

## STATUTE II.

March 2, 1831.

CHAP. XXXVII.—*An Act for the punishment of crimes in the District of Columbia.* (a)

## Offences.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the passage of this act, every person who shall be convicted, in any court in the District of Columbia, of any of the following offences, to wit: manslaughter, assault and battery with intent to kill, arson, rape, assault and battery with intent to commit a rape, burglary, robbery, horse stealing, mayhem, bigamy, perjury, or subornation of perjury, larceny, if the property stolen is of the value of five dollars or upwards, forgery, obtaining by false pretences any goods or chattels, money, bank note, promissory note, or any other instrument in writing for the payment or delivery of money or other valuable thing, or of keeping a faro bank or other common gaming-table, petty larceny upon a second conviction, committed after the passage of this act, shall be sentenced to suffer punishment by imprisonment and labour, for the time and times hereinafter prescribed, in the penitentiary for the District of Columbia.

## Punishment.

Manslaughter,  
&c.

SEC. 2. *And be it further enacted,* That every person duly convicted of manslaughter, or of any assault and battery with intent to kill, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than two nor more than eight years, for the second offence for a period not less than six nor more than fifteen years.

## Arson.

SEC. 3. *And be it further enacted,* That every person duly convicted of the crime of maliciously, wilfully, or fraudulently burning any dwelling-house, or any other house, barn, or stable, adjoining thereto, or any store, barn, or out-house, having goods, tobacco, hay or grain therein, although the same shall not be adjoining to any dwelling-house; or of maliciously and wilfully burning any of the public buildings in the cities, towns, or counties, of the District of Columbia, belonging to the United States, or the said cities, towns or counties; or any church, meeting-house or other building for public worship, belonging to any voluntary society, or body corporate; or any college, academy, school-house, or library; or any ship or vessel, afloat or building; or as being accessory thereto; shall be sentenced to suffer imprisonment and labour, for a period of not less than one, nor more than ten years for the first offence, and not less than five nor more than twenty years for the second offence.

SEC. 4. *And be it further enacted,* That every free person, duly convicted of rape, or as being accessory thereto before the fact, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than ten nor more than thirty years, and for the second offence for and during the period of his natural life.

Assault and  
battery to com-  
mit rape.

SEC. 5. *And be it further enacted,* That every free person duly convicted of an assault and battery with intent to commit a rape, shall be punished for the first offence by undergoing confinement in the penitentiary for a period not less than one nor more than five years, and for the second for a period not less than five nor more than fifteen years.

## Burglary.

SEC. 6. *And be it further enacted,* That every person duly convicted of burglary, or as accessory thereto before the fact, or of robbery, or as accessory thereto before the fact, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than three nor more than seven years, and for the second offence for a period not less than five nor more than fifteen years.

Horse theft,  
mayhem, biga-  
my.

SEC. 7. *And be it further enacted,* That every person convicted of horse stealing, mayhem, bigamy, or as being accessory to any of said crimes before the fact, shall be sentenced to suffer imprisonment and

(a) See an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes, March 3, 1825, ch. 65, and the notes.

labour, for the first offence for a period not less than two nor more than seven years, and for the second offence for a period not less than five nor more than twelve years.

SEC. 8. *And be it further enacted*, That every person convicted of perjury, or subornation of perjury, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than two nor more than ten years, and for the second offence for a period not less than five nor more than fifteen years.

Perjury, subornation of perjury.

SEC. 9. *And be it further enacted*, That every person convicted of feloniously stealing, taking, and carrying away, any goods or chattels, or other personal property, of the value of five dollars or upwards, or any bank note, promissory note, or any other instrument of writing, for the payment or delivery of money or other valuable thing, to the amount of five dollars or upwards, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one nor more than three years, and for the second offence for a period not less than three nor more than ten years.

Theft.

SEC. 10. *And be it further enacted*, That every person convicted of receiving stolen goods, or any article, the stealing of which is made punishable by this act, to the value of five dollars or upwards, knowing them to have been stolen, or of being an accessory after the fact in any felony, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one nor more than five years, and for the second offence for a period not less than two nor more than ten years.

Receiving stolen goods.

SEC. 11. *And be it further enacted*, That every person duly convicted of having falsely forged and counterfeited any gold or silver coin, which now is, or shall hereafter be, passing or in circulation within the District of Columbia; or of having falsely uttered, paid, or tendered in payment, any such counterfeit or forged coin, knowing the same to be forged and counterfeit; or of having aided, abetted or commanded the perpetration of either of the said offences; or of having falsely made, altered, forged, or counterfeited, or caused or procured to be falsely made, altered, forged, or counterfeited, or having willingly aided or assisted in falsely making, altering, forging, or counterfeiting, any paper, writing, or printed paper, to the prejudice of the right of any other person, body politic or corporate, or voluntary association, with intent to defraud such person, body politic or corporate, or voluntary association, or of having passed, uttered or published, or attempted to pass, utter, or publish, as true, any such falsely made, altered, forged, or counterfeited paper, writing or printed paper, to the prejudice of the right of any other person, body politic or corporate, or voluntary association, knowing the same to be falsely made, altered, forged, or counterfeited, with intent to defraud such person, body politic or corporate, or voluntary association, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one year nor more than seven years, for the second offence for a period not less than three nor more than ten years.

Forgery.

SEC. 12. *And be it further enacted*, That every person duly convicted of obtaining by false pretences any goods or chattels, money, bank note, promissory note, or any other instrument in writing, for the payment or delivery of money or other valuable thing, or of keeping a faro bank or gaming table, shall be sentenced to suffer imprisonment and labour for a period not less than one year, nor more than five years; and every person, so offending, shall be a competent witness against every other person offending in the same transaction, and may be compelled to appear and give evidence in the same manner as other persons: but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying.

Obtaining by false pretences.

Keeping gaming table.

SEC. 13. *And be it further enacted*, That every person, upon a second

Larceny.

conviction of larceny, where the property stolen is under the value of five dollars, or upon a second conviction of receiving stolen goods, knowing them to be stolen, where the property stolen is under the value of five dollars, shall be sentenced to suffer imprisonment and labour for a period not less than one year nor more than three years.

Capital crimes not specially provided for.

SEC. 14. *And be it further enacted*, That all capital felonies and crimes in the District of Columbia, not herein specially provided for, except murder, treason, and piracy, shall hereafter be punished by imprisonment and labour in the penitentiary of said district, for a period not less than seven nor more than twenty years.

Other offences.

SEC. 15. *And be it further enacted*, That every other felony, misdemeanor, or offence not provided for by this act, may and shall be punished as heretofore, except that, in all cases where whipping is part or the whole of the punishment, except, in the cases of slaves, the court shall substitute therefor imprisonment in the county jail, for a period not exceeding six months.

Former provisions, &c. to remain in force.

SEC. 16. *And be it further enacted*, That all definitions and descriptions of crimes: all fines, forfeitures, and incapacities, the restitution of property, or the payment of the value thereof; and every other matter not provided for in this act, be and the same shall remain, as heretofore.

Abduction of free negroes, &c.

SEC. 17. *And be it further enacted*, That if any free person shall, in the said district, unlawfully, by force and violence, take and carry away, or cause to be taken and carried away, or shall, by fraud, unlawfully seduce, or cause to be seduced, any free negro or mulatto, from any part of the said district to any other part of the said district, or to any other place, with design, or intention to sell or dispose of such negro or mulatto, or to cause him or her to be kept and detained as a slave for life, or servant for years, every such person so offending, his or her counselors, aiders, and abettors, shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and imprisonment and confinement to hard labour, in the penitentiary, for any time not exceeding twelve years, according to the enormity of the offence.

This law not applicable to slaves.

SEC. 18. *And be it further enacted*, That nothing herein contained shall be construed to apply to slaves not residents of the District of Columbia; but such slaves shall, for all offences committed in said district, be punished agreeably to the laws as they now exist: *Provided*, That this act shall not be construed to extend to slaves.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

CHAP. XXXVIII.—*An Act making appropriations for certain fortifications during the year one thousand eight hundred and thirty-one.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for certain fortifications, viz:

George's Island.

For the preservation of George's island, Boston harbour, five thousand dollars.

Fort Adams.

For fort Adams, Rhode Island, one hundred thousand dollars.

Ft. Hamilton.

For the completion of fort Hamilton, New York, ten thousand dollars.

Ft. Columbus.

For repairing fort Columbus and Castle Williams, New York, twenty-five thousand dollars.

Fort Monroe.

For fort Monroe, Virginia, eighty thousand dollars.

Fort Calhoun.

For fort Calhoun, Virginia, eighty thousand dollars.

Fort Macon.

For the completion of fort Macon, seventy thousand dollars.

Oak Island.

For the completion of the fort on Oak island, North Carolina, ninety-five thousand dollars.