

L A W S

OF THE

TERRITORY OF NEW MEXICO.

PASSED BY THE LEGISLATIVE ASSEMBLY,

Session of 1858--9.



SANTA FÉ:
A. DE MARLE, *Public Printer.*
1859.

Bernalillo.

In the county of Bernalillo, in the town of Albuquerque, commencing on the fourth Monday of April and the third Monday of October each year, and each term shall continue two weeks, unless the business be sooner disposed of.

Valencia.

In the county of Valencia, in the town of Tomé, commencing on the second Monday of May, and this year the fifth Monday in October, and each term shall continue a week, unless the business is sooner disposed of.

Socorro.

In the county of Socorro, in the town of Limitar, commencing the third Monday of May, and the first Monday in November each year, and each term shall continue one week, unless the business be sooner disposed of.

Doña Ana.

In the county of Doña Ana, in the town of La Mesilla, commencing this year on the fifth Monday of May and the third Monday in November, and each term shall continue two weeks, unless the business be sooner disposed of.

SEC. 3. That this act shall be in force from and after its passage.

[Translation.]

CHAPTER XXVI.

An Act to provide for the protection of property in Slaves in this Territory.

Be it enacted by the Legislative Assembly of the Territory of New Mexico :

Penalty for offence on person of a slave.

SECTION 1. That every person who shall be convicted of the unlawful killing of a slave or other offence upon the person of a slave within this Territory, whether as principal or accessory, shall suffer the same pains and penalties as if the party upon whose person the offence was committed had been a free white person.

Penalty for stealing slaves.

SEC. 2. Every person who shall steal any slave with the intent that the owner, or any one having an interest in such slave, present or future, vested or contingent, legal or equitable, shall be deprived of the use or benefit of such slave, shall, upon conviction, suffer imprisonment for a term not more than ten

nor less than four years, and be fined in a sum not more than two thousand nor less than five hundred dollars. And every person who shall by violence, seduction, or other means, take and carry or entice away any slave with the like intent, shall be deemed and held, for every purpose whatever, to have stolen such slave within the meaning of this act. And every person who, knowing any slave to have been stolen as aforesaid, shall aid, assist or advise in or about the carrying away of such slave, shall suffer the like penalties as are above prescribed against the person stealing such slave as aforesaid.

Penalty for abducting slaves.

SEC. 3. Every person who shall carry or convey, or wilfully assist in carrying or conveying any slave, the property of another, with the intent or for the purpose of aiding or enabling such slave to escape out of this Territory, or within this Territory and beyond the control or recovery of his owner or master, or who shall wilfully secrete or conceal such slave from his owner or master, shall, upon conviction thereof, suffer the same penalties as are prescribed in the foregoing section of this act. And in any indictment preferred against any person for the violation of any of the provisions of this act, the property in the slave shall be well laid, if charged to belong to any person having an interest in such slave, whether such interest be legal or equitable, present or future, joint or several, vested or contingent.

In indictment, property shall be well laid.

Penalty for forging free papers.

SEC. 4. Every person who shall forge or furnish to any negro, free or slave, any false or fabricated free papers or false evidences in print or writing of the freedom of such negro, shall, upon conviction, suffer imprisonment for a term not more than five years nor less than six months, and be fined in a sum not more than one thousand nor less than one hundred dollars.

Penalty for seducing or harboring slaves.

SEC. 5. Any person who shall hire, entice, persuade, or in any manner induce any slave to absent himself from the service or custody of his owner or master, or who shall, upon any pretence, harbor or maintain any slave so absenting himself from such service or custody, shall, upon conviction thereof, suffer fine and imprisonment as prescribed in section four of this act, and shall besides be liable to the owner or master in a civil suit for damages.

For inciting insurrection or abetting slave in resistance.

SEC. 6. Any person who shall endeavor to excite in any slave a spirit of insurrection, conspiracy or rebellion, or who shall advise, countenance, aid, or in any manner abet any slave in resistance against his owner or master, shall, upon conviction, suffer imprisonment not less than three months nor more than three years, and be fined in a sum not less than twenty-five nor more than one thousand dollars.

For furnishing deadly weapons to slave.

SEC. 7. Any person who shall sell, lend, hire, give, or in any manner furnish to any slave any sword, dirk, bowie-knife, gun, pistol or other fire arms, or any other kind of deadly weapon of offence, or any ammunition of any kind suitable for fire arms, shall, upon conviction, suffer the penalties prescribed in section six of this act: Provided, that nothing herein contained shall be so construed as to prohibit the owner or master of any slave from temporarily arming such slave with such weapon and ammunition for the purpose of the lawful defence of himself, his family or property.

Proviso.

Trade with slaves prohibited, unless, &c.

SEC. 8. All trade or traffic between free persons and slaves in any article of goods, merchandize, provisions, supplies, or other commodity whatever, is hereby prohibited, unless the slave shall have and exhibit the permission of his owner or master in writing, to trade or traffic, which written permission must specifically set forth the articles or commodities which such slave is authorized to sell, buy or barter. And any persons who shall violate the provisions of this section shall, upon conviction, suffer the penalties prescribed in section six of this act. And if any person other than the owner or master of such slave shall furnish to any such slave any fabricated, false or forged permit to trade as aforesaid, he shall suffer the same penalties as are prescribed in the said sixth section of this act.

Penalties.

Gaming with slaves prohibited.

SEC. 9. Any free person who shall play with any slave at any game of cards, or any other game of skill, chance, hazard or address, either with or without betting thereon, shall be held guilty of a misdemeanor, and be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding three months, or both, at the discretion of the court.

Runaway slave to be taken up.

SEC. 10. Any person may lawfully take up or apprehend any slave who shall have run away, or be absenting himself from