

INDEX TO THE LAWS.

CRIMES AND PUNISHMENTS.

	Session Ch. S.
— Allowance to witnesses,	1808 113 3
Acts concerning the admission of Quakers, &c. } to make their affirmation as jurors, &c. } Acts respecting writs of <i>habeas corpus</i> , } See <i>Habeas Corpus</i> . }	1809 62 1815 182 1809 125 1813 175
If a person committed for treason or felony plainly expressed in the warrant, upon his prayer in open court, the first day of the term, to be brought to trial, shall not be indicted, the court shall upon motion, on the last day of the term, set at liberty the prisoner upon bail, unless it should appear that the witnesses for the state could not be produced,	1809 125 7
— If not indicted the second term, he may be discharged, if not charged with other process,	
The offences hereinafter mentioned against the government and supremacy of the laws, to be punished in the manner following:	
1st. Treason—death by hanging, or confinement in the penitentiary not less than 6 nor more than 20 years. 2d. Insurrection or rebellion by free negroes, mulattoes or slaves, and by white persons with them—death by hanging. Consulting, conspiring, &c. by such free negroes, &c. and by white persons with them, to raise insurrection or rebellion—confinement in the penitentiary not less than 6 nor more than 20 years. 3d. Counterfeiting the great seal of the state, or any court, or any other public seal, and using the same, or stealing any of them, or being in possession and wilfully concealing them—confinement &c. not less than 5 nor more than 10 years. 4th. Forging and counterfeiting any gold or silver coin in circulation within the state, or falsely uttering the same, or aiding therein—confinement &c. not less than 4 nor more than 10 years,	1809 138 2
Murder perpetrated by poison, by lying in wait, by wilful, deliberate, and premeditated killing, or committed in the perpetration of or attempt to perpetrate any arson, or to burn any barn, &c. or other out house, not parcel of any dwelling house, having grain, &c. therein, rape, sodomy, mayhem, robbery, or burglary, to be deemed murder of the first degree,	— — 3
— All other kind of murder to be deemed murder of the second degree,	— — —
— The jury, if they find the person guilty, to ascertain the degree by their verdict,	— — —
— If convicted by confession, the court to proceed by examination of witnesses to determine the degree, and to give sentence accordingly,	— — —
— Every person liable to be prosecuted for petit treason, to be indicted and punished as directed in other kinds of murder, according to the degree,	— — —
The offences hereinafter mentioned, affecting the lives or the persons of individuals, to be punished in the manner following.	
1st. Murder in the first degree, and aiding, &c.—death by hanging. 2d. Murder of the second degree, and being accessory—confinement, &c. not less 5 nor more than 18 years. 3d. Manslaughter—confinement &c. not more than 10 years. 4th. Mayhem, tarring and feathering, or aiding, &c.—confinement &c. not more than 10 years. 5th. Cutting out or disabling the tongue, putting out an eye, slitting the nose, cutting or biting off the nose, ear, or lip, cutting or biting off, or disabling any limb or member of malice aforethought, with intention to maim or disfigure, or aiding, &c.—confinement &c. not less than 2 nor more than 10 years. 6th. Rape, or as being accessory thereto before the act—death by hanging, or confinement &c. not less than 1 nor more than 21 years. 7th. Carnal	