

# 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.

## CHAPTER 125.

## GAMBLING.

- SEC. 1. Punishment for keeping a gambling house or suffering persons to gamble in the same.
2. Penalty for gambling.
3. Penalty for winning more than three dollars at one time.

## RECOVERY OF MONEY LOST BY GAMBLING.

4. Loser may recover of the winner money lost by gambling within three months, or any other person may recover three times the amount so lost in an action on the case.
5. Loser when plaintiff may be a witness, and the winner also.

## SECURITIES GIVEN FOR GAMBLING DEBTS, VOID.

6. All securities given for gambling debts, void, except in the hands of bona fide purchasers or holders without notice.

## SEARCH FOR IMPLEMENTS OF GAMBLING.

7. Justices of the peace may issue warrants to search for implements of gambling and to arrest the keeper of the place where they are found.

## GAMBLING.

SEC. 1. If any person or corporation keeps a house, shop, or other place resorted to for the purpose of gambling; or permits any person to gamble in any way in any house, shop, or place under his care and control, such offender shall be punished by fine not less than twenty, nor more than one hundred dollars, to the use of the prosecutor.

Punishment for keeping a gambling house, &c.  
R. S., c. 35, § 7.  
R. S., c. 160, § 37.

SEC. 2. Whoever gambles, or bets on any person gambling, shall be punished by fine not less than one, nor more than twenty dollars, to be recovered by complaint or indictment to the use of the prosecutor.

Penalty for gambling.  
R. S., c. 35, § 6, S.  
R. S., c. 160, § 38.

SEC. 3. Whoever is convicted, by indictment found within six months, of winning, at one time or sitting, by gambling, or betting on persons gambling, any money or goods of the value of three dollars or more, and of receiving or taking security therefor, shall forfeit, to the use of the town where the offence is committed, double the value of the property so won and received.

Penalty for winning more than three dollars at one time.  
R. S., c. 35, § 4.

## RECOVERY OF MONEY LOST BY GAMBLING.

SEC. 4. Whoever, by gambling, or betting on persons gambling, loses to any person so gambling or betting any money or goods, and pays or delivers any part thereof, may sue for and recover the same of the winner in an action on the case, brought within three months thereafter; and if the loser does not, without covin or collusion within said time, prosecute therefor with effect, any other person may sue for and recover of the winner treble the value of the same in such action, half to his own use, and half to the use of the town.

Loser may recover of the winner money lost, &c.  
18 Maine, 337.  
R. S., c. 35, § 1, 2.

SEC. 5. In any such action brought by the loser against the winner, the plaintiff may offer to make oath, that such money or

Loser may be a witness, and

**CHAP. 125.** goods were lost by gambling with the defendant, and the court shall thereupon render judgment for the plaintiff for the amount thereof, unless the defendant will make oath, that he did not obtain any part thereof by gambling, and if he so discharges himself, he shall recover his costs; or the plaintiff may prove his case in any other legal mode.

the winner  
also.

R. S., c. 35, § 3.

#### SECURITIES GIVEN FOR GAMBLING DEBTS, VOID.

Securities  
given for gam-  
bling debts,  
void, &c.

R. S., c. 35, § 5.

**SEC. 6.** All notes, bills, bonds, mortgages, securities, or conveyances, given in whole or in part for money or goods won by gambling or betting on persons gambling, or to repay any money lent or advanced for gambling or betting, or at the time and place thereof, shall be utterly void against all persons, except bona fide subsequent purchasers of real estate, and holders of negotiable paper for a valuable consideration without notice.

#### SEARCH FOR IMPLEMENTS OF GAMBLING.

Justices may  
issue warrants  
to search for  
implements of  
gambling, &c.  
R. S., c. 160,  
§ 39.

**SEC. 7.** When any person makes oath before a justice of the peace, that he has reason to suspect and does suspect, that any house or building, naming in the complaint the house or building and the occupant, is unlawfully used as a common gambling house, and that idle or dissolute persons resort there for that purpose, such justice shall issue his search warrant to search for all implements used for gambling; and if any such are found there, for the arrest of the occupant or keeper of such house or other building, and said implements and keeper shall be carried before him to be dealt with according to law.

---

## CHAPTER 126.

### CHEATING BY FALSE PRETENCES; FRAUDS, AND CONSPIRACIES.

#### FALSE PRETENCES AND FRAUDS.

- SEC. 1.** Cheating by false pretences.
2. Parties to fraudulent conveyances, or to the use thereof.
  3. Gross frauds at common law.
  4. Circulating advertisements and shop bills in the similitude of bank bills.
  5. Counterfeiting of stamps, labels and trade marks, and sale of goods with such thereon, prohibited. Penalty.

#### SUPPRESSION OF WILLS.

6. Suppression of last wills and testaments.

#### MARITIME FRAUDS.

7. Fraudulent destruction of vessels, and fitting them out for that purpose.
8. Making false bills of lading and other exhibits of property shipped.
9. False affidavits and protests.

#### BURNING PROPERTY FOR THE INSURANCE.

10. Persons burning their own property to defraud insurers.