

# MAINE STATE LEGISLATURE

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FIFTH REVISION.

THE  
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

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BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :  
KENNEBEC JOURNAL PRINT,  
1904.

## CHAPTER 127.

## CHEATING BY FALSE PRETENSES; FRAUDS AND CONSPIRACIES.

## FALSE PRETENSES AND FRAUDS.

SEC. 1. 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, 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 imprisonment for not more than seven years, or by fine not exceeding five hundred dollars.

SEC. 2. 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 one, nor more than ten years.

SEC. 3. 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 fine not exceeding one thousand dollars, and imprisonment for less than one year.

SEC. 4. Whoever with fraudulent intent to place mortgaged personal property beyond the control of the mortgagee, 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 fine not exceeding one thousand dollars, or by imprisonment not exceeding one year.

SEC. 5. Whoever puts up at an inn, hotel or boarding-house, and without having an express agreement for credit, procures food, entertainment or accommodation without paying therefor, and with intent to defraud the owner or keeper of the inn, hotel or boarding-house out of the pay for the same; or, with intent to cheat or defraud such owner or keeper out of the pay therefor, obtains credit at an inn, hotel or boarding-house for such food, entertainment or accommodation by means of any false show of baggage or effects brought thereto; or with such intent, removes or causes to be removed any baggage or effects from an inn, hotel or boarding-house, while there is a lien existing thereon for the proper charges due from him for fare and board furnished therein, shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

Cheating  
by false  
pretenses.  
R. S., c. 126, § 1.  
See c. 32, § 7.  
17 Me., 216.  
24 Me., 77.  
33 Me., 499.  
64 Me., 157.  
87 Me., 465.

Penalty for  
uttering  
forged  
receipts of  
delivery or  
deposit of  
goods, bonds  
or securities.  
R. S., c. 126, § 2.  
73 Me., 156.

Parties to  
fraudulent  
conveyances,  
or assign-  
ments.  
R. S., c. 126, § 3.  
61 Me., 365.  
68 Me., 477.  
75 Me., 474.

Removal or  
concealment  
of mortgaged  
personal prop-  
erty, how  
punished.  
R. S., c. 126, § 4.

Penalty for  
defrauding  
innkeepers  
and boarding-  
house keepers.  
1895, c. 119, § 1.

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Copies of law to be posted.  
1895, c. 119, § 2.  
1899, c. 88.

—jurisdiction.

Gross fraud at common law.  
R. S., c. 126, § 5.

Circulating advertisements in the similitude of bank bills.  
R. S., c. 126, § 6.

Unauthorized use of badge of G. A. R. or Sons of Veterans, punished.  
1893, c. 294.

Penalty for securing false registration, etc., of domestic animals.  
1887, c. 83.  
See c. 39, § 41.

Penalty for entering for premiums any horse that has been disguised, etc.  
1891, c. 70, § 2.

—how enforced.

Standard for sale of sterling and coin silver.  
1895, c. 6.

SEC. 6. Innholders and keepers of hotels and boarding-houses shall post up a printed copy of sections five and six, in a conspicuous place in each room in their inns, hotels and boarding-houses. Judges of municipal and police courts and trial justices shall have jurisdiction of all offenses arising under section five, where the amount of which any such innkeeper or boarding-house keeper or the owners thereof have been thus defrauded, does not exceed the sum of twenty dollars.

SEC. 7. Whoever is guilty of a gross fraud or cheat at common law shall be punished by imprisonment for not more than seven years, or by fine not exceeding one thousand dollars.

SEC. 8. Whoever puts in circulation or distributes any notice, advertisement or shop bill, in the form and similitude of a bank bill, forfeits fifty dollars for each offense, to be recovered by action of debt in the name and to the use of the prosecutor.

SEC. 9. Whoever wilfully wears the badge of the Grand Army of the Republic, or of the Sons of Veterans, or uses or wears the same to obtain aid or assistance thereby within the state, unless he shall be entitled to use or wear the same under the rules and regulations of the Department of Maine, Grand Army of the Republic, or of the Sons of Veterans, shall be punished by imprisonment for not more than thirty days, or by fine not exceeding twenty dollars, or by both such fine and imprisonment.

SEC. 10. 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 imprisonment for not more than ninety days, or by fine not exceeding three hundred dollars, or by both such fine and imprisonment.

SEC. 11. 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 not exceeding five hundred dollars, or by imprisonment not exceeding six 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, one-half of the net proceeds of such sale shall go to the informant, and the other half 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 one hundred.

SEC. 12. 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 nine hundred and twenty-five one-thousandths 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 nine hundred one-thousandths 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 fine not exceeding one hundred dollars for each offense. Municipal and police courts and trial justices shall have original jurisdiction in all cases arising under this section.

—penalty for violation.

## SUPPRESSION OF WILLS.

SEC. 13. Whoever wilfully 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 as provided in section three.

Suppression of last wills and testaments.  
R. S., c. 126, § 12.

## MARITIME FRAUDS.

SEC. 14. Whoever, in any county, wilfully 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 years not less than five; 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 imprisonment for not more than twenty years, or by fine not exceeding five thousand dollars.

Fraudulent destruction of vessels, and fitting them out for that purpose.  
R. S., c. 126, § 13.

SEC. 15. 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 imprisonment for not more than ten years, or by fine not exceeding five thousand dollars.

Making false invoices, bills of lading, or false estimates of property shipped.  
R. S., c. 126, § 14.

SEC. 16. 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 imprisonment for not more than ten years, or by fine not exceeding five thousand dollars.

False affidavits and protests by master, officer, mariner or owner of vessel or cargo.  
R. S., c. 126, § 15.

SEC. 17. 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 forfeit a sum not exceeding one hundred dollars for each offense and be punished by imprisonment for not more than six months nor less than thirty days. Municipal and police courts and trial justices shall have original jurisdiction in all cases arising under this section.

Penalty for aiding sailors to desert.  
1899, c. 53.

—jurisdiction of offenses.

## BURNING PROPERTY FOR THE INSURANCE.

SEC. 18. If an owner or person in any way concerned, interested or in possession of any building, goods or other property, insured against loss or damage by fire, wilfully burns the same or causes it to be burned,

Persons, burning their own property to defraud insurers.  
R. S., c. 126, § 16.

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with intent to defraud the insurer, he shall be punished by imprisonment for not less than one, nor more than twenty years.

## CONSPIRACIES.

Conspiracies,  
to prosecute  
an innocent  
person.  
R. S., c. 126, § 17.  
81 Me., 256.

SEC. 19. If two or more persons conspire and agree together, with intent falsely, fraudulently and maliciously to cause another person to be indicted or in any way prosecuted for an offense of which he is innocent, whether he is prosecuted or not, they are guilty of a conspiracy, and each shall be punished by imprisonment for not more than five years, or by fine not exceeding one thousand dollars.

Conspiracies  
in other  
cases.  
R. S., c. 126, § 18.  
15 Me., 102.  
30 Me., 134.  
31 Me., 388, 400.  
34 Me., 321.  
48 Me., 235.  
64 Me., 370.

SEC. 20. If two or more persons conspire and agree together, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business or property of another; or to do any illegal act injurious to the public trade, health, morals, police or administration of public justice; or to commit a crime punishable by imprisonment in the state prison, they are guilty of a conspiracy, and every such offender, and every person convicted of conspiracy at common law, shall be punished by imprisonment for not more than three years, or by fine not exceeding one thousand dollars.

Penalty for  
preventing, by  
threats, any  
person from  
entering or  
leaving em-  
ployment of  
any person or  
corporation.  
1891, c. 127.

SEC. 21. Any employer, employee or other person, who by threats of injury, intimidation or force, alone or in combination with others, prevents any person from entering into, continuing in or leaving the employment of any person, firm or corporation, shall be punished by imprisonment for not more than two years, or by fine not exceeding five hundred dollars.

## CHAPTER 128.

## MALICIOUS MISCHIEFS AND TRESPASSES ON PROPERTY.

## MALICIOUS MISCHIEFS AND TRESPASSES.

Maliciously  
killing or in-  
juring domes-  
tic animals.  
R. S., c. 127, § 1.  
See c. 30, § 20.  
75, Me., 563.

SEC. 1. Whoever wilfully or maliciously kills, wounds, maims, disfigures or poisons any domestic animal, or exposes any poisonous substance with intent that the life of such animal should be destroyed thereby, shall be punished by imprisonment for not more than four years, or by fine not exceeding five hundred dollars.

Unlawful  
taking of a  
saddled or  
harnessed  
horse.  
R. S., c. 127, § 2.

SEC. 2. Whoever unlawfully, wilfully and with intent to injure the owner, takes away any horse, saddled or harnessed, or attached to a vehicle, and standing in any highway or other place, shall be punished by fine not exceeding one hundred dollars, or imprisonment in jail for not more than three months.

Penalty for  
the unlawful  
taking of  
boats, vehicles  
or draft  
animals, in  
other situ-  
ations.  
R. S., c. 127, § 3.  
1887, c. 148.

SEC. 3. Whoever in any other case, wilfully and mischievously takes or uses any boat or vehicle, or takes, drives, rides or uses any horse, ox or other draft animal, the property of another, without the consent of the owner, or person having the legal custody, care and control thereof; or whoever hires with intent to and does so use or drive any horse, ox or other draft animal in excess of any contract made with the owner or keeper thereof, shall be punished by fine not exceeding three hundred dollars, or by imprisonment not exceeding one year; but this and the preceding section do not apply to any case of taking the property of another with