

ment in the said penitentiary-house for a time not less than two nor more than ten years, under the conditions herein after prescribed. 10th. Every person, his or her counsellors, aiders or abettors, who shall be duly convicted of the crime of kidnapping, and forcibly or fraudulently carrying, or causing to be carried out of this state, any free person, or any person entitled to freedom at or after a certain age, period or contingency, or of arresting and imprisoning any free person, or any person entitled to freedom at or after a certain age, period or contingency, knowing such person to be free, or entitled to their freedom, as aforesaid, with intent to have such person carried out of this state, shall be sentenced to undergo a confinement in the said penitentiary-house for a period of time not less than two nor more than ten years, to be treated as the law directs.

See 1817, ch. 112.

5. AND BE IT ENACTED, That the offences herein after mentioned, affecting the habitations, houses or vessels, of individuals, shall be punished in manner following; that is to say, 1st. Every person duly convicted of the crime of arson, or as being accessory thereto, shall, at the discretion of the court, suffer death by hanging by the neck, or be sentenced to undergo a confinement in the penitentiary-house herein after mentioned for a period of time not less than five nor more than twenty years, under the conditions herein after prescribed. 2d. Every person, his or her aiders, abettors or counsellors, who shall be duly convicted of the crime of wilfully burning any mill, distillery, manufactory, barn, meat-house, tobacco-house, stable, warehouse, or other out-house, not parcel of any dwelling-house, being empty or having therein any tobacco, wheat, rye, oats, Indian corn, barley, flax, hemp, hay, or other country produce, horse or horses, cattle or goods, wares and merchandise, or of burning any stack, rick, mow or barrack of hay, fodder, flax, hemp, tan-bark, wheat or other grain, shall, at the discretion of the court, suffer death by hanging by the neck, or to be sentenced to undergo a confinement in the said penitentiary-house for a term of time not less than three nor more than twelve years, to be treated as herein after directed. 3d. Every person, his or her aiders or abettors, who shall be duly convicted of the crime of wilfully and maliciously burning any ship or other vessel, of seventeen feet keel or upwards, whether laden or empty, shall be sentenced to undergo a confinement in the said penitentiary-house for a period of time not less than two nor more than twelve years, to be treated as herein after described. 4th. Every person convicted of the crime of burglary, or as accessory thereto before the fact, shall restore the thing taken to the owner or owners thereof, or shall pay him, her or them, the full value thereof, and be sentenced to undergo a similar confinement for a period not less than three nor more than ten years, under the same conditions as are herein after prescribed. 5th. Every person, his or her aiders, abettors and counsellors, who shall be duly convicted of the crime of breaking a dwelling house in the day-time, with intent to commit murder or felony therein, or of breaking a store-house, warehouse, or other out-house, in the day or night, with an intent to commit murder or felony therein, shall be sentenced to confinement in the said penitentiary-house for a period of time not less than two nor more than ten years, to be

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10 Of kidnapping and forcibly and fraudulently carrying out of the state, or imprisoning with such design, any free person or persons entitled to freedom at a certain age.

III. Punishments of offences affecting houses or vessels.

1 Of arson.

2 Of burning mills, distilleries, manufactories, barns, &c.

3 Of burning ships, or other vessels of seventeen feet keel and upwards.

4 Of Burglary.

5 Of breaking dwelling houses in day, or store-houses, &c in day or night, with felonious intent.