

New-Haven's
Settling in
NEW-ENGLAND.
AND SOME
LAWES
FOR
GOVERNMENT:
Published for the Use of that Colony.

Though some of the Orders intended for
present convenience, may probably
be hereafter altered, and as
need requireth other
Lawes added.

L O N D O N :

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steale a second or third time, his punishment shall be increased by whipping or otherwise, as the Court shall see cause.

And forasmuch as small thefts, trespasses, or other offences of a Criminall nature, are sometimes committed by the *English* or others in Townes or places remote from Prisons, or it may prove inconvenient to defer the Tryall, or to make stay of the persons offending, or hard to get security for appearance at a Court, it is therefore Ordered, that any Magistrate, or Deputy intrusted to assist in Judicature, calling in such other help as the place affords for a Plantation Court (which help is hereby required to attend the service upon due warning) may upon complaint brought to him, when the case so requires, with the first conveniency, heare, and upon due prooffe determine any such offence (the valew whereof either in point of fine, damage, or other punishment exceeds not the limits of that Plantation Court, according to the Lawes here established) and may give warrant to the Marshall, or other Officer, for answerable execution, but if the offender refuse to pay or have nothing to satisfie, the Magistrate, or Deputy with the help aforesaid, may punish by stocking, whipping, or otherwise; according to the nature of the offence, and import of this Law.

Capitall Lawes.

IT is Ordered, &c. That if any person after legall, or other due conviction, shall have, or worship any other God, but the Lord God, he shall be put to death, *Exod.* 22. 20. *Deut.* 13. 6. 10. *Deut.* 17. 2, 3, 4, 5, 6.

If any person be a Witch, he or she shall be put to death, according to *Exod.* 22. 18. *Levit.* 20. 27. *Deut.* 18. 10, 11.

If any person within this Jurisdiction, professing the true God, shall wittingly and willingly presume to blaspheme the holy name of God, Father, Son, or Holy Ghost, with direct, expresse, presumptuous, or high-handed blasphemy, either by willfull or obstinate denying the [23] true God, or his Creation, or Government of || the world, or shall curse God, father, Son, or Holy ghost, or reproach the holy Religion of God, as if it were but a politick device to keep ignorant men in awe; or shall utter any other kind of blasphemy of like nature, and degree, such person shall be put to death. *Lev.* 24. 15, 16.

If any person shall commit any wilfull murder, if he shall kill any man, woman or child, upon premeditated malice, hatred, or cruelty (not in a way of necessary and just defence, nor by meer casualty against his will) he shall be put to death. *Exod.* 21. 12, 13. *Numb.* 35. 31.

If any person slayeth another suddenly in anger, or cruelty of passion, he shall be put to death, *Levit.* 24. 17. *Numb.* 35. 16, 17, 18, 19, 20, 21.

If any person come presumptuously to slay another with guile, whether by any kinde of force, Poyson, or other wicked practice, every such person shall be put to Death. *Exod.* 21. 14. Agreeing with *Deut.* 19. 19. By parity of Reason.

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by carnall Copulation, he, or she, shall surely be put to death, and the beast shall be slaine, buried, and not eaten. *Levit. 20. 15, 16.*

If any man lyeth with mankinde, as a man lyeth with a woman, both of them have Committed abomination, they both shall surely be put to death. *Levit. 20. 13.* And if any woman change the naturall use, into that which is against nature, as *Rom. 1. 26.* she shall be liable to the same Sentence, and punishment, or if any person, or persons, shall Commit any other kinde of unnaturall and shamefull filthines, called in Scripture the going after strange flesh, or other flesh then God alloweth, by carnall knowledge of another vessel then God in nature hath appointed to become one flesh, whether it be by abusing the contrary part of a grown woman, or Child of either sex, or unripe vessel of a Girle, wherein the naturall use of the woman is left, which God hath ordained for the propagation of posterity, and Sodomiticall filthinesse (tending to the destruction of the race of mankind) is committed by a kind of Rape, nature being forced, though the will were inticed, every such person shall be put to death. Or if any man shall act upon himself, and in the sight of others spill his owne seed, [24] by example, or counsel, or both, corrupting or tempting || others to doe the like, which tends to the sin of Sodomy, if it be not one kind of it; or shall defile, or corrupt himself and others, by any other kind of sinfull filthinesse, he shall be punished according to the nature of the offence; or if the case considered with the aggravating circumstances, shall according to the mind of God revealed in his word require it, he shall be put to death, as the Court of Magistrates shall determine. Provided that if in any of the former cases, one of the parties were forced, and so abused against his or her will, the innocent person (crying out, or in due season complaining) shall not be punished, or if any of the offending parties were under fourteen year old, when the sin was committed, such person shall onely be severely corrected, as the Court of Magistrates considering the age, and other circumstances, shall judge meet.

Jude 7.

Gen. 38. 9.

Deut. 22. 25. 26.

If any man married, or single, commit Adultery with a married or espoused wife, the Adulterer and Adulteresse shall surely be put to death. † *Lev. 18. 20. Lev. 20. 10. Deut. 22. 23, 24.*

If any person steale a man, or mankiud, that person shall surely be put to death, *Exod. 21. 16.*

If any person rise up by false witsnesse, wittingly and of purpose to take away any mans life, that person shall be put to death. *Deut. 19. 16, 18, 19.*

If any person shall conspire, and attempt any invasion, insurrection, or publick Rebellion against this Jurisdiction, or shall endeavour to surprize, or seize any Plantation, or Town, any Fortification, Plat-form, or any great Guns, provided for the defence of the Jurisdiction, or any Plantation therein; or shall treacherously and perfidiously attempt the alteration and subversion of the frame of policy, or funda-