

*James C. Child*  
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

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COMPILED BY  
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be false and counterfeit, with intent to injure or defraud, shall be punished by imprisonment in the territorial prison, not more than three years, nor less than one year.

(15.) SEC. XV. Every person who shall cast, stamp, engrave, make or mend, or shall knowingly have in his possession any mould, pattern, die, puncheon, engine, press, or other tool or instrument, adapted and designed for coining or making any counterfeit coin in the similitude of any gold or silver coin, current by law or usage in this territory, with intent to use the same, or cause or permit the same to be used or employed in coining or making any such false and counterfeit coin as aforesaid, shall be punished by imprisonment in the territorial prison, not more than five years, nor less than two years. Making tools, &c., for coining, &c.

(16.) SEC. XVI. Any person who may be convicted of a second offense, shall be punished by imprisonment not exceeding twice the term mentioned in the section under which he may be indicted and tried. Punishment on conviction of second offense.

CHAPTER 92.

OFFENSES AGAINST PUBLIC JUSTICE.

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[ Chapter 103, Revised Statutes.]

(1.) SEC. I. Every person being lawfully required to depose the truth in any proceedings in a court of justice, who shall commit perjury, shall be punished if such perjury was committed on the trial of an indictment for a capital crime, by imprisonment in the territorial prison, not more than fifteen years, nor less than three years, and if committed in any other case, by imprisonment in the territorial prison, not more than five years, nor less than two years. Perjury, punishment of.

(2.) SEC. II. If any person of whom an oath shall be required by law, shall willfully swear falsely in regard to any matter or thing, respecting which such oath is required, such person shall be deemed guilty of perjury. What deemed perjury.

(3.) SEC. III. Every person who shall be guilty of subornation of perjury, by procuring another person to commit the crime of perjury, as aforesaid, shall be punished in the same manner as for the crime of perjury. Subornation of perjury.

Inciting person to commit perjury.

(4.) SEC. IV. If any person shall endeavor to procure or incite any other person to commit the crime of perjury, though no perjury be committed, he shall be punished by imprisonment in the territorial prison, not more than three years nor less than one year.

Proceeding when perjury suspected by the court.

(5.) SEC. V. Whenever it shall appear to any court of record, that any witness or party who has been legally sworn and examined, or has made an affidavit in any proceedings in a court of justice, has testified in such a manner as to induce a reasonable presumption that he has been guilty of perjury therein, the court may take a recognizance with sureties for his appearing to answer to an indictment for perjury, and thereupon the witness to establish such perjury may be bound over to the proper court, and notice of the proceedings shall forthwith be given to the district attorney.

Copies of papers, &c., may be taken.

(6.) SEC. VI. If in any proceeding in a court of justice, in which perjury shall be reasonably presumed as aforesaid, and any papers, books, or documents shall have been produced which shall be deemed necessary to be used in any prosecution for such perjury, the court may order a certified copy of such books, papers, or documents to be taken, to be used in such prosecution, and such certified copy shall be used in such prosecution in the same manner as the original might have been.

Giving or offering bribes to officers.

(7.) SEC. VII. Every person who shall corruptly give, offer, or promise, to any executive, judicial, or legislative officer, after his election or appointment, and either before or after he shall have been qualified, or shall have taken his seat, any gift or gratuity whatever, with intent to influence his act, vote, opinion, decision or judgment in any matter, question, cause or proceeding, which may then be pending, or may by law come to be brought before him in his official capacity, shall be punished by imprisonment in the territorial prison, not more than three years, nor less than one year, or by fine not exceeding five hundred dollars, nor less than one hundred dollars.

Accepting bribes by officers.

(8.) SEC. VIII. Every executive, legislative or judicial officer who shall corruptly accept any gift or gratuity, or any promise to make any gift or do any act beneficial to such officer, under an agreement or with an understanding that his vote, opinion or judgment shall be given in any particular manner, or upon a particular side of any question, cause or proceeding which is or may be by law brought before him in his official capacity, or that in such capacity he shall make any particular nomination or appointment, shall be punished by imprisonment in the territorial prison, not more than four years nor less than two years, or by fine not exceeding six hundred dollars, nor less than two hundred dollars.

Corrupting jurors, &c.

(9.) SEC. IX. Every person who shall corrupt or attempt to corrupt any court, commissioner, juror, arbitrator, umpire, or referee, by giving, offering or promising any gift or gratuity whatever, with intent to bias his opinion, or influence the decision of such court, commissioner, juror, arbitrator, umpire, or referee, in relation to any cause or matter which may be pending in the court or before an inquest, or for the decision of which such arbitrator, umpire, or referee shall have been appointed, shall be punished by imprisonment in the territorial prison, not more than three years nor less than one year, or by fine not exceeding five hundred dollars, nor less than one hundred dollars.

Accepting bribes by jurors.

(10.) SEC. X. If any person summoned as a juror, chosen or appointed as an arbitrator, umpire or referee, or if any court, commissioner, shall corruptly take any thing to give his verdict, award, or report, or shall corruptly receive any gift or gratuity whatever, from a party to any suit, cause or proceeding, for the trial or decision of which such juror shall have been summoned, or for the hearing or determining of which such

court, commissioner, arbitrator, umpire, or referee shall have been chosen or appointed, he shall be punished by imprisonment in the territorial prison, not more than three years, nor less than one year, or by fine not exceeding six hundred dollars, nor less than two hundred dollars.

(11.) SEC. XI. Every person who shall convey into any jail, house of correction, house of reformation or other like place of confinement, any disguise, or any instrument, tool, weapon, or other thing, adapted or useful to aid any prisoner to make his escape, with intent to facilitate the escape of any prisoner there lawfully committed or detained, or shall by any means whatever, aid or assist any such prisoner in his endeavor to escape therefrom, whether such escape be attempted or effected or not; and every person who forcibly rescues any prisoner held in custody, upon any conviction or charge of an offense, shall be punished by imprisonment in the territorial prison not more than four years, nor less than two years, or if the person whose escape or rescue was effected or intended, was charged with an offense not capital, nor punishable by imprisonment in the territorial prison, then the punishment for the offense mentioned in this section, shall be by imprisonment in the county jail not more than one year, or by fine, not exceeding two hundred dollars.

Attempts to aid escapes from prison, &c.

(12.) SEC. XII. Every person who shall aid or assist any prisoner in escaping, or in attempting to escape from any officer or person who shall have the lawful custody of such prisoner, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

Aiding an escape from officers.

(13.) SEC. XIII. If any jailor or other officer shall voluntarily suffer any prisoner in his custody, upon conviction of any criminal charge, to escape, he shall suffer, unless the prisoner was charged with or convicted of a capital offense, the like punishment and penalties as the prisoner so suffered to escape was sentenced to, or would be liable to suffer upon conviction for the crime or offense wherewith he stood charged; and if the prisoner was charged with or convicted of a capital offense, he shall be punished by imprisonment in the territorial prison not more than thirty years, nor less than five years.

Suffering a voluntary escape from prison.

(14.) SEC. XIV. If any jailor or other officer shall, through negligence, suffer any prisoner in his custody, upon conviction or upon any criminal charge, to escape, or shall willfully refuse to receive into his custody any prisoner lawfully committed thereto on any criminal charge or conviction, or on any lawful process whatever, he shall be punished by imprisonment in the county jail not more than two years, or by a fine not exceeding three hundred dollars.

Suffering negligent escape and refusing to receive prisoner.

(15.) SEC. XV. If any officer authorized to serve process, shall willfully and corruptly refuse to execute any lawful process to him directed, and requiring him to apprehend or confine any person convicted or charged with an offense, or shall willfully and corruptly omit or delay to execute such process whereby such person shall escape, and go at large, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars.

Refusing to arrest and suffering escape.

(16.) SEC. XVI. If any person being required in the name of the United States, or of the territory of Minnesota, by any sheriff, deputy sheriff, coroner, or constable, shall neglect or refuse to assist them in the execution of their office, in any criminal case, or in the preservation of the peace, or the apprehending or securing of any person for a breach of the peace, or in any case of escape or rescue of persons arrested upon civil process, he shall be punished by fine not exceeding one hundred dollars.

Refusing to aid officer.

(17.) SEC. XVII. If any justice of the peace upon view of any

Refusing to aid justices.

breach of the peace, or any other offense proper for his cognizance, shall require any person to apprehend and bring before him the offender, every person so required who shall refuse or neglect to obey such justice, shall be punished in the same manner as is provided in the next preceding section, for refusing assistance to a sheriff; and no person to whom such justice shall be known, or shall declare himself to be a justice of the peace, shall be permitted to plead any excuse on pretence of ignorance of his office.

Falsely assuming to be justice or officer.

(18.) SEC. XVIII. If any person shall falsely assume or pretend to be a justice of the peace, sheriff, deputy sheriff, coroner or constable, and shall take upon himself to act as such, to require any person to aid or assist him in any matter pertaining to the duty of a justice of the peace, sheriff, deputy sheriff, coroner, or constable, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred dollars.

Disguising, to obstruct execution of the law.

(19.) SEC. XIX. Every person who shall in any manner disguise himself with intent to obstruct the due execution of the law, or with intent to intimidate, hinder, or interrupt any officer or any other person in the legal performance of his duty, or the exercise of his rights under the laws of the United States, or of this territory, whether such intent shall be effected or not, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding one hundred dollars.

Persons compounding offenses; how punished.

(20.) SEC. XX. [*As amended on page 24 of the amendments of 1852 to the revised statutes:*] If any person shall take any money, or gratuity, or reward, or an engagement therefor, upon any agreement or understanding, express or implied, to compound or conceal the commission of any offense, or not to prosecute therefor, or not give evidence thereof, he shall, where such offense was punishable with death, be punished by imprisonment in the territorial prison, not more than three years; and where the offense was punishable in any other manner, he shall be punished by imprisonment in the territorial prison, not exceeding one year, or in the county jail not more than six months, or by fine not exceeding one hundred dollars.

Officers taking reward for omitting duty.

(21.) SEC. XXI. If any sheriff, constable, or other officer authorized to serve legal process, shall receive from a defendant, or any other person, any money or other valuable thing, as a consideration, reward, or inducement for delaying or omitting to arrest any defendant, or to carry him before a magistrate, or for delaying to take any person to prison, or for postponing the sale of any property under an execution, or for omitting or delaying to perform any duty pertaining to his office, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.