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Embriary

Burner Court

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judge, or other person concerned in the administration of justice, take any illegal fee, gift or undue reward, to influence his behaviour in his office, and if any person shall give any money or thing to any judge, or other person concerned in the administration of justice, with intent to influence his behaviour in his office, every such judge or person shall be deemed guilty of bribery, and on being convicted thereof, shall be sentenced to undergo a confinement in the penitentiary for a term of time not less than two nor more than twelve years, to be treated as is prescribed by law, and shall be disqualified from holding any office for ever thereafter. X5th. Every embracer who shall procure any juror to take gain or profit for rendering his verdict, upon conviction, and every juror convicted of taking gain or profit for giving his verdict, shall undergo a confinement in the penitentiary for a period not less than one year nor more than six years, and shall be disqualified to serve on juries for ever thereafter. X6th. If any person shall wilfully burn, or attempt or conspire to burn, any court-house, or county or public prison, or the penitentiary, poor-house, magazine or lazaretto, or public warehouse, or any other building belonging to this state, or the different counties, cities or towns, or bodies corporate in this state, or the office of the clerk or register of any court in this state, or the state-house of this state, or any public office contained therein, or any public office in this state of any kind whatever, or church or house of worship, college, academy or public school-house, engine-house, market-house, scale-house, watch-house, or public barrack, such person or persons, and his, her or their aiders, abettors and counsellors, and each of them, shall be deemed felons, and, on being duly convicted thereof, shall suffer death by hanging by the neck, or be sentenced to undergo a confinement in the penitentiary for a period of time not more than fifteen years, to be treated as the law directs. X7th. Every person duly convicted of the crime of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any public arsenal or magazine of provisions, or of military or naval stores, belonging to this state, or subject to the jurisdiction of this state, or of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any military or naval stores, ship or vessel, belonging to this state, the United States, or any one of them, shall suffer death by hanging by the neck, or be sentenced to undergo a confinement in the penitentiary for a period not less than three nor more than ten years, to be treated as the law directs.

IX. AND BE IT ENACTED, That if any negro or mulatto slave shall be duly convicted of any crime herein mentioned, which may not, in the discretion of the court, under this act, be punished by hanging by the neck, such negro or mulatto slave, instead of confinement in the penitentiary, may, in the discretion of the court, be sentenced to receive on his or her bare back any number of lashes, not exceeding one hundred, and the court may also sentence such negro or mulatto slave to be banished from this state, by transportation and sale, into some foreign country, for the benefit of the state or county, as the case may be, with as full power and authority as the governor may now exercise under an act, entitled, An act declaring the power of the governor in certain criminal cases, such negro or mulatto slave to be valued and paid for in the manner herein after directed, and nothing in this act contained shall be construed to deprive justices of the peace of any power or authority which they may now exercise by law relative to free negroes and mulattoes, or negro and mulatto slaves.

X. AND BE IT ENACTED, That no conviction or attainder shall work corruption of blood or forfeiture of estate; the estate of such persons as shall destroy their own lives shall descend or vest as in case of natural death; if any person be killed by casualty there shall be no forfeiture in consequence thereof; an approver shall never be admitted in any case whatsoever, and a sentence of death shall not be executed in less than twenty days after the judgment.

XI. AND BE IT ENACTED, That all claims to dispensation from punishment, by benefit of clergy, shall be and are hereby for ever abolished; and every person convicted of any felony, heretofore deemed clergyable, shall be sentenced to undergo a confinement in the penitentiary for any time not less than one year nor more than five years, to be treated as herein directed, except in those cases where some other specific penalty is herein prescribed; and every person who shall be convicted of any felony heretofore excluded from the benefit of clergy, and not herein specified, shall be sentenced to undergo a confinement in the penitentiary for a period of time not less than five nor more than twenty years, to be treated as this act directs.

XII. AND BE IT ENACTED, That if any person be indicted of treason or felony, and he or she shall stand mute, or will not answer to the indictment, the court, in such case, shall notwithstanding proceed to the trial of such person so standing mute, as if he or she had pleaded not guilty, and render judgment thereon accordingly.