

MAINE STATE LEGISLATURE

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EIGHTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

PASSED SEPTEMBER 20, 1944, AND TAKING EFFECT
DECEMBER 30, 1944

VOLUME II



By the Authority of the Legislature

AUGUSTA
KENNEBEC JOURNAL PRINT

thereon, and the place where found, 3 weeks successively in some newspaper in the county, if any, otherwise in the state paper.

*110 Me. 16.

Sec. 8. Owner may remove timber on tender of damages; otherwise, damages for land owner. R. S. c. 52, § 8. The owner of said timber may enter on said land and remove it at any time before forfeiture, having previously tendered to the owner or occupant thereof a reasonable compensation for all damages occasioned by the lodging, remaining, or removal of said timber and the expense of advertising it; but if the timber is removed by the owner, or otherwise, without such tender, the owner of the land may recover, in an action of trespass, the damages aforesaid.

31 Me. 24; *57 Me. 276; 62 Me. 44; *76 Me. 386; *110 Me. 16; *114 Me. 251.

Sec. 9. Penalty for unlawful conversion of railroad sleepers, ship knees, or cedar lumber on ponds and streams; double damages. R. S. c. 52, § 9. Whoever wilfully and fraudulently takes, carries away, or otherwise converts to his own use any railroad sleeper, knee, or other ship timber, or cedar for shingles or other purposes, the property of another, whether known or not, without his consent, lying in any river, stream, pond, bay, or inlet, or on or near the shore thereof; or cuts out, alters, or destroys any mark thereon, forfeits \$10 for each offense, to be recovered and appropriated as provided in section 1; and is liable to the owner in double the amount thereof in an action of debt; and such owner has all the rights and is subject to all the liabilities provided for the owner of logs, masts, and spars in the 6 preceding sections.

See c. 118, § 28, re maliciously driving nails into logs intended for manufacture, penalty; c. 118, § 29, re letting loose rafts or logs; 57 Me. 9.

CHAPTER 130.

CRIMES AGAINST THE SOVEREIGNTY OF THE STATE.

- Sections 1-3 Treason, Misprision of Treason.
- Section 4 Usurpation of Jurisdiction by Foreign Power.
- Sections 5-7 State Seal.
- Section 8 Documents in Custody of State, Removal or Mutilation Forbidden.
- Section 9 Falsely Assuming to be State Official.

Treason, Misprision of Treason

Sec. 1. Treason. R. S. c. 127, § 1. Whoever is guilty of treason against the state shall be punished by imprisonment for life.

See Const. of Me., Art. I, § 12, re definition of treason.

Sec. 2. Misprision of treason, definition and penalty. R. S. c. 127, § 2. Misprision of treason consists in a knowledge that treason has been or is to be committed, and in the concealment of it, or in 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 2 witnesses, but one of

them may testify to one, and another to a different overt act of the same species of treason; or by confession in open court. Whoever is guilty of misprision of treason shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 5 years.

Sec. 3. Prosecution to be within 3 years. R. S. c. 127, § 3. No person can be convicted of treason or misprision of treason, unless the indictment therefor is found within 3 years after the commission thereof.

Usurpation of Jurisdiction by Foreign Power

Sec. 4. Usurpation of jurisdiction by a foreign power; overt acts within the state; penalty. R. S. c. 127, § 4. If a person, claiming authority from any foreign government or magistrate, enters upon any lands, cuts any timber, serves any process, exercises any jurisdiction, authority, or ownership, claims any right, or threatens to do any of said acts within the limits of the state, as described by the treaties of 1783 and 1842 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.

State Seal

Sec. 5. State seal, removal of, injury to, and neglect or refusal to deliver up; penalty. R. S. c. 127, § 6. Whoever knowingly and wilfully removes the seal of the state of Maine from the office or custody of the secretary of state at Augusta, or knowingly and wilfully secretes, defaces, injures, or destroys it, or wilfully aids or assists in so doing, or, having the same in his possession or under his control, wilfully neglects or refuses to deliver it to the secretary of state upon demand therefor, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year, nor more than 5 years.

Sec. 6. Use of great seal in any place but the office of the secretary of state; penalty. R. S. c. 127, § 7. Whoever knowingly and wilfully uses the seal of the state of Maine, or takes any impression therefrom, for any purpose, in any other place than the office of the secretary of state at Augusta, or knowingly and wilfully issues, or receives and acts under any commission, record, document, parchment, instrument, or paper bearing the impression of said seal, unless the same has been sealed in said office of said secretary of state at Augusta, shall be punished by a fine of not more than \$3,000, and by imprisonment for not more than 3 years.

Sec. 7. Use of state seal for commercial purposes; penalty. 1939, c. 265. No imitation, imprint, representation, facsimile, or copy of the seal of the state of Maine shall be used or displayed for commercial purposes by any person, firm, or corporation, except by written permission of the governor. Provided, however, that any person may sell flags containing the state seal or a facsimile of the state seal. Whoever violates any of the provisions of this section shall be punished by a fine of not more than \$300, or by imprisonment for not more than 30 days.

Documents in Custody of State, Removal or Mutilation Forbidden

Sec. 8. Books and papers, removal from state offices, secretion, mutilation, or refusal to return; penalty. R. S. c. 127, § 8. Whoever knowingly and wilfully removes from the state house at Augusta, or from the custody of the secretary

of state, or of the governor and council, or other officer or person in whose lawful custody the same are deposited and kept in said state house, any book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other document or instrument, belonging to, or kept in any of the offices in said state house, except the books and documents kept and deposited in the state library, or knowingly and wilfully secretes, alters, mutilates, defaces, or destroys any such book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other document or instrument, or knowingly and wilfully aids or assists in so doing, or, having any such book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other such document or instrument in his possession, or under his control, wilfully neglects or refuses to return the same to said state house, or to deliver the same to the person in lawful charge of the office or room in said state house where the same were kept or deposited, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year, nor more than 3 years.

See c. 122, § 16, re refusal of former public officer to deliver moneys and other public property to successor; penalty.

Falsely Assuming to Be State Official

Sec. 9. Falsely assuming to be or act as a state official; penalty. R. S. c. 127, § 10; c. 133, § 25. 1941, c. 85. Whoever knowingly and falsely assumes to be the head of any department or commission of the state, or the deputy, or inspector thereof, or the agent thereof, or any state official, and to act as such, or knowingly and falsely assumes to discharge any of the duties of such official, or knowingly and wilfully invites or receives any communication, document, record, or letter properly belonging to such state official or relating to the office or official business of said official, or in any way knowingly and wilfully obstructs or delays such official in the discharge of any of his official duties, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year, nor more than 5 years.

See c. 122, § 30, re falsely assuming to be an officer.

CHAPTER 131.

PREVENTION OF CRIME.

Sections 1-12 Proceedings for Prevention of Crime.
Section 13 Sale of Firearms.
Sections 14-15 Private Detectives.

Proceedings for Prevention of Crime

Sec. 1. Power of courts to keep the peace; security may be required. R. S. c. 142, § 1. 1933, c. 118, § 1. The justices of the superior court and judges of municipal courts, in term time or in vacation, and trial justices in their counties have power to cause all laws for the preservation of the public peace to be kept;