

Statutes  
1878

THE  
GENERAL STATUTES  
OF THE  
STATE OF MINNESOTA,

As Amended by Subsequent Legislation.

PREPARED BY  
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EDITED AND PUBLISHED UNDER THE AUTHORITY OF CHAPTER 67 OF THE LAWS  
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FOURTH EDITION.

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WITH SUPPLEMENTS,  
CONTAINING ALL THE GENERAL LAWS IN FORCE UP TO THE END OF  
THE LEGISLATIVE SESSION OF 1883.

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of this act shall be commenced within six months from the time such offence is committed, and the same shall be upon complaint, under oath, before any justice of the peace in the county where the offence is committed; and all fines imposed and collected under this act shall be paid, one-half to the complainant, and one-half into the treasury of the county where such conviction takes place, for the use of the common schools within such county. (1871, c. 31, § 2.)

## CHAPTER XCVI. FORGERY AND COUNTERFEITING.

## SECTION.

- 1-2. Forgery of records, contracts, etc.—uttering same.  
 3-4. Forgery of note, certificate, etc., of state—of bank-bill, draft, etc.  
 5-6. Possession of forged bank-bill, etc., with intent to pass—passing forged bank-bill, etc.  
 7. Making or having tools for counterfeiting, with intent, etc.  
 8. Fraudulently connecting parts of several bank-

## SECTION.

- notes, etc.  
 9. Fraudulently affixing signature of corporate officer to note, etc.  
 10. Indictment and proof of forgery, when sufficient.  
 11-13. Counterfeiting coin—possession of ten pieces with intent, etc.—of less than ten pieces, etc.—making or possessing tools, etc., for coining counterfeit money.

§ 1. Forgery of records, contracts, etc., how punished. Whoever falsely makes, alters, forges or counterfeits any public record, or any certificate, return or attestation of any clerk of a court, register, notary public, justice of the peace, or any other public officer, in relation to any matter wherein such certificate, return or attestation may be received as legal proof, or any charter, deed, will, testament, bond or writing obligatory, letter of attorney, policy of insurance, bill of lading, bill of exchange, promissory note, or any order, acquittance or discharge for money or other property, or any acceptance of a bill of exchange, indorsement or assignment of a bill of exchange or promissory note, or any accountable receipt for money, goods or other property, with intent to injure or defraud any person, shall be punished by imprisonment in the state prison not more than five years, nor less than two years, or by imprisonment in the county jail not more than two years, nor less than one year.

19 M. 98.

§ 2. Uttering forged record, deed, etc. Whoever utters and publishes as true, any false, forged or altered record, deed, instrument, or other writing mentioned in the preceding section, knowing the same to be false, forged or altered, with intent to injure or defraud as aforesaid, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

§ 3. Forgery of note, certificate, etc., of state. Whoever falsely makes, alters, forges or counterfeits any note, certificate, or other bill of credit, issued by any commissioner or other officer authorized to issue the same, for any debt of this state, with intent to injure or defraud as aforesaid, shall be punished by imprisonment in the state prison not more than seven years, nor less than three years.

§ 4. **Forgery of bank-bill, draft, etc.** Whoever makes, alters, forges or counterfeits any bank-bill, promissory note, draft, or other evidence of debt, issued by any corporation or company duly authorized for that purpose by the laws of the United States, or of any state of the United States, or of any territory of the United States, or of any other state, government or country, with intent to injure or defraud, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

§ 5. **Possession of counterfeit bill, etc., with intent to utter.** Whoever has in his possession any forged, counterfeit or altered bank-bill, promissory note, draft or other evidence of debt, issued or purporting to have been issued as is mentioned in the preceding section, with intent to utter the same as true or false, knowing the same to be so forged, counterfeited or altered as aforesaid, shall be punished by imprisonment in the state prison not more than five years nor less than one year.

§ 6. **Passing counterfeit note, bill, etc.** Whoever utters, or passes, or tenders in payment as true, any false, altered, forged or counterfeit note, certificate or bill of credit, for any debt of this state, or bank-bill, promissory note, draft, or other evidence of debt, issued or purporting to have been issued as is mentioned in the fourth section of this chapter, knowing the same to be false, altered, forged or counterfeit, with intent to injure or defraud, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

§ 7. **Making or having tools, etc., for counterfeiting with intent, etc.** Whoever engraves, makes or mends, or begins to engrave, make or mend, any plate, block, press, or other tool, instrument or implement, or makes or provides any paper or other materials adapted and designed for the forging or making any false and counterfeit note, certificate or other bill of credit in the similitude of the notes, certificates or bills of credit issued by lawful authority for any debt of this state, or any false, counterfeit note or bill in the similitude of the notes or bills issued by any bank or banking company established in this state, or within the United States, or any territory thereof, or within any other government or country, and every person who has in his possession any such plate or block engraved in any part, or any press or other tool, instrument or implement, paper or other material, adapted and designed as aforesaid, with intent to use the same, or to cause or permit the same to be used, in forging or making any such false and forged certificates, bills or notes, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

§ 8. **Fraudulently connecting parts of several bank-notes.** Whoever fraudulently connects together different parts of several bank-notes, or other genuine instruments, in such manner as to produce an additional note or instrument, with intent to pass all of them as genuine, is guilty of forgery in like manner as if each of them had been falsely made or forged.

§ 9. **Fraudulently affixing signature to note, etc., deemed forgery.** If any fictitious or pretended signature, purporting to be the signature of an officer or agent of any corporation, is fraudulently affixed to any instrument or writing, purporting to be a note, draft, or other evidence of debt issued by such corporation, with intent to pass the same as true, it shall be deemed a forgery, though no such person was ever an officer or agent of such corporation, nor such corporation ever existed.

§ 10. **Indictment for forgery, when sufficient—proof.** In any case where the intent to defraud is necessary to constitute the offence of forgery, or any other offence that may be prosecuted, it shall be sufficient to allege in the indictment an intent to defraud, without naming therein the particular person or body corporate intended to be defrauded; and on the trial of such indictment, it is sufficient, and shall not be deemed a variance, if there appears to be an intent to defraud the United States, or any state, territory, county, city, town or village, or any

body corporate, or any public officer in his official capacity, or any copartnership or member thereof, or any particular person.

§ 11. **Counterfeiting coin, or having ten pieces in possession with intent, etc.** Whoever counterfeits any gold or silver coin current by law or usage within this state, and whoever has in his possession, at the same time, ten or more pieces of false money or coin counterfeited in the similitude of any gold or silver coin current as aforesaid, knowing the same to be false and counterfeited, and with intent to utter or pass the same as true, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

§ 12. **Possession of less than ten pieces, with intent, etc.** Whoever has in his possession, any number of pieces less than ten of the counterfeit coin mentioned in the preceding section, knowing the same to be counterfeit, with intent to utter or pass the same as true, and whoever utters, passes or tenders in payment as true, any such counterfeit coin, knowing the same to be false and counterfeit, with intent to injure or defraud, shall be punished by imprisonment in the state prison not more than three years, nor less than one year.

§ 13. **Making or possessing tools for coining counterfeit money.** Whoever casts, stamps, engraves, makes or mends, or knowingly has in his possession, any mould, pattern, die, puncheon, engine, press, or other tool or instrument, adapted and designed for coining or making any counterfeit coin in the similitude of any gold or silver coin current by law or usage in this state, with intent to use the same, or causes or permits the same to be used or employed in coining or making any such false and counterfeit coin as aforesaid, shall be punished by imprisonment in the state prison not more than five years, nor less than two years.

CHAPTER XC VII.

OFFENCES AGAINST PUBLIC JUSTICE.

SECTION	SECTION
1-6. Perjury—in legal proceedings—in other cases—subornation of perjury—attempt thereat—presumption of perjury, accused to recognize—documentary evidence—certified copies.	escape—negligently suffering escape—refusal to receive prisoner—refusal of officer to arrest—refusal to aid officer—refusal to arrest on order of justice of peace.
7-10. Bribery of public officers—acceptance of bribe—bribery of court, juror, etc.—acceptance of bribe.	18. Falsely assuming to be a justice of peace or officer.
11-12. Aiding prisoner to escape from jail, etc.—rescues—aiding escape from officer.	19. Assuming disguise to obstruct execution of law.
13-17. Officer voluntarily permitting prisoner to	20. Compounding or concealing offences.
	21. Sheriff, etc., taking bribe to neglect duty.

§ 1. **Perjury in legal proceedings.** Whoever, being lawfully required to depose the truth in any proceedings in a court of justice, commits perjury, shall be punished, if such perjury was committed on the the trial of an indictment for a capital crime, by imprisonment in the state prison not more than fifteen years, nor less than three years, and if committed in any other case, by imprisonment in the state prison not more than five years, nor less than two years.