

# MAINE STATE LEGISLATURE

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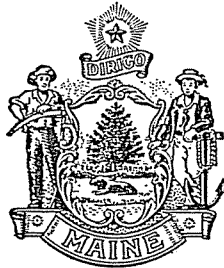
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REVISED STATUTES

OF THE  
STATE OF MAINE

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containing the name of but 1 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 \$25, nor more than \$100, to each and every person, severally and not jointly, whose name appears in any such list. The provisions of this 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.

102 Me. 132.

### False Reports Concerning Banks, Loan and Building Associations, and Insurance Companies

Sec. 35. False reports concerning banks, loan and building associations, and insurance companies; penalty. 1931, c. 40. 1933, c. 49. Whoever maliciously makes, publishes, utters, repeats, or circulates any false report concerning any savings bank, national bank, trust company, loan and building association, or insurance company shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of not more than \$1,000, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.

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## CHAPTER 118.

### CRIMES AGAINST HABITATIONS, BUILDINGS, AND PROPERTY.

- Sections 1-7 Arson and Other Burnings.  
Sections 8-12 Burglary, Assault with Intent. Breaking and Entering with Intent to Commit a Felony.  
Sections 13-37 Malicious Mischiefs.  
Sections 38-42 Trespass.

#### Arson and Other Burnings

Sec. 1. Burning of dwelling-houses; offense may constitute murder; penalties. R. S. c. 130, § 1. 1935, c. 71. Whoever wilfully and maliciously sets fire to or causes fire to be set to the dwelling-house or any building, occupied in part for dwelling or lodging-house purposes and belonging wholly or in part to himself, his wife, or to another, or to any building adjoining thereto owned wholly or in part by himself, his wife, or another, with intent to burn such dwelling-house or building, shall be punished by imprisonment for not less than 1 year, nor more than 20 years. Whoever wilfully and maliciously sets fire to or causes fire to be set to a dwelling-house or any building owned by himself, and thereby endangers a dwelling-house or other property of his wife or of another shall be punished by imprisonment for not less than 1 year, nor more than 20 years. Should the life of any person be lost in consequence of any such burning such offender shall be deemed guilty of murder, and punished accordingly.

See § 6; § 12, re definition of dwelling-house; c. 88, § 44, re lodging-house; 55 Me. 367; 63 Me. 135; 66 Me. 307; 71 Me. 355; 116 Me. 419; \*121 Me. 564; 132 Me. 246; 135 Me. 423; 136 Me. 516.

**Sec. 2. Burning of public and private buildings; penalty.** R. S. c. 130, § 2. 1935, c. 71. Whoever wilfully and maliciously sets fire to any meeting-house, court-house, jail, town house, college, academy, or other building erected for public use, or to any store, shop, office, barn, or stable of his wife or another within the curtilage of a dwelling-house, so that such dwelling-house is thereby endangered, and such public or other building is thereby burned in the night-time, shall be punished by imprisonment for any term of years; but if such offense is committed in the daytime, or without the curtilage of, and without endangering a dwelling-house, by imprisonment for not less than 1 year, nor more than 10 years.

See § 6; 12 Me. 215; 45 Me. 329; 58 Me. 243; 119 Me. 546; 132 Me. 246; 135 Me. 423.

**Sec. 3. Burning of other buildings, vessels, bridges, etc.; penalty.** R. S. c. 130, § 3. 1935, c. 71. Whoever wilfully and maliciously burns any building of his wife or of another not mentioned in the preceding section, or any vessel, bridge, lock, dam, or flume of his wife or of another, shall be punished by imprisonment for not less than 1 year, nor more than 10 years.

See § 6; 45 Me. 329; \*117 Me. 363; 132 Me. 246; 135 Me. 423; 136 Me. 516.

**Sec. 4. Assault with intent to commit arson; penalty.** R. S. c. 129, § 24. Whoever assaults another with intent to commit arson, if armed with a dangerous weapon, shall be punished by imprisonment for not less than 1 year, nor more than 20 years; when not so armed, by a fine of not more than \$1,000, or by imprisonment for not more than 10 years.

See § 10; c. 117, §§ 6, 17, 19.

**Sec. 5. Burning of produce, trees, etc.; penalty.** R. S. c. 130, § 4. 1935, c. 71. Whoever wilfully and maliciously burns any corn, grain, hay, vegetables, or other produce, or any soil, trees, underwood, or other property of his wife or of another, shall be punished by imprisonment for not less than 1 year, nor more than 3 years.

See § 6; c. 85, § 35, re kindling fire on land without owner's consent; c. 85, § 36, re kindling fire with intent to injure another.

**Sec. 6. Wife is liable, although property burned is her husband's.** R. S. c. 130, § 5. The provisions of the preceding sections are applicable to a married woman, committing either of such offenses without the consent of her husband, although the property set on fire and burned belonged wholly or in part to him.

**Sec. 7. Burning property for insurance; penalty.** R. S. c. 138, § 24. 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, with intent to defraud the insurer, he shall be punished by imprisonment for not less than 1 year, nor more than 20 years.

117 Me. 474.

**Burglary, Assault with Intent. Breaking and Entering with Intent to Commit a Felony.**

**Sec. 8. Burglary, definition; penalty.** R. S. c. 130, § 6. Whoever breaks and enters in the night-time, with intent to commit a felony, or, having entered with such intent, breaks, in the night-time, a dwelling-house, any person being then lawfully therein, is guilty of burglary; and whether he is, before or after

entering, armed with a dangerous weapon, or whether he assaults any person lawfully therein, or has any confederate present aiding or abetting, or not, in either case, he shall be punished by imprisonment for any term of years; and all burglars' tools or implements prepared or designed for committing burglary shall be dealt with as provided in section 13 of chapter 126.

**Sec. 9. Burglary with explosives; definition; penalty.** R. S. c. 130, § 7. Any person who, with intent to commit crime, breaks and enters, either by day or by night, any building, whether inhabited or not, and opens or attempts to open any vault, safe, or other secure place by the use of nitroglycerine, dynamite, gunpowder, or any other explosive shall be deemed guilty of burglary with explosives. Any person duly convicted of burglary with explosives shall be punished by imprisonment for not less than 20 years, nor more than 40 years.

**Sec. 10. Assault with intent to commit burglary; penalty.** R. S. c. 129, § 24. Whoever assaults another with intent to commit burglary, if armed with a dangerous weapon, shall be punished by imprisonment for not less than 1 year, nor more than 20 years; when not so armed, by a fine of not more than \$1,000, or by imprisonment for not more than 10 years.

See § 4; c. 117, §§ 6, 17, 19.

**Sec. 11. Breaking and entering with intent to commit a felony; penalty.** R. S. c. 130, § 8. Whoever, with intent to commit a felony, breaks and enters in the daytime, or enters without breaking in the night-time, any dwelling-house, or breaks and enters any office, bank, shop, store, warehouse, vessel, railroad-car of any kind, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment for not less than 1 year, nor more than 10 years, but if no person was lawfully therein and put in fear, by imprisonment for not more than 5 years, or by a fine of not more than \$500.

25 Me. 502; 32 Me. 584; 36 Me. 227; 92 Me. 72; 99 Me. 331.

**Sec. 12. Dwelling-house, defined.** R. S. c. 130, § 9. Any permanent building or edifice, usually occupied by any person by lodging therein at night, is a dwelling-house, although such occupant is absent for a time, leaving furniture or goods therein, with an intention to return; but no building shall be deemed a dwelling-house or part of it, unless connected with, or occupied as part of the dwelling-house.

117 Me. 365; 121 Me. 564; 124 Me. 328.

### Malicious Mischiefs

**Sec. 13. Wilful injuries to public and utility properties in general; penalty.** R. S. c. 139, § 5. Whoever wilfully or maliciously destroys, injures, or removes any public building, armory, breast work, trench, fortification, wharf, pier, or dock; or any property, pipe line, reservoir, structure, or apparatus used in supplying water to the public or to any portion thereof; or any dam, reservoir, fishway, fish screen, canal, trench, or their appurtenances; or the gear or machinery of a mill or manufactory; or draws off the water from a mill pond, canal, or trench; or destroys or injures any engine or its apparatus for the extinguishment of fire; or any posts, glass caps, wires, or other material used in the construction and operation of a telegraph, telephone, electric light, or electric power line; or removes, injures, or destroys any public or toll-bridge, or places any obstruction on such bridge or on any public road with intent to injure persons or property

passing thereon, shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 3 years.

See § 42; c. 48, § 10, re penalty for injuring an aqueduct; c. 79, § 76, re penalty for damage to drains, sewers, etc.; 30 Me. 183; 40 Me. 594; \*105 Me. 56.

**Sec. 14. Tapping or interfering with water-pipes, etc.; penalty.** R. S. c. 139, § 6. Whoever unlawfully and intentionally taps or interferes with the water-pipes or fixtures belonging to any water company, or to any city, town, or water district, or pipes lawfully connected therewith, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.

See § 42.

**Sec. 15. Injury to, or interference with apparatus used in furnishing gas, electricity, or water; penalty.** R. S. c. 139, § 11. Whoever unlawfully and intentionally injures or destroys or suffers to be injured or destroyed any meter, pipe, conduit, wire, line, pole, lamp, or other apparatus belonging to an individual, copartnership, or corporation engaged in the manufacture or sale of gas or electricity for lighting purposes or power purposes, or belonging to any water company, or unlawfully and intentionally prevents an electric, water, or gas meter from duly registering the quantity of electricity, water, or gas supplied, or in any way interferes with its proper action or just registration, or without the consent of such individual, copartnership, or corporation unlawfully and intentionally diverts any electric current from any wire of such individual, copartnership, or corporation, or otherwise unlawfully and intentionally uses or causes to be used without the consent of such individual, copartnership, or corporation any electricity manufactured or distributed by such individual, copartnership, or corporation, or unlawfully and intentionally and without the consent of such company taps or interferes with the pipes or fixtures of any gas company, shall for every such offense be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.

**Sec. 16. Injuring, or interfering with telegraph or telephone lines, etc.; penalty.** R. S. c. 139, § 12. Whoever unlawfully and intentionally injures, molests, or destroys any insulator, wire, post, cross-arm, bracket, or other structure or mechanism which forms part of, or is used in connection with an electrical transmission line constructed and maintained for the transmission of intelligence, heat, light, or power by electricity, or destroys or in any way interferes with the proper working of such transmission line, or anything pertaining thereto, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.

**Sec. 17. Malicious injury; tampering with; setting in motion any railroad-car; penalty.** R. S. c. 139, § 8. 1935, c. 32. Whoever wilfully, mischievously, or maliciously breaks the seal upon any freight-car, or breaks and enters any railroad-car, locomotive, or work equipment on any railroad in the state, or destroys, injures, defiles, or defaces any railroad-car, locomotive, or work equipment on any railroad in the state, or mischievously or maliciously releases the brakes upon, moves, or sets in motion any railroad-car, locomotive, or work equipment on the track or side-track of any railroad in the state, shall be punished by a fine of not more than \$500, or by imprisonment for not more than 2 years, and shall also be liable to the corporation injured in an action of trespass for the amount of injury so done.

See § 42; c. 123, §§ 19, 20, re malicious obstruction of any engine or car, or abandonment of the same on railroad; \*111 Me. 553.

**Sec. 18. Wilful removal of waste from journal-boxes of railroad vehicles; penalty.** R. S. c. 139, § 9. Whoever wilfully and maliciously takes or removes the waste or packing from a journal-box or boxes of a locomotive, engine, tender, carriage, coach, car, caboose, or truck used or operated upon a railroad, whether operated by steam or electricity, shall be punished by a fine of not more than \$500, or by imprisonment for not more than 3 years.

See § 42.

**Sec. 19. Wilful destruction of, or injury to baggage; penalty; jurisdiction.** R. S. c. 139, §§ 36, 37. 1933, c. 118, § 1. Any baggage-master, express agent, stage-driver, hackman, or other person whose duty it is to handle, remove, or take care of trunks, valises, boxes, packages, or parcels, whether in the employment of a railroad, steamboat, or stage company or not, who, while loading, transporting, unloading, delivering, or storing such property, wantonly or recklessly injures or destroys the same, shall be punished by a fine of not more than \$100, or by imprisonment for less than 1 year; and such offenders may be prosecuted by the owner of property so destroyed or injured, or by his authorized agent, within 1 year from the day of the offense, half of the fine to be paid to such owner, and half to the county in which the offense was committed. Trial justices have jurisdiction of offenses described in this section, when the property destroyed or injury done is not alleged to exceed \$20.

**Sec. 20. Interference, removal, or destruction of transit points, etc.; penalty.** R. S. c. 139, § 10. Whoever wilfully or maliciously disturbs, removes, or destroys any transit point, reference point, stake, plug, hub, guard-stake, benchmark, or other monument of any railroad, highway, or other engineering location or survey shall be punished by a fine of not more than \$25, or by imprisonment for not more than 30 days; and in addition thereto shall be liable in an action of debt for the amount of damage done.

See § 42.

**Sec. 21. Malicious injuries to monuments, landmarks, guide-boards, lamps; penalty.** R. S. c. 139, § 26. Whoever wilfully and wantonly or maliciously injures or removes any monument erected, or tree marked as a boundary of any land or town; destroys, defaces, or alters the marks thereon, made for the purpose of designating such boundary; injures or defaces any milestone or guide-board erected on a public way or railroad; removes, defaces, or injures any sign-board, lamp, or lamp-post; or extinguishes any lamp on any bridge, street, way, or passage, shall be punished by a fine of not more than \$100 and by imprisonment for less than 1 year.

See § 42.

**Sec. 22. Malicious injury to buildings, fixtures, goods, or valuable papers; penalty; civil action for damages not exceeding treble amount.** R. S. c. 139, § 27. Whoever wilfully and wantonly or maliciously destroys, injures, or defaces any building or fixture attached thereto, without consent of the owner; or destroys, injures, or secretes any goods, chattels, or valuable papers of another, shall be punished by a fine of not more than \$500, or by imprisonment for less than 1 year; and shall also be liable to the party injured, in an action of trespass, for the amount of injury so done, and for a further sum, not exceeding in all three times such amount, as the jury deems reasonable.

See § 42; 12 Me. 215; 21 Me. 345; 30 Me. 477, 485; 33 Me. 147, 362; \*66 Me. 64.

**Sec. 23. Wanton injury to books, pictures, and statues; penalty.** R. S. c. 139, § 28. Whoever wantonly mars, defaces, or injures a book, picture, statue, or

painting belonging to any public library, or library of any association open to the public, or to any literary or educational institution, or any statue erected in any public park or square, or upon any ground open to the public, shall be punished by a fine of not more than \$50, or by imprisonment for not more than 3 months.

See § 42.

**Sec. 24. Mooring vessels or rafts to buoys or beacons, and for destroying them; penalty.** R. S. c. 139, § 15. 1931, c. 149. Whoever moors a vessel, boat, scow, or raft to any buoy or beacon, placed by the United States or this state in any of the navigable waters of this state, or in any manner makes the same fast thereto, forfeits \$50; and whoever wilfully destroys any such buoy or beacon shall forfeit \$100 and be imprisoned for 3 months. Said forfeitures may be recovered by complaint or action of debt; half to the plaintiff or informer, and half to the county in which the trial is had.

See § 42; 136 Me. 206.

**Sec. 25. Unlawful taking and use of boats, vehicles, aircraft, or draft animals; penalty; limitation.** R. S. c. 139, § 3. 1939, c. 29. Whoever, in any other case, wilfully and mischievously takes or uses any boat, vehicle, aeroplane or other aircraft, 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 a fine of not more than \$300, or by imprisonment for not more than 11 months; but the provisions of this section and of section 27 do not apply to any case of taking the property of another with intent to steal the same, or when such property is taken under a claim of right, or with the presumed consent of the owner or person having the legal control thereof.

See § 42.

**Sec. 26. Unlawful injuring of or tampering with vehicles.** R. S. c. 139, § 4. Whoever shall individually, or in association with one or more others, wilfully break, injure, tamper with, or remove any part or parts of any vehicle for the purpose of injuring, defacing, or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle, or who shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle shall be punished by a fine of not more than \$200, or by imprisonment for a term of not more than 3 months, or by both such fine and imprisonment; and whoever is convicted the second time for a violation of any of the provisions of this section shall be punished by a fine of not less than \$200, nor more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.

See § 42.

**Sec. 27. Unlawful taking of saddled or harnessed horse; penalty.** R. S. c. 139, § 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 a fine of not more than \$100, or by imprisonment for not more than 3 months.

See § 42.



**Sec. 28. Driving nails, spikes, etc., in logs intended for manufacture; penalty; civil action for double damage.** R. S. c. 139, § 13. Whoever wilfully or maliciously drives or causes to be driven into any log or logs intended to be sawed or manufactured any nail, spike, bolt, or other article such as is likely to cause injury to or destruction of any saw or instrument used in the manufacture of such logs, or endanger the life or person of any one engaged in such manufacture, shall be punished by a fine of not less than \$100, nor more than \$500, and by imprisonment for not less than 1 year, nor more than 5 years; and shall also be liable to any person injured in an action on the case for double the damages sustained by such person.

See § 42.

**Sec. 29. Injuring or cutting loose booms, rafts, vessels, or boats; penalty; civil action for double damages.** R. S. c. 139, § 14. Whoever wilfully or maliciously, without consent of the owner, cuts away, lets loose, injures, or destroys any boom, raft of logs, or other lumber, or any vessel, gondola, scow, or other boat fastened to any place, of which he is not the owner or legal possessor, shall be punished by a fine of not more than \$500 and by imprisonment for less than 1 year; and shall also be liable to the person injured in an action of trespass for double the damages by him sustained.

136 Me. 206.

**Sec. 30. Damages to fruit gardens; arrest of offenders; penalty.** R. S. c. 139, §§ 23, 24. Whoever enters an orchard, fruit garden, vineyard, or any field or enclosure kept for the purpose of cultivating any domestic fruit therein, without consent of the owner or occupant, and with intent to take, injure, or destroy anything there growing, and whoever wilfully cuts down, injures, or destroys any tree, shrub, or vine within any of the places before named, or injures any building, trellis, framework, or appurtenance belonging to or upon any of said places, shall be punished by a fine of \$20 and costs and by imprisonment for not less than 30 days, and in default of payment of said fine and costs, shall be further imprisoned at the rate of 2 days for each dollar of said fine and costs. The owner of such place, or any person employed in its cultivation or rightfully in the possession thereof, may arrest any person found violating any provision of this section and carry him before any magistrate within the county where the arrest is made.

See § 42; c. III, § 11, re trespass on improved or ornamental grounds.

**Sec. 31. Protection of rhododendron maximum linnaeus and kalmia latifolia linnaeus.** 1937, c. 71. Whoever without the consent of the owner of the land whereon the same may be growing injures, destroys, digs up, or removes any rhododendron maximum linnaeus or kalmia latifolia linnaeus, or any part or parts of the plants of either of said species growing upon the land of another, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100, and in addition thereto shall be liable to the owner of the land upon which the same was growing in an action of trespass in treble damages.

**Sec. 32. Malicious damage to ice upon any waters by self or another; penalty.** R. S. c. 139, § 7. Whoever wilfully and wantonly or maliciously cuts, injures, mars, or otherwise destroys or damages ice upon any waters from which ice is or may be taken as an article of merchandise, whereby the taking thereof is hindered or the value of the same is diminished for that purpose; or whoever wilfully and wantonly or maliciously incites or procures another to do so shall be punished by a fine of not more than \$500, or by imprisonment for not more

than 11 months; and it is not necessary to allege or prove the title or ownership of the ice so cut, injured, marred, damaged, or destroyed.

See § 42; c. 124, § 1, re corrupting water used for domestic or other uses.

**Sec. 33. Malicious damage to trees, fences, gates, or produce; penalty.** R. S. c. 139, § 17. Whoever wilfully and wantonly or maliciously cuts down, destroys, or otherwise injures any shrub or tree for ornament or use; breaks, injures, or defaces any fence; throws down or opens any gates or bars; injures, destroys, or severs from the land of another any produce thereof or thing attached thereto, such articles not being his own, shall be punished by a fine of not more than \$100 and by imprisonment for less than 1 year.

See § 42; c. 111, § 9, re trespass on lands of another; 3 Me. 178; 5 Me. 409; 37 Me. 331; 60 Me. 410; \*78 Me. 31.

**Sec. 34. Advertising on fences, rocks, etc.; penalty.** R. S. c. 139, § 18. Whoever advertises his wares or occupation by painting notices of the same on, or affixing them to fences or other private property, or to rocks or other natural objects, without the consent of the owner in writing, or if in the highway or any other public place, without the consent of the municipal officers in writing, shall be punished for each offense by a fine of not less than \$5, nor more than \$20.

See § 42.

**Sec. 35. Advertising signs on highways prohibited; exception; penalty; jurisdiction; state police to remove signs.** R. S. c. 139, §§ 19, 20. 1935, c. 29. No person shall post, erect, display, or maintain or cause to be posted, erected, displayed, or maintained any sign, bill-board, panel, placard, poster, notice, or other advertising device in, upon, or above any public highway or so situated with respect to any public highway as to obstruct clear vision of an intersecting highway or highways, or otherwise so situated as to prevent the safe use of the public highway; and such public highway shall be deemed the full width of the road as laid out by the county or the town.

Provided that the provisions hereof shall not apply to the state or to any political subdivision thereof or to signs erected or maintained with the approval of the state highway commission solely for the purpose of safeguarding, facilitating, or protecting travel along the highway; and provided further, that the state highway commission may authorize the placing of directional signs of such design as it shall determine, not exceeding 30 inches in length and 9 inches in width to designate places of interest; to be posted without expense to the state at the junction of roads in the town where the place is located and in adjoining towns.

Any person found guilty of violating the provisions of this section shall be punished by a fine of not less than \$5, nor more than \$500; and whoever after conviction of such violation unlawfully maintains any such sign, bill-board, panel, placard, poster, notice, or other advertising device for 10 days after such conviction may be punished by a further fine of not more than \$50 for each day upon which such sign, bill-board, panel, placard, poster, notice, or other advertising device is maintained. Trial justices shall have jurisdiction to punish offenses under the provisions of this section. The state police shall remove all signs, bill-boards, panels, placards, posters, notices, or other advertising devices existing within the limits of the highway in violation hereof.

See § 42; c. 20, §§ 111-122, re outdoor advertising.

**Sec. 36. Wearing of spiked boots and shoes in public places, forbidden; exception; penalty.** R. S. c. 139, §§ 38, 39, 40. No person wearing boots or shoes

with spikes or calks in the sole or heel thereof shall enter any public building, hotel, railroad station, railroad-car, or steamboat without special permission from the owner, lessee, person in charge thereof, or some officer, agent, or servant of either of them, or, having entered, shall remain therein after having been requested to leave such public building, hotel, railroad station, railroad-car, or steamboat by the owner, lessee, person in charge thereof, or some officer, agent, or servant of either of them. No person shall be convicted of any offense hereunder unless a printed copy of this section and the following section shall have been posted in a conspicuous place in the public building, hotel, railroad station, railroad-car, or steamboat where said offense is committed, for at least 30 days prior to the commission of said offense, and is also posted at the time of said offense. Whoever violates any of the provisions hereof shall, on complaint and conviction, be punished by a fine of not less than \$1, nor more than \$10, but a person having entered as aforesaid without permission and remaining after having been requested to leave as above provided shall only be convicted of violating one of the provisions hereof.

**Sec. 37. Destroying notices provided for in preceding section; penalty. R. S. c. 139, § 41.** Whoever wilfully destroys, defaces, or tears down any such printed copy posted under the provisions of the preceding section shall forfeit not less than \$1, nor more than \$10, to be recovered on complaint.

See c. 79, § 110, re malicious injury to the structure of meridian lines; c. 79, § 96, re malicious injury to toll-gate or toll-bridge.

### Trespass

**Sec. 38. Trespass upon lands appurtenant to certain state institutions; penalty. R. S. c. 139, § 16.** Whoever wilfully trespasses upon lands which belong to the state and are appurtenant to the Pownal state school, reformatory for women, reformatory for men, state school for girls, or state school for boys, or whoever shall unlawfully interfere with the inmates of either of said institutions, or, after notice from an officer of any of said institutions to leave said lands, remains thereon, shall be punished by a fine of not more than \$50, or by imprisonment for not more than 3 months.

See § 42.

**Sec. 39. Trespasses on improved lands; penalty. R. S. c. 139, § 21.** Whoever wilfully commits any trespass, or knowingly authorizes or employs another to do so, by entering the garden, orchard, pasture, cranberry ground, improved blueberry ground, arboretum, botanic garden, or improved land, of another, with intent to take, carry away, destroy, or injure trees, shrubs, plants, flowers, grain, grass, hay, fruit, vegetables, turf; or soil thereon shall be punished by a fine of not more than \$100 and by imprisonment for not more than 90 days.

See § 42; c. 111, § 11, re trespass on improved or ornamental grounds.

**Sec. 40. Trespass, by entering or passing over enclosed or cultivated land after being forbidden; penalty; arrest of offenders. R. S. c. 139, §§ 22, 24.** Whoever wilfully enters on or passes over the garden, orchard, mowing land, or other enclosed or cultivated land of another between the 1st days of April and December, after being forbidden to do so by the owner or occupant of said land or his agent, either personally or by notice posted conspicuously on the premises, is guilty of trespass, and shall be punished by a fine of not more than \$20. The owner or occupant of said land or his agent may arrest any person found violat-

ing any provision of this section, and carry him before any magistrate within the county where the arrest is made.

See § 42.

**Sec. 41. Trespass on timber, or wood standing, etc.; penalty.** R. S. c. 139, § 25. Whoever, except a road commissioner acting within the scope of his lawful authority, wilfully commits any trespass by cutting, destroying, or carrying away timber or wood, on the land of another; by digging up, taking, and carrying away therefrom earth, stone, grass, corn, grain, fruit, hay, or other vegetables, or by carrying away from any wharf or landing place goods in which he has no interest, shall be punished by a fine of not more than \$50 and by imprisonment for not more than 2 months.

See § 42; 5 Me. 409.

**Sec. 42. Limitations of prosecutions, and jurisdiction of offenses.** R. S. c. 139, § 35. 1933, c. 118, § 1. Prosecutions for offenses described in sections 13 to 41, inclusive, except those set forth in sections 15, 16, 19, 29, 31, 36, and 37, must be commenced within 4 years after the commission thereof; and trial justices shall have jurisdiction when the property destroyed or injury done is not alleged to exceed \$10 in value, in which case the punishment shall be by a fine of not more than \$10 and by imprisonment for not more than 30 days, unless otherwise specially provided.

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## CHAPTER 119.

### LARCENY, EMBEZZLEMENT, AND RECEIVING STOLEN GOODS.

Sections 1-10 Larceny, Embezzlement, and Common Thief.

Sections 11-14 Buying, Receiving, or Aiding to Conceal Stolen Goods.

#### Larceny, Embezzlement, and Common Thief

**Sec. 1. Larceny, definition; penalty.** R. S. c. 131, § 1. 1931, c. 80, § 1. 1933, c. 92, § 6. Whoever steals, takes and carries away, of the property of another, money, goods or chattels, or any writ, process, public record, bond, bank-bill or note, promissory note, bill of exchange, order, certificate, book of accounts, conveyance of real estate, valuable contract, receipt, release, defeasance, or instrument in writing whereby any demand, right, or obligation is created, increased, diminished, or extinguished is guilty of larceny; and shall be punished, when the value of the property exceeds \$100, by imprisonment for not less than 1 year, nor more than 5 years; and when the value of the property does not exceed \$100, by a fine of not more than \$100, or by imprisonment for not more than 6 months, or by both such fine and imprisonment.

See c. 129, § 2, re unlawful conversion of lumber; c. 127, § 1, re domestic animals and dogs; 17 Me. 195; 19 Me. 228, 400; 21 Me. 18; 62 Me. 285; 66 Me. 441; 72 Me. 468; 86 Me. 432; 99 Me. 334; 126 Me. 163.

**Sec. 2. Larceny from the person; penalty.** R. S. c. 131, § 4. Whoever commits larceny from the person of another shall be punished by a fine of not more than \$500, or by imprisonment for not more than 6 years.

86 Me. 433.