity, morality, and decency.
125. Gambling.
126. Cheating by false pretences, frauds, and conspiracies.
127. Malicious mischiefs, and trespasses on property.
128. Offences against the public health, safety, and policy.
129. Libels.
130. Proceedings for the prevention of crimes.
131. Jurisdiction of offences, and general provisions relating thereto.
132. Election of municipal and police judges, and proceedings of magistrates in criminal cases.
133. Commencement of proceedings in criminal cases.
134. Proceedings in court in criminal cases.
135. Sentence and its execution in criminal cases, and the liberation of poor convicts.
136. Collection and disposal of fines and costs in criminal cases.
137. Disposal of insane criminals.
138. Pardons and fugitives from justice.
139. Coroners' inquests.
-

CHAPTER 117.

OFFENCES AGAINST THE SOVEREIGNTY OF THE STATE.

- SEC. 1. Treason, its definition, proof, and punishment.
2. Misprision of treason, its definition, proof, and punishment.
3. Limitation of prosecutions therefor to three years.
4. Usurpation of jurisdiction by a foreign power.

Treason, its
definition,
proof, and
punishment.

SEC. 1. Treason consists in levying war against the state, adhering to its enemies, and giving them aid and comfort. No person can be convicted of it without the testimony of two wit-

nesses to the same overt act, or confession in open court. Its punishment is death. CHAP. 117.

SEC. 2. Misprision of treason consists in a knowledge that treason has been, or is to be committed, and in the concealment of it, or omission to give information thereof to the governor, a judge of a court of record, or a justice of the peace. No person can be convicted of it without the testimony of two witnesses, but one of them may be to one, and another to a different overt act of the same species of treason; or by confession in open court. It shall be punished by imprisonment not exceeding five years, or by fine not exceeding one thousand dollars.

SEC. 3. No person can be convicted of treason or misprision of treason unless the indictment therefor is found within three years after the commission thereof.

SEC. 4. If a person, claiming authority from any foreign government or magistrate, enters upon any lands, cuts any timber, serves any process, or exercises any jurisdiction, authority, or ownership, claims any right, or threatens to do any of said acts within the limits of this state, as described by the treaties of seventeen hundred and eighty-three and eighteen hundred and forty-two, between the United States and Great Britain, he and every person aiding and encouraging the same shall be punished by imprisonment and fine, at the discretion of the court, according to the aggravation of the offence.

R. S., c. 153,
§ 1, 2.

Misprision of
treason, its
definition, &c.

R. S., c. 153,
§ 3, 4.

Limitation of
prosecutions
to three years.
R. S., c. 153,
§ 5.

Usurpation of
jurisdiction by
a foreign
power.

R. S., c. 153,
§ 6.

CHAPTER 118.

OFFENCES AGAINST THE LIVES AND PERSONS OF INDIVIDUALS.

- SEC. 1. Murder defined.
2. Murder of the first degree defined and punished.
3. Murder of the second degree defined and punished.
4. Degree of murder how ascertained.
5. Manslaughter defined and punished.
6. Willful disturbance or obstruction of a railroad, by which human life is destroyed, murder of second degree, if not, how punished.
7. Misconduct or gross neglect respecting steam in steamboats occasioning loss of life or danger of it.
8. Murder of the first degree by duelling defined.
9. Murder of the first degree by a second to such duel.
10. Conviction or acquittal in another state a bar to an indictment under eighth, ninth, and thirteenth sections.
11. Fighting, challenging, or aiding a duel.
12. Accepting a challenge or aiding it.
13. Leaving the state to elude provisions of the two preceding sections, and doing such acts out of the state.
14. Posting for not fighting a duel, or sending or accepting a challenge.
15. Maim defined and punished.
16. Robbery defined and punished.
17. Rape defined and punished.
18. Abduction defined and punished.
19. Forcible confinement, kidnapping, selling as a slave.