

## CHAPTER 87.

[S. F. No. 226.]

Penal Code,  
amending Sec.  
231.

AN ACT TO AMEND SECTION TWO HUNDRED AND THIRTY-ONE (231) OF AN ACT OF THE STATE LEGISLATURE, APPROVED MARCH NINTH (9TH), A. D. ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), ENTITLED "AN ACT TO ESTABLISH A PENAL CODE," SAID SECTION RELATING TO PUBLIC TRAFFIC ON THE SABBATH DAY AND THE PENALTY FOR SABBATH-BREAKING.

*Be it enacted by the Legislature of the State of Minnesota:*

Sabbath-break-  
ing punishable  
by fine or im-  
prisonment.

SECTION 1. Section two hundred and thirty-one (231) of said act is amended by striking from the last line of said section the words "or by both."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1891.

## CHAPTER 88.

[S. F. No. 170.]

Penal Code,  
amending Sec.  
235.

AN ACT TO AMEND SECTION TWO HUNDRED AND THIRTY-FIVE (235) OF THE PENAL CODE OF THE STATE OF MINNESOTA, RELATING TO THE CRIME OF RAPE.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That section two hundred and thirty-five (235) of the Penal Code of the State of Minnesota, relating to the crime of rape, be amended so as to read as follows:

Definition of  
rape.

"Sec. 235. *Rape Defined.*—Rape is an act of sexual intercourse with a female not the wife of the perpetrator, committed against her will or without her consent. A person perpetrating such an act of sexual intercourse with a female of the age of fourteen (14) years or upwards, not his wife—

"*First*—When through idiocy, imbecility or any unsoundness of mind, either temporary or permanent, she is incapable of giving consent; or

"*Second*—When her resistance is forcibly overcome; or

"*Third*—When her resistance is prevented by fear of immediate and great bodily harm which she has reasonable cause to believe will be inflicted upon her; or