



A
D I G E S T

OF THE

STATUTE LAWS OF KENTUCKY,

OF

A PUBLIC AND PERMANENT NATURE,

FROM THE COMMENCEMENT OF THE GOVERNMENT TO THE SESSION OF THE LEGISLATURE, ENDING ON THE 24TH FEBRUARY, 1834.

WITH REFERENCES TO JUDICIAL DECISIONS.

IN TWO VOLUMES.

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FRANKFORT, KY.
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1834.

1828.

IN FORCE FROM ITS PASSAGE.

An Act to punish shooting or stabbing in sudden Affrays: Approved February 13, 1828.—*Session Acts*, p. 206.

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any person shall hereafter, in a sudden affray, or in sudden heat and passion, without malice aforethought, shoot at another person with a gun or other instrument loadened with a leaden bullet or other hard substance, and thereby wound any person whatever, without killing, or shall cut or stab any person with a knife, dirk, sword or other deadly weapon, who dies not thereof, every such person so offending shall be held and deemed guilty of a high misdemeanor, and shall be punished by fine and imprisonment, in the jail of the county where said offence is committed, at the discretion of the jury which finds the offences charged, unless the said wounding, cutting or stabbing shall be done in self-defence. *Provided*, That the trial for every such offence shall be in the circuit court of the county where the offence is committed, upon an indictment of a grand jury: *and provided also*, that no person so offending shall be fined in a greater amount than five hundred dollars, nor shall be imprisoned for a longer time than one year. (a) Nothing in this act shall be construed to alter the punishment now affixed by law to any felonious shooting, cutting, stabbing, thrusting or wounding.

Shooting or stabbing in a sudden affray punished by fine and imprisonment.

Proviso.