

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 4

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1955

motor vehicle in any private drive or way in a manner to block the same or on a public highway in such a manner as to block the entrance to a private driveway, gate or barway, or whoever willfully permits his cattle, horses, sheep or swine to enter in and upon residential property, including summer residences and cottages after having been forbidden to do so by the owner or occupant thereof, either personally or by an appropriate notice posted conspicuously on the premises, shall be guilty of trespass and shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both such fine and imprisonment. (1949, c. 327, § 1. 1953, c. 325. 1955, c. 165.)

Effect of amendment.—The 1955 amendment inserted the provision as to permitting cattle, horses, sheep or swine to enter on residential property.

Sec. 39-A. Trespass on certain buildings. — Whoever willfully enters any dwelling house, camp, cottage or locked building, without the permission of the owner or occupant thereof, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both such fine and imprisonment. (1955, c. 407.)

Sec. 41. Trespass on timber or wood standing, etc. — Whoever, except a road commissioner acting within the scope of his lawful authority, willfully 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 \$100 and by imprisonment for not more than 2 months. (R. S. c. 118, § 41. 1955, c. 198.)

Effect of amendment.—The 1955 amendment increased the maximum fine from \$50 to \$100.

Chapter 132.

Larceny, Embezzlement and Receiving Stolen Goods.

Larceny, Embezzlement and Common Thief.

Sec. 8. Prosecutions for embezzling, or fraudulently converting money, etc., by cashier or other officer.—In prosecutions for embezzling, fraudulently converting to one's own use, or taking and secreting with intent so to embezzle or fraudulently convert, the bullion, money, notes, bank notes, checks, drafts, bills of exchange, obligations or other securities for money, of any person, bank, incorporated company, copartnership, municipal or quasi-municipal corporation, public officer or tax collector, by a cashier or other officer, clerk, agent or servant of such person, bank, incorporated company, copartnership, municipal or quasi-municipal corporation, public officer or tax collector, or by such public officer or tax collector, it is sufficient to allege generally in the indictment an embezzlement, fraudulent conversion or taking with such intent, of money to a certain amount, without specifying any particulars of such embezzlement; and at the trial, evidence may be given of such embezzlement, fraudulent conversion or taking with such intent, committed within 6 months before the time stated in the indictment; and it is sufficient to maintain the charge in the indictment, and is not a variance, if it is proved that any bullion, money, note, bank note, check, draft, bill of exchange or other security for money, of such person, bank, incorporated company, copartnership, municipal or quasi-municipal corporation, public officer or tax collector, of whatever amount, was fraudulently embezzled, converted or taken with such intent by such cashier or other officer, clerk, servant,

agent, public officer or tax collector, within such period of 6 months. (R. S. c. 119, § 8. 1955, c. 28.)

Effect of amendment.—The 1955 amendment made this section applicable to embezzlement of the money, etc., of a “municipal or quasi-municipal corporation.

public officer or tax collector,” and to embezzlement by a “public officer or tax collector.”

Sec. 10-A. Willful concealment of merchandise. — Whoever, without authority, willfully conceals the goods or merchandise of any store, while still upon the premises of such store, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 6 months, or by both such fine and imprisonment. Goods or merchandise found concealed upon the person shall be prima facie evidence of a willful concealment. (1955, c. 66.)

Chapter 133.

Forgery, Counterfeiting, False Pretenses and Frauds.

Forgery and Counterfeiting.

Sec. 1. Forgery, definition. — 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 or insurance, bill of lading, bill of exchange, promissory note, order or acceptance, or indorsement or assignment thereof, or of any debt or contract; or acquittance, discharge or accountable receipt for anything of value; or a motor vehicle operator's license or registration certificate; 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 more than 10 years. (R. S. c. 120, § 1. 1955, c. 29.)

Effect of amendment.—The 1955 amendment inserted the words “or a motor ve-

hicle operator's license or registration certificate” near the middle of the section.

False Pretenses and Other Frauds.

Sec. 29. Fraudulent advertising.—Any person, firm, corporation or association who, with intent to sell or in anywise dispose of merchandise, service or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto or an interest therein, makes, publishes, disseminates, circulates or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, sign, billboard, bill, circular, pamphlet or letter, photograph, motion picture, radio, loud speaker, television, telephone, telegraph, or in any other way, an advertisement of any sort regarding merchandise, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue and designed to be deceptive