

in case any human being shall thereby receive injuries resulting in death, be guilty of manslaughter in the third (3d) degree, and in every such other case not resulting in death, shall be punished by imprisonment in the state prison for a term not exceeding two (2) years, or in the county jail for a period not exceeding one (1) year.

SEC. 2. That this act shall take effect and be in force from and after its passage.

Approved February 23, 1883.

CHAPTER 122.

AN ACT PRESCRIBING THE PUNISHMENT OF MURDER IN THE FIRST DEGREE.

Be it enacted by the Legislature of the State of Minnesota:

Punishment for
murder.

SECTION 1. Whoever is guilty of murder in the first (1st) degree shall suffer the punishment of death. *Provided*, that if in any such case the court shall certify of record its opinion that by reason of exceptional circumstances the case is not one in which the penalty of death should be imposed, the punishment shall be imprisonment for life in the penitentiary.

SEC. 2. The provisions of this act shall not apply nor extend to any act done nor offense committed prior to the passage hereof, but the law now in force applicable to the crime of murder in the first (1st) degree, shall, for all purposes, be and remain in full force and effect as to any such offense heretofore committed.

SEC. 3. That sections three (3), four (4), five (5) and six (6), of chapter ninety-four (94), general statutes, one thousand eight hundred and seventy-eight (1878), as well as all acts and parts of acts inconsistent [inconsistent] with the provisions of this act, are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 3, 1883.