

THE
COMPILED AND REVISED
LAWS
OF THE
TERRITORY OF IDAHO.

OF A GENERAL NATURE PASSED AT, OR CON-
TINUED IN FORCE BY THE

EIGHTH SESSION

OF THE
LEGISLATIVE ASSEMBLY

CONVENED ON THE SEVENTH DAY OF
DECEMBER A D 1874 AT

BOISE CITY.

TOGETHER WITH THE CONSTITUTION OF THE
UNITED STATES, DECLARATION OF INDEPENDENCE
AND ACTS OF CONGRESS CONCERNING THE
TERRITORY.

MILTON KELLY, TERRITORIAL PRINTER.
1875.

Assaulting
and intimid-
ation.

SEC. 41. If any person shall assault and beat another with a cowhide, stick, or whip, having at the time in his possession a pistol or other deadly weapon, with intent to intimidate and prevent the person assaulted from defending himself, such person shall, on conviction thereof, be imprisoned in the Territorial prison not less than one nor more than four years.

Adminis-
tering poi-
son.

SEC. 42. Every person who shall wilfully and maliciously administer, or cause to be administered to or taken by any person, any poison or other noxious or destructive substance or liquid with the intention to cause the death of such person, and being thereof duly convicted, shall be punished by imprisonment in the Territorial prison for a term not less than ten years, and which may extend to life; and every person who shall administer or cause to be administered or taken any medicinal substance, or shall use or cause to be used any instruments whatever, with the intention to procure the miscarriage of any woman then being with child, and shall be thereof duly convicted, shall be punished by imprisonment in the Territorial prison for a term not less than two years nor more than five years; *provided*, that no physician shall be affected by the last clause of this section, who, in the discharge of his professional duties, deems it necessary to produce the miscarriage of any woman in order to save her life.

Procuring
abortion.

Mayhem.

SEC. 43. Mayhem consists in unlawfully depriving a human being of a member of his or her body or disfiguring or rendering it useless. If any person shall cut out or disable the tongue, put out an eye, slit the nose, ear or lip, or disable any limb or member of another, or shall voluntary or of purpose put out an eye or eyes, every such person shall be guilty of mayhem. The crime of mayhem shall be punishable by imprisonment in the Territorial prison for a term not exceeding fourteen years.

Rape.

SEC. 44. Rape is the carnal knowledge of a female forcibly and against her will, and a person duly convicted thereof shall be punished by imprisonment in the Territorial prison for a term not less than five years, and which may extend to life; and any person of the age of fourteen years and upwards who shall have carnal knowledge of any female child under the age of twelve years, either with or without her consent, shall be adjudged guilty of the crime of rape and be punished as before provided.

Crime
against
nature.

SEC. 45. The infamous crime against nature, either with man or beast, shall subject the offender to be pun-