

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 213

S. P. 247

In Senate, January 30, 1935.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Burkett of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to Offenses Against Habitants and Other Buildings.

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

R. S., c. 130, §§ 1, 2, 3, 4, amended. Sections 1, 2, 3 and 4 of chapter 130 of the revised statutes are hereby repealed and in place thereof the following sections are hereby enacted:

'Sec. 1. Definition of arson; penalty. Any person who wilfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any dwelling house, whether occupied or unoccupied, or any kitchen, shop, barn, stable or other outhouse that is parcel thereof, or belonging to or adjoining thereto, whether the property of himself, **his wife**, or of another, shall be guilty of arson, and upon conviction thereof shall be punished by imprisonment for not less than 2 years nor more than 20 years.'

'Sec. 2. Burning of buildings not covered by arson; penalty. Any person who wilfully and maliciously sets fire to or burns or causes to be burned, or who aids, counsels or procures the burning of any barn, stable, garage or other building, whether the property of himself, **his wife**, or of another, not a parcel of a dwelling house; or any shop, storehouse, ware-

house, factory, mill, theatre, club house, mine tippie, bridge, derrick, grandstand, amphitheatre or other building or structure of whatsoever class or character whether the property of himself, **his wife**, or of another; or any church, meeting house, court house, work house, school, jail or other public building or any public bridge; shall, upon conviction thereof, be punished by imprisonment for not less than 1 year nor more than 10 years.'

'Sec. 3. Burning of personal property; penalty. Any person who wilfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any barrack, cock, crib, rick or stack of hay, corn, wheat, oats, barley or other grain or vegetable product of any kind; or any field of standing hay or grain of any kind; or any pile of coal, wood or other fuel; or any pile of planks, boards, posts, rails or other lumber; or any street car, railway car, ship, boat or other water craft, automobile or other motor vehicle; or any other personal property not herein specifically named; (such property being of the value of \$25 and the property of another person) shall, upon conviction thereof, be punished by imprisonment for not less than 1 year nor more than 3 years.'

'Sec. 4. Burning of insured property; penalty. Any person who wilfully and with intent to injure or defraud the insurer sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any goods, wares, merchandise or other chattels or personal property of any kind, whether the property of himself, **his wife**, or of another, which shall at the time be insured by any person or corporation against loss or damage by fire; shall, upon conviction thereof, be punished by imprisonment for not less than 1 year nor more than 5 years.'

'Sec. 4-A. Attempt or aiding to burn property; penalty. Any person who wilfully and maliciously attempts to set fire to or attempts to burn or to aid, counsel or procure the burning of any of the buildings or property mentioned in the foregoing sections, or who commits any act preliminary thereto, or in furtherance thereof, shall, upon conviction thereof, be punished by imprisonment for not less than 1 year nor more than 2 years or by a fine of not more than \$1000.'

'Sec. 4-B. Definition of an attempt to burn. The placing or distributing of any inflammable, explosive or combustible material or substance, or any device in any building or property mentioned in the foregoing sections in an arrangement or preparation with intent to eventually wilfully and maliciously set fire to or burn the same, or to procure the setting fire to or burning of the same shall, for the purposes of these sections constitute an attempt to burn such building or property.'