

CHAPTER 130.

AN ACT TO DEFINE THE CRIME OF SWINDLING AND TO PUNISH THE SAME.

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

Punishment for
swindling by
cards.

SECTION 1. That whoever by the means of three card monte, so called, or of any other form or device, slight of hand or other means whatever, by use of cards or instruments of like character, obtain from another person any money or other property of any description, shall be deemed guilty of the crime of swindling, and shall, on conviction thereof, be punished by a fine not less than two hundred dollars (\$200), nor more than two thousand dollars (\$2,000), or by imprisonment, in the State prison not less than two (2) years nor more than five (5) years, or by both such fine and imprisonment, in the discretion of the court. All persons aiding, encouraging, advising or confederating with, or knowingly harboring or concealing any such person or persons, or in any manner being accessory to the commission of the above described offense, or confederating together for the purpose of playing such games, shall be deemed principals therein and punished accordingly.

Jurisdiction of
offenses.

SEC. 2. The jurisdiction of all the offenses described in section one (1) of this act, which shall be committed on any railroad, car, coach, train, boat, or other public conveyance, or in or at any railroad station or depot, shall be, in any county through which said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate, and in all other cases of jurisdiction, shall be in the county in which the offense is committed.

Who shall
make arrests.

SEC. 3. Every person shall possess the power and authority, and it shall be the duty of every conductor, or any other employeé on any railroad car or train, and of every captain, clerk or other employee on any boat, or station agent at any railway depot, or the officers of any fairs or fair grounds, and the proprietors of any places of public resort, and their employees, with or without warrant, to arrest any person or persons whom they or either of them shall find in the act of committing any of the offenses mentioned in the first (1st) section of this act, or any person or persons whom he or they may have good reason to believe to have been guilty of the commission of the said offenses, and to take such person or persons before a magistrate in any county where jurisdiction to try said offenses exists by virtue of this act, and deliver such

person or persons so arrested to the magistrate, and make written complaints under oath of the facts. And for executing the powers conferred by this section, the person making the arrest shall possess the same powers in all respects as are possessed by officers with warrants, including the power to summon assistance; and it shall be the duty of the person making such arrest to also arrest the person injured or defrauded, by reason of the commission of any of the offenses mentioned in section one (1) of this act, and take such person before the examining magistrate, who shall require such person to give security to appear and testify on the trial of the cause, and such person or persons shall not be deemed to be guilty of the offense mentioned in section one (1) of this act, nor of the offense of gambling, unless such person or persons shall have failed to appear and give evidence on the trial. And the persons performing the services required by this act, shall recover [receive] the same compensation as sheriffs receive for like services.

SEC. 4. It shall be the duty of any conductor, captain, hotel or saloon keeper, proprietor or manager of any public conveyance or place of public resort, and the officer of any fair or fair grounds, to eject from his car, train, boat, hotel, saloon, public conveyance, fair grounds or place of public resort, any person known to him, or whom he has good reason to believe to be a three card monte man, or who offers to wager or bet money or other valuable things upon what is commonly known as three card monte, or bet on any trick, or game with cards or other gaming device, and for such ejection no action for damage shall be maintained. And all parties operating any public conveyance by which passengers are carried, shall keep posted up a copy of this law in such conveyance.

Ejection from trains, &c., when lawful.

SEC. 5. Any conductor of a railroad train, station agent, captain of any steamboat, proprietor or manager of any public conveyance, officer of any fair or fair grounds, or place of public resort, any hotel or saloon keeper or their agent or employe, or who shall fail, neglect or refuse to perform the duties herein mentioned, or who shall knowingly suffer or permit a violation of this act, shall be deemed guilty of a misdemeanor, and the jurisdiction of such offense shall be the same as provided in section two (2) of this act.

When conductors and officers are liable.

SEC. 6. Any person may be convicted for violation of section one (1) of this act, on his own confession out of court or upon the testimony of any accomplice.

SEC. 7. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 2, 1877.