

and imprisoned, or both, in the discretion of the court before which he shall be tried and convicted.

DRUNKARDS.

42. Every person who shall be drunk in the presence of any justice of the peace, minister, sheriff, coroner, constable, or judge, or clerk of any court, on conviction thereof before any justice of the peace, by the oath of one lawful witness, or by confession of the party, shall be fined for every offence one dollar and costs.

DUELLING.

43. Any person who shall wilfully and maliciously, or by previous agreement, fight a duel or single combat with any engine, instrument or weapon, the probable consequence of which might be the death of either party, and in so doing shall kill his antagonist or any other person, or inflict such wound as that the person injured shall die thereof within twelve months and a day thereafter, such offender, his aiders, abettors and counsellors being thereof convicted, shall be sentenced to undergo a confinement in the penitentiary for not less than five nor more than eighteen years.

44. If any person shall for the purpose of eluding the provisions of the preceding section leave the State, the person so offending shall be deemed as guilty, and be subject to the like penalties as if the offence had been committed within this State.

45. When any judge or justice of the peace has good cause to suspect any person or persons are about to be engaged in a duel, he may issue his warrant to bring the parties before him, and if he shall think proper to take of them a recognizance to keep the peace, he shall insert in the condition that the party or parties shall not during the time for which they were bound, directly or indirectly, be concerned in a duel either with the person suspected, or any other person within the time limited by the recognizance.

EMBEZZLING PROPERTY AND WRITINGS.

46. Every person convicted of wilfully or corruptly embezzling, stealing, withdrawing, impairing, razing or altering any will, testament, codicil, patent, deed, or assignment of a patent, writ,