

# MAINE STATE LEGISLATURE

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## CHAPTER 65

## SABOTAGE PREVENTION

Sec.

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**§ 451. Short title**

This chapter may be cited as the "Sabotage Prevention Act."  
R.S.1954, c. 136, § 34.

**§ 452. Relation to other statutes**

All acts and parts of acts inconsistent with this chapter are suspended in their application to any proceedings under this chapter. If conduct prohibited by this chapter is made unlawful by another or other laws, the offender may be convicted for the violation of this chapter or of such other law or laws.

R.S.1954, c. 136, § 33.

**§ 453. Rights of labor unaffected**

Nothing in this chapter shall be construed to impair, curtail or destroy the lawful rights of employees and their representatives to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, to strike, to picket and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

R.S.1954, c. 136, § 32.

**§ 454. Definitions**

As used in this chapter:

**1. Highway.** "Highway" includes any private or public street, way or other place used for travel to or from property.

**2. Highway commissioners.** "Highway commissioners" means any individual, board or other body having authority under then existing law to discontinue the use of the highway which it is desired to restrict or close to public use and travel.

**3. Public utility.** "Public utility" includes any pipe line, gas, electric, heat, water, oil, sewer, telephone, telegraph, radio, railway, railroad, airplane, transportation, communication or other system, by whomsoever owned or operated for public use.

R.S.1954, c. 136, § 22.

**§ 455. Intentional injury or interference with property**

Whoever intentionally destroys, impairs, injures, interferes or tampers with real or personal property with reasonable grounds to believe that such act will hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under chapter 61, shall be punished by imprisonment for not more than 10 years or by a fine of not more than \$10,000, or by both. If such person so acts with the intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under chapter 61, the minimum punishment shall be imprisonment for not less than one year.

R.S.1954, c. 136, § 23.

**§ 456. Intentional defective workmanship**

Whoever intentionally makes or causes to be made or omits to note on inspection any defect in any article or thing with reasonable grounds to believe that such article or thing is intended to be used in connection with the preparation of the United States or any of the states for defense or for war, or for the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under

chapter 61, or that such article or thing is one of a number of similar articles or things, some of which are intended so to be used, shall be punished by imprisonment for not more than 10 years or a fine of not more than \$10,000, or by both. If such person so acts or so fails to act with the intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under chapter 61, the minimum punishment shall be imprisonment for not less than one year.

R.S.1954, c. 136, § 24.

### § 457. Attempts

Whoever attempts to commit any of the crimes defined by this chapter shall be liable to  $\frac{1}{2}$  the punishment prescribed for the completed crime. In addition to the acts which constitute an attempt to commit a crime under the law of this State, the solicitation or incitement of another to commit any of the crimes defined by this chapter not followed by the commission of the crime, the collection or assemblage of any materials with the intent that the same are to be used then or at a later time in the commission of such crime, or the entry, with or without permission, of a building, enclosure or other premises of another with the intent to commit any such crime therein or thereon shall constitute an attempt to commit such crime.

R.S.1954, c. 136, § 25.

### § 458. Conspirators

If 2 or more persons conspire to commit any crime defined by this chapter, each of such persons is guilty of conspiracy and subject to the same punishment as if he had committed the crime which he conspired to commit, whether or not any act be done in furtherance of the conspiracy. It shall not constitute any defense or ground of suspension of judgment, sentence or punishment on behalf of any person prosecuted under this section that any of his fellow conspirators has been acquitted, has not been arrested or convicted, is not amenable to justice or has been pardoned or otherwise discharged before or after conviction.

R.S.1954, c. 136, § 26.

**§ 459. Witnesses' privileges**

No person shall be excused from attending and testifying, or producing any books, papers or other documents before any court, magistrate, referee or grand jury upon any investigation, proceeding or trial, for or relating to or concerned with a violation of any of the provisions of this chapter or attempt to commit such violation, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him by the State may tend to convict him of a crime or to subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him, upon any criminal investigation, proceeding or trial, except upon a prosecution for perjury or contempt of court based upon the giving or producing of such testimony.

R.S.1954, c. 136, § 27.

**§ 460. Unlawful entry on property**

Any individual, partnership, association, corporation, municipal corporation or state or any political subdivision thereof engaged in, or preparing to engage in, the manufacture, transportation or storage of any product to be used in the preparation of the United States or of any of the states for defense or for war or in the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under chapter 61, or the manufacture, transportation, distribution or storage of gas, oil, coal, electricity or water, or any of said natural or artificial persons operating any public utility, whose property, except where it fronts on water or where there are entrances for railway cars, vehicles, persons or things, is surrounded by a fence or wall, or a fence or wall and buildings, may post around his or its property at each gate, entrance, dock or railway entrance and every 100 feet of water front a sign reading "No Entry Without Permission." Whoever without permission of such owner shall willfully enter upon premises so posted shall be punished by a fine of not more than \$50 or by imprisonment for not more than 10 days, or by both.

R.S.1954, c. 136, § 28.

**§ 461. Questioning and detaining suspected persons**

Any peace officer or any person employed as watchman, guard or in a supervisory capacity on premises posted as provided in section 460 may stop any person found on any premises to which entry without permission is forbidden by section 460 and may detain him for the purpose of demanding, and may demand, of him his name, address and business in such place. If said peace officer or employee has reason to believe from the answers of the person so interrogated that such person has no right to be in such place, said peace officer shall forthwith release such person or he may arrest such person without a warrant on the charge of violating section 460. Said employee shall forthwith release such person or turn him over to a peace officer, who may arrest him without a warrant on the charge of violating section 460.

R.S.1954, c. 136, § 29.

**§ 462. Closing and restricting use of highway; penalty**

Any individual, partnership, association, corporation, municipal corporation or state or any political subdivision thereof engaged in or preparing to engage in the manufacture, transportation or storage of any product to be used in the preparation of the United States or any of the states for defense or for war or in the prosecution of war by the United States, or with preparations and plans for civil defense and public safety, or with the execution thereof under chapter 61, or in the manufacture, transportation, distribution or storage of gas, oil, coal, electricity or water, or any of said natural or artificial persons operating any public utility, who has property so used which he or it believes will be endangered if public use and travel is not restricted or prohibited on one or more highways or parts thereof upon which such property abuts, may petition the highway commissioners of any city, town or county to close one or more of said highways or parts thereof to public use and travel or to restrict by order the use and travel upon one or more of said highways or parts thereof.

Upon receipt of such petition, the highway commissioners shall set a day for hearing and give notice thereof by publication in a newspaper having general circulation in the city, town or county in which such property is located, such notice to be at least 7 days prior to the date set for hearing. If after hearing the highway commissioners determine that the public safety and the safety of the property of the petitioner so require, they shall by

suitable order close to public use and travel, or reasonably restrict the use of and travel upon one or more of said highways or parts thereof. The highway commissioners may issue written permits to travel over the highways so closed or restricted to responsible and reputable persons for such term, under such conditions and in such form as said commissioners may prescribe. Appropriate notices in letters at least 3 inches high shall be posted conspicuously at each end of any highway so closed or restricted by such order. The highway commissioners may at any time revoke or modify any order so made.

Whoever violates any order made under this section shall be punished by a fine of not more than \$50 or by imprisonment for not more than 10 days, or by both.

R.S.1954, c. 136, §§ 30, 31.