

MAINE STATE LEGISLATURE

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THE MICHIE COMPANY
CHARLOTTESVILLE VIRGINIA

Chapter 133.

Forgery, Counterfeiting, False Pretenses and Frauds.

Sections 1- 9. Forgery and Counterfeiting.
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Forgery and Counterfeiting.

Common law not repealed.—The statutes in relation to forgery and counterfeiting do not repeal the common law. *State v. Kerr*, 117 Me. 254, 103 A. 585.

The sections in relation to forgery and

counterfeiting do not repeal the common law, but merely prescribe a different punishment in the cases enumerated in them from that provided by the common law. *State v. Kimball*, 50 Me. 409.

Sec. 1. Forgery, definition.—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 issued by a competent court, magistrate or officer; or attestation or certificate of any person required by law or receivable as legal 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, or indorsement or assignment thereof, or of any debt or contract; or acquittance, discharge or accountable receipt for anything 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 for not more than 10 years. (R. S. c. 120, § 1.)

“Proceeding” construed in broadest sense.—The language of this section “any public record or proceeding filed” differentiates between “a public record” and “a proceeding,” and shows that the word “proceeding” should be used in its broadest sense. *State v. Kerr*, 117 Me. 254, 103 A. 585.

And includes order authorizing judg-

ment.—An order purporting to direct an attorney or anyone else to make an entry, which authorizes the court to order a judgment, is, when filed and acted upon, a proceeding in court, the false making of which is forgery under this section. *State v. Kerr*, 117 Me. 254, 103 A. 585.

Sec. 2. Forgery by fraudulent alterations of written instruments.—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, is guilty of forgery and shall be punished as if such instrument had been forged and counterfeited. (R. S. c. 120, § 2.)

Sec. 3. Forgery by false certificates and fictitious signatures.—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 an 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, although such person never was an officer or agent of such corporation

or never existed, he is guilty of forgery and shall be punished as provided in section 1. (R. S. c. 120, § 3.)

Sec. 4. Making or issuing false certificates of stock, or pledging genuine, without authority.—If an 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 or votes; or without such authority issues, sells or pledges such certificate or other evidence of ownership or transfer of stock after it is lawfully signed, he shall be punished by a fine of not more than \$1,000 and by imprisonment for not more than 10 years. (R. S. c. 120, § 4.)

Sec. 5. Counterfeiting or forgery of public securities, bank bills or coin, etc.—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, territory or dependency thereof; or any indorsement or writing purporting to be a transfer thereof; or any bank bill or promissory note issued or purporting to be issued by any bank or banking company in any state, territory or dependency 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, 10 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 for any term of years. (R. S. c. 120, § 5.)

An indictment under this section must aver that the accused had the ten bills in his possession at one time. *State v. Bonney*, 34 Me. 223.

The possession of ten such bills at one time, with such knowledge and intention, is an offence of a much more aggravated character than that of having any number of such bills with such knowledge and intention at different times during the same day. *State v. Bonney*, 34 Me. 223.

The instrument should be set forth in the indictment according to its tenor, and not according to its purport and effect. *State v. Bonney*, 34 Me. 383; *State v. Witham*, 47 Me. 165.

Former provisions of section.—For a discussion of possession of bank bills in "similitude" of bank bills issued by any bank, see *State v. McKensie*, 42 Me. 392.

Sec. 6. Illegal possession of counterfeits, uttering.—Whoever brings into the 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 a fine of not more than \$1,000 or by imprisonment for not more than 3 years. Whoever, after being convicted of an offense described herein, is again convicted thereof or is convicted of 3 such distinct offenses at the same term of the court shall be punished by imprisonment for not less than 3 years nor more than 10 years. (R. S. c. 120, § 6.)

Sec. 7. Counterfeiting foreign coin for exportation.—Whoever forges or counterfeits gold or silver coin of a foreign government or country, with intent to export the same for the purpose of defrauding any foreign government or its subject, shall be punished by imprisonment for not less than 1 year nor more than 10 years. (R. S. c. 120, § 7.)

Sec. 8. Manufacture or possession of implements and materials for counterfeiting; disposal.—Whoever makes or begins to make, mend, cast, stamp, engrave, mold 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 a fine of not more than \$1,000 or by imprisonment for not more than 3 years; and all such tools, implements and materials shall be disposed of as provided in section 13 of chapter 139. (R. S. c. 120, § 8.)

Sec. 9. Testimony, sufficient to prove public securities and bank bills counterfeits.—In prosecutions for any offense 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 40 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, is evidence to prove them forged or altered. (R. S. c. 120, § 9.)

See c. 30, § 60, re counterfeiting label or trademark.

Rewards to Informers and Prosecutors.

Sec. 10. Rewards for conviction of forgers and counterfeiters. — The following rewards shall be paid to the person informing and prosecuting in the cases described below: \$60 for each person convicted and sentenced for either of the aforesaid offenses of forging and counterfeiting any coin, public security, bank bill or note; and \$40 for each person convicted and sentenced for either of the aforesaid offenses of possessing with intent to utter, or of knowingly uttering such coin, public security, bank bill or note. These rewards shall be paid by the treasurer of state on warrant of the governor and council, granted on certificate of the judge who tried the case; and where there are 2 or more informers and prosecutors for the same offense, the reward shall be divided between them equally or in such proportions as said judge determines. (R. S. c. 120, § 10.)

False Pretenses and Other Frauds.

Sec. 11. Cheating by false pretenses.—Whoever, designedly and by any false pretense or privy or false token and with intent to defraud, obtains from another any money, goods or other property, the making of a loan or credit, the extension of credit, the discount of an account receivable or what is represented to be an account receivable, or the making, acceptance, discount, sale or indorsement of a bill of exchange, bank check or promissory note, or his signature to any written instrument, the false making of which is forgery, or whoever knowingly, and with intent to defraud, sells, conveys, mortgages or pledges to another personal property on which there is an existing mortgage or to which he has no title, without notice to the purchaser of such mortgage or of such want of title, is guilty of cheating by false pretenses and shall be punished by a fine of not more than \$500 or by imprisonment for not more than 7 years. (R. S. c. 120, § 11.)

One false pretense sufficient to complete offense.—The offense is complete, if there be one pretense and that proved to be false and made with a fraudulent design to obtain credit for goods, and credit is induced to be given thereby, although the indictment charges that the goods were obtained by more than one false pretense. *State v. Dunlap*, 24 Me. 77.

The giving of a note in renewal of

another note of like amount was not an obtaining of property by false pretenses within the meaning of this section. *Carville v. Lane*, 116 Me. 332, 101 A. 968.

Necessary allegations.—Under this section it is necessary to allege: (1) that a written instrument was obtained; (2) that the signature of the maker was obtained by the defendant; (3) that it was designedly obtained by false pretenses; (4) with in-

tent to defraud; (5) that the false pretenses deceived the maker; (6) that the instrument thus procured was an instrument the false making of which is a forgery. *State v. Kerr*, 117 Me. 254, 103 A. 585.

Indictment must state time alleged offense committed.—In an indictment under this section, the omission of the time when the alleged offense was committed, although accidental, is fatal. *State v. Withee*, 87 Me. 462, 32 A. 1013.

And must include word "designedly" or equivalent.—The word "designedly" describes the essential element of the crime, and its omission, or words equivalent thereto, will be fatal to the indictment. *State v. Withee*, 87 Me. 462, 32 A. 1013.

"Sells, conveys, mortgages or pledges"

used distinctively.—This section uses four terms, "sells, conveys, mortgages or pledges," and it appears to use them distinctively by specifying them in the alternative, and when an indictment charges that the respondent did "grant, bargain and sell," proof of a mortgage is not sufficient to sustain the allegation. *State v. Seguin*, 98 Me. 285, 56 A. 840.

Misrepresentation as to law.—See *State v. Vallee*, 136 Me. 432, 12 A. (2d) 421.

Indictment for conspiracy.—See *State v. Roberts*, 34 Me. 320.

Indictment held sufficient.—See *State v. Mills*, 17 Me. 211; *State v. Dorr*, 33 Me. 498; *State v. Stanley*, 64 Me. 157.

Cited in *State v. Hewett*, 31 Me. 369; *Abbott v. Marshall*, 48 Me. 44.

Sec. 12. Uttering fraudulent receipts of delivery or deposit of goods, bonds or securities.—Whoever fraudulently makes or utters a receipt or other written evidence of the delivery or deposit of any grain, flour, pork, wool or other goods, wares or merchandise in any warehouse, mill, store or other building, when the quantity specified therein had not, in fact, been delivered or deposited in such building; or so makes or utters any receipt or other written evidence of the delivery or deposit with him of any bonds or other securities or evidences of debt, when the same have not, in fact, been so delivered and deposited, shall be punished by imprisonment for not less than 1 year nor more than 10 years. (R. S. c. 120, § 12.)

Sec. 13. False statements in writing for purpose of obtaining credit.—Whoever shall knowingly make or cause to be made, either directly or indirectly or through any agency whatsoever, any false statement in writing by him signed, with intent that it shall be relied upon, respecting the financial condition or means or ability to pay of himself, or any other person, firm or corporation, of which firm he is a member or of which corporation he is an officer, or for which person, firm or corporation he is acting, for the purpose of procuring in any form whatsoever either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or indorsement of a bill of exchange or promissory note, for the benefit of either himself or of such person, firm or corporation; or, whoever knowing that any such false statement in writing has been so made and signed, respecting the financial condition or means or ability to pay of himself, or such person, firm or corporation, of which firm he is a member or of which corporation he is an officer, or for which person, firm or corporation he is acting, procures upon the faith thereof, for the benefit either of himself or of such person, firm or corporation either or any of the things of benefit mentioned in this section; or, whoever knowing that any such statement in writing has been so made and signed, respecting the financial condition or means or ability to pay of himself or such person, firm or corporation, of which firm he is a member or of which corporation he is an officer, or for which person, firm or corporation he is acting, represents on a later day in writing by him signed that such statement theretofore made, if then again made on said day, would be then true, when in fact said statement if then made would be false, and procures upon the faith thereof, for the benefit either of himself or of such person, firm or corporation either or any of the things of benefit mentioned in this section, shall be punished by a fine of

not more than \$1,000 or by imprisonment for not more than 11 months. (R. S. c. 120, § 13.)

Cited in *Carville v. Lane*, 116 Me. 332, 101 A. 968.

Sec. 14. Issuing a fraudulent check.—Any person individually or as an officer of a corporation or member of a partnership or firm who, with intent to defraud, makes or draws, or utters or delivers, any check, draft or order in the name of the individual or in the name of any corporation or partnership or under any name whatsoever for the payment of money upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both such fine and imprisonment. (R. S. c. 120, § 14.)

Sec. 15. Prima facie evidence to defraud unless payment made within 5 days.—As against the maker or drawer thereof, or as against the person signing a check, draft or order for, or in behalf of a corporation or partnership, or against a person signing a corporation, firm or business name by him, the making, drawing, uttering or delivery of a check, draft or order, payment of which is refused by the drawee for lack of sufficient funds, shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or credit with, such bank or other depository, provided such maker or drawer shall not have paid the drawee or holder thereof the amount due thereon, together with all costs and protest fees, within 5 days after receiving notice that such check, draft or order has not been paid by the drawee. (R. S. c. 120, § 15.)

This section has reference only to criminal proceedings, and has no application to a civil action. *McLaughlin v. Cohen*, 138 Me. 20, 20 A. (2d) 713.

Sec. 16. "Credit" defined.—The word "credit" as used in the 2 preceding sections shall be construed to mean an arrangement or understanding with the bank or depository for the payment of such check, draft or order. (R. S. c. 120, § 16.)

Sec. 17. Procuring of money under false pretense of physical defects.—Whoever engages in soliciting, procuring or attempting to solicit or procure money or other thing of value, by falsely pretending and representing himself or herself to be deaf, dumb, blind, crippled or physically defective, shall be punished by imprisonment for not more than 90 days. (R. S. c. 120, § 17.)

Sec. 18. False representations of standard for sale of sterling and coin silver articles.—Whoever makes or sells, or offers to sell or dispose of, or has in his possession with intent to sell or dispose of, any article of merchandise marked, stamped or branded with the words "sterling," "sterling silver," "coin" or "coin silver," or encased or enclosed in any box, package, cover or wrapper, or other thing in or by which the said article is packed, enclosed or otherwise prepared for sale or disposition, having thereon any engraving or printed label, stamp, imprint, mark or trade-mark, indicating or denoting by such marking, stamping, branding, engraving or printing that such article is silver, sterling silver, solid silver, coin or coin silver, shall, unless 925/1000 of the component parts of the metal, of which the said article so enclosed or so marked, stamped or branded with the words "silver," "sterling silver" or "solid silver" is manufactured, are pure silver, or unless 900/1000 of the component parts of the metal, of which the article so enclosed or so marked, stamped or branded with the words "coin" or "coin silver" is manufactured, are pure silver, be punished by a fine of not more than \$100 for each offense. Trial justices

shall have original jurisdiction with municipal courts in all cases arising under the provisions of this section. (R. S. c. 120, § 18.)

Sec. 19. Securing false registration, etc., of domestic animals. — Whoever by any false pretense obtains from any club, association, society or company for improving the breed of cattle, horses, sheep, swine or other domestic animals the registration of any animal in the herd register or other register of any such club, association, society or company, or a transfer of any such registration, and whoever knowingly exhibits, makes or gives a false pedigree of any animal shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or by both such fine and imprisonment. (R. S. c. 120, § 19.)

Sec. 20. Entering for premiums any horse that has been disguised, etc.—Whoever, for the purpose of competing for purses or premiums, knowingly and designedly enters or drives any horse that shall have been painted or disguised, or that represents any other or different horse from the one which is purported to be entered, or shall knowingly and designedly, for the purpose of competing for premiums or purses, enter or drive a horse in a class to which it does not properly belong shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months, and such horse, after such notice to the owner as the court may order and a hearing thereon, may be forfeited in the discretion of the court and sold; $\frac{1}{2}$ of the net proceeds of such sale shall go to the informant and the other $\frac{1}{2}$ to the county in which the offense is committed. The pecuniary penalty shall be enforced by indictment and the forfeiture by a libel filed by the informant and proceedings in the manner provided in chapter 179. (R. S. c. 120, § 20.)

Sec. 21. Gross fraud at common law.—Whoever is guilty of a gross fraud or cheat at common law shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 7 years. (R. S. c. 120, § 21.)

Cited in *State v. Roberts*, 34 Me. 320.

Sec. 22. Fraudulent conveyances or assignments. — 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 a fine of not more than \$1,000 and by imprisonment for less than 1 year. (R. S. c. 120, § 22.)

History of section.—See *Butler v. Moore*, 73 Me. 151.

Conveyances not void between parties.—This section which imposes a penalty upon the parties to a fraudulent conveyance, does not, as between the parties, render such a conveyance void. *Ellis v. Higgins*, 32 Me. 34; *Andrews v. Marshall*, 48 Me. 26; *Butler v. Moore*, 73 Me. 151.

But void as to person injured by grantor's tort.—A conveyance by husband to wife made without consideration and with the express intention on the part of both

thereby to defeat a recovery by one who had been previously injured by the husband's tort, is void as against such injured person. *Tobie & Clark Mfg. Co. v. Waldron*, 75 Me. 472.

The crime under this section consists in the conveyance or assignment of any estate or interest in lands, goods, etc., with intent to defraud. *Andrews v. Marshall*, 48 Me. 26.

Cited in *Bailey v. Bailey*, 61 Me. 361; *State v. Chapman*, 68 Me. 477.

Sec. 23. Removal or concealment of mortgaged personal property, aiding or abetting.—Whoever with fraudulent intent to place mortgaged personal property or property legally attached on original writ beyond the control of the mortgagee or the attaching officer, removes or conceals, or aids or abets

in removing or concealing the same, and any mortgagor of such property, who assents to such removal or concealment, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months. (R. S. c. 120, § 23.)

Sec. 24. Defrauding owner of garage; printed copy of section posted in garage.—Whoever puts an automobile in a public garage or other place where automobiles are stored for hire, and without having an express agreement for credit, procures supplies, accessories or accommodation for himself or said automobile, and with intent to defraud the owner or keeper of said garage, removes or causes to be removed any such automobile from such garage without paying the reasonable charges due for repairs, supplies, accessories and accommodation furnished thereon shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months. In order for the owner or keeper of such a garage to obtain the benefits of this section, a printed copy thereof must be posted in some conspicuous place in said garage. (R. S. c. 120, § 24.)

Sec. 25. Fraudulent issue of transfer tickets. — Every conductor of a street railroad car or other public conveyance, and every other person whose duty it is to collect fares on such car or conveyance, or issue a transfer ticket, or written or printed instrument, giving or purporting to give the right of transfer to another person or persons from a public conveyance operated upon one line or route of a street railroad to a public conveyance upon another line or route of a street railroad, or from one car to another car upon the same line of a street railroad, who shall knowingly and with intent to defraud the person or corporation operating such public conveyance or car issue, sell or give any such transfer ticket or instrument to another person not lawfully entitled thereto, or receive, use or return any such transfer ticket or instrument unlawfully issued or presented for fare in lieu of a regular cash fare, or substitute any such transfer ticket or instrument for any cash fare collected by him; and every person who shall fraudulently and with intent to evade the payment of fare receive and use or offer for passage any transfer ticket or instrument not originally issued to him; and every person, who shall sell or give any such transfer ticket or instrument originally issued to him to another person with intent to have such transfer ticket or instrument used or offered for passage by such other person, shall be punished by a fine of not more than \$50 or by imprisonment for not more than 30 days, or by both such fine and imprisonment. (R. S. c. 120, § 25.)

Sec. 26. Tampering with fare-box or fare-register of street railway company or depositing mutilated coins therein with intent to defraud. — Whoever with intent to defraud opens, defaces or in any way tampers with any fare-box or fare-register of any street railway company, or in any way disarranges the mechanism thereof; and whoever with intent to defraud deposits, causes to be deposited or furnishes to another person with intent that same shall be deposited in such fare-box or register any coin which has been, or may hereafter be, coined at the mints of the United States, or any foreign coin, of a sort that is in actual use or circulation as money within this state, knowing that said coin has been defaced, mutilated or altered in shape in such fashion that it will not be properly registered in such fare-box or register, shall be punished by a fine of not less than \$25 nor more than \$100, and by imprisonment for not more than 60 days. Whoever with intent to defraud procures or has in his possession any such coin so defaced, mutilated or altered in shape knowing that said coin is so defaced, mutilated or altered in shape and with intent to deposit such coin or cause same to be deposited in any fare-box or fare-register of any street railway company, or with intent to furnish same to any third person with intent that same shall be deposited in such fare-box or

register, shall be punished by a fine of not less than \$25 nor more than \$100, and by imprisonment for not more than 60 days. (R. S. c. 120, § 26.)

Sec. 27. Acting for corporation after forfeiture of charter.—Whoever undertakes to do business or does business of any kind in behalf of any corporation, the charter of which has been forfeited or suspended, or holds out such corporation as doing business, or sells, transfers or puts upon the market any stocks or other evidence of indebtedness whatsoever of any such corporation, while the charter of said corporation remains forfeited or suspended, shall be punished by a fine of \$300. (R. S. c. 120, § 27.)

Sec. 28. Circulating advertisements in the similitude of bank bills.—Whoever puts in circulation or distributes any notice, advertisement or shop bill, in the form and similitude of a bank bill, forfeits \$50 for each offense, to be recovered by action of debt in the name and to the use of the prosecutor. (R. S. c. 120, § 28.)

Sec. 29. Fraudulent advertising constitutes misdemeanor; exemptions.—Any person, firm, corporation or association who, with intent to sell or in anywise dispose of merchandise, service or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto or an interest therein, makes, publishes, disseminates, circulates or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, label, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue and designed to be deceptive or misleading, shall be guilty of a misdemeanor.

The provisions of this section shall not apply to any radio station, publisher of a newspaper, magazine or other publication, or printer who publishes or prints said advertisement without actual knowledge of its falsity. The fact of the publishing or printing of such advertisement shall not be prima facie evidence of such actual knowledge of falsity. (R. S. c. 120, § 29.)

Suppressing, Secreting or Destroying Last Will.

Sec. 30. Suppressing, secreting or destroying last will.—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 by a fine of not more than \$1,000 and by imprisonment for less than 1 year. (R. S. c. 120, § 30.)

Maritime Frauds.

Sec. 31. Fraudulent destruction of vessels and fitting them out for that purpose.—Whoever in any county willfully casts away, burns, sinks or otherwise destroys a vessel, 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 any term of not less than 5 years; and if he lades, equips or fits out any vessel, or aids in so doing, intending that the same shall be destroyed in the manner and with the intent aforesaid, he shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 20 years. (R. S. c. 120, § 31.)

Sec. 32. Making false invoices, bills of lading or false estimates of property shipped.—If an owner of a vessel or of 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 such property, with intent to injure or defraud any insurer of such vessel or property, he shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 10 years. (R. S. c. 120, § 32.)

Sec. 33. False affidavits and protests by master, officer, mariner or owner of vessel or cargo.—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 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 a fine of not more than \$5,000 or by imprisonment for not more than 10 years. (R. S. c. 120, § 33.)

Sec. 34. Aiding sailors to desert. — Whoever entices or persuades or attempts to entice or persuade, or aids, assists or attempts to aid or assist, a member of the crew of any vessel arriving in or about to sail from a port in this state to leave or desert such vessel before the expiration of his term of service therein shall be punished by a fine of not more than \$100, and by imprisonment for not less than 30 days nor more than 6 months. Trial justices shall have original jurisdiction with municipal courts in all cases arising under this section. (R. S. c. 120, § 34.)