

CHAPTER 615

OFFENSES AGAINST PUBLIC PEACE

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

**615.01 DISTURBING MEETINGS.** Every person who without authority of law shall wilfully disturb any assembly or meeting not unlawful in its character shall be guilty of a misdemeanor and punished by a fine of not less than \$5 nor more than \$50.

[R. L. s. 5013] (10279)

**615.02 RIOT.** When three or more persons, having assembled for any purpose, shall disturb the public peace by using force or violence to any other person or to property, or shall threaten or attempt to commit such disturbance, or to do any unlawful act by the use of force or violence, accompanied by the power of immediate execution of such threat or attempt, they shall be guilty of a riot.

[R. L. s. 5014] (10280)

**615.03 RIOT, HOW PUNISHED.** Every person who shall be guilty of riot, or of participating therein, by being present, or by instigating, promoting, or aiding the same, shall be punished as follows:

(1) If the purpose of the assembly, or of the acts done, threatened, or intended by the persons engaged, shall be to resist the enforcement of a statute of this state or of the United States, or to obstruct any public officer of this state or of the United States in serving or executing any process or other mandate of a court, or in the performance of any other duty, or if, at the time of the riot, the offender shall carry firearms or any other dangerous weapon, or shall be disguised; by imprisonment in the state prison for not more than five years or by a fine of not more than \$1,000 or by both;

(2) If the offender shall direct, advise, encourage, or solicit other persons present or participating in the riot or assembly to acts of force or violence; by imprisonment in the state prison for not more than two years or by a fine of not more than \$500 or by both;

(3) In every other case, by imprisonment in the state prison for not more than one year or by a fine of not more than \$250 or by both.

[R. L. s. 5015] (10281)

**615.04 UNLAWFUL ASSEMBLY.** When three or more persons shall assemble with intent:

(1) To commit any unlawful act by force;

(2) To carry out any purpose in such a manner as to disturb the public peace; or

(3) Being assembled, shall attempt or threaten any act tending toward a breach of the peace or an injury to persons or property, or any unlawful act.

Such an assembly is unlawful, and every person participating therein, by his presence, aid, or instigation, shall be guilty of a misdemeanor.

[R. L. s. 5016] (10282)

**615.05 REMAINING AFTER WARNING.** Every person who shall remain present at the place of an unlawful assembly, after having been warned to disperse by a magistrate or public officer, unless as a public officer or at the request of any such officer he is assisting in dispersing the same, or in protecting persons or property or in arresting offenders, shall be guilty of a misdemeanor.

[R. L. s. 5017] (10283)

**615.06 DESTRUCTION OF PROPERTY.** When any of the persons so unlawfully assembled shall pull down or destroy any dwelling house or other building,

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or any shop, steamboat, or vessel, he shall be punished by imprisonment in the state prison for not less than three, nor more than seven, years, or by a fine of not more than \$1,000.

[R. L. s. 5018] (10284)

**615.07 COMBINATION TO RESIST PROCESS.** Every person who enters into a combination with another to resist the execution of any legal process or other mandate of a court of competent jurisdiction, under circumstances not amounting to a riot, shall be guilty of a gross misdemeanor.

[R. L. s. 5019] (10285)

**615.08 FORCIBLE ENTRY AND DETAINER.** Every person using, or procuring, or encouraging, or assisting another to use any force or violence in entering upon or detaining any lands or other possessions of another, except in the cases and in the manner allowed by law, and every person who has been removed from any lands by process of law, or who has removed therefrom pursuant to the lawful adjudication or direction of any court, tribunal, or officer, and afterwards, without authority of law, returns to settle or reside upon, or take possession thereof, shall be guilty of a gross misdemeanor.

[R. L. s. 5023] (10289)

**615.09 AIMING OR DISCHARGING FIREARMS.** Subdivision 1. **Air guns.** "Air gun" means any air rifle, air gun, B-B gun, spring gun, or similar device for the propulsion of shot or other metal pellet by means of compressed air, or mechanical spring action.

Subd. 2. **Misdemeanor.** Every person who shall aim any gun, pistol, revolver, or other firearm, or air gun, whether loaded or not, at or towards any human being, or who shall wilfully discharge any firearm, air gun, or other weapon, or throw any deadly missile, in a public place, or in any place where there is any person to be endangered, although no injury actually results, shall be guilty of a misdemeanor.

[R. L. s. 5024; 1949 c. 358 s. 1] (10290)

**615.10 USE OF FIREARMS BY MINORS.** No minor under the age of 14 years shall handle, or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm or air gun of any kind for hunting or target practice or any other purpose. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

[R. L. s. 5025; 1949 c. 358 s. 2] (10291)

**615.11 SILENCER FOR FIREARMS.** Subdivision 1. **Prohibited.** No person shall, within the state, sell or offer or expose for sale, or have in possession for use upon or in connection with any rifle, shot-gun, revolver, or other firearm, or have in possession for purposes of sale any silencer for a shot-gun, revolver, rifle, or other firearm.

Subd. 2. **Possession as evidence.** In any prosecution hereunder proof of the having of such silencer in possession by any person shall constitute prima facie evidence that same was had in possession of such person for use contrary to the provisions of this section.

Subd. 3. **Silencer.** A silencer, within the meaning of this section, is defined as a mechanical device or construction or instrument designed or intended to be temporarily or permanently attached to or used in connection with any shot-gun, revolver, rifle, or other firearm for the purpose of lessening or reducing the volume of sound caused by the discharge of or by the firing of such gun, rifle, revolver, or other firearm.

Subd. 4. **Penalty.** Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

[1913 c. 64 ss. 1, 2, 3, 4] (10292, 10293, 10294, 10295)

**615.12 OFFENSES IN PUBLIC CONVEYANCES; PUNISHMENT.** Every person who shall wilfully use profane, offensive, or indecent language, or engage in any quarrel in any railway or street railway car or other public conveyance, or shall interfere with or annoy any passenger therein, or, having refused to pay the proper fare, shall fail to leave any such conveyance upon demand, or, with the intent to avoid the payment of fare, shall ride upon any car not commonly used for the carriage of passengers, or shall take any dog into any such car or conveyance, or smoke therein contrary to the rules of the corporation or person operating the same, shall be guilty of a misdemeanor.

[R. L. s. 5026] (10296)

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**615.13 CONDUCTOR; AUTHORITY TO ARREST.** Every conductor of a railway train, with or without warrant, may arrest any person committing any act specified in section 615.12, and take him before a magistrate or to the next railway station, and deliver him to the proper officer, or to the station agent, who shall take such person before the proper magistrate or deliver him to such officer. Every such conductor and station agent shall in such case possess all the powers of a sheriff with a warrant.

[R. L. s. 5027] (10297)

**615.14 WITNESS NOT EXCUSED.** No person shall be excused from giving evidence upon an investigation or prosecution for any offense specified in sections 615.12 and 615.13 upon the ground that his testimony might tend to convict him of a crime.

[R. L. s. 5028] (10298)

**615.15 LANGUAGE PROVOCATIVE OF ASSAULT.** Any person who shall use in reference to and in the presence of another, or in reference to or in the presence of any member of the family of another, abusive or obscene language, intended, or naturally tending to provoke an assault or any breach of the peace, shall be guilty of a misdemeanor.

[1907 c. 96 s. 1] (10299)

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**615.16 WEARING OF MASKS.** Subdivision 1. **Prohibition.** It shall be unlawful for any person, either alone or in company with others, to appear on any street or highway, or in other public places or any place open to view by the general public, with his face or person partially or completely concealed by means of a mask or other regalia or paraphernalia, with intent thereby to conceal the identity of such person. The wearing of any such mask, regalia or paraphernalia by any person on any street or highway or in other public places or any place open to view by the general public, shall be presumptive evidence of wearing the same with intent to conceal the identity of such person; this subdivision shall not be construed to prohibit the wearing of such means of concealment in good faith for the purposes of amusement or entertainment.

Subd. 2. **Penalty.** Every person violating any of the provisions of this section shall be guilty of a misdemeanor.

[1923 c. 160 ss. 1, 2] (10300, 10301)

**615.17 BRAWLING OR FIGHTING, DISORDERLY CONDUCT.** Every person who engages in brawling or fighting, shall be guilty of disorderly conduct, herein defined to be a misdemeanor, and upon conviction thereof, shall be punished by a fine of not to exceed \$100 or by imprisonment in the county jail for not to exceed 90 days.

[1953 c 661 s 1]