

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.

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, § 2.

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.

CONSPIRACIES.

CHAP. 126.

SEC. 11. Conspiracies to prosecute an innocent person.

12. Conspiracies in other cases.

FALSE PRETENCES AND FRAUDS.

SEC. 1. Whoever, designedly and by any false pretence or privy or false token, and with intent to defraud, obtains from another any money, goods, or other property, or his signature to any written instrument, the false making of which is forgery, shall be punished by imprisonment not more than seven years, or by fine not exceeding five hundred dollars.

Cheating by false pretences.

23 Maine, 77.
R. S., c. 161,
§ 1.

SEC. 2. Whoever is knowingly a party to any conveyance or assignment of real estate or interest in lands, goods, or things in action, or rents and profits arising therefrom, or to any charge thereon, made with intent to defraud prior or subsequent purchasers, or to hinder, delay, or defraud creditors or others; or knowingly puts such fraudulent conveyance, assignment, or charge into use, as genuine and made in good faith, shall be punished by fine not exceeding one thousand dollars, and imprisonment less than one year.

Parties to fraudulent conveyances, &c.

R. S., c. 161,
§ 2.

SEC. 3. Whoever is guilty of a gross fraud or cheat at common law shall be punished by imprisonment not more than seven years, or by fine not exceeding one thousand dollars.

Gross frauds at common law.

R. S., c. 161,
§ 4.

SEC. 4. Whoever puts in circulation or distributes any notice, advertisement, or shop bill, in the form and similitude of bank bills, shall forfeit fifty dollars for each offence, to be recovered by action of debt in the name and to the use of the person suing therefor.

Circulating advertisements in the similitude of bank bills.

1849, c. 144.

SEC. 5. Whoever knowingly and willfully counterfeits, or causes to be counterfeited, any private stamps, labels, or trade marks, used by a mechanic or manufacturer about the sale of his goods, with intent to defraud the purchaser or manufacturer; or sells such goods with such counterfeit stamps, labels, or trade marks thereon, knowing them to be counterfeit, without disclosing the fact to the purchaser, shall be punished by imprisonment less than one year, or by fine not exceeding two hundred dollars.

Counterfeiting trade marks, and sale of goods with such thereon, prohibited; penalty.

1856, c. 231,
§ 1, 2.

SUPPRESSION OF WILLS.

SEC. 6. Whoever willfully suppresses, secretes, defaces or destroys any last will and testament of a deceased person, in his possession or under his control, with intent to injure or defraud any person interested therein, shall be punished as in section three.

Suppression of last wills and testaments.

R. S., c. 161,
§ 3.

MARITIME FRAUDS.

SEC. 7. Whoever willfully casts away, burns, sinks, or otherwise destroys any vessel in any county in this state, with intent to injure or defraud any owner thereof, the owner of any property on board, or any insurer of either, shall be punished by imprisonment for life, or any term of years not less than five; and if he lades, equips, or fits out any vessel, or aids in so doing,

Fraudulent destruction of vessels, and fitting them out for that purpose.

R. S., c. 161,
§ 5, 6.

CHAP. 126. intending that the same shall be destroyed in the manner and with the intent aforesaid, he shall be punished by imprisonment not more than twenty years, or by fine not exceeding five thousand dollars.

Making false bills of lading, &c., of property shipped.
R. S., c. 161, § 7.

SEC. 8. If an owner of a vessel, or of any property laden or pretended to be laden on board thereof, or other person concerned in its lading or fitting out, makes out or exhibits, or causes to be made out or exhibited, any false or fraudulent invoice, bill of lading, bill of parcels, or other false estimates of any such property, with intent to injure or defraud any insurer of such vessel or property, he shall be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars.

False affidavits and protests.
R. S., c. 161, § 8.

SEC. 9. If any master, other officer, or mariner of any vessel makes, causes to be made, or swears to any false affidavit or protest; or if any owner or other person concerned in such vessel, or in the property on board thereof, procures any such false affidavit or protest to be made, or exhibits the same with intent to injure, deceive, or defraud any insurer of such vessel or property, he shall be punished by imprisonment not more than ten years, or by a fine not exceeding five thousand dollars.

BURNING PROPERTY FOR THE INSURANCE.

Persons burning their own property to defraud insurers.
R. S., c. 161, § 9.

SEC. 10. If any owner or person in any way concerned, interested, or in possession of any building, goods, or other property, insured against loss or damage by fire, willfully burns the same or causes it to be burnt, with intent to defraud the insurer, he shall be punished by imprisonment not less than one nor more than twenty years.

CONSPIRACIES.

Conspiracies to prosecute an innocent person.
R. S., c. 161, § 10.

SEC. 11. If any two or more persons conspire and agree together, with intent falsely, fraudulently, and maliciously to cause another person to be indicted or in any way prosecuted for an offence of which he is innocent, whether he is prosecuted or not, they shall be deemed guilty of a conspiracy, and each punished by imprisonment not more than five years, or by a fine not exceeding one thousand dollars.

Conspiracies in other cases.
15 Maine, 100.
31 Maine, 386, 396.
R. S., c. 161, § 11.

SEC. 12. If any two or more persons conspire and agree together, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business, or property of another; or to do any illegal act injurious to the public trade, health, morals, police, or administration of public justice; or to commit any crime punishable by imprisonment in the state prison, they shall be deemed guilty of a conspiracy, and every such offender, and every person convicted of conspiracy at common law, shall be punished by imprisonment not more than three years, or by fine not exceeding one thousand dollars.