

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 13

House of Representatives, January 13, 1921.

Referred to Committee on Judiciary and 500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

Introduced by Mr. Viles of Augusta.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT Relating to Punishment for Certain Crimes.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section fifteen of chapter one hundred twenty
2 of the revised statutes is hereby amended by adding to the
3 last line thereof the following words: 'but not less than five
4 years,' so that said section as amended shall read:

'Whoever, by force and violence, or by putting in fear,
2 feloniously steals and takes from the person of another,
3 property that is the subject of larceny, is guilty of robbery
4 and shall be punished by imprisonment for any term of
5 years but not less than five years.'

Sect. 2. Section twenty-three of chapter one hundred

2 twenty of the revised statutes is hereby amended by strik-
3 ing out the word "one" in the third line thereof and insert-
4 ing in place thereof the word 'five;' and by inserting after
5 the word "for" in the fourth line thereof the words 'not
6 less than one and' so that said section as amended shall
7 read:

'Whoever assaults another with intent to murder, kill,
2 maim, rob, steal or to commit arson or burglary, if armed
3 with a dangerous weapon, shall be punished by imprison-
4 ment for not less than five years nor more than twenty
5 years; when not so armed, by imprisonment for not less
6 than one and not more than ten years, or by fine not exceed-
7 ing one thousand dollars.'

Sect. 3. Section twenty-four of chapter one hundred
2 twenty of the revised statutes is hereby amended by strik-
3 ing out all of said section following the word "imprison-
4 ment" in the second line thereof and substituting therefor
5 the words 'for not less than one and not more than ten
6 years, or by fine not exceeding one thousand dollars,' so
7 that said section as amended shall read:

'Whoever commits an assault not before described, with
2 intent to commit a felony, shall be punished by imprison-
3 ment for not less than one and not more than ten years,
4 or by fine not exceeding one thousand dollars.'

Sect. 4. Section twenty-six of chapter one hundred twenty
2 of the revised statutes is hereby amended by striking out
3 the word "five" in the seventh line thereof and inserting

4 in place thereof the word 'ten' so that said section as amend-
5 ed shall read as follows :

'Whoever unlawfully attempts to strike, hit, touch, or do
2 any violence to another however small, in a wanton, wil-
3 ful, angry or insulting manner, having an intention, and
4 existing ability to do some violence to such person, is guilty
5 of an assault; and if such attempt is carried into effect, he
6 is guilty of an assault and battery, and for either offense,
7 he shall be punished by imprisonment not exceeding ten
8 years, or by fine not exceeding one thousand dollars, when
9 no other punishment is prescribed.'

Sect. 5. Section six of chapter one hundred twenty-one
2 of the revised statutes is hereby amended by adding after
3 the word "years" in the eighth line thereof the following
4 words: 'but not less than five years,' so that said section as
5 amended shall read as follows :

'Whoever breaks and enters in the night time, with in-
2 tent to commit a felony, or, having entered with such in-
3 tent, breaks, in the night time, a dwelling house, any per-
4 son being then lawfully therein, is guilty of burglary, and
5 whether he is, before or after entering, armed with a dan-
6 gerous weapon, or whether he assaults any person lawfully
7 therein, or has any confederate present aiding or abetting,
8 or not, in either case, he shall be punished by imprison-
9 ment for any term of years, but not less than five years;
10 and all burglars' tools or implements prepared or designed
11 for committing burglary, shall be dealt with as provided in
12 section twelve of chapter one hundred and twenty-seven.'

Sect. 6. Section one of chapter one hundred twenty-two
2 of the revised statutes is hereby amended by striking out
3 the word "five" in the ninth line thereof and substituting
4 therefor the word 'ten,' so that said section as amended shall
5 read as follows:

'Whoever steals, takes and carries away, of the property
2 of another, money, goods or chattels, or any writ, process,
3 public record, bond, bank-bill or note, promissory note,
4 bill of exchange, order, certificate, book of accounts, con-
5 veyance of real estate, valuable contract, receipt, release,
6 defeasance or instrument in writing whereby any demand,
7 right or obligation, is created, increased, diminished or ex-
8 tinguished, is guilty of larceny; and shall be punished,
9 when the value of the property exceeds one hundred dol-
10 lars, by imprisonment for not less than one, nor more than
11 ten years; otherwise, by imprisonment for not more than
12 two years or by fine not exceeding one hundred dollars.'

Sect. 7. Section two of chapter one hundred twenty-two
2 of the revised statutes is hereby amended by striking out
3 the word "one" in the seventh line thereof and inserting
4 in place thereof the word 'five'; and by inserting after the
5 word "for" in the eighth line thereof the words 'not less
6 than one and,' so that said section as amended shall read
7 as follows:

'Whoever, without breaking, commits larceny in the night
2 time, in a dwelling-house or building adjoining and oc-
3 cupied therewith, or breaks and enters any office, bank,
4 shop, store, warehouse, barn, stable, vessel, railroad-car

5 of any kind, court-house, jail, meeting-house, college, acad-
6 emy or other building for public use or in which valuable
7 things are kept, and commits larceny therein, shall be pun-
8 ished by imprisonment for not less than five, nor more
9 than fifteen years; and when the offense is committed in
10 the day time, by imprisonment for not less than one and
11 not more than six years, or by fine not exceeding one thou-
12 sand dollars.'

Sect. 8. Section four of chapter one hundred twenty-two
2 of the revised statutes is hereby amended by striking out
3 all of said section following the word "imprisonment" in
4 the second line thereof and substituting in place therefor
5 the following: 'for not less than one and not more than ten
6 years, or by fine not exceeding one thousand dollars,' so
7 that said section as amended shall read as follows:

'Whoever commits larceny from the person of another,
2 shall be punished by imprisonment for not less than one
3 and not more than ten years, or by fine not exceeding one
4 thousand dollars.'

Sect. 9. This Act shall take effect when approved.