

# MAINE STATE LEGISLATURE

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# EIGHTY-FOURTH LEGISLATURE

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**Senate Document**

**No. 258**

S. P. 591

In Senate, Feb. 28, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dwinal of Knox.

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## STATE OF MAINE

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

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AN ACT Relative to the Crime of Arson and Punishment.

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

Section 1. *Destruction of dwellings or lives by fire.* Who-  
2 ever wilfully and maliciously sets fire to, or aids, instigates,  
3 incites, promotes or procures the burning of, any dwelling  
4 house, or any building occupied in part for dwelling or  
5 lodging purposes, and owned wholly or partly by himself  
6 or another; or any kitchen, shop, barn, stable, garage, shed,  
7 or other buildings adjoining thereto, owned wholly or partly  
8 by himself or another, shall be punished by imprisonment  
9 for not less than two nor more than twenty years; and who-  
10 ever destroys the life of any human being in consequence

11 of such burning, shall be guilty of murder and punished  
12 accordingly.

Sect. 2. *Destruction of buildings other than dwellings.*

2 Whoever wilfully and maliciously sets fire to, or aids, insti-  
3 gates, incites, promotes or procures the burning of, any  
4 barn, stable, garage, shed or other building, not parcel of  
5 a dwelling house and owned by himself or another; or any  
6 office, shop, storehouse, warehouse, factory, mill, power  
7 house or other building owned by himself or another; or  
8 any meeting house, court house, schoolhouse, town house,  
9 work house, prison, jail, academy, college hall, public build-  
10 ing, monument or memorial; or any vessel, dock, bridge,  
11 lock, dam or flume of another, shall be imprisoned for not  
12 less than one nor more than ten years.

Sect. 3. *Destruction of property other than buildings.*

2 Whoever wilfully and maliciously sets fire to, or aids, in-  
3 stigates, incites, promotes or procures the burning of, any  
4 hay, grain, wheat, corn, oats, barley, rye or vegetable prod-  
5 uct, either growing, stacked in the field, or stored; or any  
6 tank of oil, gasoline, pile of coal, wood or other fuel; or  
7 any pile of planks, boards, posts, rails, lumber or standing  
8 trees or underwood; or any street car, railway car, ship,  
9 boat or other water craft, automobile or other motor ve-  
10 hicle; or any stocks, bonds or muniments of title; or any  
11 personal property of the value of twenty-five dollars owned  
12 by another person and not specifically named herein, shall

13 be imprisoned for not less than one nor more than three  
14 years.

Sect. 4. *Burning to defraud the insurer.* Whoever wil-  
2 fully, with intent to defraud the insurer, sets fire to or aids,  
3 instigates, incites, promotes or procures the burning of, any  
4 building, motor vehicle, merchandise, household furniture,  
5 chattels, stocks, bonds, muniments of title, or personal prop-  
6 erty of any kind, owned by himself or another and insured  
7 by any person or corporation against loss or damage by  
8 fire, shall be imprisoned for not less than one nor more  
9 than five years.

Sect. 5. *Attempts to commit arson.* Whoever wilfully  
2 and maliciously attempts to set fire to, or attempts to aid,  
3 instigate, incite, promote or procure the burning of any of  
4 the buildings or properties, mentioned as subject of arson  
5 in sections one, two, three and four of this act, shall be  
6 punished by a fine of not more than one thousand dollars,  
7 or by imprisonment for not less than one nor more than  
8 two years.

The placing or distributing of any inflammable, explosive  
2 or combustible material or substance, or any device in any  
3 building or property mentioned in the foregoing sections in  
4 an arrangement or preparation with intent to eventually  
5 wilfully and maliciously set fire to or burn same, or to pro-  
6 cure the setting fire to or burning of same, shall, for the  
7 purposes of this act constitute an attempt to burn such  
8 building or property.

Sect. 6. *Repealing clause.* Sections one, two, three and  
2 four of chapter one hundred twenty-one and section twenty-  
3 two of chapter one hundred twenty-eight, revised statutes  
4 of nineteen hundred sixteen, are hereby repealed.