

MAINE STATE LEGISLATURE

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SEVENTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

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CHAPTER 130.

Offenses Against Habitations and Other Buildings.

Sec. 1. Burning of dwelling-houses; offense may constitute murder; penalties. R. S. c. 121, § 1. Whoever wilfully and maliciously sets fire to or causes fire to be set to the dwelling-house or any building, occupied in part for dwelling or lodging-house purposes and belonging wholly or in part to himself or to another, or to any building adjoining thereto owned wholly or in part by himself or another, with intent to burn such dwelling-house or building, shall be punished by imprisonment for not less than one year, nor more than twenty years. Whoever wilfully and maliciously sets fire to or causes fire to be set to a dwelling-house or any building owned by himself, and thereby endangers a dwelling-house or other property of another shall be punished by imprisonment for not less than one year, nor more than twenty years. Should the life of any person be lost in consequence of any such burning such offender shall be deemed guilty of murder, and punished accordingly.

55 Me. 367; 63 Me. 135; 66 Me. 307; 71 Me. 355; 116 Me. 419; *121 Me. 564.

Sec. 2. Burning of public and private buildings; penalty. R. S. c. 121, § 2. Whoever wilfully 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 dwelling-house, so that such dwelling-house is thereby endangered, and such public or other building is thereby burned in the night time, shall be punished by imprisonment for any term of years; but if such offense is committed in the day time, or without the curtilage of, and without endangering a dwelling-house, by imprisonment for not less than one year, nor more than ten years.

12 Me. 215; 45 Me. 329; 58 Me. 243; 119 Me. 546.

Sec. 3. Burning of other buildings, vessels, bridges, etc.; penalty. R. S. c. 121, § 3. Whoever wilfully 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 for not less than one year, nor more than ten years.

45 Me. 329; *117 Me. 363.

Sec. 4. Burning of produce, trees, etc.; penalty. R. S. c. 121, § 4. Whoever wilfully 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 for not less than one year, nor more than three years.

Sec. 5. Wife is liable, although property burned is her husband's. R. S. c. 121, § 5. The preceding sections are applicable to a married woman, committing either of such offenses without the consent of her husband, although the property set on fire and burned belonged wholly or in part to him.

Sec. 6. Burglary, definition; penalty. R. S. c. 121, § 6. 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 dwelling-house, any person being then lawfully therein, is guilty of burglary; and whether he is, before or after entering, armed with a dangerous weapon, or whether he assaults any

person lawfully therein, or has any confederate present aiding or abetting, or not, in either case, he shall be punished by imprisonment for any term of years; and all burglars' tools or implements prepared or designed for committing burglary, shall be dealt with as provided in section thirteen of chapter one hundred thirty-six.

Sec. 7. Burglary with explosives; definition; penalty. 1929, c. 244. Any person who, with intent to commit crime, breaks, and enters, either by day or by night, any building, whether inhabited or not, and opens or attempts to open any vault, safe or other secure place by the use of nitroglycerine, dynamite, gunpowder or any other explosive, shall be deemed guilty of burglary with explosives. Any person duly convicted of burglary with explosives shall be punished by imprisonment for not less than twenty years, nor more than forty years.

Sec. 8. Breaking and entering with intent to commit a felony; penalty. R. S. c. 121, § 7. Whoever, with intent to commit a felony, breaks and enters in the day time, or enters without breaking in the night time, any dwelling-house, or breaks and enters any office, bank, shop, store, warehouse, vessel, railroad-car of any kind, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment for not less than one year, nor more than ten years, but if no person was lawfully therein and put in fear, by imprisonment for not more than five years, or by a fine of not more than five hundred dollars.

25 Me. 502; 32 Me. 584; 36 Me. 227; 92 Me. 72; 99 Me. 331.

Sec. 9. Dwelling-house, defined. R. S. c. 121, § 8. Any permanent building or edifice, usually occupied by any person by lodging therein at night, is a dwelling-house, although such occupant is absent for a time, leaving furniture or goods therein, with an intention to return; but no building shall be deemed a dwelling-house or part of it, unless connected with, or occupied as part of the dwelling-house.

117 Me. 365; 121 Me. 564; 124 Me. 328.

CHAPTER 131.

Larceny, and Receiving Stolen Goods.

Sec. 1. Larceny, definition; penalty. R. S. c. 122, § 1. Whoever steals, takes and carries away, of the property of another, 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, is guilty of larceny; and shall be punished, when the value of the property exceeds one hundred dollars, by imprisonment for not less than one year, nor more than five years; otherwise, by imprisonment for not more than two years or by a fine of not more than one hundred dollars.

See c. 52, § 2; 17 Me. 195; 19 Me. 228, 400; 21 Me. 18; 62 Me. 285; 66 Me. 441; 72 Me. 468; 86 Me. 432; 99 Me. 334; 126 Me. 163.

Sec. 2. Larceny by night in a dwelling-house, or at any time breaking and entering certain other buildings, vessel, or railroad-car; penalty. R. S. c. 122, § 2. Whoever, without breaking, commits larceny in the night time, in a