

MAINE STATE LEGISLATURE

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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.

guilty and convicted of a like offence, or if convicted of three such distinct offences at the same term of the court, the imprisonment shall not be less than one, nor more than ten years. CHAP. 120.

SEC. 10. The officer, who arrests a person charged with an offence under this chapter, shall secure the property alleged to have been stolen, be answerable for it, and annex a schedule of it to his return; and, upon conviction of the offender, the property stolen shall be restored to the owner. Officers to secure stolen property, &c. R. S., c. 156, § 1¹.

SEC. 11. The court, other than a municipal or police court or justice of the peace, upon conviction before it of burglary, robbery, or larceny, and when there is no conviction by reason of the death of the offender, or of his escape without their fault, may allow to the prosecutor, and to the officer who has secured or kept the property, a fair compensation for their actual expenses, time, and trouble in arresting the offender, and securing the property stolen. Court may make compensation to the prosecutor and officer. R. S., c. 156, § 16. 1845, c. 142, § 1. 1846, c. 185.

SEC. 12. An action, for the recovery of property stolen, may be maintained by the owner against the person liable therefor, although the thief is not convicted. Action for stolen property. 1844, c. 102.

CHAPTER 121.

FORGERY AND COUNTERFEITING, AND FRAUDULENT STOCKS.

FORGERY AND COUNTERFEITING.

- SEC. 1. Forgery of and publishing as true forged records and written instruments.
2. Forgery or counterfeiting of public securities, bank bills and coin, and having ten or more such in possession at one time with intent to pass them.
3. Bringing into the state or having in possession any such coins or bank bills with intent to pass them.
4. A person convicted being again convicted or convicted of three distinct offences at the same term of the court.
5. Counterfeiting coin of foreign countries for export.
6. Manufacture or possession of implements for counterfeiting.
7. Total erasures and fraudulent connections.
8. Testimony to prove public securities and bank bills to be counterfeits.

FALSE CERTIFICATES AND FALSE ISSUES AND TRANSFERS OF STOCKS.

9. Forgery by false certificates and fictitious signatures.
10. Making or issuing false certificates of stock or pledging genuine without authority.

REWARDS TO INFORMERS AND PROSECUTORS.

11. Rewards for conviction of forgers and counterfeiters.

FORGERY AND COUNTERFEITING.

SEC. 1. Whoever, with intent to defraud, falsely makes, alters, forges, or counterfeits, any public record or proceeding filed or entered in any court; or process issued, or purporting to be, by a competent court, magistrate, or officer; or attestation or certificate of any person required by law, or receivable as legal Forgery of, and publishing as true forged records and written instruments.

CHAP. 121.

2 Greenl. 365.
20 Maine, 81.
22 Maine, 268.
R. S., c. 157,
§ 1, 2.

proof in relation to any matter; or any charter, deed, will, testament, bond, writing obligatory, power of attorney, letter of credit, policy of insurance, bill of lading, bill of exchange, promissory note, order, or acceptance, indorsement or assignment thereof, or of any debt or contract; or acquittance, discharge, or accountable receipt for any thing of value; or any other written instrument of another or purporting to be such, by which any pecuniary demand or obligation or any right in any property is or purports to be created, increased, conveyed, transferred, diminished, or discharged; and whoever utters and publishes as true any instrument before mentioned, knowing it to be false, forged, or counterfeit, with like intent, shall be punished by imprisonment not less than two, nor more than ten years.

Forgery or
counterfeiting
of public secu-
rities, bank
bills, or coin,
&c.

R. S., c. 157,
§ 3, 4, 5, 16.

SEC. 2. Whoever, with intent to defraud, falsely makes, alters, forges, or counterfeits, any public security issued in any form or purporting to be by authority of the United States, or any state or territory thereof; or any indorsement or writing purporting to be a transfer thereof; or any bank bill or promissory note issued or purporting to be by any bank or banking company in any of the United States, or in any foreign state, province, or government; or any gold or silver coin current in this state; and whoever has in his possession, at one time, ten or more such forged or counterfeit public securities, notes, or pieces of coin, with intent to pass them, knowing them to be forged or counterfeit, shall be punished by imprisonment for life, or any term of years.

Bringing into
the state or
having in pos-
session any
such coins, or
bank bills,
with intent to
pass them.

R. S., c. 157,
§ 6, 7, 17.

SEC. 3. Whoever brings into this state, or has in his possession with intent to pass the same; or with intent to defraud, utters or tenders in payment as true any such coins, bank bills, notes, or public securities, as are described in the preceding section, knowing them to be forged or counterfeit, shall be punished by imprisonment not more than three years, or by fine not exceeding one thousand dollars.

A person con-
victed second
time, or of
three offences
at same term.

R. S., c. 157,
§ 8, 18.

SEC. 4. If any person, after being convicted of an offence described in the preceding section, is again guilty and convicted thereof, or is convicted of three such distinct offences at the same term of the court, he shall be punished by imprisonment not less than three, nor more than ten years.

Counterfeiting
foreign coin
for export.

R. S., c. 157,
§ 20.

SEC. 5. Whoever forges or counterfeits any gold or silver coin of a foreign government or country, with intent to export it to defraud any foreign government or its subjects, shall be punished by imprisonment not less than one, nor more than ten years.

Manufacture
or possession
of implements
and materials
for counter-
feiting.

R. S., c. 157,
§ 9, 19.

SEC. 6. Whoever makes or begins to make, mend, cast, stamp, engrave, mould, or provide any plate, block, press, tool, instrument, paper, or other material, designed and adapted for making any false, forged, or counterfeit coin, public securities, bank bills or notes, mentioned in this chapter; or has the same in his possession partly or wholly made, with intent to use or permit them to be used for that purpose, shall be punished by imprisonment not more than three years or by fine not exceeding five hundred dollars.

SEC. 7. Whoever, with intent to defraud, totally erases or obliterates any record or other written instrument described in this chapter; fraudulently connects together different parts of several, bank bills, notes, or other written instruments so as to produce one, or alters the same in a material matter, shall be deemed guilty of forgery and punished as if such instrument had been forged and counterfeited.

CHAP. 121.
Total erasures, and fraudulent connections.
R. S., c. 157, § 13, 14.

SEC. 8. In prosecutions for any offence described in this chapter relating to the bills or notes of any bank, if the president or cashier thereof resides out of the state, or more than forty miles from the place of trial, any other witness, acquainted with their signatures and with the difference between the true and counterfeit bills of such bank, may be admitted to prove them forged and counterfeit; and if such prosecution relates to public securities, a certificate of the tenor of the genuine public security, alleged to be forged or altered, made under oath by the secretary of the treasury, or treasurer of the United States, or by the secretary or treasurer of any state by which such security purports to be issued, shall be evidence to prove them forged or altered.

Testimony to prove public securities and bank bills to be counterfeits.
R. S., c. 157, § 10, 11.

FALSE CERTIFICATES, AND FALSE ISSUES AND TRANSFERS OF STOCKS.

SEC. 9. If any person, legally authorized to take the proof or acknowledgment of any instrument, that by law may be recorded, willfully and falsely certifies that such proof or acknowledgment was duly made; or if any person fraudulently affixes a fictitious or pretended signature, purporting to be that of any officer or agent of a corporation, to any written instrument purporting to be a draft, note, or other evidence of debt issued by such corporation, with intent to pass the same as true, though such person never was an officer or agent of such corporation, or never existed, he shall be deemed guilty of forgery and punished as provided in section one.

Forgery by false certificates, and fictitious signatures.
R. S., c. 157, § 12, 15.

SEC. 10. If any officer or agent of a corporation willfully signs with intent to issue, or issues any certificate purporting to be a certificate or other evidence of the ownership or of the transfer of any stock in such corporation, not authorized by its charter, by-laws, and votes, or without such authority issues, sells, or pledges any such certificate or other evidence of ownership or transfer of stock after it is lawfully signed, he shall be punished by imprisonment in the state prison not more than ten years, and by fine not exceeding one thousand dollars.

Making or issuing false certificates of stock, or pledging genuine without authority.
1855, c. 143.

REWARDS TO INFORMERS AND PROSECUTORS.

SEC. 11. The following rewards shall be paid to the person informing and prosecuting in the cases described below: Sixty dollars for each person convicted and sentenced for either of the aforesaid offences of forging or counterfeiting any coin, public security, bank bill, or note; and forty dollars for each person convicted and sentenced for either of the aforesaid offences of possessing with intent to utter, or of knowingly uttering any

Rewards for conviction of forgers and counterfeits.
R. S., c. 157, § 21.

CHAP. 121. such coin, public security, bank bill, or note; and these rewards shall be paid out of the treasury of the state by warrant of the governor and council, granted on certificate of the judge who tried the case; and where there are two or more informers and prosecutors for the same offence, the reward shall be divided between them equally, or in such proportions as said judge determines.

CHAPTER 122.

OFFENCES AGAINST PUBLIC JUSTICE.

PERJURY.

- SEC. 1. Definition and punishment of perjury, and subornation of perjury.
2. The like attempt when perjury is not committed.
3. Proceedings by any court, on presumption of perjury before such court; witnesses recognized, and papers detained.

BRIBERY AND CORRUPTION IN OFFICERS OF THE LAW AND OTHERS.

4. Bribery and acceptance of bribes by public officers.
5. Corrupt solicitation of influence to procure places of trust, and acceptance of rewards for using the same.
6. Bribery of jurors, referees, masters in chancery, appraisers, or auditors, and acceptance thereof by them.
7. The party informing exempted from punishment.
8. Attempts to corrupt jurors or referees, and misconduct of jurors.
9. Sheriffs and other officers receiving bribes for neglect of official duty.
10. Corrupt agreements by attorneys and others, in order to obtain demands for collection by suits at law.

ESCAPES BY THE MISCONDUCT OF OFFICERS AND OTHERS.

11. Officers refusing or omitting to execute processes, whereby criminals escape.
12. Voluntarily suffering criminals to escape in capital cases; also in other cases.
13. Negligent escapes, and refusing to receive prisoners.
14. Forcibly rescuing, furnishing means or otherwise aiding an escape.

COMPOUNDING FELONIES.

15. Compounding felonies punishable with death or state prison for life; and also other felonies.

REFUSING TO AID OFFICERS AND OBEY MAGISTRATES.

16. Refusing to aid officers, when required.
17. Refusing to obey justices of the peace, when required in view of a breach of the peace.

FALSELY ASSUMING TO BE A JUSTICE OR OFFICER.

18. Falsely assuming to be a justice of the peace or other officer.

DISGUIISING TO OBSTRUCT THE EXECUTION OF THE LAWS.

19. Punishment for disguising to obstruct the execution of the laws.

EXTORTION.

20. Penalty for officers extorting illegal fees, and for witnesses making false certificates of travel and attendance.