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THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

PRINTED AND PUBLISHED PURSUANT TO LAW, UNDER THE SUPERVISION OF M. S. WILKINSON.

SAINT PAUL:

JAMES M. GOODHUE, TERRITORIAL PRINTER.

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1851

CHAPTER 103.

OF OFFENCES AGAINST PUBLIC JUSTICE.

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Perjury, punishment of.

SEC. 1. Every person being lawfully required to depose the truth in any proceedings in a court of justice, who shall commit perjury, shall be punished if such perjury was committed on the trial of an indictment for a capital crime, by imprisonment in the territorial prison, not more than fifteen years, nor less than three years, and if committed in any other case, by imprisonment in the territorial prison, not more than five years, nor less than two years.

What deemed perjury.

SEC. 2. If any person of whom an oath shall be required by law, shall willfully swear falsely in regard to any matter or thing, respecting which such oath is required, such person shall be deemed guilty of perjury.

Subornation of perjury.

SEC. 3. Every person who shall be guilty of subornation of perjury, by procuring another person to commit the crime of perjury, as aforesaid, shall be punished in the same manner as for the crime of perjury.

Inciting person to commit perjury.

SEC. 4. If any person shall endeavor to procure or incite any other person to commit the crime of perjury, though no perjury be committed, he shall be punished by imprisonment in the territorial prison, not more than three years nor less than one year.

Proceeding when perjury suspected by the court.

SEC. 5. Whenever it shall appear to any court of record, that any witness or party who has been legally sworn and examined, or has made an affidavit in any proceedings in a court of justice, has testified in such a manner as to induce a reasonable presumption that he has been guilty of perjury therein, the court may take a recognizance with sureties for his appearing to answer to an indictment for perjury, and thereupon the witness to establish such perjury may be bound over to the proper court, and notice of the proceedings shall forthwith be given to the district attorney.

Copies of papers &c., may be taken.

SEC. 6. If in any proceeding in a court of justice, in which perjury shall be reasonably presumed as aforesaid, and any papers, books, or documents shall have been produced which shall be deemed necessary to be used in any prosecution for such perjury, the court may order a certified copy of such books, papers, or documents to be taken, to be used in such prosecution, and such certified copy shall be used in such prosecution in the same manner as the original might have been.

Giving or offering bribes to officers.

SEC. 7. Every person who shall corruptly give, offer, or promise, to any executive, judicial, or legislative officer, after his election or ap-

pointment, and either before or after he shall have been qualified, or shall have taken his seat, any gift or gratuity whatever, with intent to influence his act, vote, opinion, decision or judgment in any matter, question, cause or proceeding, which may then be pending, or may by law come or be brought before him in his official capacity, shall be punished by imprisonment in the territorial prison, not more than three years, nor less than one year, or by fine not exceeding five hundred dollars, nor less than one hundred dollars.

SEC. 8. Every executive, legislative or judicial officer who shall corruptly accept any gift or gratuity, or any promise to make any gift or do any act beneficial to such officer, under an agreement or with an understanding that his vote, opinion or judgment shall be given in any particular manner, or upon a particular side of any question, cause or proceeding which is or may be by law brought before him in his official capacity, or that in such capacity he shall make any particular nomination or appointment, shall be punished by imprisonment in the territorial prison, not more than four years nor less than two years, or by fine not exceeding six hundred dollars, nor less than two hundred dollars.

Accepting bribes by officers.

SEC. 9. Every person who shall corrupt or attempt to corrupt any court, commissioner, juror, arbitrator, umpire, or referee, by giving offering or promising any gift or gratuity whatever, with intent to bias his opinion, or influence the decision of such court, commissioner, juror, arbitrator, umpire, or referee, in relation to any cause or matter which may be pending in the court or before an inquest, or for the decision of which such arbitrator, umpire, or referee shall have been appointed, shall be punished by imprisonment in the territorial prison, not more than three years nor less than one year, or by fine not exceeding five hundred dollars, nor less than one hundred dollars.

Corrupting jurors, &c.

SEC. 10. If any person summoned as a juror, chosen or appointed as an arbitrator, umpire or referee, or if any court, commissioner, shall corruptly take any thing to give his verdict, award, or report, or shall corruptly receive any gift or gratuity whatever, from a party to any suit, cause or proceeding, for the trial or decision of which such juror, shall have been summoned, or for the hearing or determining of which such court, commissioner, arbitrator, umpire, or referee shall have been chosen or appointed, he shall be punished by imprisonment, in the territorial prison, not more than three years, nor less than one year, or by fine not exceeding six hundred dollars, nor less than two hundred dollars.

Accepting bribes by jurors.

SEC. 11. Every person who shall convey into any jail, house of correction, house of reformation or other like place of confinement, any disguise, or any instrument, tool, weapon, or other thing, adapted or useful to aid any prisoner to make his escape, with intent to facilitate the escape of any prisoner there lawfully committed or detained, or shall by any means whatever, aid or assist any such prisoner in his endeavor to escape therefrom, whether such escape be attempted or effected or not; and every person who forcibly rescues any prisoner held in custody, upon any conviction or charge of an offence, shall be punished by imprisonment in the territorial prison not more than four years, nor less than two years, or if the person whose escape or rescue was effected or intended, was charged with an offence not capital, nor punishable by imprisonment in the territorial prison, then the punishment for the offence mentioned in this section, shall be by imprisonment in the county jail not more than one year, or by fine, not exceeding two hundred dollars.

Attempts to aid escapes from prison, &c.

SEC. 12. Every person who shall aid or assist any prisoner in escaping, or in attempting to escape from any officer or person who shall have the lawful custody of such prisoner, shall be punished by impris-

Aiding an escape from officers.

onment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

Suffering a voluntary escape from prison.

SEC. 13. If any jailor or other officer shall voluntarily suffer any prisoner in his custody, upon conviction of any criminal charge, to escape, he shall suffer, unless the prisoner was charged with or convicted of a capital offence, the like punishment and penalties as the prisoner so suffered to escape was sentenced to, or would be liable to suffer upon conviction for the crime or offence wherewith he stood charged; and if the prisoner was charged with or convicted of a capital offence, he shall be punished by imprisonment in the territorial prison not more than thirty years, nor less than five years.

Suffering negligent escape and refusing to receive prisoner.

SEC. 14. If any jailor or other officer shall, through negligence, suffer any prisoner in his custody, upon conviction or upon any criminal charge, to escape, or shall willfully refuse to receive into his custody any prisoner lawfully committed thereto on any criminal charge or conviction, or on any lawful process whatever, he shall be punished by imprisonment in the county jail not more than two years, or by a fine not exceeding three hundred dollars.

Refusing to arrest and suffering escape.

SEC. 15. If any officer authorized to serve process, shall willfully and corruptly refuse to execute any lawful process to him directed, and requiring him to apprehend or confine any person convicted or charged with an offence, or shall willfully and corruptly omit or delay to execute such process whereby such person shall escape and go at large, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars.

Refusing to aid officer.

SEC. 16. If any person being required in the name of the United States, or of the territory of Minnesota, by any sheriff, deputy sheriff, coroner, or constable, shall neglect or refuse to assist them in the execution of their office, in any criminal case, or in the preservation of the peace, or the apprehending or securing of any person for a breach of the peace, or in any case of escape or rescue of persons arrested upon civil process, he shall be punished by fine not exceeding one hundred dollars.

Refusing to aid justices.

SEC. 17. If any justice of the peace upon view of any breach of the peace, or any other offence proper for his cognizance, shall require any person to apprehend and bring before him the offender, every person so required who shall refuse or neglect to obey such justice, shall be punished in the same manner as is provided in the next preceding section, for refusing assistance to a sheriff; and no person to whom such justice shall be known or shall declare himself to be a justice of the peace, shall be permitted to plead any excuse on pretence of ignorance of his office.

Falsely assuming to be justice or officer.

SEC. 18. If any person shall falsely assume or pretend to be a justice of the peace, sheriff, deputy sheriff, coroner, or constable, and shall take upon himself to act as such, to require any person to aid or assist him in any matter pertaining to the duty of a justice of the peace, sheriff, deputy sheriff, coroner, or constable, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred dollars.

Disguising, to obstruct execution of the law.

SEC. 19. Every person who shall in any manner disguise himself with intent to obstruct the due execution of the law, or with intent to intimidate, hinder, or interrupt any officer or any other person in the legal performance of his duty, or the exercise of his rights under the laws of the United States, or of this territory, whether such intent shall be effected or not, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding one hundred dollars.

Concealing and

SEC. 20. If any person having knowledge of the commission of any

offence, shall take any money, or gratuity, or reward, or any engagement therefor, upon an agreement or understanding, express or implied, to compound or conceal such offence, or not to prosecute therefor, or not give evidence thereof; he shall, where such offence of which he had knowledge was punishable with death, be punished by imprisonment in the territorial prison not more than two years; and where the offence of which he so had knowledge was punishable in any other manner, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding one hundred dollars.

compounding offences.

SEC. 21. If any sheriff, constable, or other officer authorized to serve legal process, shall receive from a defendant, or any other person, any money or other valuable thing, as a consideration, reward, or inducement for delaying or omitting to arrest any defendant, or to carry him before a magistrate, or for delaying to take any person to prison, or for postponing the sale of any property under an execution, or for omitting or delaying to perform any duty pertaining to his office, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

Officers taking reward for omitting duty.

CHAPTER 104.

OF OFFENCES AGAINST THE PUBLIC PEACE.

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2. Refusing to assist when required.
3. Neglect of officers how punished.
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SECTION

5. Armed force when called out, to obey orders of governor, &c.
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7. Riotously destroying house, &c.

SEC. 1. If any persons to the number of twelve or more, any of whom being armed with any dangerous weapons; or if any persons to the number of thirty or more, whether armed or not, shall be unlawfully, riotously, or tumultuously assembled in any city, town, or county, it shall be the duty of the mayor and each of the aldermen of such city, and of the president and each of the trustees of such town, and of every justice of the peace living in such city or town, and of the sheriff of the county and his deputies, and also of every constable and coroner living in such city or town, to go among the persons so assembled, or as near them as may be with safety, and in the name of the United States, to command all the persons so assembled, immediately and peaceably to disperse; and if the persons so assembled shall not thereupon immediately and peaceably disperse, it shall be the duty of each of the magistrates and officers to command the assistance of all persons there present, in seizing, arresting, and securing in custody, the persons so unlawfully assembled, so that they may be proceeded with according to law.

Unlawful assemblies how suppressed.

SEC. 2. If any person present, being commanded by any of the magistrates or officers mentioned in the preceding section, to aid or assist in seizing and securing such rioters or persons so unlawfully assembled,

Refusing to assist when required.