

MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

PASSED AUGUST 5, 1930, AND TAKING
EFFECT NOVEMBER 10, 1930



By the Authority of the Legislature

AUGUSTA
KENNEBEC JOURNAL PRINT

Regulation of Radio Waves.

Sec. 30. Regulation of radio waves; penalty for disturbing reception. 1927, c. 215. It shall be unlawful to use any radio receiving set which radiates radio waves between two hundred meters wave length and five hundred and fifty meters wave length which causes interference with the reception of any other radio receiving set. Whoever knowingly, maliciously, or wantonly by any means unreasonably disturbs the reception of radio waves used for radiotelephony, between two hundred meters wave length and five hundred and fifty meters wave length, shall be punished by a fine of not less than ten dollars and not more than fifty dollars to be recovered by complaint in any municipal or police court or before any trial justice.

CHAPTER 141.

Libels.

Sec. 1. Definition of a libel and of a publication. R. S. c. 131, § 1. A libel is the malicious defamation of a living person, made public by any printing, writing, sign, picture, representation, or effigy, tending to provoke him to wrath, expose him to public hatred, contempt, or ridicule, or to deprive him of the benefits of public confidence and social intercourse; or of a deceased person, thus made public, designed to blacken and vilify his memory, and tending to scandalize or provoke his relatives or friends; but nothing shall be deemed a libel unless there is a publication thereof; and the delivery, selling, reading, or otherwise communicating a libel directly or indirectly to any person, including the person libeled, is a publication.

32 Me. 533; 72 Me. 21; *89 Me. 293; 112 Me. 502.

Sec. 2. Penalty for libel. R. S. c. 131, § 2. Whoever makes, composes, dictates, writes, or prints a libel; directs or procures it to be done; wilfully publishes or circulates it, or knowingly and wilfully aids in doing either, shall be punished by a fine of not more than one thousand dollars, and by imprisonment for less than one year.

66 Me. 327; 112 Me. 502.

Sec. 3. Responsibility for libels printed or published. R. S. c. 131, § 3. Whoever manages or controls the business of a printing-office, bookstore, or shop, as principal or agent, or is, in whole or in part, proprietor, editor, printer, or publisher of a newspaper, pamphlet, book, or other publication, is responsible for any libel printed or published therein, unless he proves on trial that it was printed and published without his knowledge, consent, or suspicion, and that by reasonable care and diligence, he could not have prevented it.

Sec. 4. Punishment for securing the publication of any false or libelous statement. R. S. c. 131, § 4. Whoever wilfully and maliciously states, delivers, or transmits by any means whatever to the manager, editor, publisher, or reporter of any newspaper, magazine, publication, periodical, or serial, for publication therein, any false or libelous statement concerning any person or corporation, and thereby secures the actual publication of the same, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than eleven months, or by both fine and imprisonment.

Sec. 5. How far the truth of a publication is a justification. R. S. c. 131, § 5. In prosecutions for any publication relative to the official conduct of men

in their public capacities, or to the qualifications of candidates for popular suffrages, or where the matter published is proper for public information, the truth thereof may be given in evidence, and if proved, shall be a complete justification; and in prosecutions for all other libels, the truth thereof, thus proved, shall be a complete justification, unless it appears that such publication originated in corrupt and malicious motives; and if any alleged libel is not justified in either of said modes, it shall be deemed malicious, unless the contrary is clearly proved.

Sec. 6. Jury to judge law and fact. R. S. c. 131, § 6. In all indictments for libel, the jury after receiving the direction of the court, may determine at their discretion, the law and the fact.

See Const. Me., Art. I, § 4; 18 Me. 348; *53 Me. 342; *62 Me. 510; 89 Me. 293.

Sec. 7. Publishing lists of debtors prohibited. R. S. c. 131, § 7. No person, firm or corporation shall publicly advertise for sale in any manner whatever, or for any purpose whatever, any list or lists of debts, dues, accounts, demands, notes, or judgments, containing the names of any of the persons who owe the same. Any such public advertisement containing the name of but one person who owes as aforesaid, shall be construed as a list within the meaning of this section. Any person, firm, or corporation violating any of the provisions of this section shall be liable in an action of debt to a penalty of not less than twenty-five dollars, nor more than one hundred dollars, to each and every person, severally and not jointly, whose name appears in any such list.

102 Me. 132.

Sec. 8. Section seven does not apply to executors, etc., or officials. R. S. c. 131, § 8. The provisions of the preceding section shall not apply to executors, administrators, guardians, trustees, trustees in bankruptcy, assignees in insolvency, sheriffs, deputy sheriffs, constables, collectors of taxes, town treasurers; or any other officials whose official duties require them to publish any such list or lists.

CHAPTER 142.

Proceedings for Prevention of Crime. Private Detectives.

Sec. 1. Security to keep the peace may be required. R. S. c. 132, § 1. The justices of the superior court, and judges of municipal and police courts, in term time or in vacation, and trial justices in their counties, have power to cause all laws for the preservation of the public peace to be kept; and in the execution thereof may require persons to give security to keep the peace and be of good behavior, as hereinafter provided.

Sec. 2. On complaint that an offense is threatened, proceedings. R. S. c. 132, § 2. Any such magistrate, on complaint that any person threatens to commit an offense against the person or property of another, shall examine, on oath, the complainant and any other witnesses produced, reduce the complaint to writing, and cause the complainant to sign it; and, if on examination of the facts he thinks that there is just cause to fear the commission of such offense, he shall issue a warrant reciting the substance of the complaint, and commanding the officer, to whom it is directed, forthwith to arrest the accused and bring him before such magistrate or court, subject to section nine of chapter one hundred forty-four.