

MAINE STATE LEGISLATURE

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CHAPTER 31

BURGLARY

Sec.

751. Definition.

752. Use of explosives.

753. Assault with intent to commit.

754. Breaking and entering with intent to commit felony or larceny.

755. Dwelling house defined.

§ 751. Definition

Whoever breaks and enters in the nighttime with intent to commit a felony or any larceny or, having entered with such intent, breaks in the nighttime a dwelling house, any person being then lawfully therein, is guilty of burglary. 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. All burglars' tools or implements prepared or designed for committing burglary shall be dealt with as provided in section 1813.

R.S.1954, c. 131, § 8.

§ 752. Use of explosives

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 20 years nor more than 40 years.

R.S.1954, c. 131, § 9.

§ 753. Assault with intent to commit

Whoever assaults another with intent to commit burglary, if armed with a dangerous weapon, shall be punished by imprisonment for not less than one year nor more than 20 years; when not so armed, by a fine of not more than \$1,000 or by imprisonment for not more than 10 years.

R.S.1954, c. 131, § 10.

§ 754. Breaking and entering with intent to commit felony or larceny

Whoever, with intent to commit a felony or any larceny, breaks and enters in the daytime or enters without breaking in the nighttime any dwelling house, or breaks and enters any office, bank, shop, store, warehouse, vessel, railroad car of any kind, motor vehicle, aircraft, house trailer, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment for not more than 10 years; but if no person was lawfully therein and put in fear, by imprisonment for not more than 5 years or by a fine of not more than \$500.

R.S.1954, c. 131, § 11; 1959, c. 59; 1963, c. 21, § 1.

§ 755. Dwelling house defined

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.

R.S.1954, c. 131, § 12.