

Virginia laws, statutes

THE
CODE OF VIRGINIA:

WITH

THE DECLARATION OF INDEPENDENCE

AND

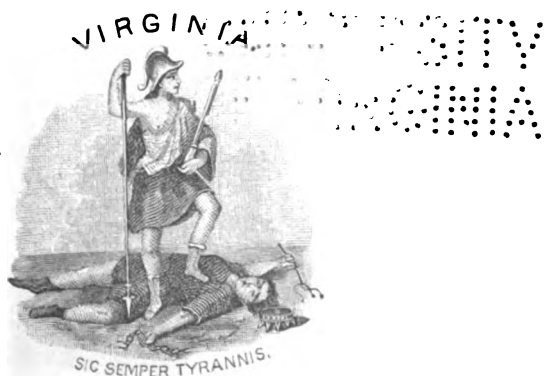
THE CONSTITUTION OF THE UNITED STATES;

AND THE

CONSTITUTION OF VIRGINIA.

PUBLISHED PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY OF VIRGINIA, APPROVED MAY
TWENTY-ONE, EIGHTEEN HUNDRED AND EIGHTY-SEVEN.

A. R. MICOU, SUPERINTENDENT OF PUBLIC PRINTING.



RICHMOND:
PRINTED BY JAMES E. GOODE,
1887.

justice, juror, witness, or an officer of a court, or any sergeant, constable, or other peace officer, or any revenue officer, in the discharge of his duty, or to obstruct or impede the administration of justice in any court, he shall be prosecuted as for a misdemeanor, and punished by fine and imprisonment, or either, in the discretion of the jury.

1862-3, p. 47,
c. 27, § 6.

Sec. 3773. Fraud in drawing jurors, &c., how punished.—If any person be guilty of any fraud, either by tampering with the jury box previously to a draft, or in drawing a juror, or in returning into the jury box the name of any person which has lawfully been drawn out and drawing and substituting another in his stead, or in any other way in drawing of jurors, he shall be confined in jail not exceeding one year and fined not exceeding five thousand dollars.

CHAPTER CLXXXIV.

OF OFFENCES AGAINST THE PEACE.

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1877-8, p. 300.
c. 6, § 1.
2 Va. Cas., 268.

Sec. 3774. Judges and justices may suppress riots, &c. Their duties as to same. Who deemed a rioter.—All judges and justices may suppress riots, routs, and unlawful assemblies within their jurisdiction. And it shall be the duty of each of them to go among, or as near as may be with safety to, persons riotously, tumultuously, or unlawfully assembled, and in the name of the law command them to disperse; and if they shall not thereupon immediately and peaceably disperse, such judge or justice giving the command, and any other present, shall command the assistance of all persons present, and of the sheriff or sergeant of the county or corporation, with his *posse*, if need be, in arresting and securing those so assembled. If any person present, on being required to give his assistance or depart, fail to obey, he shall be deemed a rioter.

Id., § 2.

Sec. 3775. Persons arrested therefor to be committed on failure to give bail.—If a person be arrested for a riot, rout, or unlawful assembly, the judge or justice ordering the arrest, or any other justice, shall commit him to jail, unless he shall enter into recognizance, with sufficient surety, to appear before the court having jurisdiction of the offence, at its next term, to answer therefor, and in the meantime to be of good behavior and keep the peace.

Id., § 3.

Sec. 3776. Judge or justice failing in his duty, how punished.—If any judge or justice have notice of a riotous, tumultuous, or unlawful assembly, in the county or corporation in which he resides, and fail to proceed immediately to the place of such assembly, or as near as he may safely, or fail to exercise his authority for suppressing it and arresting the offenders, he shall be fined not exceeding one hundred dollars.

Sec. 3777. If persons disobey order of judge or justice to disperse, he may require assistance.—If any persons, engaged in such assembly, being commanded as aforesaid to disperse, fail to do so without delay, any such judge or justice may require the aid of a sufficient number of persons, in arms or otherwise, and proceed, in such manner as he may deem expedient, to disperse and suppress such assembly, and arrest and secure those engaged in it.

Sec. 3778. Judges, justices, and persons acting under their orders, guiltless, if a person killed or wounded. Id., p. 301, § 5. If either of them killed, all engaged 26 Gratt., 376. in the assembly guilty.—If, by any means taken under authority of this chapter to disperse any such assembly, or arrest and secure those engaged in it, any person present, as spectator or otherwise, be killed or wounded, any judge or justice exercising such authority, and every one acting under his order, shall be held guiltless; and if the judge or justice, or any person acting under the order of either of them, be killed or wounded in taking such means, or by the rioters, all persons engaged in such assembly shall be deemed guilty of such killing or wounding.

Sec. 3779. Punishment of rioter, when dwelling-house injured, and when not. Id., § 6.—If any rioter pull down or destroy, in whole or in part, any dwelling-house, or assist therein, he shall be confined in the penitentiary not less than two nor more than five years; and though no such house be so injured, every rioter, and every person unlawfully or tumultuously assembled, shall be confined in jail not exceeding one year, and fined not exceeding one hundred dollars. 16 Gratt., 543.

Sec. 3780. Carrying concealed weapons, how punished. Forfeiture and sale of weapons. 1883-4, p. 180.—If any person carry about his person, hid from common observation, any pistol, dirk, bowie-knife, razor, slung-shot, or any weapon of the like kind, he shall be fined not less than twenty nor more than one hundred dollars, and such pistol, dirk, bowie-knife, razor, slung-shot, or any weapon of the like kind, shall be forfeited to the commonwealth and may be seized by an officer as forfeited; and upon the conviction of the offender the same shall be sold and the proceeds accounted for and paid over as provided in section twenty-one hundred and ninety: *Provided*, that this section shall not apply to any police officer, town or city sergeant, constable, sheriff, conservator of the peace, or collecting officer, while in the discharge of his official duty. c. 143.
7 Gratt., 597.