

THIS IS A REFILE OF HOUSE, NO. 418 OF 1971.

# HOUSE . . . . . No. 362

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By Mr. Serlin of Boston, petition of I. Edward Serlin relative to increasing the penalty for breaking and entering a dwelling house in the day time. The Judiciary.

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## **The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Seventy-Two.

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### AN ACT INCREASING THE PENALTY FOR BREAKING AND ENTERING A DWELLING HOUSE IN THE DAYTIME.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1 Section 14 of chapter 266 of the General Laws, as amended  
2 by chapter 330 of the acts of 1966, is hereby further amended  
3 by striking out the first sentence and inserting in place thereof  
4 the following sentence:—Whoever breaks and enters a dwell-  
5 ing house, with intent to commit a felony, or whoever, after  
6 having entered with such intent, break such dwelling house,  
7 any person being then lawfully therein, and the offender  
8 being armed with a dangerous weapon at the time of such  
9 breaking or entry, or so arming himself in such house, or  
10 making an actual assault on a person lawfully therein, shall  
11 be punished by imprisonment in the state prison for life or for  
12 any term of not less than ten years.

