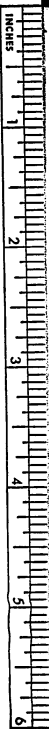


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ACTS AND LAWS,

Passed by the Great and General Court
or Assembly of Their Majesties Pro-
vince of the Maffachufets-Bay, in

New-England.

Begun at *Boston*, the Eighth Day of *June*, 1692. And Con-
tinued by Adjournment, unto *Wednesday* the Twelfth
Day of *October* following : Being the Second Sessions.

*Anno Regni Gulielmi, et Mariae, Regis et Reginae Angliae, Scotiae,
Franciae, et Hiberniae, Quarto.*



B O S T O N

Printed by *Benjamin Harris*, Printer to His Excellency,
the Governour and Council, 1692.

By His Excellency.

I Order Benjamin Harris to Print the Acts and Laws made by the Great and General Court, or Assembly of this Their Majesties Province of the Massachusetts-Bay in New-England, that so the People may be Informed thereof.

Boston December 16th. 1692.

William Phips.

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An Act

For the Punishing of Criminal Offenders

Market Town, or other open Place, and there to have one of his Ears cut off, and also shall have and suffer Imprisonment by the space of one whole Year, without Bail or Mainprize. And the Party or Parties grieved by reason of any of the Offences aforesaid, may take his or their Suit against any such Offender or Offenders, in any Court of Record; where no Essoign, Injunction or Protection shall be allowed the Party Defendant.

Provided always, and it is Enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not extend to charge any Judge of Probate, or Register, with any the Offences aforesaid, for putting their Seal of Office to any Will to be Exhibited unto them, not knowing the same to be False or Forged, for Writing of the said Will or Probate of the same. Nor to any other Person or Persons that shall shew forth or give in Evidence any False or Forged Writing for true or good, being not party or privy to the Forging of the same, nor knowing the same to be False or Forged, any thing in this Act to the contrary notwithstanding.

And it is further Enacted and Ordained by the authority aforesaid.

If Any Person or Persons; either by the Subornation, unlawful procurement, reward, Siniſter perſuaſion, or means of any other; or by their own Act, Consent, or Agreement, shall Wilfully and corruptly; commit any manner of Wilful Perjury, by his or their Deposition in any Court of Record, or being Examined *Ad Perpetuam rei memoriam*, That then every Person and Persons so Offending, and being thereof duely Convict, or Attainted By Law, shall for his or their Offence, Loose and Forfeit Twenty Pounds; the one Moiety thereof, unto their Majesties, and the other Moiety to such Person or Persons as shall be Grieved, hindred or Molested by reason of any such Offence, that shall Sue for the same by Action of Debt, Bill, Plaint, Information, or otherwise, in any Court of Record; in the which no Wager of Law, Essoign, Protection, or Injunction to be allowed: And also to have Imprisonment by the Space of Six Months, without Bail, or Mainprize. And the Oath of such Person or Persons so Offending, not to be received in any Court of Record, until such time as the Judgment given against the said Person or Persons, shall be reversed by attainr or otherwise; and upon every such reversal, the Parties grieved to recover his or their Damages against all and every such Person & Persons, as did procure the said Judgment so reversed, to be given against them or any of them, by Action or Actions, upon his or their Case or Cases; according to the Course of the Common Law.

AND if it happen, the said Offender or Offenders, so Offending, not to have any Goods or Chattels, to the Value of Twenty Pounds, that then He or they be Set on the Pillory by the space of one whole hour, in some Market Town where the Offence was Committed, or next adjoining to the place, where the Offence was Committed; and to have both his Ears Nailed; and from thence forth to be discredited and disabled for ever to be sworn in any Court of Record, until such Time as the Judgment shall be reversed.

AND all and every person and persons who shall unlawfully and corruptly

Wilful Perjury.

Capital Crimes.

ly procure any Witness or Witnesses, by Letters, Rewards, Promises, or by any other Siniſter and unlawful Labour or Means whatsoever; to Commit any wilful and corrupt Perjury, in any Matter or Cause whatsoever Depending, or that shall Depend in Suit and Variance, by any Writ, Action, Bill, Complaint, or Information in any Court of Record; or to Testifie *in perpetuam rei memoriam*: Every such Offender, being thereof duely Convict, or Attainted by Law, shall for his or their Offence be proceeded against, and suffer the like Pains, Penalties, Forfeitures, and Liability in all respects as above-mentioned.

And it is further Enacted by the authority aforesaid.

That all the aforesaid Forfeitures and Sums of Money arising for any Offence Mentioned in this Act, and every Branch thereof, and not otherwise disposed of; shall be unto Their Majesties, for and towards the Support of the Government of this Province, and the Incident Charges thereof.

An Act,

For the Punishing of Capital Offenders.

Be it Ordained and Enacted by the Governour Council and Representatives in General Court assembled. And by the authority of the same.

That all and every of the Crimes and Offences in this present Act hereafter mentioned be and hereby are declared to be Felony. And every Person and Persons Comitting any of the said Crimes or Offences, being thereof Legally Convicted, shall be Adjudged to suffer the Pains of Death.

IF any Man shall have or Worship any other god, but the TRUE GOD. he shall be put to death.

Idolatry

If

Witchcraft If any Man or Woman be a WITCH; that is, hath or consulteth with a Familiar Spirit, they shall be put to death.

Blasphemy If any person shall presume to Blaspheme the Holy Name of GOD, FATHER, SON, or HOLY GHOST, either by wilful or obstinate denying the True God or His Creation, or government of the World, or shall Curse God in like manner, or Reproach the Holy Religion of God, as if it were but a Politick Device to keep Ignorant people in Awe, or shall utter any other kind of Blasphemy of the like nature or degree; he shall be put to death.

High Treason If any person or persons shall compass or imagine the Death of Our Sovereign Lord the King or of Our Lady the Queen, or shall Levy War against Our said Lord and Lady the King and Queen, or adhere unto Their Enemies, giving to them aid and comfort, and thereof be attainted or convicted of open Deed by their Peers upon the Testimony and Deposition of Two lawful and credible Witnesses on Oath, brought before the Offender Face to Face, at the time of his Arraignment; or Voluntary confession of the Party Arraigned: Then every such person and persons so as aforesaid Offending shall be deemed, declared

red, and adjudged to be Traitors, and shall suffer the Pains of death, and also Lose and Forfeit as in cases of High-Treason.

If any person shall commit Wilful-Murder upon premeditated Malice, Hatred, Cruelty, or sudden Heat of Anger: Every such person shall be put to death. **Murder**

If any person shall Slay another through Guile, either by Poysoning, or other Devillish Practice; every such person, their Aiders, Abettors, Procurors, and Councillors, shall suffer death, as in case of Wilful-Murder. **Poysoning**

If any Woman be delivered of any Issue of her body, Male or Female, which if it were born alive, should by Law be a Bastard; And that she endeavour privately, either by Drowning, or secret Burying thereof, or any other way; either by her self, or the procuring of others, so to conceal the death thereof, that it may not come to light, whether it were Born alive or not, but be concealed. In every such case the Mother so Offending, shall suffer death as in case of Murder; Except such Mother can make proof by one Witness at the least, that the Child whose death was by her so intended to be concealed, was born dead. **Concealment of the Death of a Bastard Child, punished as in case of Murder.**

If any Man lieth with MANKIND, as he lieth with a Woman, they both shall be put to death. **Sodomy.**

G

If

Bestiality.

If any Man or Woman have carnal Copulation with any BEAST, or Bruit-Creature, they shall be put to death, and the Beast shall be slain and burned.

Incest
Levit. 20.
11, 12. &c.

If any Persons commit Incest in any of the particular instances, made capital by the Law of God, they shall be put to Death.

Rape

If a Man shall Ravish any Woman committing carnal copulation with her by force, against her will, he shall be put to death.

If any Man shall unlawfully and carnally know and abuse any Woman child, under the age of Ten Years, every such unlawful and carnal knowledge shall be Felony: And the Offender thereof, being duly convict shall suffer as a Felon.

Burning

If any Person of the Age of Sixteen Years, and upwards, shall VVittingly VVillingly and Feloniously Burn or cause to be Burned any Dwelling House, Meeting-House, Store-house, or Ship, or shall in like manner set on Fire any Out-house, Barn, Stable, Stack of Hay, Corn or Wood; Whereby any Dwelling-house, Meeting-house Store-house, or Ship, shall happen to be Burned: Every such Offender shall be put to death.

Piracy

If any shall Piratically and Feloniously Seiz any Ship or other Vessel, whether in the Harbour,

bour, or on the High Seas; Or shall Rise up in Rebellion against the Master, Officer, Merchant or Owner of any such Ship, or other Vessel and Goods, and Dispoil and Dispossess them thereof and Exclude the right Owners or those entrusted on their behalf, Every such Offender together with their Complices, being Legally Convicted thereof, shall be put to death.

Provided always that any of such Company (who through fear or force have been deemed to comply with such wicked Action) shall upon their first Arrival in any Port or Harbour speedily repair to some Justice of the Peace and make Discovery of such Piracy, they shall not be liable to the aforesaid Penalty of Death.

This Act Disallows

An Act