

T H E
B O O K O F T H E G E N E R A L
L A W S
Of the Inhabitants of the Jurisdiction of
N E W P L I M O U T H ;
Collected out of the Records of the
G E N E R A L C O U R T

And lately revised, and with some Emendations and Additions, Established
and Disposed into such Order as they may readily conduce to g-
neral use and benefit,

And published by the Authority of the General Court for that
Jurisdiction, held at *Plimouth*, the sixth of June,
Anno Dom. 1671.

Be subject to every Ordinance of Man for the Lords sake.
1 Pct. 2. 13.

C A M B R I D G E :
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especially tend to the propagation of Religion, &c. as by Letters Patents more at large appeareth, and with further assurance also of the continuance of our Liberties and Priviledges, both Civil and Religious, under the Royal Hand and Seal of our Sovereign Lord King Charles the Second: And whereas by the good Pleasa of our God upon us, many others since the first comers are for the same pious end come unto us, and sundry others rise up amongst us, desirous with all good Conscience to walk in the Faith and Order of the Gospel; whereby there are many Churches gathered amongst us making according therunto.

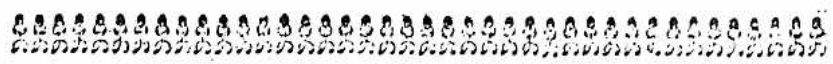
And whereas (by the Grace of God) we have now had near about fifty Years Experience, of the good Consistency of these Churches, with Civil Peace and Order, and also with spiritual Edification, together with the welfare and tranquility of this Government;

It is therefore for the Honour of God and the propagation of Religion, and the continued welfare of this Colony Ordered by this Court and the Authority thereof, That the said Churches already gathered, or that shall hereafter be orderly gathered, may and shall from time to time by this Government be protected and encouraged, in their peaceable and orderly walking, and the Faithful, Able, Orthodox, Teaching Ministry thereof, duly encouraged and provided for; together with such other Orthodox able Dispensers of the Gospel, which shall or may be placed in any Township in this Government, where there is or may be defect of Church Order.

The Churches of Christians to be preserved in their peaceable and orderly walking, and the Ministry of the Gospel to be provided for.

9. And Finally, it is Ordered and Declared by this Court and the Authority thereof, That all these foregoing Orders and Constitutions, are so Fundamentally essential to the just Rights, Liberties, Common good and special end of this Colony, as that they shall and ought to be inviolably preserved.

All the foregoing Fundamentals to be inviolably preserved.



CAPITAL LAWS

CHAP. II.

IT is Enacted by this Court and the Authority thereof, That if any person having had the knowledge of the true God, openly and manifestly, Have or Worship any other God but the Lord God, he shall be put to Death, *Levit. 24. 15. Deut. 13. 6, 10.*

Idolatry.

2. 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 wilful or obstinate denying of the true God, or His Creation or Government of the World; or shall Curse God, Father, Sen or Holy Ghost, such Person shall be put to Death, *Levit. 24. 15, 16.*

Blasphemy

- Treason.* 3. Treason against the Person of our Sovereign Lord the King, the State and Common-wealth of *England*, shall be punished by Death.
- Conspiring against this Jurisdiction.* 4. That whosoever shall Conspire and Attempt any Invasion, Insurrection, or Publick Rebellion against this Jurisdiction, or the Surprizal of any Town, Plantation, Fortification or Amunition, therein provided for the safety thereof, or shall Treacherously and Perfidiously Attempt and Endeavour the Alteration and Subversion of the Fundamental Frame and Constitutions of this Government; every such Person shall be put to Death.
- Wilful Murther premeditate* 5. If any Person shall Commit wilfull Murther by killing any Man, Woman or Childe, upon premeditated Malice, Hatred or Cruelty, not in a way of necessary and just Defence, nor by casualty against his Will; he shall be put to Death.
- Sudden murther in passion.* 6. If any Person slayeth another suddenly in Anger and Cruelty of Passion; he shall be put to Death.
- Murder by guile poisoning* 7. If any Person shall slay another through Guile, either by Poysoning or other such Develish practises; he shall be put to Death.
- Witchcraft.* 8. If any Christian (so called) be a Witch, that is, hath, or consulteth with a Familiar Spirit; he or they shall be put to Death.
- Bestiality.* 9. If any Person lyeth with a beast or Bruit Creature, by Carnal Copulation, they shall surely be put to Death, and the Beast shall be slain and buried and not eaten.
- Sodomy.* 10. If any Man lyeth with Mankinde, as he lyeth with a Woman, both of them have committed Abomination; they both shall surely be put to Death, unless the one party were forced, or be under *fourteen* years of Age: And all other Sodomitical filthiness, shall be surely punished according to the nature of it.
- False-witness* 11. If any Person Rise up by False Witness, wittingly and of purpose to take away any Mans life; he shall be put to Death.
- Man-stealing.* 12. If any Man Stealeth Man-kinde, he shall be put to Death or otherwise grievously punished.
- Curse or smiting Father or Mother.* 13. If any Childe or Children above *sixteen* years old, and of competent Understanding, shall Curse or Smite their Natural Father or Mother, he or they shall be put to Death, unless it can be sufficiently testified that the Parents have been very Unchristianly negligent in the Education of such Children, or so provoked them by extream and cruel Correction, that they have been forced thereunto, to preserve themselves from Death or Maiming.
- The Rebellious Son.* 14. If a Man have a Stubboin or Rebellious Son, of sufficient years and understanding (*viz.*) *sixteen* years of Age, which shall not obey the voice of his Father, or the voice of his Mother, and that when they have chastened him, will not hearken unto them; then shall his Father and Mother, being his natural parents, lay hold on him, and bring him before the

the Magistrate is Stubborn argument, but live Death, or other

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the Magistrates assembled in Court, and testifie unto them, that their Son is Stubborn and Rebellious, and will not obey their voice and chastisement, but lives in sundry notorious crimes; such a Son shall be put to Death, or otherwise severely punished.

15. If a Man shall Ravish a Maid or Woman, committing Carnal Copulation with her by force; that is above the age of *ten years*, or if shee were under *ten years* of age, though her will was gained by him, he shall be punished with Death or some other grievous punishment, according as the Fact may be circumstanced. *Rape.*

16. Whosoever shall wilfully or on purpose, Burn any House, Ship, Barque or other Vessel of considerable value; such person shall be put to Death, or otherwise grievously punished, as the case and circumstances of it may require. *Willful burning of Houses, Ships &c.*

CHAP. III.

CRIMINALS:

IT is Ordered by this Court and the Authority thereof; That what person soever is to Answer any Criminal Offence, whether they be in prison or under Bayle, his Case shall be heard and determined at the next Court that hath proper cognizance thereof, and may be done without prejudice of Justice.

2. It is Enacted by this Court, &c. That whosoever shall Commit Adultery with a Married Woman, or one Betrothed to another Man, both of them shall be severely punished, by whipping two several times, *viz.* once when the Court is in being, at which they were Convict of Fact, and the second time as the Court shall Order; and likewise to wear two Capital Letters, A. D. cut out in Cloth and sewed on their uppermost Garments, on their Arm or Back; and if at any time they shall be found without the said Letters so worne, whilest in this Government, to be forthwith taken and publickly whipt, and so from time to time as often as they are found not to wear them. *Adultery how punished.*

3. Be it also Enacted, That whosoever Committeth Fornication, *licet* fore, or without lawful Contract, shall be punished by whipping, or else pay *ten pounds* fine each of them, and be imprisoned during the pleasure of the Court, not exceeding three dayes; but if they be or will be Married to each other, then but *ten pounds* both, and imprisoned as aforesaid, by lawful Contract, the Court understanding the mutual consent of Parents, Guardians or Overseers, and a solemn promise of Marriage made to each other by the parties, before competent Witnesses. *Fornication without contract. If they be or will be Married.*

And if any Commit Carnal Copulation after Contract, before Marriage, they shall be Amerced each of them *fifty shillings*, and be imprisoned if the Court see Reason; And if any cannot or will *After Contract*