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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.

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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.

SECTION

1. Unlawful assemblies how suppressed.
2. Refusing to assist when required.
3. Neglect of officers how punished.
4. Officers may use force to suppress disturbances.

SECTION

5. Armed force when called out, to obey orders of governor, &c.
6. Officers, &c., to be guiltless though death ensue.
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.

or in suppressing such riot or unlawful assembly, shall refuse or neglect to obey such command, he shall be deemed to be one of the rioters or persons unlawfully assembled, and shall be liable to be prosecuted therefor, and punished accordingly.

Neglect of officers how punished.

SEC. 3. If any mayor, alderman, president, trustee, justice of the peace, sheriff, or deputy sheriff, constable, or coroner, having notice of any such riotous or tumultuous and unlawful assembly as is mentioned in this chapter, in the city, town or county in which he lives, shall neglect or refuse immediately to proceed to the place of such assembly, or as near thereto as he can with safety, or shall neglect or omit to exercise the authority with which he is invested by this chapter, for suppressing such riotous or unlawful assembly, and for arresting and securing the offenders, he shall be deemed guilty of a misdemeanor and punished by a fine not exceeding three hundred dollars.

Officers may use force to suppress disturbances.

SEC. 4. If any persons who shall be so riotously and unlawfully assembled, and who have been commanded to disperse as before provided, shall refuse or neglect to disperse without unnecessary delay, any two of the magistrates or officers before mentioned, may require the aid of a sufficient number of persons, in arms or otherwise, as may be necessary, and shall proceed in such manner as in their judgment shall be expedient, forthwith to disperse and suppress such unlawful, riotous, or tumultuous assembly, and seize and secure the persons composing the same, so that they may be proceeded with according to law.

Armed force when called out to obey orders of governor.

SEC. 5. Whenever an armed force shall be called out for the purpose of suppressing any tumult or riot, or dispersing any body of men acting together by force, with intent to commit any felony, or to offer violence to persons or property, or with intent by force or violence, to resist or oppose the execution of the laws of this territory, such armed force, when they shall arrive at the place of such unlawful, riotous, or tumultuous assembly, shall obey such orders for suppressing the riot or tumult, and for dispersing and arresting all the persons who are committing any of the said offences, as they may have received from the governor, or from any judge of the court of record, or the sheriff of the county; and also such further orders as they there shall receive from any two of the magistrates or officers mentioned in the first section.

Officers, &c., to be guiltless though death ensue.

SEC. 6. If by reason of any of the efforts made by any of the said magistrates or officers, or by their direction to disperse such unlawful, riotous, or tumultuous assembly, or to seize and secure the persons composing the same who have refused to disperse, though the number remaining may be less than twelve, any such person or other persons then present as spectators, or otherwise, shall be killed or wounded, the said magistrates and officers, and all persons acting by their order, or under their direction, shall be held guiltless and fully justified in law; and if any of the said magistrates or officers, or any person acting by their order or under their direction, shall be killed or wounded, all the persons so unlawfully, riotously, and tumultuously assembled, shall be held answerable therefor.

Riotously destroying houses, &c.

SEC. 7. If any of the persons so unlawfully assembled, shall demolish, pull down, or destroy any dwelling house, or any other building, or any shop, steamboat, or vessel, he shall be punished by imprisonment in the territorial prison, not more than seven years, nor less than three years.