

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

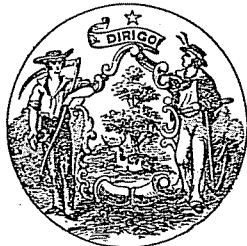
PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY BAILEY & NOYES.

CHAP. 120.

CHAPTER 120.

LARCENY, AND RECEIVING STOLEN GOODS.

- SEC. 1. Larceny defined and punished.
2. Larceny in a dwellinghouse and with breaking and entering other buildings and vessels in the night or day time. Punishment.
 3. Larceny in a building on fire or of property removed at fires. Punishment.
 4. Larceny from the person of another. Punishment.
 5. Common thief described and punished.
 6. Larceny by falsely personating another, described and punished.
 7. Larceny by embezzlement or fraudulent conversion. Punishment.
 8. Larceny in like manner of property entrusted to be carried.
 9. Buying, receiving, or aiding to conceal stolen property knowingly.
 10. Officers to secure stolen property, which is restored to owner on conviction of thief.
 11. Court may make compensation to prosecutor and officer.
 12. Action for stolen property without conviction of thief.

Larceny defined and punished.
R. S. c. 120, § 1.
17 Me. 193.
19 Me. 225, 398.
21 Me. 14.
33 Me. 48.

SEC. 1. Whoever steals, takes, and carries away, of the property of another, any money, goods, or chattels, or any writ, process, public record, bond, bank bill or note, promissory note, bill of exchange, order, certificate, book of accounts, conveyance of real estate, valuable contract, receipt, release, defeasance, or instrument, in writing whereby any demand, right, or obligation, is created, increased, diminished, or extinguished, shall be deemed guilty of larceny; and be punished, when the value of the property exceeds one hundred dollars, by imprisonment not less than one, nor more than five years, and when it does not exceed that sum, by imprisonment not more than two years or by fine not exceeding one hundred dollars.

Larceny in a dwellinghouse, and with breaking and entering, &c.
R. S. c. 120, § 2.

SEC. 2. Whoever, without breaking, commits larceny in the night time in a dwellinghouse, or building adjoining and occupied therewith; or breaks and enters any office, bank, shop, store, warehouse, barn, stable, vessel, court house, jail, meeting house, college, academy, or other building for public use, or in which valuable things are kept, and commits larceny therein, shall be punished by imprisonment not less than one, nor more than fifteen years; and when the offence is committed in the day time, by imprisonment not more than six years, or by fine not exceeding one thousand dollars.

Larceny in a building on fire, &c.
R. S. c. 120, § 3.

SEC. 3. Whoever commits larceny in a building on fire, or of property removed on account of an alarm of fire, shall be punished by imprisonment not more than five years, or by fine not exceeding five hundred dollars.

SEC. 4. Whoever commits larceny from the person of another, shall be punished by imprisonment not more than six years, or by fine not exceeding five hundred dollars.

CHAP. 120.

Larceny from the person of another.
R. S. c. 120 § 4.

SEC. 5. If a person, after being convicted of larceny as principal or as accessory before the fact, is again guilty and convicted thereof, or is convicted of three distinct larcenies at the same term of the court, he shall be deemed a common thief, and be punished by imprisonment not less than four, nor more than fifteen years.

Common thief described and punished.
R. S. c. 120, § 5.

SEC. 6. Whoever falsely personates or represents another, and thereby receives any thing intended to be delivered to the party personated, with intent to convert the same to his own use, shall be deemed guilty of larceny and be punished accordingly.

Larceny by falsely personating another.
R. S. c. 120, § 6.

SEC. 7. If an officer, agent, clerk, or servant, of a person, co-partnership, or corporation, not an apprentice, nor less than sixteen years of age, embezzles or fraudulently converts to his own use, or takes and secretes with intent to do so, without consent of his employer or master, any property of another in his possession or under his care by virtue of his employment, or if a public officer, or an agent, clerk, or servant of a public officer, embezzles or fraudulently converts to his own use, or loans, or permits any person to have or use for his own benefit, without the authority of law, any money in his possession, or under his control by virtue of his office or employment by such officer, he shall be deemed guilty of larceny and be punished accordingly; and whoever knowingly receives from a public officer, or his clerk, servant or agent, with intent to convert the same to his own use, without authority of law, any money in the possession or under the control of such officer, by virtue of his office, shall be guilty of larceny, and punished accordingly. But the foregoing provisions in relation to public officers, their clerks, servants or agents, shall not apply to deposits by such officer, in any bank, nor to any advances made towards the salary of such officer, nor to any person in the employ of the state, or to whom the state is indebted, if the sums advanced do not exceed the sum due him.

Larceny by embezzlement or fraudulent conversion of property.
R. S. c. 119, § 7.
1860, c. 161, § 1.

The receiver liable unless, &c.
1860, c. 161, §§ 2, 3.

SEC. 8. If a person entrusted with any property, the subject of larceny, to be carried, embezzles or fraudulently converts the same to his own use, he shall be deemed guilty of larceny and punished accordingly.

Larceny by one entrusted, &c.
R. S. c. 120, § 8.
33 Me. 127.

SEC. 9. Whoever buys, receives, or aids in concealing stolen property, knowing it to be stolen, shall be punished by imprisonment not more than five years, or by fine not exceeding five hundred dollars. And the conviction of the person, who stole the property, need not be averred or proved. If the stealing was simple larceny, and the person restores or makes satisfaction to the party injured to the full value of such property, he shall not be sentenced to the state prison. If af-

Buying, receiving, or aiding to conceal stolen property.
R. S. c. 120, § 9.
29 Me. 329.

CHAP. 120. ter conviction, he is again 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.

Officers to secure stolen property, &c.
R. S. c. 120,
§ 10.

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.

Court may make compensation to the prosecutor and officer.
R. S. c. 120,
§ 11.

SEC. 11. The court, other than a municipal or police court or trial justice, 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.

Action for stolen property.
R. S. c. 120,
§ 12.

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.