

# MAINE STATE LEGISLATURE

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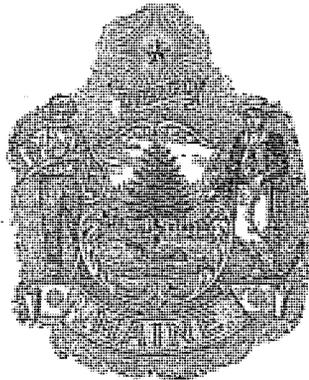
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THE  
REVISED STATUTES

OF THE

STATE OF MAINE

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By the Authority of the Legislature

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## CHAPTER 121.

## Offenses Against Habitations and Other Buildings.

**Sec. 1. Burning of dwelling-houses; offense may constitute murder.** 1915, c. 79. 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 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 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.

**Sec. 2. Burning of public and private buildings.** R. S. c. 120, § 3. 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 was committed in the day time, or without the curtilage of, and without endangering a dwelling-house, by imprisonment for not less than one, nor more than ten years.

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

**Sec. 3. Burning of other buildings, vessels, bridges, etc.** R. S. c. 120, § 4. 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, nor more than ten years.

45 Me. 329.

**Sec. 4. Burning of produce, trees, etc.** R. S. c. 120, § 5. 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, nor more than three years.

**Sec. 5. Wife is liable, although property burned is her husband's.** R. S. c. 120, § 6. 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, defined and punished.** R. S. c. 120, § 7. Whoever breaks and enters in the night time, with intent to commit a felony, or,

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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 twelve of chapter one hundred and twenty-seven.

**Sec. 7. Breaking and entering with intent to commit a felony. R. S. c. 120, § 8.** 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, 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 fine not exceeding five hundred dollars.

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

**Sec. 8. Dwelling-house, defined. R. S. c. 120, § 9.** 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.

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## CHAPTER 122.

### Larceny, and Receiving Stolen Goods.

**Sec. 1. Larceny, defined and punished. R. S. c. 121, § 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, nor more than five years; otherwise, by imprisonment for not more than two years or by fine not exceeding one hundred dollars.

See c. 47, § 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.

**Sec. 2. Larceny by night in a dwelling-house, or at any time breaking and entering certain other buildings, vessel or railroad-car. R. S. c. 121, § 2.** Whoever, without breaking, commits larceny in the night time, in a dwelling-house or building adjoining and occupied therewith, or breaks