

# MAINE STATE LEGISLATURE

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REVISED STATUTES  
OF THE  
STATE OF MAINE  
1954

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1959 CUMULATIVE SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES  
VOLUME 4

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Place in Pocket of Corresponding  
Volume of Main Set

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1959

“Pistol,” “revolver” and “firearm” mean a weapon capable of being concealed upon the person and shall include all firearms having a barrel of less than 12 inches in length. (1955, c. 310.)

**Sec. 12-C. Application.**—The penal provisions of section 12-A shall not apply to any person commissioned as a peace officer, employed as a guard or watchman nor to any person who has not been convicted of a penal offense during the 5-year period next immediately following his discharge or release from prison. (1955, c. 310.)

## Chapter 145.

### General Provisions Relating to Crimes.

#### Attempts to Commit Crime.

##### Sec. 4. Attempt with overt act to commit offense.

Cited in *State v. Michaud*, 150 Me. 479,  
114 A. (2d) 352.

#### Jurisdiction of Crimes.

**Sec. 5. Jurisdiction.**—The superior court shall have original jurisdiction, exclusive or concurrent, of all offenses except those of which the original exclusive jurisdiction is conferred by law on municipal courts, municipal courts acting as juvenile courts, and trial justices, and appellate jurisdiction of these, except that the appellate jurisdiction of the superior court regarding offenses of which the original exclusive jurisdiction is conferred upon municipal courts acting as juvenile courts shall be as provided in chapter 152-A. (R. S. c. 132, § 5. 1959, c. 342, § 15.)

**Effect of amendment.**—The 1959 amendment added the words “municipal courts acting as juvenile courts” following “on municipal courts,” and added the exception at the end of the section.

**Sec. 7. Offenses committed on or near boundary of 2 counties; offenses committed in one and death ensues in another county.**

Cited in *State v. Dipietrantonio*, 152 Me. 41, 122 A. (2d) 414.

#### Sufficiency of Complaints and Warrants.

##### Sec. 11. Sufficient indictment for murder or manslaughter.

Applied in *State v. Arsenault*, 152 Me. 121, 124 A. (2d) 741.

##### Sec. 12. Owner of property, as used in indictment.

Proof of bailment is evidence of ownership under this section. *State v. Jutras*, 154 Me. 198, 144 A. (2d) 865.

**Sec. 14. Unimportant variance between written or printed matter in evidence and indictment not material; process, except for felony, amended.**

The amendment of a complaint and warrant as to a material matter must be supported by oath or affirmation under article I, § 5, of the Constitution of Maine and this section. *State v. Chapman*, 154 Me. 53, 141 A. (2d) 630.