

# MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE  
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

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BY THE AUTHORITY OF THE LEGISLATURE.



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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.

CHAP. 120.

keep stolen property for the owner. R. S., c. 120, § 10.

SEC. 13. 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.

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

SEC. 14. 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.

Action for stolen property. R. S., c. 120, § 12. 67 Me., 77. 68 Me., 236.

## CHAPTER 121.

### FORGERY AND COUNTERFEITING, AND FRAUDULENT STOCKS.

#### FORGERY AND COUNTERFEITING.

- SEC. 1. Forgery of, and publishing as true, forged records and written instruments.
2. Forgery or counterfeiting of public securities, bank bills and coin, and having ten such in possession with intent to pass them.
3. Bringing into the state, or having in possession, any such coins or bank bills with intent to pass them.
4. A person convicted, being again convicted, or convicted of three distinct offences at the same term of the court.
5. Counterfeiting coin of foreign countries for exportation.
6. Manufacture or possession of implements for counterfeiting.
7. Total erasures and fraudulent connections of instruments.
8. Testimony, to prove public securities and bank bills to be counterfeits.

#### FALSE CERTIFICATES, AND FALSE ISSUES AND TRANSFERS OF STOCKS.

- SEC. 9. Forgery, by false certificates and fictitious signatures.
10. Making or issuing false certificates of stock, or pledging genuine, without authority.

#### REWARDS TO INFORMERS AND PROSECUTORS.

- SEC. 11. Rewards for conviction of forgers and counterfeiters.

#### FORGERY AND COUNTERFEITING.

SEC. 1. 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 assign-

Forgery of, and publishing as true, forged records and written instruments. R. S., c. 121, § 1. 2 Me., 366. 20 Me., 82. 22 Me., 281. 47 Me., 167. 50 Me., 419.

**CHAP. 121.** ment 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 less than two, nor more than ten years:

Forgery or counterfeiting of public securities, bank bills, or coin, &c.  
R.S., c. 121, § 2.

**SEC. 2.** 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 or territory 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 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, ten 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.

Bringing into the state, or having in possession any such coins or bank bills, with intent to pass them.  
R.S., c. 121, § 3.

**SEC. 3.** 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 imprisonment for not more than three years, or by fine not exceeding one thousand dollars.

Convicted a second time, or of three offences at same term.  
R.S., c. 121, § 4.

**SEC. 4.** Whoever, after being convicted of an offence described in the preceding section, is again convicted thereof, or is convicted of three such distinct offences at the same term of the court, shall be punished by imprisonment for not less than three, nor more than ten years.

Counterfeiting foreign coin for exportation.  
R.S., c. 121, § 5.

**SEC. 5.** 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 subjects, shall be punished by imprisonment for not less than one, nor more than ten years.

Manufacture or possession of implements and materials for counterfeiting.  
R.S., c. 121, § 6.

**SEC. 6.** Whoever makes or begins to make, mend, cast, stamp, engrave, mould, 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 imprisonment for not more than three years or by fine not exceeding five hundred dollars; and all such tools, implements, and materials shall be disposed of as provided in section twelve of chapter one hundred and twenty-five.

—disposal of them.

Total erasures, and fraudulent connections of instruments.  
R.S., c. 121, § 7.

**SEC. 7.** 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.

SEC. 8. In prosecutions for any offence 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 forty 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.

## CHAP. 121.

Testimony, sufficient to prove public securities and bank bills to be counterfeits in certain cases. R. S., c. 121, § 8.

## FALSE CERTIFICATES, AND FALSE ISSUES AND TRANSFERS OF STOCKS.

SEC. 9. If any person, legally authorized to take the proof or acknowledgment of any instrument that by law may be recorded, wilfully 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 one.

Forgery by false certificates, and fictitious signatures. R. S., c. 121, § 9.

SEC. 10. If an officer or agent of a corporation wilfully signs with intent to issue, or issues any certificate purporting to be a certificate or other evidence of the ownership 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 imprisonment in the state prison for not more than ten years, and by fine not exceeding one thousand dollars.

Making or issuing false certificates of stock, or pledging genuine, without authority. R. S., c. 121, § 10.

## REWARDS TO INFORMERS AND PROSECUTORS.

SEC. 11. The following rewards shall be paid to the person informing and prosecuting in the cases described below: Sixty dollars for each person convicted and sentenced for either of the aforesaid offences of forging and counterfeiting any coin, public security, bank bill, or note; and forty dollars for each person convicted and sentenced for either of the aforesaid offences of possessing with intent to utter, or of knowingly uttering such coin, public security, bank bill, or note; these rewards shall be paid out of the treasury of the State by warrant of the governor and council, granted on certificate of the judge who tried the case; and where there are two or more informers and prosecutors for the same offence, the reward shall be divided between them equally, or in such proportions as said judge determines.

Rewards for conviction of forgers and counterfeiters. R. S., c. 121, § 11.