

# 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)

REVISED STATUTES

OF THE

STATE OF MAINE

1954

---

1961 CUMULATIVE SUPPLEMENT

---

ANNOTATED

---

IN FIVE VOLUMES

VOLUME 4

---

**Discard Previous Pocket Part Supplement**

---

THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1961

anything, becomes surety for another for such payment, or requests, advises or procures another person to become responsible or surety as aforesaid, with intent thereby to procure any account, note or other demand for the profit arising from its collection by a civil action, or brings, prosecutes or defends, or agrees to bring, prosecute or defend any civil action upon shares, shall be punished by fine of not less than \$20 nor more than \$1,000, or by imprisonment for not more than 11 months. The provisions of this section shall include in its application all persons, corporations or associations of whatever form or design operating or in any manner engaging in the business of collecting for others claims, demands or accounts of any nature. No such person, corporation or association shall, under the penalties hereinbefore provided, in any manner or form solicit or receive, or acquire by any transfer, assignment or other arrangement made with the intent or for the purpose of evading the provisions of this section, any such claims, demands or accounts for collection by legal process in this state; or, having solicited or received such claims, demands or accounts for collection without legal process, shall subsequently prosecute or arrange for the prosecution thereof by legal process in this state by or through any attorney at law. (R. S. c. 122, § 18. 1961, c. 317, § 463.)

**Effect of amendment.**—The 1961 amendment substituted “civil action” for “suit at law or in equity” in two places in the first sentence of this section.

### **Refusing to Obey Magistrates. Obstructing, Assaulting and Refusing to Aid Officers.**

**Sec. 21. Assaults upon or interference with officers; jurisdiction.**—Whoever assaults, intimidates or in any manner willfully obstructs, intimidates or hinders any sheriff, deputy sheriff, constable, inland fish and game warden, coastal warden, insurance commissioner or his authorized representative, liquor inspector, police officer or state probation-parole officer while in the lawful discharge of his official duties, whether with or without process, shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months. In offenses under this section, not of an aggravated nature, trial justices may try and punish by a fine of not more than \$50 or by imprisonment for not more than 60 days, and municipal courts may punish by a fine of not more than \$100 or by imprisonment for not more than 90 days. (R. S. c. 122, § 21. 1949, c. 202. 1951, c. 266, § 115. 1953, c. 391. 1959, c. 312, § 15. 1961, c. 241.)

**Effect of amendments.** — The 1959 amendment included state probation-parole officers in the section. “\$20”, inserted “not more than” preceding “60 days”, substituted “\$100” for “\$30” and substituted “not more than 90” for “60” near the end of that sentence.

The 1961 amendment, which amended the last sentence, substituted “\$50” for

### **Escapes from Custody of Officer and Jail.**

#### **Sec. 28. Escapes from jail.**

**Facts stated in indictment, etc.**

In accord with original. See *Couture v. State*, 156 Me. 231, 163 A. (2d) 646.

**And mere allegation, etc.**

In accord with original. See *Couture v. State*, 156 Me. 231, 163 A. (2d) 646.

## **Chapter 136.**

### **Crimes against Public Peace and Tranquility.**

Section 4-A. Disorderly Conduct.

Section 35. Plant Protection.

#### **Disorderly Conduct.**

**Sec. 4-A. Disorderly conduct; penalty.**—Any person who shall by any

offensive or disorderly conduct, act or language annoy or interfere with any person in any place or with the passengers of any public conveyance, although such conduct, act or language may not amount to an assault or battery, is guilty of a breach of the peace and shall be punished by a fine of not more than \$100 or by imprisonment for not more than 6 months, or by both. (1957, c. 133.)

### Injuries by Mobs.

**Sec. 7. Riotous assemblies destroying certain properties or causing personal injuries.** — If any persons, unlawfully and riotously assembled as described in section 9, pull down or begin to pull down or destroy any dwelling house, building, ship or vessel; or perpetrate any premeditated injury, not a felony, on any person, each shall be punished by a fine of not more than \$500 or by imprisonment for not more than 5 years; and shall be answerable to any person injured, in a civil action, to the full amount of damages by him sustained. (R. S. c. 123, § 7. 1961, c. 317, § 464.)

**Effect of amendment.**—The 1961 amendment deleted “also” preceding “be answerable” and substituted “a civil action” for “an action of trespass” near the end of this section.

**Sec. 8. Liability of towns for property injury by mobs; town’s remedy against rioters.**—When the injury to any property described in section 7 amounts to \$50 or more, the town where such property is situated shall indemnify the owner thereof for  $\frac{3}{4}$  of the value of such injury, to be recovered in a civil action, if he uses all reasonable diligence to prevent such injury and to procure the conviction of the offenders. The town paying such sum may recover it in a civil action against the persons doing the injury. (R. S. c. 123, § 8. 1961, c. 317, § 465.)

**Effect of amendment.**—The 1961 amendment divided this section into two sentences, substituted “section 7” for “the preceding section” near the beginning of the present first sentence and substituted “a civil action” for “an action on the case” in both the present first and second sentences.

### Prize Fights. Boxing Contests.

**Sec. 14. Complaint, warrant and proceedings to prevent and to punish such offense.** — If any person competent to testify in civil actions makes complaint on oath before any judge of a municipal court or trial justice that an offense specified in section 12 is about to be committed, setting forth in such complaint the grounds of his belief, such magistrate may issue his warrant directed to any competent officer, therein reciting the name and residence of the complainant and the substance of his complaint, and directing such officer to prevent the violation of said section by arresting any persons whom he finds willfully violating the same and by bringing the respondents before such magistrate for trial. (R. S. c. 123, § 14. 1961, c. 317, § 466.)

**Effect of amendment.**—The 1961 amendment substituted “actions” for “suits” near the beginning of this section.

### Plant Protection.

**Sec. 35. Mass picketing or force to prevent plant maintenance or movement of perishable food product.** — It shall be unlawful for any person, acting individually or in concert with others, by mass picketing, force, coercion, physical obstruction at the entrance to any place of employment or physical obstruction in any street, sidewalk or railway, to prevent or attempt to prevent the delivery to any public, commercial or industrial enterprise of any supply, commodity or service necessary for the proper maintenance of any of the buildings, equipment, machinery or fixtures constituting such enterprise or necessary

to keep any of such buildings, equipment, machinery or fixtures from deteriorating or being damaged by fire, freeze up or other casualties, or the harvesting, the storing, the transportation to storage and market of a perishable food product. For the purpose of this section, "person" means any individual, corporation or unincorporated association, including partnerships and labor organizations. Whoever violates this section shall be punished by a fine of not more than \$250 or by imprisonment for not more than 30 days, or by both. (1961, c. 298.)

## Chapter 137.

### Crimes against Public Health, Safety and Policy.

- Section 18-A. Electric Fences.  
 Section 20-A. Dangerous Knives.  
 Section 20-B. X-ray Shoe-fitting Machines.  
 Section 32-A. Abandonment of Airtight Containers.  
 Sections 32-B to 32-C. Unprotected Wells.  
 Section 49-A. Settlements or Releases from Injured Persons.  
 Sections 51-53. Budget Planning Commission.  
 Section 54. Blind Persons with Guide Dogs.

#### Expectoration in Public Places.

**Sec. 17. Spitting in public places.** — No person shall expectorate or spit on any public sidewalk, or public street crossing or cross walk, or, except in receptacles provided for the purpose, in any city or town hall, in any courthouse or courtroom, in any factory, in any public library or museum, in any church or theatre, in any lecture or music hall, in any ferry boat or steamboat, in any railroad car except a smoking car, in any interurban railroad car, in any public conveyance, in any railroad station or waiting room, or any sidewalk or platform connected therewith. Whoever violates any of the provisions of this section shall be punished by a fine of not more than \$20. (R. S. c. 124, § 17. 1961, c. 395, § 51.)

**Effect of amendment.**—The 1961 amendment, effective on its approval, June 17, 1961, deleted "street or" preceding "interurban railroad car" in the first sentence.

#### Electric Fences.

**Sec. 18-A. Use of electrical fences.**—No person or individual shall sell, utilize, install or have installed within this state, equipment, devices or methods whereby fence wires may be energized with electricity unless a standard type of controller is used, which has the approval of the underwriter's laboratories and carries such label thereon or has the approved listing of the department of industrial cooperation at the university of Maine.

Any violation of the provisions of this section shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both such fine and imprisonment. (1955, c. 263.)

**Editor's note.** — The act inserting this section became effective on approval, April 25, 1955.

#### Dangerous Knives.

**Sec. 20-A. Dangerous knives.**—It is unlawful for any person, firm or corporation to manufacture, or cause to be manufactured, possess, display, offer, sell, lend, give away or purchase any knife which has a blade which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife; or any knife having a blade which opens or falls or is ejected into position by the force of gravity, or by an outward, downward or centrifugal thrust or move-