

ACTS,
RESOLUTIONS AND MEMORIALS
PASSED AT THE SEVERAL
ANNUAL SESSIONS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH.

TO WHICH IS PREFIXED:

THE DECLARATION OF INDEPENDENCE, THE ARTICLES OF THE CONFEDERATION,
THE ORDINANCE OF 1787, THE CONSTITUTION OF THE UNITED STATES, AND AMEND-
MENTS THERETO, THE NATURALIZATION LAWS, AND THE ORGANIC ACT OF
UTAH, AND TO WHICH IS APPENDED A NUMBER OF LAW FORMS.

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PUBLISHED BY VIRTUE OF AN ACT APPROVED JAN. 10, 1866.
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such offence to the Governor, or some judge of the Territory, he is guilty of misprision of treason, and shall be fined not exceeding one thousand dollars, or be imprisoned not exceeding ten years, nor less than one year.

SEC. 3.—No person can be convicted of the crime of treason, unless on the evidence of two witnesses to the same overt act, or on open confession in open court.

TITLE II.

Offences against the lives and persons of Individuals.

SEC. 4.—Whoever kills any human being, with malice aforethought, either expressed or implied, is guilty of murder.

SEC. 5.—All murder which is perpetrated by means of poison, or lying in wait, or any other kind of wilful, deliberate, and premeditated killing, or which is committed in the perpetration, or attempt to perpetrate any arson, rape, robbery, mayhem, or burglary, is murder of the first degree, and shall be punished with death.

SEC. 6.—Whoever commits murder, otherwise than is set forth in the preceding section, is guilty of murder of the second degree, and shall be punished by imprisonment for life, or for a term not less than ten years.

SEC. 7.—Upon the trial of an indictment for murder, the jury, if they find the defendant guilty, must inquire, and in their verdict declare whether he be guilty of murder in the first or second degree. But if such defendant be convicted upon his own confession in open court, the court must proceed, by the examination of witnesses, to determine the degree of murder, and award sentence accordingly.

SEC. 8.—Whoever fights a duel with deadly weapons, and inflicts a mortal wound on his antagonist, wherefrom death ensues, is guilty of murder of the first degree, and shall be punished accordingly.

SEC. 9.—Any person who fights a duel with deadly weapons, or is present at the fighting of such duel, as aid, second, or surgeon, or advises, encourages, or promotes such duel, although death do not ensue; and any person who challenges another to fight a duel, or sends or delivers any verbal or written message, purporting, or intended to be such challenge, although no duel ensue; and any person who accepts such challenge, or who consents to act as a second, aid, or surgeon, on such acceptance, or who advises, encourages, or promotes the same, although no duel ensue; shall be fined in a sum not exceeding one thousand dollars, nor less than four hundred dollars, and imprisoned not more than three years, nor less than one year.

SEC. 10.—If any person vex another, or in writing or print use any reproachful or contemptuous language to, or concerning another, for not fighting a duel, or for not sending or accepting a challenge, he shall be fined not exceeding three hundred dollars, nor less than one hundred dollars, and imprisoned not more than six months, nor less than two months.

SEC. 11.—Any person guilty of manslaughter shall be punished by imprisonment not more than ten years, nor less than one year, and by fine not more than one thousand dollars, nor less than one hundred dollars.

SEC. 12.—If any person, with intent to maim or disfigure, cut or maim the tongue, put out or destroy an eye, cut, slit, or tear off an ear, cut, slit, or mutilate the nose, or lip, or cut off, or disable a limb, or any member of any other person, he shall be punished by imprisonment not more than five years, and by fine not exceeding one thousand dollars, nor less than one hundred dollars.

SEC. 13.—If any person with force or violence, or by putting in fear, steal and take from the person of another any property that is the subject of larceny, he is guilty of robbery, and shall be punished according to the aggravation of the offence, as is provided in the following two sections.

SEC. 14.—If such offender, at the time of such robbery, is armed with a dangerous weapon, with intent, if resisted, to kill or maim the person robbed; or if, being so armed, he wound or strike the person robbed; or if he have any confederates aiding and abetting him in such robbery present, and so armed; he shall be punished by imprisonment for a term of not exceeding twenty-five years, and not less than ten years.

SEC. 15.—If such offender commit such robbery, otherwise than is mentioned in the preceding section, he shall be punished by imprisonment not exceeding ten years, nor less than two years.

SEC. 16.—If any person ravish and carnally know any female of the age of ten years, or more, by force and against her will, or carnally know and abuse any female child, under the age of ten years, he shall be punished by imprisonment for life, or not less than ten years.

SEC. 17.—If any person take any woman unlawfully and against her will, and by force, menace, or duress, compel her to marry him, or any other person, or to be