Criminal Law.

August, 1837.
Criminal Law.

Of Public Wrongs.

That branch of municipal law which treats of public wrongs is called Criminal Law. It is the concern of the crown (4 & B. 2).

The term "Public wrongs" includes all crimes and misdemeanors i.e. all offenses against municipal law (4 & B. 2).

A crime is an act committed with an omission in violation of a public law. A misdemeanor is a less serious offense.

Crimes and misdemeanors are strictly punishable in common accordance. Common deeds offenses of the more serious kind are under the latter of the law, whereas misdemeanors (4 & B. 2). A crime of one kind is an infraction or violation of a public right, inherent in the whole community. An act injurious is an infraction of a private right.

In almost every case, a public wrong actually includes a civil injury. E.g. theft & false imprisonment, a violation of both a public and private right. Libel, slander, theft, & robbery, are some offenses created by positive law decree. Ex.
Smuggling &c. Forb'd on the memory of the courts.

And in other cases, may include a redress and an injury, e.g., public nuisance. And in those cases the object of the law is to give as far as practicable a twofold redress. i.e., to the public and individuals. 1 Ser. 264.

But if the offence amount to felony, the private injury it regularly at common law, merged in the crime, and the private relator is bad, e.g., Nelson v. Harrieth, Tipton. 2 Brev. 36, 38. 1 Hall. 243. 3 Camp. 338. Bull. 30.

The doctrine of merger has been taken to be founded on the policy of the law, the object of which is to prevent offenders from evading punishment or prevent confusion of felons.

But the only true and rational foundation seems to be that the punishment for the public wrong, cannot be enjoined and made for the offender to make reparation for the civil injury it being in general a hindrance of life and property. 4 Edc.

3 Ser. 425. 5 Ser. 472. 2 Brev. 425. 3 Brev. 251. 1729. 4th.

And in a crime not amounting to a felony, injury and indemnity, he has his by remedy, e.g., Harding v. Nick. Public nuisance, 1 Ser. 366.

For law, the punishment being by statute, leaves none for a private indemnity. 3 Ser. 6.

In the United States, the right of the state to punish a crime is grounded on the law of nature and in some instances authorized by the revealed law of God, e.g., Genesis.

The right to punish a crime is rooted in every individual. Hence, if a crime is not properly restrained, it might be an execution of the law of nature. The sanctions, if left unchecked.

In a state of civil society, this right resides in the sovereign power. Common weal, no longer than our Soverign is acknowledged.

Society's right to punish is one by whom to be derived from the consent of its members, expressed in their, and thus to be exercised in compact. 1265.

The foundation is broad enough to authorize most punishments, but not all, e.g., not sufficient for capital offenses. For, where prohibitions are necessary, like in direct natural society, there are no such as in nature, that is to say, direct. In this case, the individual who had a right to punish in a state of Nature, might transfer it. 1265.

Moral Philosophy, 341, 351. Bulfinch, 142.

Consent of the criminal is in no case sufficient to authorize capital punishment. 1265, 341, 351.

But the most rational ground of this right, not only in case of murder, but of all offenses, is that of necessity, e.g., in what is expressed in consent. The law of nature, according to justice, cannot exist, without power to punish offenses of others.
For a sovereign state, though regarded as a moral person, has different attributes from those of a natural person. Different rights, different duties, different nature, &c. hence, Vatt Phil. 7, p. 3, Hale 17, 9 Bev. 10, Dall. 48, p. 349 &c.

The end of human punishments is the prevention of crimes. This end is to be obtained in one or more of these ways: 1st. By reining the offender; 2nd. By depriving him of the power of doing mischief; & 3rd. By detaining him from offending. 1st, 2nd. & 3rd. P. 54, 34.

Of the Persons capable of committing crimes.

Regular people are liable to punishment for mere obedience to the law except such as are expressly exempted 4. 54, 36.

All the excuses which protect the perpetrators of public wrongs from punishment, are reducible to the single consideration, viz. the want or defect of will.

To constitute a crime there must be a will, and a voluntary act or omission, concerning one person, done for some particular motive or for some particular benefit,mens rea, &c. Sums in trade or specie money, could never be civil injuries. 4. 62, 34. 1st, 3rd.

Defect of will exists in these cases. 1st. 7th.

When there is a defect of understanding, e.g. Infants under the age of discretion. They are deemed in law not capable of distinguishing between right and wrong. They are thus not punishable by any criminal prosecution, in any case. 1. Nisi. 180, 4. 72, 55.
Second. Capable ye, or rather punishable.

If the offence is an omission, infants are not generally punishable at common law, tho' of the age of discretion by
not repairing ponds and bridges. (1 B. & C. 22. 4 B. & C.)

Such is not punishable to infants. The offence is an
aptly, to a want of caution and prudence, than to a
positive criminal disposition.

The age of legal discretion in the laws now stands
is 14 years. Under this age the presumption is in favor of
the infant. But not all infants between 14 and 21 years
may, at least in capital cases, be retaliated. (1 B. & C.)

This distinction respecting infants under 14 if not
capable to have been by Blackstone, not qualified to crime,
only.) 4 B. & C. 11 B. & C. 54 T. 12. 1 Now. R. C. E.

May not an infant under 14 be punished for
breach of the peace, riot, and common murrineas? It
seems not according to Blackstone. (4 B. & C.) Let there. The
books are not satisfactory to me.

Arts. and labourers are not punishable for their acts,
while under the age of discretion. (4 B. & C. 11 B. & C. 11 B. & C.
11 B. & C.) Indeed, in case of a lunatic, if be offend in a minor
intention. (4 B. & C. 11 B. & C.

A lunatic and a drunk from inanity may be
tried and punished for even a capital offence, if ideas can
be conveyed to human beings. If this is the case he is subject
capable of a guilty intention, or motive. otherwise
etc. (4 B. & C. 11 B. & C. 11 B. & C. 11 B. & C.)
Defect of Will.
If one commit a capital offense, and by previous ment, become insane, he cannot be acquitted. If after an accusation, he does not appear, he cannot be tried. If after trial, against him, no jury is impanelled, execution must be stayed till the understanding returns. (Num. 5:1-4; Deut. 17:6; Mal. 3:4

If it be doubtful in any of these cases where the presence is now compassed, the fact must be tried by a jury. (C. 2:23.)

In short, the person incites a masterman to do an unlawful act himself, the offender, the principal, and under his direction, the masterbe the principal in the instrument. (Num. 3:1; Deut. 4:17; Lev. 25:35; Deut. 6:13.)

Voluntary intervention is not excused, but rather an aggravation. (C. 5:40a. 4:6:59; Lev. 26:7; Deut. 28:18.) (Num. 1:4; Deut. 10:5; Lev. 26:13.)

But in cases of dulness of mind produced by a long course of intoxication, it is ordinary practice. It also becomes disease. If of intoxication is not voluntary, but produced by force or fraud, it is excused.

If there is a defect of will, when the understanding, though insufficient, is not excused. Here the will is neutral. See ante. machine.

General Rule. If one commit an unlawful act by anticipation, or chance, he is excused. Here is a defect of will. (C. 5:25; Lev. 5:1; Deut. 5:2; Num. 19:13.)

But if one intentionally does an unlawful act, does
Defect of Will.

Intentional mischief; he is not excused (3 Bl. 243; 1 Bl. 258). He has the means, and must abide the consequences of his voluntary act.

Ignorance, a mistake in point of fact, excuses. There is a defect of will. There is a defect of will, even, of a mistake in law. If the will exceed the act, (Cow 6 53, 532; 3 Bea 574, 580; 343, 869.) Even if the act exceed the will, (1 Cow 369, 1 265 at 425, 6 671.) Apparent use, non excess.

345. There is a defect of will arising from compulsion or necessity. Here the will nodes the case, or, at least, does not oppose it. If legislation, law or an ingrafted law, commanding or an act contrary to religion or morality, the subject is excused in obeying; for he acts under the obligation of civil subjection (4 Bl. 212, 216.)

The reason, comet is, in many instances, excused from punishment, when the act, an unlawful act, was the execution of the law's order, or, which is the same thing, in that company. Ex. Theft orburglary (10 Co. 68, 74, 324, 1 265, 43; 3 Bl. 485.) (1 Le. 534, 49.)

The reason of this rule appears to be in the ancient law, relative to benefit of clergy, 7 Eliz. Which was once allowed to women, but since is this edition.

But if the commit these crimes voluntarily, or by the bare command of the husband, 9 in the absence, the act is not excused (4 Bl. 243, 1 265, 2 265, 7 1 265.)

When of theft and burglary under 340, 345, 265, 485.

In case of wrong, murder, and even robbery even committed by
the husband cannot escape. But on the happening of the
crime, 12 P.C. 124, 128, 127, 126, 125.

So, in manslaughter (12 P.C. new edition. Vol. 2,
Eyre & Son. Vol. 3 in 1 vol.)

Proficiency of husband’s escape.

But it seems that it has occurred in all cases of
except murder, manslaughter 12 P.C.

Unless a child, servant, or such, is accused for any
crime by the command of a parent or master (12 P.C. 151, 152,

Relation of husband and wife does not create,

personal immunity of husband.

Another species of compulsion, nothing a defect of will,
introduced by violence or threats of great bodily harm. This
creates many unlawful acts. On reasonable act causes
by compulsion of necessity or need (12 P.C. 150, 151, 152.

But the last species absolutely with regard to practice
offences only, as Steal. Not as to natural offences as
Killing an innocent man, to escape death.

Another kind of necessity arises from legal compulsion.
No will in this case is present. For to escape the law, it
would make an assault or robbery with force, if resisted,
not made, killing may be justified. Vol. 4, 1, 152.

Stealing to relieve extreme want of food or clothing is not
justified by law. (12 P.C. 150, 151, 152), means not justified
by the act. It would lead to dangerous situations.

Degree of Fault: Principals and Accessories.

One may be a principal in any offence in two stages.
Degree of Guilt.
A principal in the first degree may be a master, a master in the second degree.

According to the law, second degree is punished at 70, 4th, 3rd, 2nd, 1st, 4th, 3rd.


The latter not firmly established as accessory only, 21 Mil. 213, 214, 215, 216, 217.

The presence necessary to make a person principal in the second degree, need not be the actual standing by within sight or hearing: constructive presence is sufficient. E. X., keeping watch, or guard, at a convenient distance (21 Mil. 214, 215, 216, 217, 218, 219, 220, 221).

To aid and abet a person unknown, will make a principal in felony (21 Mil. 214, 215, 216, 217, 218, 219, 220, 221). And if instigation, demanding a person, if a person unknown is not so for that cause.

The above facts hold as well to State Felonies to Commonwealth Felonies (21 Mil. 214, 215, 216, 217, 218, 219, 220, 221).

Even a constructive presence is not always necessary to make a principal in the first degree.

Ex: Presuming guilty and seizing it which is taken in absence. - A case. - A half mile. Nothing but a will -

Here the offender is principal in the first degree. 21 Mil. 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225.

He cannot be principal in the second degree, for this would imply that another person was guilty in the first degree, which in such cases cannot be the subject, so there is no 2d principal.
A special verdict, finding only that the prisoner was present, is not sufficient to warrant a judgment against him. 2 Poul. & 3d. 421. 2 Skir. 114. 1 Cr. 347.

An accessory is one who is not, chief actor in the offense, nor present at its perpetration. But it is some may consider it before or after the fact. V B. & C.

In Cough, where there can be no accessory. All concern are principals, on account of the gravity of the crime. Besides, the best intent to commit Cough is to commit Cough. 1 & 2 Eliz. 25. 1 & 2 Eliz. 35. 12 & 13 Hen. 7. 82. 75. 76. 13 & 14 Hen. 7. 82. 73. 74. 12 Eliz. 82.

Submission, wherein the body is stolen, and not the body, wherein the land is taken, and not the land. Cough is not known to the law, any State since the Constitution.

Whence these make me an accessory, a thing made to have a principal, or he who is accused. [Primarily questioned as to accessory after the fact, 18 Eliz. 12 Hen. 8 Eliz. 74. 10 & 11 Eliz. 10. 2 & 3 Jac. 2.

Accessories may be in petit treason, murder, &c. in petit treason, except, wherein a judgment of law are two sentences, to which one of them, or the other, can be found, before the fact. Petit treason is called Slavery.

On the other hand, in petit treason, & all other crimes under the degree of treason, there can be no accessory. All concern are guilty as principals. In such cases, offenses within themselves, in the degree of guilt do not require a separate punishment. 10 Eliz. 12 Hen. 10. 11 Hen. 8 Eliz. 74. 10 & 11 Eliz. 10. 2 & 3 Jac. 2.
An accessory cannot be guilty of a higher crime than the principal.

Ex. If servant endeavours to murder his master, or a wife her husband, the servant being absent, he is accessory to the crime of murder only. But if he had been present and assisting, he would have been as principal guilty of felony murder, 3 Ye. c. 14. 3 Eliz. 1556. 1 Eliz. 1556. 4 Eliz. 1562. 2 H. 8 1607. 5 H. 8 1607.

Accessories are of two descriptions:—

1st. Before the fact. 2d. After the fact.

An accessory before the fact, is one who advises, counsels, or commands another to commit a felony; being himself absent at the time of the act. Absence is neglect. Absence he is principal. 1 Mace 15. 27. 27. 36. 3 H. c. 34. P. 11. 75.

He who aids another in an unlawful act, guilty of accessory, of all that ensues upon that act, as distinct from anything substantially distinct from it, and not directly, and conspire to the same end. Ex. A command to B to beat C, and B beats him till he dies. C is guilty of the murder as an accessory. No command to B to kill A, B is guilty. Kiling C is the substance of the crime; and the manner of the act, accessory.

Out of a command D to leave E to break, and D doing it not, the breaker is not an accessory to the robbery. 2 Eliz. 1557. 3 Eliz. 1557. 2 H. 8 1607. 2 H. 8 1607. 3 H. 8 1607. 2 H. 8 1607. 3 H. 8 1607. D did not agree to such a design, hence D is accessory.

To elect one to commit a felony, or it seems one other offence, is a misdemeanor, if the same be not committed.
The law concerning an extended felony is only a modification of felony, which is punished only with fine and imprisonment.

Cases, who are accidentally present when a felony is committed, and do not endeavor to prevent it, or assist the felon, are guilty of misdemeanors — fined and imprisoned.

If the parties to felony, 1st. Procure a place of safety. Know it to be such. 2d. Do not expose yourself. 3d. Try to prevent the thief from committing the crime. 4th. If you are even able, flame-shooting with a lance &c. &c. &c.
Helon. 

If a man release from jail by instruments, letting the jails be paid for it.

So, either the prison or jail mistress, necr. or no offence.

Or any of the common officers of humanity or charity.

Purpos. of receiving stolen goods knowing them so, makes no ex. except at my name, but a man who is a commoner alone. Ex.: Eng. man by Constant Elison is £30 48 7. 18th Oct. 1780. 5. 8. 38. 6. 11th 1803. 12th May 1795, 16th 1794. 17th 1794.

(Say it that the receive is, made a present.) 1793.

Saying must be complete at the time of the attendance to make one an accession after the fact. Ex.: Case of mental, mental, attendance given before death. 1800. £33 4s. 6d. 1803. 1791. 3d. 1793.

A wife is exonerated for assisting her husband (at home) though a felon. Considered permanent. But no other relative sentence as father, and child, master, and servant. £40 1794. 17th. 1795. 3d. 1796.

Nor even the husband is not excepted in assisting his wife, a felon.

If one is indicted as accessory to the principal, proof that he was necessary to one, is sufficient. 1790. £50. £20. £5.

Last rule of Crime Law that accessory suffer the same punishment as principal. 1794. 1803.
Felonies. Accomplices.

But accomplices, after the fact, are now, by Statute, allowed the benefit of clergy, in most cases, when the principal & accomplicebefore the fact, are not.

Formerly, it was, that accomplices could not be convicted to answer till the principal was convicted. 18 & 19 Geo. III. c. 8.

But he cannot now, except by Statute, be tried, or convicted of it, till the principal is convicted. Where the principal is tried at the same time. 18 & 19 Geo. III. c. 8.

For the same reason. 18 & 19 Geo. III. c. 8. The accomplice may be tried, in certain cases, though the principal has not then been convicted, or even tried. (Statute 107.) i.e. as for a new

pardon only. (Statute 85.)

If the principal is acquitted, the accomplice is acquitted. (Statutes 18 & 19 Geo. III. c. 8.) for he cannot be punishe d.

And if the attaint of the principal is reversed, that of the accomplice, by the same act reversed. (Statute 82.) (Statute 85.)

Also, while the fact attainted is proved, the accomplice (Statute 86.)

But the death of the principal, after the attaint of the accomplice, does not, even at Common Law, create the accomplice's guilt. (Statute 84.) (Statute 85.) (Statute 87.) (Statute 89.) not affecting the guilt of the accomplice. (Statute 89.)

On neither event, proves the attaint of the accomplice, or his guilt.

But at common Law, the death of the principal, before the attaint of the accomplice, though after conviction, discharges the accomplice. (Statute 82.) (Statute 83.) (Statute 85.) (Statute 87.) (Statute 89.)

Leaves, now, by Statute 82, the accomplice.
Accessory.

If one is acquitted as accessory before or after the fact, he may afterwards be indicted as principal.

But if acquitted as principal, it is not to be presumed he can afterwards be indicted as accessory before the fact, the act accessory after the fact, he may be (4. Stat. 1. 1st ed. 35. Deo.- 3 Ser. 2. 1st. 36.)

Is there any sufficient objection to the same cause in the first case? On proof that the prisoner is guilty as accessory, will not subject an indictment against him as principal? 2. N. Y. 462.

The indictment against one as accessory is not the same that the principal committed the offence, sufficient to state, that principal was convicted for & from to whom the prisoner as accessory? 2. 3. 453. 1st. 63. 2. 3. 454. 3. 3. 46.

Set the accessory in the trial, though it be after the conviction of the principal, may convict the latter, guilt either in point of fact or of law? 9. 4. 465. 1st 35. 3. 3. 464. 3. 3. 465.

For the conviction is not in the annexation to it may where both are tried together. 3. 3. 460. 3. 464.

Of Felony.

Felony is any offence which occasions, at common law, a total subversion of good, or lands, or both. (4. 3. 46. 12.)

The term signifies, not designating one specific violation of the law, but a whole class of offences.
Sedeny.

Scrup of murder, manslaughter, &c.

The word did not originally denote any crime, but the penal consequences of certain crimes. Synonymous with a forfeiture of life or a fine. Afterwards used to signify the offence, making the forfeiture, i.e., in an easy definition to denote offenses, making a forfeiture of goods only. 4 B.C. 95.

Treason is strictly a felony; causing a forfeiture was anciently comprised under that name. 4 B.C. 95. It was (if 

Capital punishment is not necessarily a consequence of felony, though almost always imposed). Ex. Self-murder, 2 B. II. 24. 5. 17.

So, in certain, some capital offenses are not felons. Ex. 2 B.C. 95. Standing murder, when committed in an 18.

All offenses which are punishable with death, make a forfeiture of all lands as for people, of goods & chattels. Other, not so punishable, of goods & 17. 5 B.C. 38. For in the latter case, there is no detention, without 4d. restoration, q. q. q. 4d. in fortitude.

But, in general usage, the word 95.

One word to exclude all capital crimes below Treason. 4 B.C. 95.
Hence, if a statute create a new felony, the law implies, that it shall be punished with death, as well as forfeiture. In contra, if the statute merely specifies capital punishment, it must be of the same nature as an offense, that offense lying by consequence thereof. [Citing law texts]

But if a statute prohibits an act, under pain of inflicting all he had; it is only a misdemeanor. (1 Bac 644; 162, 596; 1 Eliz 297; 1 Eliz 10, 168; 5 Eliz 337; 6 Eliz 327; 4 Eliz 319; 5 Eliz 427.)

The offense being made felony by wanton or wanton negligence was

(Citing law texts)

Crime, which in Eng. cause forfeiture, are, in this case

(Citing law texts)

For example, for theft, are those, in which the benefit of clergy is attainable. This is an act of larceny, in effect, committing felony though excused from the punishment of death. [Citing law texts]

But these acts are subject to conditions, and not

(Citing law texts)

Not crime. It was allowed in Bills of Attainder, and in most

(Citing law texts)

An allowance in most capital cases, sanctioned by Acts.

(Citing law texts)

Not allowed in Bills of Attainder, nor in theft, larceny, nor

(Citing law texts)
Believing

Originally it was allowed only to clerks in orders, or the clergy afterwards to every man who could read; this being evidence of the being a clerk. 2 1st. 300. 5 31st. 5 300. 3

But, not to women, being reduced by law from the original effect.

Here by several English states especially, Act 25. Cap. 29. 1747. 4 31st. 29. 5 31st. the privilege is extended (in case of desirable offence) to all present whatever; namely not. 2 1st. 37. 31st.

But common persons taking the benefit of clergy are by Stat. 4 30th. 1750. bound in the bond to be rebated, or secured, at their own expense in some other inferior punishment. 1 24th. 5 31st. 32. 5 26th.

But St. 25. Sect. 3 21st. an no bond except in sect 3 26.
Sect. 29th. 1 24th. 3 31st. Sect. 32th. 1 24th.

And lay persons are entitled to it but once. Acts as often as they commit clergyable offence. 4 26th. 3 24th. 5 30th.
Sect. 24th. 1 24th. 3 31st.

By its allowance for any particular felony, the offender is discharged forever, not only of that, but of all clergyable felonies before committed. 1 24th. 300. 1 24th. 37.

At present in Eng. & clergy is allowable in all felonies whether by statue or common law, unless expressly taken away by act of parliament. 4 26th. 3 24th. 5 31st.

Benefit of clergy formerly pleaded in Eng. & (declaratory plea); more prayed for before judgment of the conviction actually. 1 26th. 300. 5 31st. 383.

(No clergy in Crown)
Of Homicide.

Homicide is killing any human creature. 4 Blem. 1,卷
109, 3 Bl. 341.

Of homicide, there are three kinds: justifiable, executable, and
vindicative. 1 Blaw 104.

Homicide is therefore not necessarily criminal. The first
kind has no guilt. The second very little, even in judgment
of law, & only a nominal punishment. 4 Bla. 171. 10 Blaw 285. 1, Blaw
159.

II. Justifiable. This is of private kinds.
First - Homicide is justifiable when occasioned by necessity.
Ex. Sheriff in the execution of his official duties executed
condemned malefactor. 4 Blem. 73. 1 Blaw 165. Legal necessity.

But in this case the law must require the act to be
done, and it must be done by the person required by law to do
it, or by his deputy. Ex. of a private person voluntarily
killing a person authorized to do it summarily. 4 Blem. 73. 1 Blaw
285. 1 Blaw 165.

In either case he himself, or executing a sentence of death, must
present the sentence. Clear, guilty of homicide, or executing for
hanging, 1 Blem. 173. 3 Blaw 379. 2 Blaw 285. 1 Blaw
109. 1 Blaw 285. 1 Blaw 285.

The sentence must be by act of competent jurisdiction. Ex.
41 l.c., in Eng. 10 Blem. 285. The law gives sentence of death on
justifyable to commit in certain cases when authorized for the advancement of public justice. E.g. the officer is making arrests is resisted and he is driving into the back lot of a private person. (12 Keb. 107.)

So justified by the provisions of law rather than the command. (12 R. I. 119. 1219. 1216. 1215. 1216. 1217.)

So, if an actual felon resists or flees from the peace officer without authority, may be taken alive.

So, if an innocent person criticize for a felony and the officer believing a present apt to be taken alive, may take his life if he cannot be taken alive.

Since a private person without authority attempt to arrest an innocent person, no punishment. (12 Keb. 315.)

So, the act at his peril.

So justified, when an officer, attempting to make a lawful arrest in a civil case, is resisted, so that death cannot be effectual alone. (12 Keb. 115. 1216. 1220.)

But if the court has cognizance of the officer, by way of evidence of guilt when the officer not subject to the court. E.g. the officer not guilty—being bound to obey the rules of the law. He is not before your judge.

So justified in certain cases when authorized for the advancement of public justice. E.g. the officer is making arrests is resisted and he is driving into the back lot of a private person. (12 Keb. 107.)
Justifiable Homicide.
To be done upon a sudden heat of blood.

According to the old opinions, justification of homicide may be specially pleaded. Later opinions are that it must be given in evidence, consider the good time. (1 Blac. 105, 2 Blac. 675, 1 Blac. 478.)
Always agree that no excuse can be pleaded (1 Blac. 105).

Special plea in law would amount to good time.

Justifiable Homicide is not punishable at all, not even nominally. 4 Blac. 112.

III.
Execusable Homicide.

The difference between Justifiable & Execusable is, the first is lawful, the other, criminal. 4 Blac. 112.

Execusable is of two kinds. 1st. In infanticide, by misadventure. 2d. In defense, in self defense. (4 Blac. 112.) 1 Blac. 81, 110, 393.

1st. Purely involuntary. The same voluntary, but committed from motives & circumstances constituting an excuse. 3 Blac. 675, 1 Blac. 471.

2d. By misadventure. Happens when one doing a lawful act without any design to hurt, unexpectedly kills another. Infallibility of the act is essential. Executing an axe, 9 lost from off.
Execrable Homicide.

In this prosecution to a case, which kills another, the
actor is guilty of homicide by misadventure, or the infliction
of manslaughter at least. 1st. Proo. 112. 2d. 41 b. 4 & 5. 113, 2d. Why is the actor guilty at all?

So, of an officer unjustly punishing a convicted criminal—
execution. If the beating is unlawful with man-
slaughter at least. If with an instrument of plausible
endangering life, murder. 1st. Proo. 112. 41 b. 4 & 5. 113, 2d. 41 b. 4 & 5. 114. 2d. 41 113.

But if death accidentally ensue, in consequence
of an unlawful act, which is unlawful, the actor is
guilty of manslaughter at least. In some cases of
murder. 2d. 41 113.

Diction: If the act is treason only, it is man-
slaughter. 2d. 41 113. 112, 113. 4 & 5.

If one accidentally kill another in the execution of
a medicine, deliberate purpose to do him personal
hurt, it is murder. 1st. Proo. 112. 41 b. 41 113. 4 & 5.

If it be in consequence of any unlawful act, which
naturally tended to blood. 1st. Proo. 112. 41 b. 41 113.

So, if one do an idle act, which must necessarily
endanger the person of some one, & accidentally kill
it, manslaughter. 2d. 41 b. Throwing stones & murder is
enacted. This being an unlawful act. 1st. Proo. 112. 41 b. 41 113.
Mercyable Homicide.

But if death accidentally happen, in consequence of any lawful effect, as from bullet, musket, &c., it is by misadventure only. 1 Cor. 11:18. Deut. 21:8, 15, 19. 34.

If by self defense, this is the case, when one in a sudden affray, kills his assailant, in the new defense, 3 Est. 15:7. This is excusable; the fault of the aggressor.

Exhibit here that which is commitable to prevent the perpetration of a capital crime.

Said not to be material, where the first blow of him who kills in self defense, is found to have been. 3 Est. 15:7.

Such law, it seems.

But to excuse this kind of homicide, it must appear, to have been the only probable (or at least probable) means of preserving one's own life. (4 Est. 15:8. 5 Est. 17.) 2 Est. 8:3. 5 Est. 2:22.

Or at least of inflicting great bodily harm. (4 Est. 15:8. 11:5. 4 Est. 15:9.

Unless it is to preserve one's life, it seems nearly akin to justifiable homicide committed to prevent a probable future crime. 4 Est. 11:5.

Difficult often to distinguish this from murder. Legal blame of both are fighting, &c. Here, it is excusable.

But if the player has not begun to fight, &c. Here, is too indecent, & cannot merit danger to the own life, or great bodily harm; it is to be defended.

(3 Est. 15:6. 4 Est. 15:4. Est. 27.) 3 Est. 6:7. 1 Al. 4:16.
Executive Homicide

According to some, the aggressor himself, when laid on his back, and lying to escape death, is killing, to save his own life. (2 Sam. 6:7)

And if one strike with malice prepense, and killing, and he tries to decline, he shall the other even to save his own life, it is murder. (2 Mace. 23: 2 - 23: 7)

If two agree beforehand to fight a duel, and one being slain, (not profits) kill the other, he is not excused, it is murder, then being previous murder. (2 Sam. 3:7). (2 Sam. 12: 8 - 27: 7. 2 Mace. 23: 34. 116.

Some rule applies to fighting in general, by a subsequent agreement, where it is not all the act of pursuance. (2 Mace. 23: 8 - 12. 26: 117 - 26: 124. 27: 4 - 27: 12).

No, the seconds of howto hold in a duel, are necessary, & according to some these seconds of the others. (26: 17). (26: 17 - 122: 123. 186: 14: 153). These being on both sides, a deliberate intent to kill, or prevent killing.

The cause of self-defense extends to the chief civil and natural relations, Except in Self. (27: 12).

This and all other matters, as to the relations, it removes the act of the guilty attacker. (26: 17). (26: 8 - 5: 86. 5: 520. 27: 8). To prevent great bodily harm, (26: 8). In defense of another, when danger, may justify something, only to prevent a formidable evil. (26: 17). (26: 8). (26: 5: 86).
EXECUTABLE HOMICIDE.

Homicide was the only attempt to avoid the danger in the execution of his office, is not executable; or, at the same time, is never a legal, if general, death of it. (Cul. 123: 433, 434.)

No one can excuse the killing of another, by defect, negligence, or crime, or self-defense. It must appear in evidence under the general issue. (3 S. 876, 111th 419; 56 Dir. 11; 3 S. 8, 28.)

Punishment:— Executable homicide, whether by mutual ventner or by defense, is paid by the. It is executed by death, by the general issue. (351, 131, 123, 180.)

The punishment seems to have consisted generally of a
temporary or partial forfeiture of good & chattels, 4 D. 154, 181, 182. If full, the offense would be felony, which Blackstone says, 127, 275, 276, 116, 116, 22, 22.

It seems to be, strictly, by the ancient laws at least, a felony, but it is not treason, according to Blackstone, because not capital. Felony being now used as synonymous with a capital crime, 4 D. 194.

But as far back as English records reach, the party
have been, as he still is,liable if offense of right, to
punish & restitution of goods, 126, 116, 115, 22.

= So that the punishment is at most but nominal. 4 D. 11, 11, 11, 2, 27, 27, 31.

Indeed the English always mean death, or feme

Exeunt. Homicide —
a general verdict of acquittal. 4 Bl. 145. 11 C.B. 11.

There is no necessity in exeuntial homicide, because not felony. 2 L. E. 44. 12 M. 11.

III.

Felonious Homicide.

This is the killing of a human creature without justification or excuse. It may be committed: 1. By killing one's self, or another. 4 Bl. 145. 12 M. 11.

2. Homicide by killing one's self is called suicide; the party killed is (12 M. 11).

Felonious is one who deliberately puts an end to his own existence; in commits any unlawful murderous act, the consequence of which is his own death. 4 Bl. 145. 12 M. 11.

Ex: One attempting to kill another, the same kills, & kills himself. (12 M. 11, 54)

If one requests another to kill him, & it is done; the former is not felo de se, but the latter is a murderer. Request a request, merely sitting. (12 M. 11, 54)

Some hold it not on principle.

It seems to be a felo de se, must be of men of discretion and comportment, as in other felonies. 4 Bl. 145. 12 M. 11.
Criminal or homicide.

It admits of accidents before the fact, not after. Ex. one person murders another in the crime of robbery (4:1017). In accident before fact.

The consequence of one man does not mean to a second. The future of an act does not belong to another. Ex. a man, 1807, 52, 1st day, 17th, 17th.

The same principles have been made to what cases. Ex.

Homicide. Ex.


And is either voluntary or involuntary.

The accessory before the fact (at ante) being unlawful, punishable. 4:1017. Ex. 5:16.

Voluntary.

The two present a more sudden quarrel. If one kills the other, it is murder, taking off the immediate, not act to light. It is one combined act of malice. 4:21. Ex. 20:13.

Different from the case of striking to precise
If a man, attempting to shoot others who are fighting, on a sudden affray, is killed; the offence is murder, provided the prayer knew or had notice that the object was to part them. (1267-8, 1 N.C. 203; 3 How. 135. (Ward 1275.) 4 Del. 267.)

If one, in great heat, quarrels in another man's house, and pulling his hair, or biting, great indignity, immediately kill him, it is manslaughter generally. (12 Deo. 32. 1 Bl. 122. 1768.)

So, it there was sufficient time for passion to subsist in it, etc. (4 Bl. 16. 4 Del. 267.)

In every case of homicide upon the vere. (4 Del. 267.)

If a man, in great heat, quarrels in another man's house, and pulling his hair, or biting, etc., instantly kill him, it is manslaughter.

If in a house, a man in great heat, pull hair, bite, etc., instantly kill him, it is manslaughter.

If a husband take a man in the act of adultery with his wife, kill him, etc., it is manslaughter.

If a man, in great heat, pull hair, bite, etc., instantly kill him, it is manslaughter.
Delinquent Homicide

Accidental, in the nature of things, manifestly dangerous, 
192.22(1). 212.3. 192.3. 212.2. 212.4. 212.5. 212.6. 212.7. 212.8. 212.9.

If none an affair, then 2. 1. 4. 2. 5. the failure of the
premises entirely, will be so, if guilty of manslaughter,
the no murder against guilt. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

Unanswerable, as there is the latter case of actual remedy
for self-protection. In the former, none. In act of
assault, revenge. 1. 2. 3. 4. 5.

As to Involuntary -

This, as the term implies, causing accidental, but coming with some such useful act - 

offers from homicide to wrongful in which the
latter could have a legal for act. 1. 2. 3. 4. 5.

If death comes with any act, while in mere
nuke's (inaction) the self is the same, as the act
with hell. (P. 2). 3. 4. 5. 6. 7. 8. 9. 10. 11.

i.e. the homicide by manslaughter.

If one accidentally kills another, while in a
no case, with stumble, that (as by some playing...
Flanked Horridh. 

it is Barbarian. Itae are unlawful.

So, if an act in itself lawful, it done in an unlawful manner, for the man to circumstances, the act is unlawful. (b) Poisoning down a piece of furniture to the street in a city, though the party give warning. (Phil. 70, 30.) The act may again which has the usually recur, e.g., 0, 27, 226, 192, 120, 2. 12, 6, 16, 12, 10, 16, 10.

If the unlawful act is, therefore only the killing, murder.

If, then, if unlawful, (of course) 12, 10, 226, 192, 12, 27, 7.

Punishment. A punishable offence. It is not capital, in England, in the first instance. But the omission to apply all his goods & chattels, &c. drawn in the hands. Not the lord because not capital.

(12, 192, 120, 27, 7.) And therefore, no attempt.

As to punishment, the crime is punishable, but a record of dwell, i.e., attainment.

In fact, it is punishable as such, and only punishable with the aid of goods & chattels to the State. No penalty. No penalty to give record or evidence.

In the country, every person’s own, State, prince, a person who is, &c., is punishable.

(12, 192, 120, 27, 7.) But of such a man is involuntary manslaughter as is consistent with a rule contrary.

Secuted at New-Gaume, July 1880. State vs. Rogers.

But voluntary may still be punished, even as a common law.
Of Murder.

This name was formerly applied to the slaying of another. It is no longer used in that sense. (26) 7Th. 117. Acts 12:23.

Murder, is now described thus: When a person of sound memory, in direct, unlawful, and unreasonable, or unlawful, and lawful, without malice aforethought, then it is murder. 5 26. 178.

It is the unlawful killing of another without the consent of the person murdered.

Difference between this and voluntary manslaughter. In the latter, the deceased was not lawfully entitled to life, malicious, & malice. 1 26. 4.


"Unlawfully killed another," is the unlawful killing from the unlawful act. That is not unlawful killing. "Unlawful" with intent to kill is a misdemeanor only, though formerly murder. 16 21. 9. 26. 1 26. 4.

Not only directly & actually taking away life by the "killing" (as by a blow or shot) within the declaration that such act of which the inevitable consequence is death, & which eventually occurs, shall be considered murder, deliberate and premeditated.


Muder of murder is murder, &c.
Murder.

So of a few who cannot eat the fruit, the stag, or eat it with a cold body eaten.

So of the woman who left her child in the field, and leaves only, & it was eaten by a kite. 1 Sam 15:19, 32.

So hard of eye who inflicted a child about till it died. 2 Ki 13:7, 27.

So a priest knowing a licence to have no infectious disease, marries a diseased thing, who is burnt.

2 Ki 13:7, 27. 1 Sam. 15:32.

So the practice confuses a prince into a low condition, in time, denying common consecration. More. 2 Ki 13:7. 1 Sam 15:32.

The owner of a horse used to be excited price of horse, in its carrying, the great time even to his hand. Deut. 17:6. 


This is some cases, where the actual killing is by another. E.g. If one meets a man, alone, he will another. Or last person, for A, and B. Take it (Deut 19:7). (Or by chance a imprisonment confuses another.

So the accuser and innocent person, who is condemned to death, on the latter evidence. It is 61:3.) 1 Sam 15:10. 1 Ki 11:14. 12 Deut 19:11. 14. 5 Phys 3:3.

Whether bearing false witness with intent to take away man's life is such. A killing is to amount to at

Lev 19, provided the innocent person is condemned.
Murder.

executed—Peace. (Record 4th. Oct. 1583)

It was by the ancient law. The instance has occurred for many years. 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541).

In terms by Stat. sitting false witness, maliciously, and in prejudice to take away any man's life, depenalized, with death. (1139.)

If a physician be given a potion to cure, but which hale, the mistake is misadventure only.

But it has been held, that if the potion be not a regular physician's, it is, at least, manslaughter. 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541). 1 Chitty. 15 (1541). 1 Bl. & Bl. 15 (1541).

(1139.)

But no potion can be judged to have killed, as in water. The death has happened within one year. 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541). 1 Chitty. 15 (1541). 1 Bl. & Bl. 15 (1541).

But if the death was within that time, it is no excuse that the medicine was not a regular physician's. If he had not neglected his 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541). 1 Chitty. 15 (1541).

But of the medicine, it must be noted, the nature is the medicine itself, not in the hand by which it was administered. But this must appear clearly. 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541). 1 Chitty. 15 (1541).

A person indicted for murder, or a murder, could not be convicted of murder, or a totally different species. Ex. Giving a physician's mixture for a disease. Lewis, man that died, only in consequence.

Ex. Giving with an axe, club, or bat, it appears, that he was given with a rope. 1 Bl. & Bl. 15 (1541). 1 Cop. 15 (1541). 1 Chitty. 15 (1541).
Murder.

But if several are indicted, & are giving the blow
or an inciting word, evidence that I give the blow &
that I was present aiding & will maintain the indictment.
Ex. 34:16. 1 Sam. 4:3-5. In both are guilty, as simultaneity, the difference
is only in circumstances.

The indictment must state that the parties were the second
a mortal wound or a little (Luke 19). I.e. I suppose, while
the means employed were violent, in stabbing, slaying, &c.
these breaches, he being, &c.,

Thus, a reasonable creature, in being and make
the receipt, &c. include slain and cut down. Killing and piercing
with one, except an extra enmity, or time, it may, in the
same instance, it mentions. 4 Ek. 17:33. 5:2. Neh. 5:22.
1 Bar. 5:25. 1 Ham. 27. All these are "under the trees."

Killing a child in repute, &c., more, is a great murder,
only not by human nature for this purpose. 3 Pleas. 5:1. 5:17.
1 Ham. 27.

Slaying is a high offence, under the aspect of capital,

But if the child be born alive, & afterwards dies
within a year after it, of the wound received in particular
an accident, it is murder, by the better opinion. 3 Pleas. 5:17.
1 Ham. 27. 1:2. 5:24. 5:25.

But the coute must be within a year and a day. 1:2. 9.

The words "reasonable" &c. in the definition mean
"man", not, "savage". The faculties of reason, &c., human,
though so are within the definition. Justice of a madman.
Murder.

to kill himself, or put to death. (1) 1 Sam. 11: 11 (11K 1721), 13: 4, 5. 43: 5.

If one consents another to kill a child in secrete
for money, & being true, it is killed in presence of such
consent, he is guilty of murder. (1) 1 Sam. 12: 4, 5.

2. 1 Sam. 23: 27. 11K 1784, 1785.

It is not to be used in the last part of law of
Connecticut, if the mother of a bastard child, prove dead,
before they can say, it is dead; in making it publicly,
or in any other way, she is considered. Murder, unless
she can show, by any witness at that time, that it was born
dead. (1) 1 Sam. 12: 4, 5. 11K 1784, 1785. 21K 1777, 1778.

Now, the first act of concealment, it appears, is sufficient
under this statute, being given in evidence, leading to good
belief, and presumption at discretion of the court.

So the construction practically must be, and is in that
state where in the mother conceives, to the mother confirm,
presumptive evidence at least, that the child was born
alive. (1) 1 Sam. 12: 4, 5. 11K 1784, 1785. 21K 1777, 1778.

With malice aforethought, express or implied - is the
great question, it is not necessary for a malice in some
degree, but it must be in some degree; the doctrine of
a murd. of a crim. has no objections. 11K 1784, 11K 1785.

The court, not the law, are judge of the malice.
(1) 1 Sam. 11: 11, 12. 4: 16-18. 174: 9. 93: 6, 7. 11K 1784, 1785.

Of what amount is law to malice, is that the facts being
given, the court is a question of law. (1) 1 Sam. 11: 11, 12.

Malice presumed, both express and implied, fail to be given.
Homicide.

1. When one will to commit a secret design, to kill another person by the execution of that design; Ex: By a stab, a blow, a bullet, &c., as evidence of that former design.

2. When one kills by an act which indicates enmity to another, &c. Ex: By shooting at a crowd. 4 B. & C. 200, Vol. 126, Part 1; 3 B. & C. 155, 156, &c. 127.

This is also express.

Dilatoriness not to be taken by the court (4 B. & C. 200, Vol. 126). Ex: By a stab done in apparent self defense, in point of fact, concurs with the act of killing. — Implied threat, which is concurs only by implication of law. 126, Vol. 126.

Ex: 135. Discharging a bullet with intent to kill a lost property; it may be used. 1. Being the same act, with intent to kill, &c. 126, Vol. 126.

In case of deliberate dallying, it is express. 126, Vol. 126.

No crime that the part done attacked first, is not done.

Discharge of a bullet with intent to kill; but where it makes the matter to express malice. 126, Vol. 126.

In case of the sin of killing, are guilty of


Giving a discharge of a lost property. (3 B. & C. 155). Here the punishment is preceded by 126.
MURDER.

If a man die of a sudden blow, or of a sudden wound, or if a sudden attack on a man, it is murder if the blow or wound be sudden or if a sudden attack be made. 1 Cor. 11:1; 1 Thess. 5:28.

It seems to me, then, that it is murder if the blow or wound be sudden or if a sudden attack be made. 1 Cor. 11:1; 1 Thess. 5:28.

If a man die of a sudden blow, or of a sudden wound, or if a sudden attack be made, it is murder. 1 Cor. 11:1; 1 Thess. 5:28.

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If a man die of a sudden blow, or of a sudden wound, or if a sudden attack be made, it is murder. 1 Cor. 11:1; 1 Thess. 5:28.
MURDER.

Consequence of an unlawful act intended altogether as premeditated for some other purpose, than that of killing the person slain. (C. 57, P. 127, 128, 130, 131.)

Ex: the steward at a feud with intent to steal, kills a person accidentally, or shoots at a, & kills b; he intended the one, but the other was an accident. (C. 18, S. 237, 246, 218.)

But the intended act must be felony,才有 the killing be regulated on manslaughter. (C. 237, 247.)

Example: the following: one gives poison to a horse to produce abortion, & kills the woman: murder implied. (C. 247, P. 283.)

But is the act intended felony?

Justice gave his wife a poisoned wine, to kill her. He gave it to her child, & killed it, not with intent implied. (C. 283, P. 283.)

But when one kills in consequence of such an act as innocent in itself, mankind, the act to the necessity he particularly, it is exonerated.

Ex: Whitefield stealing into a collection of people & killing one. (C. 284, P. 287, P. 288, S. 288.)

(C. 284, P. 287.)
MURDER.

Here the intent consists in the act of killing; the intent being to kill any one whom the ball might strike.

If one kill an officer, in a struggle to escape from a lawful arrest, it is murder by malice unjustifiably. 1 Dees. 25, 26; 3 M. & R. 388; 10 Sir. 281, 482. 2 Dees. 468. 3 M. & R. 388; 10 Sir. 281, 482. 2 Dees. 468. Not to injure the officer.

In the last case, it is no excuse that the person was pursuant not previous, by being so.

Some rule, though the officer did not inform, in what cause he was about to arrest.

If, though the officer, if he was a public officer, did not inform him, before hand, 2 Dees. 25, 26; 3 M. & R. 388; 10 Sir. 281, 482. 2 Dees. 468.

All homicide is punished by demotion. 1 Dees. 25, 26; 3 M. & R. 388.

This is all homicide it murder, of course, unless it be justified by command or permission of law.

To Exeunt on ground of misadventure or self defense. 3 M. & R. 388. 10 Sir. 281, 482. 2 Dees. 468. By being, either the individual or his man, of some unlawful act, not amounting to felony, is occasioned by such a violent prosecution. 2 Dees. 468.

If several are engaged in a preconcerted unlawful act, & one of them, in execution of the general design, kills a third person, they are all guilty of murder.

Here, if the killing is not in execution of the common design, & the other do not act in consent to it.
Murdere.

When the plager only is guilty. (Act. 1595, Tit. 54.)

As if the unlawful act is not preceded in it as a

punishment affair. (Tit. 17, 5, 6.)

Punishment of murders is death, especially

agreeable. (Which unlawful only are capitaly punished) 4 Ed. 2. 4. Tit. 1. 3.

New to these English Statutes. 25 Ed. 3, 1565.

In the Act. King & Queen from punishment,

their above place, & new Act. 4 Ed. 2. New- 


The statutes seem not to extend to accessories

after the fact.

A Court of Queen's Bench. T. 384,

Who ass that he be hanged by the neck till he be

dead. 2 Hen. 8, & 1. 36. 2. & 3. 7. & 8.

The present condition during opposition (quick

with child) execution is postponed, till the delivery.

But this is no excuse for not pleading & for

judgments being delayed. 2 Hen. 4, 5. 2. Ed. 4, 5, 6. 1. Ed. 7.

For a respite, for this cause can be had but once.


Execution is not complete, till the consent is read. On

special, he must be again resented. Hence, hanging

being no execution. 4 Ed. 4, 5, 2. Ed. 4, 5, 2. Hen. 8, 9, 10, 11.

Part. 12.
Murder——

It is when a murderer, an officer, commanding to arrest him, the proceeds to do so, that the deceased was an officer, otherwise than by proving that he acted as such. 1 B. & C. 265, 2 B. & Q. 488.

So, when the presence of the officer, the deceased was not an officer, but he may; for rule, relates only, to the proof, necessary to be added, by the prosecution.

Petit Treason——

There are certain instances, in which murder, as being more than ordinarily severe, is denominated Petit Treason.

If committed, as other than murder in its most extreme form, 1st degree. 3 3 24 182 2 1107 193.

At common law, many offenses were called petit treason, which are not now. Ex: Treason by a subject, Grand Juries discovering the King's councils, Wife's attempting to kill her husband. Co. 1 1st 181, 2 202.

Ex. 1 Hale 177 359, 1 Term 140.

Now, by Statute, 2 6 7, no offense can be petit treason, except in the following instances: 1st Where a servant kills his master. 2nd. Where a husband.

3. (In Eng.) the treachery, and first, 5 2 141, 2 1 26 5 182 151 2 181 5 7 4 5.

Called Treason, by reason of the violation of private allegiance in addition to murder. 3 1 180 2 200 2 1107 193 9 356.
Petit treason.

Killing of a husband and wife, not petit treason, unless such circumstances, as make more the killing of another person, murder.

11 Coit 120. 12 Mac 160. 3 Coit 334. 1 Wood 378. 3 S. 36.

No petit treason exists. 14 Mac 354. 5.

If a wife deceives a man, by killing her husband by unlawful means, her of aindle. 72 Coit 220. 3 I. 376. 582.

11 Mac 12. 5. 5 Doe 14.

If a wife procure a stranger to murder her husband, being herself absent at the time, she is an accessory to murder only. But if a stranger procure the wife to do it, he is accessory to petit treason. 3 Doe 15. 8 I. 147. 1 12 S.

29. 122. 122. 122. 122.

On the nature of the accessory's guilt following that of the principal.

Second degree of one's mother, or master's wife, petit treason, the act within the letter of 23 & 3. 3 Doe 14. 3 Doe 20. 38. 1 Doe 12.

By murder of one who has been master, upon murder conceived during the service, is petit treason, because in execution of a treasonable intention. 11 Mac 12. 5 Doe 120. 1 Doe 77. 3 Doe 142. 426. 426.

Second degree of a father, by a child, not petit treason, unless the latter is by a reasonable contradiction, without the latter. 11 Mac 12. 226. 1 Doe 256.

Original accessory: young taken away by full. 4 Doe 12. from aiding unlawful, 1 12 Doe 120. 4 Doe 12. 4 Doe 12. 4 Doe 35.

1 Doe 12. 4 Doe 12. 1 Doe 12. 1 Doe 12. 1 Doe 12.

If a child taken away, by 1 Doe 12. from aiding unlawful, 1 Doe 12. with aiding unlawful, 1 Doe 12. 1 Doe 12. 1 Doe 12.

1 Doe 12. 1 Doe 12. 1 Doe 12.

On an attempted or petit treason the penalty may be murder. 1 Doe 12. 4 Doe 12.

In petit treason known, in petit as a crime, justified from murder?
Of Arson.

It is the malicious and wilful burning of the house or
house of another. 1 Will 82. 1 Will 98. 2 Josh 6. 2
Josh 10.

Not only the house dwelling house, but all out houses,
that are houses of it (ie. houses where one lives) or house of a man, af
houses, (houses in which may be the subject of mean. 1 Will 22. 1
Will 59. 1 Will 19. 12 Will 115.

So a barn, field, ormile cown, is within the definition,
tho' not named. Eze 4. 4. 12 32. 1 Will 13. 2. 7. 69.
Burning a stack of hay or wood, or ivry wood, 3 Will 22. 1 Will 115.

Burnings the frame of a house, yet not a cause of not within the meaning of he
burning or frame of a house. 1 Will 81. 1 Will 59. 5

Burning a jut or 16 cause, being the house of
the corporation, which is within, 1 Will 19.

Arson, may be committed by burning one own house (pl
the house of another house, is 1 Will 19. 16. 7. 69. 6. 7. 1
Will 81. 1 Will 19. 6. 7. 69. 6. 7. 1.

The, of one, begun to set fire, a trespass for not only a
house, standing at a distance from all others, living in it
not upon. 1 Will 19. 6. 7. 69. 6. 7. 1
Will 59. 6. 7. 69. 6. 7. 1.

Any of one to die to set fire to. For, unless he
ues, with evident intent, to burn another, but actually
burns his own only, not another. 1 Will 19. 1 Will 59. 6.
12 Will 19. 6. 7. 69. 6. 7. 1.

So, if he is in possession, under an agreement for
loss for one year, 1 Will 19. 6. 7. 69. 6. 7. 1.
So, of tenant from year to year, 1 Will 19. 6. 7. 69. 6. 7. 1.
The mischief of one man's house, in a sense, is a high
premiu, increasing, imprisonment, etc., according to the
degree of the injury. (v. Beale 21, 12, 55. 12, 11, 18.)
As in the case of murder, so in this case, it is no
crime to set a house on fire by the owner's consent. The
indictment, etc., is not to be seen. (v. Beale 21.)

If a landlord, in possession, burn his own house, while in pos-
session of the tenant, it is not a crime. It is no crime to
burn one's own house. (v. Beale 21, 12, 11, 18.)

The same crime is substantially the same, at all times, except-
that, by our Stat. 1, the burning of any barn house, or out house
is crime. (v. Beale 21, 12, 11, 18.)

The punishment here is difficult, in such circumstances,
from the same defects, statute, statute does not apply. (v.
the meaning is, that in a case of this nature, the punishment is
same, but the sentence, not, that each one be called upon.)

It is for destruction, or destruction, punished in death, after state, reason

"Burning" what? Not in a case intent, nor an actual attempt,
by acting here, is in burning, I see, just as burnt. But the
actual burning of any part of, the act is distinguished, a gen-
cal to itself, 12, 21, 21, 12, 21, 21, 21, 21, 21, 21, 21, 21, 21, 21.

"Burning" must be "malicious," one, only a case. Act.
Burning the negligence, an accident, not, as in 12, 21, 21.
As in the case of burning, accidentally, fire, house.

Let, if one intends maliciously, to burn, is, I would, acciden-
table, barn, it is accord, for the felony, in act, 12, 21, 21.

It is a felony, punishable with death. (v. Act.
other act, the act of 12, 21, 21, 21, 21, 21, 21, 21, 21, 21, 21.
But it is, done by me, to have been, entitled to accord, by
Act. 21, 21, 21, but not entitled to its first, 12, 21, 21, 21,
be entitled, by law, it was entitled again, 12, 21, 21, 21.
12, 21, 21, 21, 21, 21, 21, 21, 21, 21, 21.
Homicide

Section 213 of the Penal Code of 1870, article 32, provides that the commission of this offense shall be punished by a term of 20 years for each person, or of 30 years for any one person, or of 40 years for any person charged with the commission of the offense, and shall be punished by imprisonment in a state prison.

In another case, it is held that the law of the state, as interpreted by the courts, is that the term of imprisonment for each offense shall be for a period of 10 years, and that the term of imprisonment for the second offense shall be for a period of 20 years, and that the term of imprisonment for the third offense shall be for a period of 30 years, and that the term of imprisonment for the fourth offense shall be for a period of 40 years.

In the case of a tampering with instruments of the deceased, the court shall be satisfied that the person committing the offense is the person who possessed the instrument, and that the person committing the offense is the person who committed the murder, and that the person committing the offense is the person who committed the murder.

In the case of a tampering with instruments of the deceased, the court shall be satisfied that the person committing the offense is the person who possessed the instrument, and that the person committing the offense is the person who committed the murder, and that the person committing the offense is the person who committed the murder.

It is held that the term of imprisonment for each offense shall be for a period of 10 years, and that the term of imprisonment for the second offense shall be for a period of 20 years, and that the term of imprisonment for the third offense shall be for a period of 30 years, and that the term of imprisonment for the fourth offense shall be for a period of 40 years.
It is the act of breaking & entering into the private house of another, in the night, either with intent to commit a felony, or with intent to commit a larceny.

A C. 21. 31st 1st, 12th 15th, 12th 55th, 1st 94th, 2d 360.

- Necessity of Definition

As to the place: Seems not absolutely necessary, that the breaking & entering be of a private house: Valid if a. Thm, no crime.

Chapter 5 22d. 1st 94. 1st 55th.

The necessity of the subjects being a private house, arises, in the case of a public building only. 12th 22d. 1st 94. The definition ought to include chambers & cellars. Preced. 3d 94. 1st 55th.

The intention of the wrong, manifest, seems indisputable, in the indictment, with the breaking & of a private house. Where, and it seems. 12th 22d. 1st 55th.

The term, "private house," includes all out buildings, which are parcel of, & within the curtilage. 3d 94. 1st 55th.

Being erected, & privileged, by the capital house. 1st 22d. 3d 94. 1st 55th. 12th 1st 94. 2d 82. 1st 55th. 3d 94. 1st 82. 1st 55th.

The curtilage seems to be the portion of ground, which is included with the house, by one common fence, or common method, directly, by a fence. Therefore, an out house 3 feet distant, separated by an open passage, & not within, nor connected by any fence enclosing both, regarded not, within the curtilage. 3d 94. 1st 55th. 1st 94. 1st 55th.

Being a leaing, in a private house, if the owner does not lodge, or let, or, if he enters, by a
Burglary.

different counties are the main places of the
lodges. Sec. 12, of the above, shows the, & enters by the
same avenues, do. Here there is only one manse, house,
that of the owner. 4 Bacq. 20. 12 Haw 115. 12 R.T. 555.
12 Shaw 133. 75. Inc. 2. 1 Lat 382. 1762. 160, 161, 162, 163, 164.
12 Jer. 2. 68. 130, 331, 317.

An unoccupied house can't be the subject of
burglary.

If a house be not within his curtilage, & lets it to &
not uses, the mere letting it, burglariz cannot be
committed in it. It is not a manse house, being
possessed by the owner, not 122. 122 Sec. 32. Sec. 43.
128. 135. 1 Lat 535. 1762. 160, 161, 162. 1 Matt 2. 1 Mac 93.

Dear of the house engaged in it, (Law 34, 26) is, if not leased
by the owner.

A house, in which one sometimes resides, the test for
a person living arson in it, is a manse house, though one only 125 it at the time. 4 Bacq. 20. 12 Haw. 32. 12 Lat.
12 Shaw 133. 75. Inc. 2. 1 Lat 382. 1762. 160, 161, 162. 1 Mac.
12 Jer. 2. 68. 130, 331, 317.

In a house, in which one had been, to reside in, what
part of the goods into, though not engaged in (Lat 46.
120, 320. 321. 160, 161, 162.

The house of a corporation is within the definition,
it's officers having in it. Manse house of the corporation.
4 Lat. 32. 12 Haw 115. 1 Lat. 535. 12 Haw 115.

Yet committed to a use with temporary, it is
a tenement. 1 Mac 93. 12 Lat. 32, 12 Haw 115.

Within one Stat. Burglariz may be not only at 1.
Burialary.

Burialary: but the church and school, the school bell with, more, e vice versa, etc at a distance, 6c, 8 not known, etc. 1819.

Burialary: that the sale of a bell, containing wigma, may be the subject of consignation. Not 18. Establishment!

Burialary: that the name of the person or conveyer of the house, be included in the indenture. Lead 24.

Built in place: forming it might be committed, at any time, between sunset & sunrise. 20. 24. 28. 33 3.

But now the term includes only the time between the common & common, 20. 24. 28. 33. 33 3.

Burialary: cannot be committed, converse twilight.

Burialary: at any time, between sunset & sunrise. 20. 24. 28. 33.

But it must be daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

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Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.

Burialary: daylight, twilight, not moon light.
Entry. If you open door, not breaking within the definition. "Loss of having cunt, be reckoned
innocence of a crime (at calpra) & 5623, 2 Val 333,
3 Hen, 7, 2, 30. 20, 20.
This is breaking the sense, breaking, effect &c. not.

Breach, breaking out (the person) having cunt, without
intent &c. (in an attack) is a breaking within the definition, in the
opinion of the crown. 28 B. 17 (22), 3 Cal 334. 30,
6 Hen, declared to be force 333. 48 22. 42 1
Here, the entry to define breaches, 3. 5. 5.

Entry, pencored by hand (with intent &c. at calpra)
for breaking, entries (in an attack) not, being in an attack,
are entries for pencoring. At calpra, 28 B. 17 (22), 3 Cal 334, 30,
6 Hen, declared to be force 333. 48 22. 42 1
Here, the entry to define breaches, 3. 5. 5.

If a servant enter his master's dwelling,
not intent &c. is a lodging in a private house,
entry, pencoring, breaking, &c. are entries (with intent &c.)
it is a breach, breaking, entry, pencoring, and entry, of the
master, hand, the proprietor or occupier. 28 B. 17 (22), 3 Cal 334,
30, 6 Hen. 22 1 1

So, if a servant is the sense correct?
Reckoning
with a robbed, & let him be in might, that he may do,
with some qualms of decency, 4800/12. 5000/12. 1200/3.

"Doing". The deed, entry, with the dissodol & part of the dedge per
s. the thing is any instrument, or person, as a pistol,

But it seems, that the instrument must be in hand, for the
purpose of committing the felony in, as a hark, to wreak out goods,
a pistol, &c. be in hand, and money be (to be silent).
that being in hand through the deed, to be that there is an
in the inquisitor, and not a complete offence, not being intimated
to take, simply. 1000/8. 500/8. 500/8. 500/8. to kill, or intend
elude for the purpose of killing.

In an indictment for breaking, stealing, effect may be
acquitted of the breaking, & some quality of the breaking, and 70.

A general plea, to commit an irregularity, some, which
was, of a distance, & pistol, with other basis &c. all guilty

"With intent" to constitute lauditory, there must be
a defendant intent, done the breaking, &c. are a parteide.

Ex. Received cover a person, having run away, returned to take
his own money. 1000/8.
not, if it had been to sell, murder, deal 80. 1000/8.

Sufficient of the intent, act is a theft, felony, the not
law. Ex. Robe - which is not a theft, felony (1000/8. 4800.
1200/8. 818. 818.) for a theft, felony has all the properties, of a felony at da.
1200/8.
Sine Qua Unum

An act making that the intentional robbery be execrated in text
alone sufficient, if one intent the party are to judge. 1139
23, 18: 1192 215 130 206 92 333 312 392 322

After one has been accident to one accident, in taking
a house to & stealing the money, if he cannot be indicted
for the same reason, & stealing the money, 82. But if
the theft be true, the taking being the same, he will
enter, notice of the taking, 1192, 24, 206, 130.

Punishments: Sine Qua Unum is a taking & theft, but can
be groups. See 215 accused with exactly 82, house taking,
by 1192 215, 333, 221 322 392, 206, 392, 92, 23.

Here shall it stand not to be accused after the fact.

Ref: 392

Stating power

C xxxv:i. 130, 1192, 24, 206, 130, 333, 215, 392, 322, 206, 392, 92, 333, 23, 215


"Violent intention," i.e. against any person - in any man
who shall perhaps than it suppose. Decided is to that
infinitude, being an offense at law, may be prosecuted as such.
that the theft only declare the punishment (Rev. 5:9)

Don't, consider so common who does, a common
Of Larceny.

Larceny, or theft, is divided: 1st. Simple. 2d. Grand.

Simple, is where theft, not accompanied with any aggravating
crime, and consists, only in the aggravation of taking
from one, or private. 4 & 5 Eliz. 1st. 5.

1st. Simple. Simple larceny is the felonious taking of any
thing, value of the personal goods of another. 4 & 5 Eliz. 24.

Grand larceny is the felonious taking of any thing, value of twelve
pence, the essence of grand larceny. 4 & 5 Eliz. 25.

So, larceny is the felonious taking of any thing, value of
thee, against his consent, and against his will, with intent
to convert them to the use of the taker.

The good alone the value of £10, hence are stolen, by
answer, each guilt of grand larceny. 4 & 5 Eliz. 26.

In punishment, may differ according to the

The difference between grand & petit, is in the value
of the goods. Where the value has been, not respect to the
nature of simple larceny, in general, as to the goods
not being of the

In punishment, may differ according to the

Taking, the rule, that every felon includes a felonious
intention, of the guilty of the foot. 2d in taking, he cannot,
according to the law, be guilty of felony, according to 2 & 3
4 & 5 Eliz. 27.

The amount must therefore be stated from the possession
of the owner, not from the construction. 4 & 5 Eliz. 28.
Sincerely,

Yours sincerely,

Hence, of the suitors who requests, there are some suitors, not
found in the region. The taking in, not to be lawful, or, in
contrast, the proceeding under a council, by the council, is not lawful
of taking, as I said, to afternoon, embarrassing. [Acts 4:15, 22;
Phil. 3:12, 13:15, 15:1] Consequence, without, the more, a table, of which be.

Euse: As the locational purpose of deliver, is to a table. The
delivery, and as a grace, shall, that, under the deliver, is in a variety, shall, a purpose, once, a suit, subject to those, and, the deliverability, [Acts 14:14] the proceed, is in its council, also, unanswerable, another manner, in a
reformation, taking, [Acts 14:26, 27, 28, 29] without, a purpose, a table, deliver, to a table. [Acts 7:73] Consequence, deliver, to be
announced. [Acts 13:17, 18, 19, 20, 21, 22]

In these cases, a purpose is that to which, being in an
alarmed, but the question, proceed, being in the council, taking, to a table, proceeding, intent, in the
deliverings, taking, from the action, [Acts 13:17, 18, 19, 20, 21, 22]
In these cases, purpose, not to serve, [Acts 7:73]

Thus, if necessary, for the delivery. [Acts 13:17, 18, 19, 20, 21, 22]

[Acts 7:73, 12:15, 28:295]

But, these as I the side only last pa. [Acts 7:73, 12:15, 28:295]

If one obtaining a delivery, with intent, to stand a
consequence, is embarrassing, it is Sincerely. If the answer
is clearly not, in retaining a bill of exchange, under
the instance of the council, or, suit, in intent to stand a
consequence, it be. [Acts 13:17, 18, 19, 20, 21, 22]
Sec. 46. 1, 2. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 47. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 48. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 49. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 50. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 51. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)

Sec. 52. (Note 1.) (Note 2.) (Note 3.) (Note 4.) (Note 5.) (Note 6.) (Note 7.) (Note 8.)
Lasciviousness.

It is of the utmost importance to distinguish between the nature of lasciviousness and the nature of vice. Lasciviousness, in the moral sense, is the desire for physical gratification. It is a sin against God's moral law. Vice, on the other hand, is a sin against God's spiritual law. Lasciviousness is a sin against the flesh, while vice is a sin against the spirit.

In the case of lasciviousness, the act itself is wrong, regardless of the motive. In the case of vice, the act itself may be right, but the motive is wrong. Lasciviousness is a sin against the body, while vice is a sin against the soul.

Lasciviousness is a sin against the natural law, while vice is a sin against the spiritual law. Lasciviousness is a sin against the world, while vice is a sin against the church.

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Carcass.

Suppose that after the death of which the above was done, that by the
will and under a new marriage settlement.

6th. When, according to the terms of the last settlement, the intestate was
not entitled to the inheritance, the present intestate cannot be
inference, unless the intestate was entitled to receive the
money, and the intestate had a right
to receive it also.

The case is not that of intestate to intestate, but that of
intestate to intestate, in the latter case, not
in the first. In the first case, the
intestate to a common carrier.

3rd. The first case, was decided with respect to land, and
the second with respect to
money.

He was not entitled to the
land to build a house, when the
inventor in possession, is not of course, the
transfer of the land to another, who is not the
former, and who, in the present case, is not
the former, for it may happen
from 36.4.1830.

The case, according to the ancient rule, was not a
Carrato
and an argent, and a silver
committee to that country, and it is not a
thing to be considered, since it is not
simul, and if it is not, it may happen
for 36.4.1830.

as such, according to the ancient rule, if a
Carrato
and an argent, and a silver
committee to that country, and it is not a
thing to be considered, since it is not
simul, and if it is not, it may happen
for 36.4.1830.
Larceny

The amount has not the protection, but much the case is, evidently so; running away with, or embezzling, or a
selected taking. 4 Ed. 3 Ed. 2 Ed. 5 Ed. 1 Maria. 4 Maria. 2 Maria. 4 Ed. 5

On a Conclusion a better position in the matter. 4 Ed. 5.

Of course stealing are stolen from the public, the goods taken & guilty of a selected taking, from the owner for
the property & possession is in law, are in law, 1 Maria. 14 Ed. 7 & 8 Ed. 2 Ed. 3 Ed. 4 Ed.

The theft goods in the County of X, & carries them into the county of Z; he is guilty of a selected taking
with the 4 & 5. 6 may be prosecuted in either county; the
enforcement of continuance of the offense of taking, & a
pretext of it. 12 Ed. 1 Ed. 3 Ed. 4 Ed.

Leeds, of original taking, in a foreign State. 4 Ed.
7. 4 Ed. 4 Ed. 2 Ed. 3 Ed. 4 Ed. 5 Ed. 7 & 8 Ed. 9 Ed. 3 6 & 7 Ed. 1 Ed. 8 & 9 Ed.

So it is, not larceny to receive goods clandestinely,
from the rogue of the owner, signalized. (Because law, taking
is not potenanced. He cannot be guilty as principal, etc., he
receiving.)

"Larceny means: The least removal from the place of
a carrying away. (To be afterwards. Leave them, or be donated
for, making a breach out of the clasp, &c. It appropriated,
or carrying goods down stairs only,

or taking out of a bank, & laying them on the floor. 2 Ed.
3 Ed. 4 Ed. 1 Maria. 5 Ed. 2 Ed. 3 Ed. 5 Ed. 2 Ed. 47 Ed. 2 Ed. 5 Ed. 4 Ed. 7 Ed. 5 Ed. 2 Ed. 3 Ed. 1

Measuring a bale of goods, in the end, not a
Carrying away. Not removed from the spot, the removing
from the end to the other of a manner sufficient. Maria. 1 Ed.
deal 2 Ed. 2 Ed. 7 Ed. 8 Ed. 7 Ed. 7 Ed. 7 Ed. 8 Ed. 7 Ed. 8 Ed. 8 Ed. 8 Ed. 9 Ed.
"Solicitor: The taking & carrying away must be felonious & committed without the owner's right & without his consent.

Ex: A servant privately takes his master's horse to ride, & returns him. He takes only Delay & is not liable, because his 
intention was to return it. 1 Bl. 122, 176, 529. Intent to be determined by 
the circumstances, ibid. 176, 529, 538, 574.

Unless evidence of such intent & malicious design & consent of the 
owner—such a promise to return & keeping the horse.

Therefore, one takes personal goods, from his principal, unless, against his will, he has precluded a felonious intent, till the 
holding is actual theft, ibid. 529, 538, 574.

"Solicitor: goods another's. Things are, a knowing of the reality, 
are not essential to the law; as it appears, ibid. 122, 176, 529, 538, 574.

4. Using goods, &c. The issue or delivery, &c. of this, or any other, &c. as 
not necessary, ibid. 122, 176, 529, 538, 574.

5. If the goods are carried away by one continuous act, 
for these they never were, &c. as not necessary, ibid. 176, 529, 538, 574.


7. Taking goods from a living, &c. as not necessary, ibid. 176, 529, 538, 574.

8. Reason for the distinction between personal chattels & things 
held to the chief to be their nature, ibid. 176, 529, 538, 574.
Law of evidence.

1764, § 146. 

Sec. 146. 2 B. 236, 2 B. 470. 

The goods must be of some value in themselves, and some one must have some property in them. Hence, the taking of one is action cannot, at law, be larceny if no value intrinsically, but merely by relation to something else, viz. the right of which they are the evidence, exists, right is not property in property. 4 B. 434. 8 B. 355. n. 1 B. 140. 2 B. 470. 3 B. 470. 11 B. 355. 2 B. 470. (Because they might answer the purpose of money at the (camp) Where larceny by theft. 2 B. 470. 11 B. 140. 2 B. 470.)

No such state line.

Animals [be] nature, if not known a confederate cannot be larceny at the of intrinsic value, if.

Lost be a bond, held by one, and then tied with goods in their natural state. 4 B. 434. 2 B. 435. 11 B. 355. 2 B. 470. 11 B. 140. 2 B. 470.

Sold, of reclaimed, or confederate, 4 B. 435. in feet. 2 B. 435. in a pack, skin of a tramp. 4 B. 435. 11 B. 355. 2 B. 435. 2 B. 435.

But each animal in fact nature, as will not leave for bond, unequivocally elected of no value, is the law on this 1st B. 470. 100 the reclaimed or confined taking them cannot be larceny at the 11 B. 140. B. 470. nothing, hence wolves 4 B. 435. 11 B. 355. 3 B. 470. 11 B. 355. 11 B. 355. 2 B. 435.

Yet even in these cases a civil suit will lie for the taking, 4 B. 435.
Surgery.

Not the taking of a hurt, or change, may be wrong, for it is said, at c. 2. &c. we must not do so, by St. 37 Eliz. c. 2. H. c. 37. 12 Eliz. c. 7. 31. 107. 2. &c. at c. 2. 4. &c.

But a real, as animals may be valuable, in not doing for fear, as horses, value, 

Not, which do prove for fear, in real cattle, sheep, swine, 

practically 47 Eliz. 3rd.

Some domestic animals, not meanly valuable, in the law on that subject. Ex. Deut. 19th. But, not, taking, not (hence) at c. 3. 4th. &c. may be a civil forfeiture. 12 Eliz. 3rd. c. 272. 2. H. c. 47. 3rd. Wolf 3rd.

Mean, the English law, requiring (with, in certain cases of) goods, value, &c. mechanical. In such, merely to hold out not to fall within the description. Lord 47. 5th. 234. 4th.

Of another's goods of which we can at the time of taking, not, real, or, Surgery, because there, mere, taking, 

We, before that are seized to the usage being the eight. 11 Eliz. 4th. 1cc. 246. 1cc. 279

Here, at the time, the property is intrinsic, a matter, in it, 

It may become the thief's, iv, in certain cases, to proceed on the former cause.

But, the thief must be a person in some house, at the time, yet, it is said, that the case need not be known, 

So that indictment, does not occasion the person, being, 11 Eliz. 4th. 1cc. 297. 1cc. 272. 1cc. 372, 3rd. 47. 24th. 1cc. 372, 3rd. 47. 24th.

But, in such a case, it is said (c. 2. 37 Eliz. c. 2. 37 Eliz. 37). But, at the last, 

seeing the property is proved to belong to owner, it will be justified in the presence. 2. H. c. 37. 4th. 1cc. 55. 1cc. 37. 4th. 1cc. 55. 1cc. 37. 4th. 1cc. 55.
Larceny.
Stealing the goods of a public church is larceny; the goods of the parishioners: (Vizlaw 145. 3 Dox 110. 12-14.) Stealing a body from a dead body; it is the property of him who was the owner, when it was put in: (Vizlaw 145. 3 Dox 110. 12-14.) Stealing a taking up a dead body; not larceny, but an indictable offence, a high misdemeanor. (Vizlaw 733.)

Punishable, in some of these states, by state law.

A person may commit larceny, by taking his own goods in certain cases. Ex: one delivers goods to a Carrier, Factor, or other Seller, and afterwards, secretly & fraudulently, takes them away with intent to make the Carrier &c. (Vizlaw 145. 3 Dox 110. 12-14.) So, if he sell his own merchandise, with intent to change the Number: 40c. 2 S.

If the goods are sold to B, it seems that a near stealing there, may be indicted generally, as for taking the goods. (Vizlaw 145. 6 Dox 135.) Val. 8.

On an indictment for larceny, if a false bill of taking is not found, the Court cannot, on special finding, give judgment against D for a trespass. (Vizlaw 29. Secol.)

The two offences are generally different.

Punishment for larceny, whether United or not.

Ca. 6 Dox. 110. 3 Dox 415. 12 Dox 371. 12 Dox 145. 420 323 292.

Which is a Capital. (Vizlaw 6 Dox.) But within these bounds, all the crimes excepting that of larceny, which is defined in many cases to taken away the State, are in this degree. (Vizlaw 420 323 292 419.)

Begging larceny, punished as by law, not sadumne.

Of goods, as in thefts, & whipping of other corporal punishment. (Vizlaw 145. 3 Dox 415. 12 Dox 371. 12 Dox 415. 420 323 419. 2 Dox 70.)

Not punishment of land, not being a capital felony, of course, no attainder.
Securing

In common distinction between Grand and Petit Securing.

First, not executing, debts, if the value of the goods amount to $500, whereby not exceeding or exceeding the value of the goods, or
more than $300, no, whipping, or loss, or damage, to the owner.

Securing from the house. 15th of Law 7th (1712). Cases. Information of the grand jury, June 1712.

Securing in manor, the state, State justice, a petit jury.

2d Mixed Securing. This had all the necessities of both
ing, but the rules, laid down, are to supply, and to that. It
always, therefore, involved the felonious taking or carrying away
of another's personal goods. But it is also accompanied with the
aggravated of taking from one house, or jurors, in both.

16th Securing from the house. This is the most aggravate of the two;

If not, it is accompanied with a breaking of the house, in the not at flagrant, it differs most essentially, but it then falls
under a different description, & crime, burglary, (article 6) 18. 16.

But by statute in Eng, the penal consequence of mixed securing differs from that of break, or break. Benefit of clergy being taken away from the former, in almost all cases.

[Further text discussing the definitions and implications of various forms of securing, including mixed securing and securing from the house.]
Robbery, of 12 pence, capital, but chargeable at £ 2. Clergy is taken away, by Statute 2 Ed. 4, 22 & 23, 1741, 9 & 10 Geo. 1, 521. 2 ed. 235, 1. H. 1739, 60.

3/5 of the value of 12 pence, or 12s, not capital at £ 2. 4 & 5 Ed. 4, 27 & 28, 1733, 2 & 3 Ed. 5, 1732, 1733.

Difference, than a punishment, between simple larceny (being separately stealing from the person, i.e. that in the latter, case (clergy is taken away) if above the value of 12 pence. Notice, in the former.

Every violent larceny from the person is Robbery, to the felon career's fault, taking from the person of another, of goods or money, of any value, by violence or putting them in fear. 4 & 5 Ed. 4, 1733, 1734. Value immaterial.

"Taking from the person." There must be an actual taking - an attempt to rob, not felony at £ 2. 4 & 5 Ed. 4, 1733, 2 & 3 Ed. 5, 1733. It is a high misdemeanor, confining fine and imprisonment. 17 Geo. 2, 1 Ed. 4, 1725.

An attempt made felony by Statute 3 & 4 Ed. 4, 1725, 2 ed. 31. 7 years. 7 & 8 Geo. 1, 1744, lead 22. 25.

If one takes the goods of another, in his presence, by violence or putting in fear (the not literally from his person), it is within the definition. E.g. first putting in fear, then taking away, and by force. Taking away his cattle, which were in his presence. 17 Geo. 2, 1736, 2 & 3 Ed. 5, 1735.

533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545.
Robbery.

In my presence, it is a felony taking from my person. 12 Am. 31.

I do not receive my money in my discretion, while
I am under threat from an armed, a guilty of a felony
taking from my person, or, if by cutting my face, delicts
an oath from me, that I will deliver, & that in justice
cause of the oath. 10 V. 47, 56, 35, 22. 186. 59.

Put a taking which is not either quietly and
insecure, or in his presence, is not within the definition.
In Robbery, 12 T. 244. 30 Am. 217. 269. 398.

If several join to rob, & masters I'm, are
than you from the week, & without their knowledge, part
of their goods, do I, & then, return to them, all are
quietly, because of the intent to rob, & to avoid such acts.
Observe: 48. 1 Th. 53. 33, 48. 32, 2. 5. 1. 59.

Not under they collected for the purpose of robbing any
person, who might fall in their way.

Credibility, after the taking it complete, does not
lend the offense of taking it as that taken. (29. 29.) 103.
47, 56, 35, 22. 186. 59.) for the distinction does not extend to either
requirement of the person in the Robbery prosecution. Each 244, 1 Th.
53, 2, 56, 54, 57.

"By violence or putting in fear." The criteria which
otherwise quiet taking from all other breaches. Then, there
can be no robbery. 1 G. 242. 11 Am. 54, 1 Th. 326, 46, 57.
2. 1 Th. 476.

"Violence" in this case denotes, more than is implied,
the mere act of taking, which itself is violence in judgment of law. Ex. Theft is violence to pocket-picking. But robbing requires more.

It denotes violence of some kind offered to the person, and if mere to be used, it is calculated to excite fear. Simb. 17 Law 149, 180. 4 Bl. 243. Foot 128.

But actual violence to the person, is not necessary. Putting in fear insufficient. 5 Co. 1. 9. See 3. 8. 121. See 145. n. Dall. 214. 27. Lead. 205. 17. 25.

The violence, or putting in fear, must be previous, at least must not be subsequent. Ex. If one steals passing from the person, & afterwards keeps it, by putting in fear, it is not robbery. 121. See 149. n. 2. bell. 2. 15. 1. 81. 

The violence must be purposely for the purpose of obtaining the money so taken. Ex. Robbery passed keeping one client, & under pretense of carrying him home, took his watch. Heed him not, & presently take his money. 2. 117. 59. 121. See 149. n. 2. 81. 179. 4. 597. 2. 117. 

And causing a person to return money from him, & then actually extorting it, is robbery. Lead. 205. 2. 163. 597.

So is putting in fear, sufficient that persons, 

with or threatening, to money, or a gesture, is need, art will, naturally create an apprehension of danger to the person. 121. 245. 121. See 149. n. Dall. 123. Lead 204.

So, such threatening, as is likely, according to common experience, to excite an apprehension of danger, to one's character or goods name, sufficient putting in fear.
Begging, with a menace and be, sufficient for putting in fear. To falsely extort money from another, with (real) or (real) activity, is insufficient. 32 Eliz. 275. 17 Eliz. 275. 12 Eliz. 275.

12 Eliz. 275. A tale of putting in fear, not necessary. 32 Eliz. 275. Doe 256. 2 Eliz. 256.

"Putting in fear," not necessary in the indictment. By violence, insufficient. 4 Bd. 275. Doe 256. 32 Eliz. 256. 2 Eliz. 256.

"Putting in fear," not necessary in the indictment. By violence, insufficient. 4 Bd. 275. Doe 256. 32 Eliz. 256. 2 Eliz. 256.

"Putting in fear," not necessary in the indictment. By violence, insufficient. 4 Bd. 275. Doe 256. 32 Eliz. 256. 2 Eliz. 256.

A case of activity, taking, not taking any color of right, is insufficient. Doe 256. 32 Eliz. 256. 2 Eliz. 256. 15 Eliz. 15 Eliz.
Sarceny - Robbery

Whether openly taking goods from the person, without
violence or putting in fear, is felony, of any kind? Dal.
According to Hale, it is not. [1 Shaw 156. 10 Mod. 16. 149 n.]
Ex. Catching a hat from one's head. Wilhamson's Case,
prtd Q. B. 27 R. 80, 724. It does not, strictly fall
under either of those definitions of sacrene from the person.
C. Roll 154. 48. 38. 128.

Indictment for robbery one highway, not supported by
evidence of robbery in a dwelling house. 49. 1 Shaw 170. 9 n.
2. 1 R. 154. Highway in the case and part of the accusation of the
offense.

Punishment: - a capital felony (whether the
value of the goods) but chargeable at the. New cases of
robbery in 1756 & 1757. There were in
England. [1 Shaw 149, 150 page 128.] Both are principal
the offenses before the fact.

s. 154
In court like burglary: 41. 42. 43. and 44. offenses
not exceeding £5. differs of a male, being in common
and a woman's house. 3 & 4. if with violence.
Free or excessive: A. & B. 94. An accomplice
for the
first offense. 2. 10. 10. 19. 7. 10. if 5 or 10 years.
(a) This kind of robbery means in the 2d. note 3)

Of Turgery

Turgery. or the common salt, to be.
A. fraudulent
whether, or the possession, to the prejudice of another or the
A. 42. 40. 41. 42. 43. 44.

Records: - other authentic writing, as
Drake. regular, & secure, it seems, with the subject. mean
as 2. 11. 23. 23. 19. 53. 53. 6. 6. 57. 6. 6. 57. 6. 6. 57.
But according to a great number of decisions, it is well settled that, so far as affecting any private writings, of a nature analogous to a will, as well as those of a duress or coercion, the rule of law is in Co. 10: 1. By reason of the rule of exchange, or a discharge of the debt. (Vill. 3753, 3754. 3. Eliz. 110. 11 Eliz. 110. 1157. 1555. 1655. 1655. 1685. 1685.) And according to some there's an assignment of the debt, (Vill. 3754) not even from debt.

But it has been held, since, that, when, in the future, writing, &c., which additional writing, &c., is the subject of law, &c., in Co. 10: 110. 110. 110. 110.

Any writing, &c., of the debt, however, should not have been, &c., of the subject of law, &c., &c., in Co. 10: 110. 110. 110. 110.

But in the subject mentioned, &c., the matter &c., that the writing is complete, &c., &c., &c., in Co. 10: 110. 110. 110. 110.

But not only, actually, &c., that &c., &c., in Co. 10: 110. 110. 110. 110.

In this case, the entire will perfect, &c., &c., &c., in Co. 10: 110. 110. 110. 110.

But the will not in effect, &c., &c., &c., &c., in Co. 10: 110. 110. 110. 110.

But this writing does not purport to be a will.
The making panel by writing an order for payment, or any other name, found at the bottom of a letter (as Page 32, 1881, 180, 171, 173, 175)

Here the name is not forgery, but the instrument is forgery. In writing the name of another may be forgery (as Page 175)

This being an act of forgery, by itself, it cannot make

It of one fraudulently enters another's name of another against it, and the instrument is forgery (as Page 32, 1881, 180, 171, 173, 175)

But if the instrument is forgery, it amounts to forgery.

Indubitably, altering a deed in a material part is forgery.

(As Page 32, 1881, 180, 171, 173, 175)

To alter a name of another, then the true forgery, and the modern one.

But it is entirely without definition.

And if the part is immaterial.

(But suppose the part immaterial, which shall not in)

By one, having made a bill of exchange, forgery enhancement to set it dishonest, it is forgery (as Page 32, 1881, 180, 171, 173, 175, 177, 179, 181, 183)

One may be guilty of forgery by making a deed, in himself in his own name: as, one having given a deed of trust, after giving the same to another without the last claus, to be divided and at the precursory (as Page 32, 1881, 180, 171, 173, 175, 177, 181, 183)

But if the instrument be written, it takes of itself change the word 'written' to 'written' or 'written forgery.

Forgery to himself only, (as Page 32, 1881, 180, 171, 173, 175, 177, 181, 183)

But in the title 'written', it is written, (as Page 32, 1881, 180, 171, 173, 175, 177, 181, 183)
Negligence

Negligence is said, for instance, to attach itself to a person who acts with a new evil intent or to a person who acts with the expectation that another person will act negligently. This is because negligence is a form of fault, and fault is a form of negligence. It is said to arise from a breach of the duty of care owed to another person. This duty of care is owed to protect others from harm. If a person fails to act with reasonable care, they may be negligent.

Similarly, a person who is negligent cannot avoid liability for their actions by merely stating that they acted without negligence. Liability for negligence is based on the failure to act with due care.

Not necessary that one should be actually negligent sufficient, that from the nature of the act done and right might be prejudiced. (39 Ed. 1491, 6, 7, 8, 9, 10.) (K. S. 19.)

It is necessary to prove that the party acted in his duty the intent being done.

55. Enquiry the name of a fictitious person may be felony.

[Back 31, 182, 218]
In an indictment, the least variance between the multiplicity of that offense in evidence, it fatal. Lord 1713.

But, if a mistake in spelling, don't alter the words to another, it fatal, or "un atrocitate, not an act." But it is fatal, if it make the word inadmissible. Lord 1713.

On a prosecution for forgery, a witness, "perjuring" to be such an instrument, don't consent, can't be convicted of it done, on its face, because to be the instrument in evidence, 2 B. & C. 257, 258, Sec. 16. 255, 256, 259, 260.

As to the effect of the mode of temper following: 2 B. & C. 257, 258, Sec. 16. 255, 256, 259, 260.

In the indictment, the blank instrument must be set out, and the words April the 15th. 2 B. & C. 257, 258, Sec. 16.


On the indictment, the blank instrument must be set out, under the signature. 2 B. & C. 257, 258, Sec. 16.

State: under the law of 1814,14, in the first offense, not exceeding 5 years, to pay double damages to the party injured; to be incapable of giving bond or evidence in any court. 2 B. & C. 257, 258, Sec. 16.

Where the offense is where name the blank instrument by multiplicity against the person. 2 B. & C. 257, 258, Sec. 16.

Under the law, the multiplicity of any writing is not forgery, unless it be "to prevent equity and justice." 2 B. & C. 257, 258, Sec. 16.

Whether the person in whose name the blank instrument is, necessarily against the person. 2 B. & C. 257, 258, Sec. 16.
The word "false" is not used in me State, but "altering a writing" is meaning a false writing. The word is now defined in 1. 721.

The form here is to charge and prove a false false.

Holding a false writing, or true, a forged instrument to

The same is to charge and prove a false to

Of 

It is the same as "false" writing, in

It must be a false writing, i.e., with

The writing must be taken in some judicial proceeding,

In all cases, in any other lawful court, a volun-

King voluntary, in extra judicial writing, not notified by law.
Perjury.

4 (Qel 13). Mawz. 326. "He who lies under an oath before a magistrate, or makes a bargain that the property is the "Heb."

The offense is complete by taking the oath.

Perjury is a crime to touch public offices or office-carrying, some matter of facts, not predicable of the nature of office: Nen. 305. 10. 316. 3 Bar. 916. (But the violation of the latter may be a misdemeanor) Nen. 283. 4. Can. 14. in case of a judge, a of American constitution officials.

Perjury is punishable of any kind, material to the point in question, in judicial proceedings, as well as affecting the issue of judgment, i.e., respecting the ability of one of the parties to answer when any outstanding question. Maw. 525. 26. 346.

Any matter which obtains but can only be judicial proceedings may commit perjury, as well as an impugned mistake. Deft in his answer is robbery. Can. 491. 2. 316. 477.


In a debt in a chance, having given a false statement, explained, if from personal intent, to himself, answer, consistently with the truth of goods, he is not guilty of perjury.


But a person who persists in his oath, if he persists a not guilty of perjury, for he is not bound to testify the truth, but his oath is perjury. In 145.
Purifying

...necessity to be material, whether the matter
known to be true or not, in fact of the mistake crept that knowing
what he does not know, to be true be proved. To be not to mean to
these facts only which are within his knowledge, Plow. 325; Plow.
274, 2, Moll. 4, 36, 182; 5, 186, 2, 5, 8, 37; 6, 3, 14.

...speak be known absolutely, to what is not true, but be
...ceaseing if their Enemy, Pery. 9, 2, 15.

The meaning, if any, must be absolutely definite.
...meaning under such qualifications as to what, and believe 6.
...according to my recollection" cannot, it cannot be perceived. Plow.
21, 3, 182; 3, 186, 4, 39, 14. See the mistakes at this Art. 5.
...to be perceived. Plow. 1, 21, 182, 7, 190.

The meaning must be to a material point. In distinct,
...inside testimony, cannot be perceived. Plow. 1, 274; 3, 182, 4.
...Art. 45, 3, 182; 4, 39, 14. Plow. 1, 21, 182, 7, 190, 11.
...to know experience. I do not say whether he
...was compos, to make the witness give a history of a journey to the
...intermediate some of the incidents of the journey.

But of the false evidence, the circumstances,
not directly apply to the other, there to aggravate or unmind
damages it may. Plow. 33, 3, 182, 6, 37, 182, 19, 11, 2, 182.
...to the point of across.

If it is said, if the material and false part of the evidence
is likely to prejudice the jury to give a verdict adverse to the
substantial part (Plow. 33, 4, 37, 1, 182, 6, 37, 182, 19, 11, 2, 182).
The point not well settled, Plow. 33, 5, 37, 182, 19, 11, 2, 182.)
...are false means to receive advantage in a material mark, above others being
...false to improve your will to the duty against whom it comes.
Saying that one beat another with a pole, when the truth was told a staff, not sufficiently material to constitute
a beating. (Haw. 32 S. 2, 4, 5, 6.) The beating only material.

This may not the kind of instrument told to appear type or

Need not appear in what degree the false evidence was material; sufficient if it be shown actually to affect
the necessity that the evidence be declared of the above. (Haw.
32 S.) It being 255 S. it must only be very material & yet not
sufficient to govern the finding.

Always incumbent on the prosecutor to prove the
false evidence material. (12 Haw. 32 S. 6, 8, 10, 12, 13, 15.)

The nature of a former crime is open evidence that must
had, pro as to introduce evidence of what was done. (24 Haw. 32 S.

And the cases, in which, injury was committed, must be
set forth. 24 Haw. 3, 7, 8.) Now for offenses against the public,
the case of the above is decided, as evidence. (24 Haw. 32 S.

Not necessary that the false evidence should have been
executed by the villian—nor of course that any person shou'd
have been actually injured. The crime was not committed in
a manner that the public should be injured, but in an actual
public injury. (Haw. 32 S. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.)

The word “false” is not necessary in the indictment at all.
(24 Haw. 3, 7, 8.) (Sure, under our statute, 12, 20. 12, 14, 15.

Perhaps, intentionally, it is insufficient.

To convict of breaking a window at least one assertion.
Sure, the case against such. (Haw. 32 S. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15.) (Now for circumstantial evidence of
fact of the theft, breaking; general evidence would prob. be
2, 3, 4, 10, 16, 17.)
Perjury

1. False and material testimony in a court of justice. (1 Will. 3, c. 6, s. 19.)
2. False and material deposition in a case of libel. (1 Wills. 3, c. 6, s. 20.)
3. False and material deposition in a case of grand or petit larceny. (1 Wills. 3, c. 6, s. 21.)

Interests in the question of the defendant's property. (1 Wills. 3, c. 6, s. 17.)

Perjury cannot be joined with a prosecution for treason; the offence must be separate and distinct. (1 Wills. 3, c. 6, s. 22.)

Subterfuge of Perjury in the office of sworn justice to commit perjury, but the offence must be actually committed. (3 Wills. 3, c. 6, s. 13.)

Subterfuge of Perjury committed at the court of common pleas, by putting into the court, false information of goods - non-volus - and allowing a warrant to issue for the same. (1 Wills. 3, c. 6, s. 23.)

An act to make it easier to prosecute perjury when not being actually committed. (1 Wills. 3, c. 6, s. 24.)

A conviction of a person for perjury at the court of common pleas, that the evidence was false. (1 Wills. 3, c. 6, s. 25.)

Perjury, see Indictment; False swearing, see Affidavit.
Perjury.


[Note: The text is difficult to read due to handwriting and wear on the page.]

In the matter, wherein 1855.

But if any person a court of common pleas of record or
inhabitants at 21st 22d. in 23d. if commission privity
or the indictment and the judgment was 1855.

False affirmation, &c. Common law, without prejudice. 346.

By Act of 1812, 10 & 11 Geo. 11, &c.

Criminal jurisdiction of Courts of Law.

Criminal court shall be open to persons, who shall.

Claris of District, not entitled, Criminal Act 18.

These exclusive jurisdiction for all cases and this concurrent jurisdiction in New-York, except cases of bankruptcy of shall.

130, 131.
Criminal Jurisdiction of County Court.

Of theft, concurrence, county courts, see supra. Stat. 142, 144.

It has also jurisdiction of high crimes and misdemeanors but not exclusive—only concurrent with county courts.

We, excluding jurisdiction of blasphemy (willfully, polluting, defaming to good behavior, etc.) of atheism, polytheism, et cetera, United States, see supra. See supra, in case of theft, misdemeanors, supra 142.

We appeal from county courts to inferior criminal cases, see supra, same prosecution. See supra. See supra.

Justices have jurisdiction, originally, exclusive of all crimes of which the punishment would not exceed the penalty of 12 mo. if of theft of the value of the goods, not exceeding $10, the value of the goods to $50, 6 months is imprisonment. see supra. See supra. See supra.

Of breaches of the peace, justices have jurisdiction, unless aggravated, in which case the offense is brought over to the county court committing a higher fine than the justices are empowered to impose. See supra. In the latter case he has no jurisdiction for the purpose of punishing, but merely as a court of inquiry.

Justices do not as courts of inquiry in all criminal cases, alone their own jurisdiction, bind over or commit for trial, see supra. See supra. See supra.

An appeal lies from the judgment of a justice to the county court in all criminal cases excepting for the offenses.
Criminal Jurisdiction of State in Courts of Competence, as well as of Public Breach of the Peace, Traffic in Lottery Tickets, Gambling, &c., is also under the jurisdiction of the United States, as well as of the State, if committed by a nonresident of the State, or by a nonresident of the United States, who is a citizen of another State, or by a nonresident of the United States, who is a citizen of another nation.

On matters of criminal jurisdiction, the law is not limited to the place in which the offense was committed, but may extend to any other place where the offense was committed, whether in another State or in another nation.

Offenses are tried in the county in which the offense was committed, and the law must be construed in the context of the subject. See, e.g., 23 Dagg, 192; 38 N.Y., 146, 170; 10 N.Y., 146; 13 N.Y., 146; 14 N.Y., 146.

This rule applies only as to criminal prosecutions; not as to actions in equity.

Of Petition in Criminal Cases.

When a man is arrested for a crime, he has a right to demand of the authority (in charge of the crime, and cognizant of it) before he is taken into custody, to require notice of the facts charged, to demand whether he ought to be held for trial or not. See 23 Dagg, 146; 13 N.Y., 146; 10 N.Y., 146; 14 N.Y., 146.

But the law has no right to examine the evidence at all. Therefore, if he be held, he has no right to demand to know the evidence. If an inquiry is made, it is unauthorized by 23 Dagg, 146; 13 N.Y., 146; 10 N.Y., 146.

If in an inquiry it appears clearly, that the offense charged has not been committed - e.g., that the charge against the prisoner is entirely groundless, he is to be discharged. See 23 Dagg, 146.

When the accused is committed to prison, he is not for trial, but of the offense isailable, give bond for his appearance - i.e. A sufficent security for his appearance. See 23 Dagg, 146; 13 N.Y., 146.
Bail on criminal cases.

Also regularly, for all offenses herein set out, the Fourteenth Section of this Act shall be observed in all cases wherein the bail shall be required to be paid; all breach of the said law, or any of its provisions, shall be punishable, and the penalty, fine, and imprisonment to be inflicted.
Bail in criminal cases.

In prosecutions for offenses amounting to misdemeanors at c. 1, sect. 3, may appear by attorney. V. C. 159, 150. 152.

After verdict returned against the defendant in a warrant to the effect that he be impaneled, &c. sect. 177.
This rule has twice been dispensed with. V. C. 157, sect. 157.

In cases all accused are bailable, except capital, or contumacy, the owner can make out. V. C. 158, sect. 158.

Cf., sect. 278 in the Criminal Code. In cases of capital, or contumacy, the owner can make out. V. C. 158, sect. 158.
Cf. sect. 278 in the Criminal Code. In cases of capital, or contumacy, the owner can make out. V. C. 158, sect. 158.

It is a good rule, that if the man in charge of the office, may bail the accused, the accused is entitled to bail. V. C. 158, sect. 158.

The officer who arrest the person in question cannot take bail in criminal cases. It is done by the magistrate, who acts as a Court of Inquiry. Upon commitment for want of bail, the Sheriff may take such bail as the Court of Inquiry has prescribed. (Petition of M. F. D., October 25, 1805.)

Take to the information of the Court, &c. &c. &c. It is done by the Secretary, who acts as a Court of Inquiry. Upon commitment for want of bail, the Sheriff may take such bail as the Court of Inquiry has prescribed. (Petition of M. F. D., October 25, 1805.)

By consent of a magistrate to be taken in sufficient bail.
Part the criminal cases,
4 de principali, done not alleging negligence or swindle.
(4 2 29). 1 24 22. 2 3 4 14.

In Eng. 24 acts or generally, required in cases of delin-
tors for simple offenses. 2 1X 4 14. 2 1X 177. See 1 1X 15.
8 10 10.
Net more than two required lone, I believe, in any case.

Refusing bail, where it ought to be granted, or
necessity arose in the Justice of the Peace at b. s. as such
punishable by fine or imprisonment.
The party injured has also his action. 1 4 155. 2 1X
145. 1 1X 228. 1 6 1777.

Granting bail, when not grantable, is punishable
at b. s. as a negligent escape, by fine.
It is also punishable by personal Eng. Stat. 2 1X
142. 206. 1X 146. 2 1X 4 71. 1 4 4 3 177.

If it has been accused in two or more petition to Eng, the
defendants not in court) that the petition itself at be
accused until he is present in court. 1 1X 177. 2 1X
They must be dismissed at different J. b. s. 1 1X 4 71.

If it is found there was necessity, except in military or army.

If a prisoner prosecuted for a crime alleged is acquitted,
but proved in the trial to be guilty of another, the Court may
find the same, or be prosecuted for the latter. Lead 127. 441.
OF COSTS IN CRIMINAL CASES.

In no case that a person charged with, and tried for any crime, is acquitted, pays the costs of the prosecution, unless by any unlawful or blamable conduct of his, it be

If not thus occasioned, he is acquitted without

And it is paid according to the old law out of the

New by Act 1791. Cost arising in Public

prosecution in the Courts of Common Pleas, are paid by

the State Treasury. And in trials before a single

magistrate, are still paid out of the Town Treasury.

When costs arise in any criminal proceeding, in

which there is no acquittal or conviction, & such case

must be apprehended, or being apprehended & a warrant

issued for his arrest, before he is committed, state pays of

the criminal may be organized by the Supreme Court, &

Such the new Act apply to this case.

If the person charged & tried is liable to pay

costs, but unable or having not property sufficient,

bound out in for one to any inhabitant in the State, or of the U.S.

But where it cannot be thus obtained, payable out of the State Treasury, if tried by Twelve or

County Court.
Costs in criminal cases. When the evidence before the Court of Inquiry is not sufficient to hold the accused to trial, costs cannot be taxed against him. Tit. 362.

In Eng'd, no costs are paid on either side when the Crown prosecutes except in particular cases by special direction of the legislature. 7 P.C. 367. Bull. 26. 25.