

CHAPTER 612

OFFENSES AGAINST SOVEREIGNTY

Sec.		Sec.	
612.01	Treason	612.08	Other acts declared unlawful
612.02	Misprision of treason	612.09	Punishment
612.03	Levying war	612.10	Unlawful for non-citizen of United States to carry firearms or explosives
612.04	Wilful neglect of official duty	612.11	Violation a gross misdemeanor
612.05	Acting in public office without having qualified	612.12	Police officers authorized to make arrests
612.06	False reports declared unlawful		
612.07	Insubordination declared unlawful		

NOTE: For definitions and general provisions, see Chapter 610.

612.01 TREASON. Every person who shall commit treason against the state shall be punished by imprisonment in the state prison for life.

[R. L. s. 4793] (9967)

612.02 MISPRISION OF TREASON. Every person having knowledge of the commission of treason, who conceals the same, and does not, as soon as may be, disclose such treason to the governor or a judge of the supreme court or a district court, shall be guilty of misprision of treason, and punished by a fine not exceeding \$1,000, or by imprisonment in the state prison for not exceeding five years, or in a common jail for not exceeding two years.

[R. L. s. 4794] (9968)

612.03 LEVYING WAR. To constitute levying war against the state, an actual act of war must be committed. To conspire to levy war is not enough. Where persons rise in insurrection, with intent to prevent, in general, by force and intimidation, the execution of a statute of the state, or to force its repeal, they shall be guilty of levying war. An endeavor, although by numbers and force of arms, to resist the execution of a law in a single instance and for a private purpose, is not levying war.

[R. L. s. 4795] (9969)

612.04 WILFUL NEGLECT OF OFFICIAL DUTY. When any duty is enjoined by law upon any public officer or person holding public trust or employment, every wilful neglect to perform such duty, and every malfeasance in office, for the punishment of which no special provision has been made, shall be a gross misdemeanor, and punished by fine and imprisonment.

[R. L. s. 4796] (9970)

612.05 ACTING IN PUBLIC OFFICE WITHOUT HAVING QUALIFIED. Every person who performs any of the functions of a public office without having executed and duly filed the required security shall be guilty of a gross misdemeanor and, in addition to the punishment prescribed therefor, he shall forfeit his right to the office.

[R. L. s. 4797] (9971)

612.06 FALSE REPORTS DECLARED UNLAWFUL. It shall be unlawful when the United States is at war for any person within the confines of this state wilfully to make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or of this state, or to promote the success of the enemies of the United States, or wilfully to make or convey false reports or false statements, or say or do anything, except by way of bona fide and not disloyal advice to an investor or investors, with intent to obstruct the sale by the United States of bonds or other securities of the United States, or the making of loans by or to the United States.

[1919 c. 93 s. 1] (9972)

612.07 INSUBORDINATION DECLARED UNLAWFUL. It shall be unlawful when the United States is at war for any person within the confines of this state wilfully to cause or attempt to cause, or incite or attempt to incite, insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States or of this state, or wilfully to obstruct or attempt to obstruct the recruiting or enlistment service of the United States or of this state.

[1919 c. 93 s. 2] (9973)

R 63
C 753
D-17

MINNESOTA STATUTES 1961

*R 63
C 753
A-17*

612.08 OTHER ACTS DECLARED UNLAWFUL. It shall be unlawful when the United States is at war for any person within the confines of this state wilfully to utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government, or the constitution, or the military or naval forces, or the flag, or the uniform of the army or navy, whether of the United States or of the State of Minnesota, or any language intended to bring the form of government, or the constitution, or the military or naval forces, or the flag, or the uniform of the army or navy, whether of the United States or of the State of Minnesota, into contempt, scorn, contumely, or disrepute, or wilfully to utter, print, write, or publish any language intended to incite, provoke, or encourage resistance to the United States or the State of Minnesota, or to promote the cause of its enemies, or wilfully to display the flag of any foreign enemy, or wilfully by utterance, printing, writing, publication, or language spoken, urge, incite, or advocate any curtailment of production in this country of any thing or things, product or products necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war; and it shall be unlawful for any person wilfully to advocate, teach, defend or suggest the doing of any of the acts or things in this section enumerated; and it shall be unlawful for any person within the confines of this state, by word or act, to support or favor the cause of any country with which the United States is at war; or, by word or act, to oppose the cause of the United States therein.

[1919 c. 93 s. 3] (9974)

612.09 PUNISHMENT. Any person violating any provision of sections 612.06 to 612.08 shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison or the county jail for not more than 20 years, or both.

[1919 c. 93 s. 4] (9975)

612.10 UNLAWFUL FOR NON-CITIZEN OF UNITED STATES TO CARRY FIREARMS OR EXPLOSIVES. It shall be unlawful for any citizen or subject of any nation with which the United States is at war, and who has not declared his intention to become a citizen of the United States, to have in his possession or under his control any firearms of any kind or nature, or any explosives of any kind or nature, or the necessary ingredients of any explosives from which explosives could be manufactured.

[1917 c. 435 s. 1] (9976)

612.11 VIOLATION A GROSS MISDEMEANOR. Any person violating any provision of section 612.10 shall be guilty of a gross misdemeanor and punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in any county jail in this state for not less than 60 days, nor more than one year, or by both.

[1917 c. 435 s. 2] (9977)

612.12 POLICE OFFICERS AUTHORIZED TO MAKE ARRESTS. Any police officer of this state is hereby authorized to summarily arrest any person violating any of the provisions of section 612.10.

[1917 c. 435 s. 3] (9978)