

James C. Child
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

COMPILED BY
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| <p>(4.) SEC. IV. Every other public offense is a misdemeanor.</p> <p>(5.) The party prosecuted in a criminal action is designated as the defendant.</p> | <p>Misdemeanor.</p> <p>Party prosecuted designated defendant.</p> |
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CHAPTER 88.

RIGHTS OF PERSONS ACCUSED OF CRIMES AND OFFENSES.

SECTION

1. Person not held to answer except on presentment or indictment.
2. Rights of defendant in criminal actions.
3. Person not to be convicted except upon confession or verdict of jury.

SECTION

4. Person not held to answer on second indictment, &c.
5. Person acquitted on ground of variance may be again indicted.
6. Person not to be punished for crime until after legal conviction.

[Chapter 88, Revised Statutes.]

(1.) SEC. I. No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand-jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army, or militia when in actual service in time of war or public danger.

Person not held to answer except on presentment or indictment.

(2.) SEC. II. In all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him, to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf, and in prosecutions by indictment or information, to a speedy public trial by an impartial jury of the county or district wherein the offense shall have been committed, which county or district shall have been previously ascertained by law.

Rights of defendant in criminal actions.

(3.) SEC. III. No person indicted for an offense shall be convicted thereof, unless by confession of his guilt in open court, or by admitting the truth of the charge against him by his plea or demurrer, or by the verdict of a jury accepted and recorded by the court.

Person not to be convicted except upon confession or verdict of jury.

(4.) SEC. IV. No person shall be held to answer on a second indictment for an offense of which he has been acquitted by the jury upon the facts and merits on a former trial; but such acquittal may be pleaded by him in bar of any subsequent prosecution for the same offense, notwithstanding any defect in the form or in the substance of the indictment on which he was acquitted.

Person not held to answer on second indictment, &c.

(5.) SEC. V. If any person who is indicted for an offense, shall on his trial be acquitted upon the ground of a variance between the indictment and the proof, or upon any exception to the form or to the substance of the indictment, he may be arraigned again on a new indictment, and may be tried and convicted for the same offense notwithstanding such former acquittal.

Person acquitted on ground of variance may be again indicted.

(6.) SEC. VI. No person who is charged with any offense against the law, shall be punished for such offense unless he shall have been duly and legally convicted thereof in a court having competent jurisdiction of the cause and of the person.

Person not to be punished for crime until after legal conviction.