

THE
GENERAL STATUTES

OF THE
STATE OF MINNESOTA

As Amended by Subsequent Legislation, with which are Incorporated
All General Laws of the State in Force December 31, 1894

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CHAPTER 93.

OF OFFENSES AGAINST THE SOVEREIGNTY OF THE STATE.

By Penal Code, § 541 (ante, § 6851), cc. 93 to 101 (both inclusive), G. S. 1878, "and all acts and parts of acts which are inconsistent with the provisions of this act, are repealed, so far as they define any crime, or impose any punishment for crime, except as herein provided."

CHAPTER 94.

OFFENSES AGAINST LIFE AND PERSON.

By Penal Code, § 541 (ante, § 6851), cc. 93 to 101 (both inclusive), G. S. 1878, "and all acts and parts of acts which are inconsistent with the provisions of this act, are repealed, so far as they define any crime, or impose any punishment for crime, except as herein provided." But, by § 540 (ante, § 6850), "all statutes defining and providing for the punishment of offenses not defined and made punishable by this code * * * are recognized as continuing in force notwithstanding the provisions of this code, except so far as they have been repealed or affected by subsequent laws."

By § 542 (ante, § 6852), the Penal Code, when construed in connection with other statutes, "must be deemed to have been enacted on the sixth day of January, 1885, so that any statute enacted after that day is to have the same effect as if it had been enacted after this code."

[ENACTED BEFORE THE PENAL CODE.]

For act requiring tumbling rods of threshing machines to be covered, see Laws 1868, c. 70, as amended 1875, c. 109.

See *Ingersoll v. Randall*, 14 Minn. 400 (Gil. 304).

§ 6853. Setting spring-guns, etc., unlawful.

The setting of a so-called trap or spring-gun, pistol, rifle, or other deadly weapon, in this state, is hereby prohibited and declared to be unlawful.

(1869, c. 39, § 1; G. S. 1878, c. 94, § 61.)

§ 6854. Same—Penalty.

Any person offending against the foregoing section shall be punished as follows: If no injury results therefrom to any person, the person so offending shall be punished by imprisonment in the county jail of the proper county, for a period not less than six months, or by fine not exceeding five hundred dollars, or by both fine and imprisonment at the discretion of the court. If death results to any human being from the discharge of a weapon so unlawfully set, the person so offending shall, upon conviction thereof, be punished by imprisonment in the state prison for a term not exceeding fifteen, nor less than ten years. If any person is injured, but not fatally, by the discharge of any weapon so unlawfully set, the person so offending, upon conviction thereof, shall be punished by imprisonment in the state prison for a term not exceeding five years, in the discretion of the court.

(1869, c. 39, § 2; G. S. 1878, c. 94, § 62.)

§ 6855. Obstructing engines, etc., on railroads—Penalties.

Whoever shall wilfully obstruct any engine or carriage passing upon any railroad, so as to endanger the safety of persons conveyed in or upon the same, or shall assist or aid therein, shall be punished by imprisonment in the state prison not exceeding twenty years.

(1868, c. 57, § 2; G. S. 1878, c. 94, § 63.)

See § 6772.

If one willfully places on a railroad track, on which engines and carriages conveying persons are likely to pass, any obstruction likely to produce disaster to such engines or carriages, and to endanger the safety of the persons conveyed thereon, he is guilty

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of the offense described in § 6855, though no engine or carriage be actually stopped or impeded by such obstruction. *State v. Kilty*, 28 Minn. 421, 10 N. W. Rep. 475.

§ 6856. Same—Penalty for attempt.

Whoever shall wilfully do or cause to be done anything with intent to obstruct any engine or carriage passing upon any railroad, or with intent to endanger the safety of persons conveyed in or upon the same, or whoever shall aid or assist therein, shall be punished by imprisonment in the state prison not more than five years, or by fine not exceeding five hundred dollars, nor less than one hundred dollars, and by imprisonment in the county jail not more than one year, nor less than three months.

(1868, c. 57, § 3; G. S. 1878, c. 94, § 64.)

See §§ 6885, 6886-6892.

§ 6857. Boarding, etc., moving car or engine.

It shall be unlawful for any person, other than passengers or employes, to get on or off, or to swing on or hang on from the outside, of any engine or car upon any railroad, while the same is in motion or switching.

(1879, c. 81, § 1; G. S. 1878, v. 2, c. 94, § 39.)

§ 6858. Same—Penalty.

Any person violating any of the provisions of this act shall be fined in any sum not exceeding ten dollars, of which violations justices of the peace and judges of municipal courts shall have exclusive jurisdiction.

(1879, c. 81, § 2; G. S. 1878, v. 2, c. 94, § 40.)

§ 6859. Same—Duty of police, etc.

It shall be the duty of the police officers of any city, and constable and sheriffs of any town or county, in this state, to arrest persons in the act of violating the provisions of this act, and take them before the proper magistrate and make complaint under oath of such violation, to the end that due punishment may be enforced for such violation.

(1879, c. 81, § 3; G. S. 1878, v. 2, c. 94, § 41.)

§ 6860. Doors of public halls, etc., to swing outward.

That the doors of all theatres, opera-houses, public halls, and places used for public entertainments, exhibitions or meetings, and which doors are used, either exclusively or in part, for the purpose of admission to and egress from the same, shall be so hung and arranged as to open outwardly; and during any exhibition, entertainment or meeting held therein, such doors shall be kept unlocked and unfastened, and in such a condition that, in case of danger or necessity, immediate escape from any such theatre, opera-house, or public hall or place, will not be prevented or interfered with by such doors thereof being locked, or otherwise fastened.

(1875, c. 92, § 1; G. S. 1878, c. 94, § 65.)

§ 6861. Same—Penalty for violation.

Any person or persons owning any theatre, opera-house, public hall, building or place used for public exhibitions, entertainments or meetings, or who, as agent for the owner of the same, shall rent the same, or allow it to be used for the public purposes aforesaid, without first having the doors thereof hung and arranged as provided by section one, shall, for each and every violation thereof, be guilty of a misdemeanor, and, upon conviction thereof, be each fined in a sum not exceeding one hundred dollars, and not less than twenty-five dollars, and, in default of the payment of the said fine and costs, shall be committed to the county jail of the proper county, for a period not exceeding two months, and not less than fifteen days: provided, however, that the provisions of this act shall not apply to the use or renting of any theatre, opera-house, public building or hall, now used for such purposes, until on or before the first day of July, A. D. eighteen hundred and seventy-five.

(1875, c. 92, § 2; G. S. 1878, c. 94, § 66.)

See § 6893, for general provision as to injuries to persons or property.

¹ An act declaring it unlawful to get on or off railroad cars and engines when in motion or switching, and providing penalties for the violation thereof. Approved February 18, 1879.

(1816)