

C. H. A. P.
CXXXVIII.

provided, that nothing herein contained shall extend to any person whose husband or wife shall be continually remaining beyond the seas seven years together, or shall absent himself or herself seven years together, in any part within the United States, or elsewhere, the one of them not knowing the other to be living at that time, and if such offender be a man, his first wife shall, on his conviction, be forthwith endowed of one third part of his real estate, which she shall hold as tenant in dower, the assignment of which shall be made as prescribed by law in other cases of dower, and she shall have the like remedy for the recovery thereof; and she shall also, on his conviction, be forthwith entitled to one third part of his personal estate, in the same manner as if such husband had died intestate and she had survived him, which third part shall be divided and allotted to her in the same manner as distribution is made of the personal estate of intestates; and if the said offender be a man, he shall, on conviction, forfeit his claim or title as tenant by the courtesy, and also all his claim or title to any estate, personal or mixed, which he may have in right of his first wife; and if the said offender be a woman, she shall, on conviction, forfeit her claim to dower of the estate of her first husband, and also her distributory share of his personal estate, which she would be entitled to if he had died intestate, and she had survived him.

2d. Every person who shall be duly convicted of keeping any E. O. table, or any other kind of gaming table, billiard tables excepted, at which the games of Pharo, Equality, or any other game of chance shall be played for money, or of keeping any bank, and inducing or permitting any person to bet against the said bank, or of strolling about the country from place to place, and deriving a support and maintenance chiefly from horseracing or gaming, shall be sentenced to undergo a confinement in the said penitentiary for a period not less than three months nor more than two years, to be dealt with as the law directs.

3d. Every commanding officer, captain or master, of any vessel, who shall be duly convicted of wilfully importing in the same into this state, from any foreign country, and not any part of the United States, any felon, convict, or any slave, knowing him or her to be such, and every person duly convicted of bringing into this state, by land or water, any negro or mulatto from any foreign country, not a part of the United States, with intent to sell and dispose of such negro or mulatto within this state as a slave, shall be sentenced to undergo a confinement in the said penitentiary for a period of time not less than one year nor more than five years, to be treated as herein after directed.

4th. If any person shall be apprehended, having upon him or her any picklock, key, crow jack, bit or other implement, with an intent feloniously to break and enter into any dwelling-house, warehouse, stable or out-house, or shall have upon him or her any pistol, hanger, cutlass, bludgeon or other offensive weapon, with intent feloniously to assault any person, or shall be found in or upon any dwelling-house, warehouse, stable or out-house, or in any enclosed yard or garden, or area belonging to any house, with an intent to steal any goods or chattels, every such person shall be deemed a rogue and vagabond, and, on being duly convicted thereof, shall be sentenced to undergo a confinement in the said penitentiary for a period of time not less than three months nor more than two years, to be treated as the law prescribes.

5th. Any person who has been convicted and condemned to serve and labour as a criminal, and who may escape and be found in this state, shall be deemed a fugitive felon, and being thereof convicted by a duly authenticated record from the court of the state in which such conviction and condemnation took place, shall be sentenced to undergo a confinement in the penitentiary of this state for and during the residue of the term for which such person shall have been condemned; but if such person shall be demanded by the state whence he escaped, he shall be immediately delivered agreeably to such demand.

VIII. AND BE IT ENACTED, That the offences herein after mentioned, affecting public justice or public property, shall be punished in manner following; that is to say

1st. Every person who shall be duly convicted of the crime of perjury, or of subornation of perjury, shall be sentenced to undergo a confinement in the penitentiary-house herein after mentioned for a space of time not less than five nor more than ten years, to be treated as herein after directed.

2d. Every person, on being duly convicted of wilfully or corruptly embezzling, stealing, withdrawing, impairing, razing or altering, any will, testament, codicil, patent, deed, or assignment of a patent, writ, return, record, or parcel of the same, within this state, whereby the estate or right of any person shall or may be defeated, injured, or any ways altered, shall be sentenced to undergo a confinement in the penitentiary for a space of time not less than three nor more than seven years, to be treated as the law prescribes.

3d. If any person shall falsely make, forge or counterfeit, or cause to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting, any commission, patent or pardon, or any warrant, certificate, or other public security, whereby money may be drawn from the treasury of this state, or shall be concerned in printing, writing, signing or passing, any such forged, counterfeited warrant, certificate or public security, knowing it to be such, with intention to defraud any person or persons, every such person shall be deemed a felon, and, on being convicted thereof, shall be sentenced to undergo a confinement in the penitentiary for a period not less than two nor more than ten years, to be treated as the law prescribes.

4th. If any

*gaming**or trying felon**R. Locks**Respect of place**perjury**embezzling**any of commission*