

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

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THE MICHIE COMPANY
CHARLOTTESVILLE VIRGINIA

Chapter 143.

Crimes against the Sovereignty of the State.

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Treason, Misprision of Treason.

Sec. 1. Treason.—Whoever is guilty of treason against the state shall be punished by imprisonment for life. (R. S. c. 130, § 1.)

See Const. of Me., Art. 1, § 12, re definition of treason.

Sec. 2. Misprision of treason, definition. — Misprision of treason consists in a knowledge that treason has been or is to be committed, and in the concealment of it, or in omission to give information thereof to the governor, a judge of a court of record or a justice of the peace. No person can be convicted of it without the testimony of 2 witnesses, but one of them may testify to one, and another to a different overt act of the same species of treason; or by confession in open court. Whoever is guilty of misprision of treason shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 5 years. (R. S. c. 130, § 2.)

Sec. 3. Prosecution within 3 years. — No person can be convicted of treason or misprision of treason, unless the indictment therefor is found within 3 years after the commission thereof. (R. S. c. 130, § 3.)

Subversive Activity.

Sec. 4. Advocating or aiding in overthrow of government by force or violence.—Any person who advocates, aids or takes any active part in the overthrow by force and violence of the government of the United States or the state of Maine or any political subdivision thereof is guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$5,000, or by both such fine and imprisonment. (1951, c. 376.)

Usurpation of Jurisdiction by Foreign Power.

Sec. 5. Usurpation of jurisdiction by a foreign power; overt acts within the state.—If a person, claiming authority from any foreign government or magistrate, enters upon any lands, cuts any timber, serves any process, exercises any jurisdiction, authority or ownership, claims any right, or threatens to do any of said acts within the limits of the state, as described by the treaties of 1783 and 1842 between the United States and Great Britain, he and every person aiding and encouraging the same shall be punished by imprisonment and fine, at the discretion of the court. (R. S. c. 130, § 4.)

State Seal.

Sec. 6. State seal, removal of, injury to and neglect or refusal to deliver up.—Whoever knowingly and willfully removes the seal of the state of Maine from the office or custody of the secretary of state at Augusta, or know-

ingly and willfully secretes, defaces, injures or destroys it, or willfully aids or assists in so doing, or, having the same in his possession or under his control, willfully neglects or refuses to deliver it to the secretary of state upon demand therefor, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year nor more than 5 years. (R. S. c. 130, § 5.)

Sec. 7. Use of great seal in any place but office of secretary of state.—Whoever knowingly and willfully uses the seal of the state of Maine, or takes any impression therefrom, for any purpose, in any other place than the office of the secretary of state at Augusta, or knowingly and willfully issues, or receives and acts under any commission, record, document, parchment, instrument or paper bearing the impression of said seal, unless the same has been sealed in said office of said secretary of state at Augusta, shall be punished by a fine of not more than \$3,000 and by imprisonment for not more than 3 years. (R. S. c. 130, § 6.)

Sec. 8. Use of state seal for commercial purposes.—No imitation, imprint, representation, facsimile or copy of the seal of the state of Maine shall be used or displayed for commercial purposes by any person, firm or corporation, except by written permission of the governor. Provided, however, that any person may sell flags containing the state seal or a facsimile of the state seal. Whoever violates any of the provisions of this section shall be punished by a fine of not more than \$300 or by imprisonment for not more than 30 days. (R. S. c. 130, § 7.)

Documents in Custody of State.

Sec. 9. Books and papers, removal from state offices, secretion, mutilation or refusal to return.—Whoever knowingly and willfully removes from the state house at Augusta, or from the custody of the secretary of state, or of the governor and council, or other officer or person in whose lawful custody the same are deposited and kept in said state house, any book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other document or instrument, belonging to, or kept in any of the offices in said state house, except the books and documents kept and deposited in the state library, or knowingly and willfully secretes, alters, mutilates, defaces or destroys any such book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other document or instrument, or knowingly and willfully aids or assists in so doing, or, having any such book of accounts, voucher, record, return, returned copies of lists of votes given for any public officer, certified copy of any record or other such document or instrument in his possession, or under his control, willfully neglects or refuses to return the same to said state house, or to deliver the same to the person in lawful charge of the office or room in said state house where the same were kept or deposited, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year nor more than 3 years. (R. S. c. 130, § 8.)

See c. 135, § 16, re refusal of former public officer to deliver moneys and other public property to successor; penalty.

Falsely Assuming to Be State Official.

Sec. 10. Falsely assuming to be or act as a state official.—Whoever knowingly and falsely assumes to be the head of any department or commission of the state, or the deputy, or inspector thereof, or the agent thereof, or any state official, and to act as such, or knowingly and falsely assumes to discharge any of the duties of such official, or knowingly and willfully invites or receives any communication, document, record or letter properly belonging to such state

official or relating to the office or official business of said official, or in any way knowingly and willfully obstructs or delays such official in the discharge of any of his official duties, shall be punished by a fine of not more than \$5,000, and by imprisonment for not less than 1 year nor more than 5 years. (R. S. c. 130, § 9.)

See c. 135, § 30, re falsely assuming to be an officer.