

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAP. 119.

CHAPTER 119.

OFFENCES AGAINST HABITATIONS AND OTHER BUILDINGS.

- SEC. 1. Arson of a dwellinghouse in the night and day time. Punishment.
2. Arson of a dwellinghouse owned in whole or in part by himself. Punishment.
3. Burning of public and private buildings in the night and day time. Punishment.
4. Burning of other buildings, vessels, locks, dams, and flumes. Punishment.
5. Burning of produce, trees, and other property. Punishment.
6. Wife liable though property burnt is her husband's.
7. Burglary defined and punished.
8. Breaking and entering a dwellinghouse in the day time, entering it in night time, breaking and entering other buildings and vessels. Punishment.
9. Dwellinghouse defined.

Arson of a dwellinghouse.
R. S., c. 155,
§ 1, 2.

SEC. 1. Whoever willfully and maliciously sets fire to the dwellinghouse of another, or to any building adjoining thereto, or to any building owned by himself or another, with the intent to burn such dwellinghouse, and it is thereby burnt, in the night time, shall be punished with death. If he proves, and the jury find, that there was no person lawfully in such dwelling house at the time, or if the offence was committed in the day time, he shall be punished by imprisonment for life.

Arson of a dwellinghouse owned by himself.
1854, c. 62.

SEC. 2. Whoever willfully and maliciously sets fire to a dwellinghouse owned wholly or partly by himself, or to any other building owned by himself or another, with intent to burn such dwellinghouse, another person being lawfully therein, and it is thereby burnt, shall be punished by imprisonment for life.

Burning of public and private buildings.
12 Maine, 214.
R. S., c. 155,
§ 3, 4.
1849, c. 95.

SEC. 3. Whoever willfully 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 another within the curtilage of a dwellinghouse, so that it is thereby endangered, and such public or other building is thereby burnt in the night time, shall be punished by imprisonment for life, or any term of years; but if such offence was committed in the day time, or without the curtilage of, and without endangering a dwellinghouse, by imprisonment not less than one, nor more than ten years.

Burning of other buildings, vessels, &c.
R. S., c. 155,
§ 5.

SEC. 4. Whoever willfully and maliciously burns any building of another not mentioned in the preceding section, or any vessel, bridge, lock, dam, or flume, of another, shall be punished by imprisonment not less than one, nor more than ten years.

Burning of produce, trees, and other property.
R. S., c. 155,
§ 6.

SEC. 5. Whoever willfully and maliciously burns any corn, grain, hay, vegetables, or other produce, or any soil, trees, underwood, or other property of another, shall be punished by imprisonment not less than one, nor more than three years.

Wife liable though property burnt is her husband's.
R. S., c. 155,
§ 7.

SEC. 6. The preceding sections are applicable to a married woman, committing either of such offences without the consent of her husband, though the property set on fire and burnt belonged wholly or in part to him.

SEC. 7. 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 dwellinghouse, any person being then lawfully therein, shall be deemed guilty of burglary; and if armed with a dangerous weapon before or after entering, or if he assaults any person lawfully therein, or has any confederate present aiding or abetting, he shall be punished by imprisonment for life; otherwise by imprisonment for life or any term of years.

CHAP. 119.

Burglary defined and punished.

R. S., c. 155, § 8, 9, 10.

SEC. 8. Whoever, with intent to commit a felony, breaks and enters in the day time, or enters without breaking, in the night time, any dwellinghouse; or breaks and enters any office, bank, shop, store, warehouse, vessel, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment not less than one, nor more than ten years; but if no person was lawfully therein and put in fear, by imprisonment not more than five years, or by fine not exceeding five hundred dollars.

Breaking and entering a dwellinghouse, or any building named, or vessel, &c.

R. S., c. 155, § 11.

SEC. 9. Any permanent building or edifice, usually occupied by any person by lodging therein at night, shall be deemed a dwellinghouse, though such occupant is absent for a time, leaving furniture or goods therein, with an intention to return; but no building shall be deemed a dwellinghouse or part of it, unless connected with, or occupied as part of the dwellinghouse.

Dwellinghouse defined.

R. S., c. 155, § 12.

CHAPTER 120.

LARCENY, AND RECEIVING STOLEN GOODS.

SEC. 1. Larceny defined and punished.

2. Larceny in a dwellinghouse and with breaking and entering other buildings and vessels in the night or day time. Punishment.
3. Larceny in a building on fire or of property removed at fires. Punishment.
4. Larceny from the person of another. Punishment.
5. Common thief described and punished.
6. Larceny by falsely personating another, described and punished.
7. Larceny by embezzlement or fraudulent conversion. Punishment.
8. Larceny in like manner of property entrusted to be carried.
9. Buying, receiving, or aiding to conceal stolen property knowingly.
10. Officers to secure stolen property, which is restored to owner on conviction of thief.
11. Court may make compensation to prosecutor and officer.
12. Action for stolen property without conviction of thief.

SEC. 1. Whoever steals, takes, and carries away, of the property of another, any 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, shall be deemed

Larceny defined and punished.

19 Maine, 225,

398.

20 Maine, 14.

22 Maine, 171.

R. S., c. 156,

§ 1.