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**American  
History Leaflets**

COLONIAL AND CONSTITUTIONAL.

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THE EARLIEST  
NEW ENGLAND CODE OF LAWS,  
1641.

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## LIBERTIES OF FORREINERS AND STRANGERS

89. If any people of other Nations professing the true Christian Religion shall flee to us from the Tiranny or oppression of their persecutors, or from famyne, warres, or the like necessary and compulsarie cause, They shall be enter-tayned and succoured amongst us, according to that power and prudence god shall give us.

90. If any ships or other vessels, be it freind or enemy, shall suffer shipwrack upon our Coast, there shall be no violence or wrong offered to their persons or goods. But their persons shall be harboured, and relieved, and their goods preserved in safety till Authoritie may be certified thereof, and shall take further order therein.

91. There shall never be any bond slaverie villinage or Captivitie amongst us, unles it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of god established in Israell concerning such persons doeth morally require. This exempts none from servitude who shall be Judged thereto by Authoritie.

## OFF THE BRUITE CREATURE

92. No man shall exercise any Tirranny or Crueltie towards any brute Creature which are usuallie kept for mans use.

93. If any man shall have occasion to leade or drive Cattel from place to place that is far off, So that they be weary, or hungry, or fall sick, or lambe, It shall be lawful to rest or refresh them, for a competent time, in any open place that is not Corne, meadow, or inclosed for some peculiar use.

## 94. CAPITALL LAWS

## I.

Dut. 13. 6. 10  
Dut. 17. 2. 6  
Ex. 22. 20

If any man after legall conviction shall have or worship any other god, but the lord god, he shall be put to death.

## 2.

Ex. 22. 18.  
Lev. 20. 27.  
Dut. 18. 10. If any man or woeman be a witch, (that is hath or consulteth with a familiar spirit, They shall be put to death.

## 3.

Lev. 24. 15. 16. If any person shall Blaspheme the name of god, the father, Sonne or Holie ghost, with direct, expresse, presumptuous or high handed blasphemie, or shall curse god in the like manner, he shall be put to death.

## 4.

Ex. 21. 12.  
Numb. 35. 13.  
14. 30. 31. If any person committ any wilful murther, which is man slaughter, committed upon pre-meditated mallice, hatred, or Crueltie, not in a mans necessarie and just defence, nor by meere casualtie against his will, he shall be put to death.

## 5.

Numb. 25. 20. 21.  
Lev. 24. 17. If any person slayeth an other suddainely in his anger or Crueltie of passion, he shall be put to death.

## 6.

Ex. 21. 14. If any person shall slay an other through guile, either by poysoning or other such diuinish practice, he shall be put to death.

[ § § 7—9 omitted.]

## 10.

Ex. 21. 16. If any man stealeth a man or mankinde, he shall surely be put to death.

## 11.

Dut. 19. 16.  
18. 19. If any man rise up by false witnes, wittingly and of purpose to take away any man's life, he shall be put to death.

## 12.

If any man shall conspire and attempt any invasion, insurrection, or publique rebellion against our commonwealth, or shall indeavour to surprize any Towne or Townes, fort or

forts therein, or shall treacherously and perfediouslie attempt the alteration and subversion of our frame of politie or Government fundamentallie, he shall be put to death.

95. A DECLARATION OF THE LIBERTIES THE LORD JESUS HATH GIVEN TO THE CHURCHES.

1. All the people of god within this Jurisdiction who are not in a church way, and be orthodox in Judgement, and not scandalous in life, shall have full libertie to gather themselves into a Church Estaite. Provided they doe it in a Christian way, with due observation of the rules of Christ revealed in his word.

2. Every Church hath full libertie to exercise all the ordinances of god, according to the rules of Scripture.

3. Every Church hath free libertie of Election and ordination of all their officers from time to time, provided they be able, pious and orthodox.

4. Every Church hath free libertie of Admission, Recommendation, Dismission, and Expulsion, or deposall of their officers, and members, upon due cause, with free exercise of the Discipline and Censures of Christ according to the rules of his word.

5. No Injunctions are to be put upon any Church, Church Officers or member in point of Doctrine, worship or Discipline, whether for substance or cercumstance besides the Institutions of the lord.

6. Every Church of Christ hath freedome to celebrate dayes of fasting and prayer, and of thanksgiveing according to the word of god

7. The Elders of Churches have free libertie to meete monthly, Quarterly, or otherwise, in convenient numbers and places, for conferences, and consultations about Christian and Church questions and occasions.

8. All Churches have libertie to deale with any of their members in a church way that are in the hand of Justice. So it be not to retard or hinder the course thereof.