

C H A P.
CXXXVIII.

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.

V. 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 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 daytime, with intent to commit murder or felony therein, or of breaking a storehouse, 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 dealt with according to law. 6th. Every person duly convicted of the crime of breaking into any shop, storehouse, tobacco-house or warehouse, although the same be not contiguous to or used with any mansion-house, and stealing from thence any money, goods or chattels, to the value of one dollar, or upwards, or as being accessory thereto, 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 two nor more than twelve years, to be treated as herein after directed.

VI. AND BE IT ENACTED, That the offences herein after mentioned, affecting private property, shall be punished in manner following; that is to say, 1st. Every person duly convicted of the crime of simple larceny to the value of five dollars, and upwards, or as accessory thereto before the fact, shall restore the money, goods or thing taken, to the owner or owners, or shall pay to him, her or them, the full value thereof, and be sentenced to undergo a confinement in the penitentiary-house herein after mentioned for a period of time not less than one year nor more than fifteen years, under the same conditions as are herein after directed. 2d. Every person convicted of the crime of robbery, or as accessory thereto before the fact, shall restore the thing robbed or taken to the owner or owners, or shall pay to him, her or them, the full value thereof, and be sentenced to undergo a confinement in the said penitentiary-house for a period of time not less than three nor more than ten years, under the same conditions as are herein after directed. 3d. Every person convicted of feloniously stealing, taking and carrying away, any horse, mare, gelding, colt, ass or mule, or as accessory thereto before or after the fact, shall restore the horse, mare or animal stolen to the owner or owners thereof, or shall pay to him, her or them, the full value thereof, and also undergo a similar confinement for a period not less than two nor more than fourteen years, under the same conditions as are herein after directed. 4th. Every person or persons duly convicted of wilfully and maliciously stabbing, killing or destroying, any horse, mare, gelding, colt, ass or mule, not the property of such person, and not in the act of trespassing on his enclosures, shall undergo a confinement in the penitentiary-house for a period not less than one year nor more than four years, to be treated as herein after directed. 5th. Every person who shall be duly convicted of the crime of stealing any ship, sloop or other vessel, of seventeen feet keel, or upwards, out of any place within the body of any county, or on