

# Title 17: CRIMES

## Chapter 59: FRAUD AND FALSE PRETENSES

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**Maine Revised Statutes**  
**Title 17: CRIMES**  
**Chapter 59: FRAUD AND FALSE PRETENSES**

Subchapter 1: GENERAL PROVISIONS

**§1601. CHEATING BY FALSE PRETENSES**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

**§1602. OBTAINING LONG DISTANCE TELEPHONE SERVICE WITHOUT PAYMENT**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

**§1603. UTTERING FRAUDULENT RECEIPTS**

**1. Fraudulent receipt for delivery or deposit of goods.** A person who fraudulently makes or utters a receipt or other written evidence of the delivery or deposit of any grain, flour, pork, wool or other goods, wares or merchandise in any warehouse, mill, store or other building, when the quantity specified therein had not, in fact, been delivered or deposited in such building, commits a Class B crime.

[ 2003, c. 452, Pt. I, §29 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**2. Fraudulent receipt for delivery and deposit of bonds or securities.** A person who fraudulently makes or utters a receipt or other written evidence of the delivery or deposit with that person of any bonds or other securities or evidences of debt, when the same have not, in fact, been so delivered and deposited, commits a Class B crime.

[ 2003, c. 452, Pt. I, §29 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

SECTION HISTORY

1991, c. 797, §2 (AMD). 2003, c. 452, §X2 (AFF). 2003, c. 452, §I29 (RPR).

**§1603-A. FRAUD AGAINST STATE**

*(REPEALED)*

SECTION HISTORY

1967, c. 450, §1 (NEW). 1975, c. 499, §8 (RP).

**§1604. FALSE FINANCIAL STATEMENTS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

## **§1605. FRAUDULENT CHECKS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

## **§1606. -- PAYMENT IN 5 DAYS OR PRIMA FACIE CASE OF FRAUD**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

## **§1607. CREDIT DEFINED**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

## **§1608. PROCURING MONEY BY FALSE PRETENSE OF PHYSICAL DEFECTS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

## **§1608-A. SALE OF FINGER ALPHABET CARDS AS INDUCEMENT IN THE SALE OF MERCHANDISE**

**1. Sale of finger alphabet cards.** A person may not engage in the business of peddling finger alphabet cards or printed matter stating that the person is deaf or use finger alphabet cards or such printed matter in any way as a means of inducement in the sale of merchandise.

[ 2003, c. 452, Pt. I, §30 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**2. Issuance of license prohibited.** A person may not issue to another person a state or local license for the purpose of peddling finger alphabet cards or printed matter stating that the other person is deaf.

[ 2003, c. 452, Pt. I, §30 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**3. Penalty.** A person who violates this section commits a Class E crime. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

[ 2003, c. 452, Pt. I, §30 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

SECTION HISTORY

1965, c. 71, (NEW). 2003, c. 452, §X2 (AFF). 2003, c. 452, §I30 (RPR).

## **§1609. FALSE REPRESENTATIONS OF STANDARD FOR SALE OF STERLING AND COIN SILVER ARTICLES**

*(REPEALED)*

## SECTION HISTORY

1975, c. 499, §8 (RP).

## §1609-A. RESETTING, TAMPERING OR DISCONNECTING ODOMETERS ON MOTOR VEHICLES

*(REPEALED)*

## SECTION HISTORY

1971, c. 233, (NEW). 1973, c. 178, (RPR). 1975, c. 623, §§18D-18F (AMD). 1979, c. 701, §§16-18 (AMD). 1981, c. 470, §§B4,B4-A (RP).

## §1610. MISREPRESENTING LIVESTOCK

**1. Obtaining or transferring certificate of registration.** A person may not make a false or fraudulent representation for the purpose of:

A. Obtaining a certificate of registration of an animal in a herd register or other register of a club, association, society, company or corporation; or [2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]

B. Transferring a certificate of registration. [2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]

[ 2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**2. Misrepresentation of registration.** A person may not represent that an animal is a registered animal, or has been registered, with the intent that the representation be relied upon by another unless the animal is registered.

[ 2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**3. Penalty.** A person who violates this section commits a civil violation for which a fine of not more than \$300 may be adjudged.

[ 2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

**4. Definition.** For purposes of this section, "registered animal" means an animal duly recorded in the official herd book or similar register of any recognized purebred registry association organized for the purpose of registering a particular breed of animals whose lineage has been established by records.

[ 2003, c. 452, Pt. I, §31 (NEW); 2003, c. 452, Pt. X, §2 (AFF) .]

## SECTION HISTORY

1965, c. 15, (RPR). 2003, c. 452, §X2 (AFF). 2003, c. 452, §I31 (RPR).

## §1611. DISGUIISING HORSES IN PREMIUM SHOWS

Whoever, for the purpose of competing for purses or premiums, knowingly and designedly enters or drives any horse that shall have been painted or disguised, or that represents any other or different horse from the one which is purported to be entered, or shall knowingly and designedly, for the purpose of competing for premiums or purses enter or drive a horse in a class to which it does not properly belong shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months, and such horse, after such notice to the owner as the court may order and a hearing thereon, may be forfeited in the discretion of the

court and sold; 1/2 of the net proceeds of such sale shall go to the informant and the other 1/2 to the county in which the offense is committed. The pecuniary penalty shall be enforced by indictment and the forfeiture by a libel filed by the informant and proceedings in the manner provided in Title 33, chapter 21.

### **§1612. GROSS FRAUD AT COMMON LAW**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1613. FRAUDULENT CONVEYANCES OR ASSIGNMENTS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1614. REMOVAL OR CONCEALMENT OF MORTGAGED PERSONAL PROPERTY**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1615. DEFRAUDING GARAGE OWNER; POSTING COPY OF LAW**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1616. TRANSFER TICKETS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1617. TAMPERING WITH STREET RAILWAY FARE-BOX OR USE OF MUTILATED COINS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

### **§1618. CORPORATE ACTS AFTER FORFEITURE OF CHARTER**

Whoever undertakes to do business or does business of any kind in behalf of any corporation, the charter of which has been forfeited or suspended, or holds out such corporation as doing business, or sells, transfers or puts upon the market any stocks or other evidence of indebtedness whatsoever of any such corporation, while the charter of said corporation remains forfeited or suspended, shall be punished by a fine of \$300.

### **§1619. CIRCULATING ADVERTISEMENTS IN SIMILITUDE OF BANK BILLS**

*(REPEALED)*



SECTION HISTORY

1975, c. 499, §8 (RP).

**§1620. FRAUDULENT ADVERTISING; EXEMPTIONS**

*(REPEALED)*

SECTION HISTORY

1975, c. 499, §8 (RP).

**§1621. USE OF FALSE OR UNAUTHORIZED CREDIT DEVICES**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §1 (AMD). 1975, c. 499, §8 (RP).

**§1622. NOTICE OF CREDIT REVOCATION**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §1 (AMD). 1975, c. 499, §8 (RP).

**§1623. OBTAINING TRANSPORTATION ON SKI LIFT**

*(REPEALED)*

SECTION HISTORY

1967, c. 110, (NEW). 1975, c. 499, §8 (RP).

**§1624. DEFINITIONS**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1971, c. 544, §54 (AMD). 1975, c. 499, §8 (RP).

**§1625. FALSE STATEMENT AS TO FINANCIAL CONDITION OR IDENTITY**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1626. THEFT OF CREDIT CARD; FORGERY**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1627. FRAUDULENT USE OF ILLEGALLY OBTAINED CREDIT CARD,  
FORGED CREDIT CARD OR EXPIRED CREDIT CARD**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1628. FRAUD BY PERSON AUTHORIZED TO PROVIDE GOODS OR SERVICES**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1629. POSSESSION OF MACHINERY, PLATES OR OTHER CONTRIVANCE OR INCOMPLETE CREDIT CARDS**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1630. RECEIPT OF MONEY, GOODS, SERVICES OR ANYTHING ELSE OF VALUE**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1631. DEFENSES NOT AVAILABLE**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1632. PRESUMPTIONS**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1633. PENALTIES**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1634. CONSTRUCTION**

*(REPEALED)*

SECTION HISTORY

1969, c. 405, §2 (NEW). 1975, c. 499, §8 (RP).

**§1635. CIVIL LIABILITY***(REPEALED)*

## SECTION HISTORY

1969, c. 405, §1 (NEW). 1971, c. 63, §3 (RP).

**§1636. POSING AS INDIAN IN VENDING**

A person who is not a member of the Passamaquoddy Tribe or the Penobscot Nation and who represents oneself to be such a member while engaged in the vending of goods and wares is assessed a fine of not more than \$250. [1993, c. 738, Pt. C, §1 (NEW).]

## SECTION HISTORY

1993, c. 738, §C1 (NEW).

**§1637. FALSE CLAIMS OF MEMBERSHIP IN FEDERALLY RECOGNIZED TRIBE IN THE STATE**

**1. Prohibition.** A person may not:

A. Knowingly claim falsely to be a member of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe or the Penobscot Nation; [2011, c. 583, §1 (NEW).]

B. Have the intent to obtain property to which the person is not entitled by making the claim under paragraph A; and [2011, c. 583, §1 (NEW).]

C. Obtain property to which the person is not entitled by making the claim under paragraph A. [2011, c. 583, §1 (NEW).]

[ 2011, c. 583, §1 (NEW) .]

**2. Penalty.** A person that violates subsection 1 commits a civil violation for which a fine of not more than \$2,500 may be adjudged.

[ 2011, c. 583, §1 (NEW) .]

**3. Definition.** For purposes of this section, "property" has the same meaning as set forth in Title 17-A, section 352, subsection 1.

[ 2011, c. 583, §1 (NEW) .]

## SECTION HISTORY

2011, c. 583, §1 (NEW).

**Subchapter 2: COMMERCIAL FRAUDS****Article 1: BILLS OF LADING****§1661. ISSUE OF BILL FOR GOODS NOT RECEIVED**

Any officer, agent or servant of a carrier who, with intent to defraud, issues or aids in issuing a bill knowing that all or any part of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both.

**§1662. ISSUE OF BILL CONTAINING FALSE STATEMENT**

Any officer, agent or servant of a carrier who, with intent to defraud, issues or aids in issuing a bill for goods, knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

**§1663. ISSUE OF DUPLICATE BILLS NOT SO MARKED**

Any officer, agent or servant of a carrier who, with intent to defraud, issues or aids in issuing a duplicate or additional negotiable bill for goods in violation of Title 11, section 7-1402, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncanceled, is guilty of a crime, and upon conviction must be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both. [2009, c. 324, Pt. B, §45 (AMD); 2009, c. 324, Pt. B, §48 (AFF).]

## SECTION HISTORY

2009, c. 324, Pt. B, §45 (AMD). 2009, c. 324, Pt. B, §48 (AFF).

**§1664. NEGOTIATION OF BILL FOR MORTGAGED GOODS**

Any person who ships goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable bill which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

**§1665. NEGOTIATION OF BILL WHEN NOT IN CARRIER'S POSSESSION**

Any person who, with intent to deceive, negotiates or transfers for value a bill knowing that any or all of the goods which by the terms of such bill appear to have been received for transportation by the carrier which issued the bill are not in the possession or control of such carrier, or of a connecting carrier, without disclosing this fact, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both.

**§1666. INDUCING CARRIER TO ISSUE BILL WHEN GOODS NOT RECEIVED**

Any person who, with intent to defraud, secures the issue by a carrier of a bill, knowing that at the time of such issue any or all of the goods described in such bill as received for transportation have not been received by such carrier, or an agent of such carrier or a connecting carrier, or are not under the carrier's control, by inducing an officer, agent or servant of such carrier falsely to believe that such goods have been received by such carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both.

**§1667. ISSUE OF NONNEGOTIABLE BILL NOT SO MARKED**

Any person who, with intent to defraud, issues or aids in issuing a nonnegotiable bill without the words "not negotiable" placed plainly upon the face thereof shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both.

## Article 2: WAREHOUSE RECEIPTS

### **§1701. ISSUE OF RECEIPT FOR GOODS NOT RECEIVED**

A warehouseman, or any officer, agent, or servant of a warehouseman, who issues or aids in issuing a receipt knowing that the goods for which such receipt is issued have not been actually received by such warehouseman, or are not under his actual control at the time of issuing such receipt, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both.

### **§1702. ISSUE OF RECEIPT CONTAINING FALSE STATEMENT**

A warehouseman, or any officer, agent or servant of a warehouseman, who fraudulently issues or aids in fraudulently issuing a receipt for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

### **§1703. ISSUE OF DUPLICATE RECEIPTS NOT SO MARKED**

A warehouse, or any officer's agent, or servant of a warehouse, who issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face thereof the word "Duplicate", except in the case of a lost or destroyed receipt after proceedings as provided for in Title 11, section 7-1402, is guilty of a crime, and upon conviction must be punished for each offense by a fine of not more than \$5,000 or by imprisonment for not more than 5 years, or by both. [2009, c. 324, Pt. B, §46 (AMD); 2009, c. 324, Pt. B, §48 (AFF).]

#### SECTION HISTORY

2009, c. 324, Pt. B, §46 (AMD). 2009, c. 324, Pt. B, §48 (AFF).

### **§1704. ISSUE FOR WAREHOUSEMAN'S GOODS OF RECEIPTS WHICH DO NOT SO STATE**

Where there are deposited with or held by a warehouseman goods of which he is owner, either solely or jointly or in common with others, such warehouseman, or any of his officers, agents or servants who, knowing this ownership, issues or aids in issuing a negotiable receipt for such goods which does not state such ownership, shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

### **§1705. DELIVERY OF GOODS WITHOUT OBTAINING NEGOTIABLE RECEIPT**

A warehouse, or any officer, agent or servant of a warehouse who delivers goods out of the possession of such warehouse, knowing that a negotiable receipt the negotiation of which would transfer the right to the possession of such goods is outstanding and uncanceled, without obtaining the possession of such receipt at or before the time of such delivery, except in the cases provided for in Title 11, sections 7-1402 and 7-1403, is guilty of a crime, and upon conviction must be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both. [2009, c. 324, Pt. B, §47 (AMD); 2009, c. 324, Pt. B, §48 (AFF).]

#### SECTION HISTORY

2009, c. 324, Pt. B, §47 (AMD). 2009, c. 324, Pt. B, §48 (AFF).

### **§1706. NEGOTIATION OF RECEIPT FOR MORTGAGED GOODS**

Any person who deposits goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable receipt which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage shall be guilty of a crime, and upon conviction shall be punished for each offense by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

### Subchapter 3: MARITIME FRAUDS

#### §1751. FRAUDULENT DESTRUCTION OF VESSELS

Whoever in any county willfully casts away, burns, sinks or otherwise destroys a vessel, with intent to injure or defraud any owner thereof, the owner of any property on board, or any insurer of either, commits a Class A crime. If that person lades, equips or fits out any vessel, or aids in so doing, intending that the vessel must be destroyed in the manner and with the intent aforesaid, that person must be punished by a fine of not more than \$5,000 or by imprisonment for not more than 20 years. [1991, c. 797, §3 (AMD).]

##### SECTION HISTORY

1991, c. 797, §3 (AMD).

#### §1752. FALSE INVOICES, BILLS OF LADING OR ESTIMATES OF PROPERTY SHIPPED

If an owner of a vessel or of property laden or pretended to be laden on board thereof, or other person concerned in its lading or fitting out, makes out or exhibits, or causes to be made out or exhibited, any false or fraudulent invoice, bill of lading, bill of parcels or other false estimates of such property, with intent to injure or defraud any insurer of such vessel or property, he shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 10 years.

#### §1753. FALSE AFFIDAVITS OR PROTESTS

If any master, other officer or mariner of any vessel makes, causes to be made or swears to any false affidavit or protest; or if any owner or other person concerned in such vessel, or in the property on board thereof, procures such false affidavit or protest to be made, or exhibits the same with intent to injure, deceive or defraud any insurer of such vessel or property, he shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 10 years.

#### §1754. AIDING SAILORS TO DESERT

Whoever entices or persuades or attempts to entice or persuade, or aids, assists or attempts to aid or assist, a member of the crew of any vessel arriving in or about to sail from a port in this State to leave or desert such vessel before the expiration of the crew member's term of service therein commits a Class E crime. District Courts have original jurisdiction in all cases arising under this section. [1991, c. 797, §3 (AMD).]

##### SECTION HISTORY

1991, c. 797, §3 (AMD).

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