

engine is in good repair, and ready to proceed on any emergency to the relief of any part of the community who may be invaded by the calamity of fire; and the said engine men appointed as aforesaid, shall be held and obliged to go forward, either by night or by day, and use their best endeavours to extinguish any fire that may happen in the same town, or the vicinity thereof, (under the direction of the fire wards in the same town) as shall come to their knowledge, without delay.

Be it enacted by the authority aforesaid, That the persons who may be nominated and appointed engine men, in pursuance of this act, shall be, and they are, hereby excused from all military duty.

Excused from military duty.

Be it enacted by the authority aforesaid, That if any person who being nominated and appointed in manner hereinbefore directed, shall be negligent and remiss in the duties required of him by this act, except sickness or any other disability shall prevent him therefrom, it shall be the duty of the selectmen in the same town, upon sufficient evidence thereof, to strike his name from such list, and proceed to appoint another person as an engine man in his room, in the same manner as they are hereinbefore empowered to do in the month of *January*, annually.

Persons negligent and remiss in duties, to be displaced.

March 15, 1785.

1784. — Chapter 65.

[January Session, ch. 31.]

AN ACT AGAINST ACCESSARIES TO CRIMES AND FELONIOUS ASSAULTERS. *Chap. 65*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person shall aid, assist, abet, counsel, hire, command or procure any person to commit the crime of murder or rape, sodomy, arson, robbery or burglary, he is, and shall be considered as an accessory before the fact to the principal offender or offenders, and being thereof convicted, shall suffer the like punishment as is by law assigned for the crime to the commission of which he shall be so accessory.

Punishment for aiding, & assisting persons in committing murder, &c.

And be it further enacted by the authority aforesaid, That whosoever shall knowingly receive, harbour, conceal, maintain, assist, or relieve any person or persons who have committed any of the crimes beforenamed, he

Punishment for harbouring or concealing such criminals.

is, and shall be considered as an accessory after the fact, and being convicted thereof, he shall be punished by setting on the gallows the space of one hour, with a rope about his neck, and the other end thereof thrown over the gallows, by fine, imprisonment, by setting in the pillory, by confinement to hard labour, and binding to the good behaviour, or to one or more of these punishments, according to the nature and aggravation of the offence.

Punishment for felonious assaulters.

And be it further enacted by the authority aforesaid, That whosoever shall make an assault with an intent to commit murder, rape or sodomy, and be thereof convicted, shall be sentenced to be set on the gallows with a rope about his or her neck, and the other end thereof cast over the gallows, to be set in the pillory at one or more times or places, not exceeding three, to be whipped not exceeding thirty-nine stripes, be fined, suffer imprisonment, and binding to the good behaviour, or to any one or more of these punishments, according to the nature and aggravation of the offence. *March 15, 1785.*

1784. — Chapter 66.

[January Session, ch. 33.]

Chap. 66 AN ACT FOR THE PUNISHING AND PREVENTING OF LARCENIES.

Punishment for theft.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whoever shall feloniously steal any money, goods or chattels, any note of the Treasurer of this Commonwealth for the payment of money, any note or certificate of any bank or any public office, securing the payment of money to any person, or certifying that the same is due, any order entitling any person to money, any bill of exchange, bond, obligation, warrant, bill, or promissory note of hand for the payment of money or any valuable property, any record of process belonging to any Court of Justice, or to any public office, any book of account, receipts of money, or other article paid or delivered, adjustments and documents of any kind relating to the payment of money or other article, any indenture or assurance respecting any property, real or personal, and be thereof convicted, every such offender shall be punished by fine or whipping, in the discretion of the Court before whom