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# GENERAL STATUTES

OF THE

# STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE  
THE STATUTES OF THE STATE, BY ACT OF THE  
LEGISLATURE, PASSED FEBRUARY 17, 1863.

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11 his or her neighbors one days' notice of such intention;  
 12 *Provided*, That in case the neighbors come together and  
 13 participate in the burning of any woods, prairies or grounds,  
 14 the notice aforesaid need not be given; *Provided, also*,  
 15 That this section shall not be construed to take away any  
 16 civil remedy which any person is entitled to for any  
 17 injury done or received in consequence of such firing.

1- SECT. 51. The penalties provided in the foregoing section  
 2 shall be recovered by action before any justice of the peace C. S. p. 715, Sect. 51. c 90  
 3 in the county where such offense is committed, upon com-  
 4 plaint of any legal voter thereof.

## CHAPTER XCVI.

### FORGERY AND COUNTERFEITING.

1 SECTION 1. Whoever falsely makes, alters, forges, or  
 2 counterfeits any public record, or any certificate, return or C. S. p. 716, Sect. 1. c 91  
 3 attestation of any clerk of a court, register, notary public,  
 4 justice of the peace, or any other public officer. in relation  
 5 to any matter wherein such certificate, return, or attestation  
 6 may be received as legal proof, or any charter, deed, will,  
 7 testament, bond, or writing obligatory, letter of attorney;  
 8 policy of insurance, bill of lading, bill of exchange, prom-  
 9 issory note, or any order, acquittance, or discharge for  
 10 money or other property, or any acceptance of a bill of ex-  
 11 change, indorsement, or assignment of a bill of exchange or  
 12 promissory note, or any accountable receipt for money,  
 13 goods or other property, with intent to injure or defraud  
 14 any person, shall be punished by imprisonment in the state  
 15 prison not more than five years nor less than two years, or  
 16 by imprisonment in the county jail not more than two  
 17 years nor less than one year.

1 SECT. 2. Whoever utters and publishes as true, any  
 2 false, forged, or altered record, deed, instrument, or other C. S. p. 717, Sect. 2.  
 3 writing mentioned in the preceeding section, knowing the  
 4 same to be false, forged, or altered, with intent to injure  
 5 or defraud as aforesaid, shall be punished by imprisonment  
 6 in the state prison not more than five years nor less than  
 7 one year.

1 SECT. 3. Whoever falsely makes, alters, forges or coun- C. S. p. 717, Sect. 3.  
 2 terfeits any note, certificate, or other bill of credit issued by  
 3 any commissioner or other officer authorized to issue the

4 same for any debt of this state, with intent to injure or de-  
 5 fraud as aforesaid, shall be punished by imprisonment in  
 6 the state prison not more than seven years nor less than  
 7 three years.

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C. S. p. 717, Sect. 4.

1 SECT. 4. Whoever makes, alters, forges, or counter-  
 2 feits any bank bill, promissory note, draft, or other evi-  
 3 dence of debt issued by any corporation or company duly  
 4 authorized for that purpose, by the laws of the United  
 5 States, or of any state of the United States, or of any ter-  
 6 ritory of the United States, or of any other state, govern-  
 7 ment, or country, with intent to injure or defraud, shall  
 8 be punished by imprisonment in the state prison, not more  
 9 than five years, nor less than one year.

C. S. p. 717, Sect. 5.

1 SECT. 5. Whoever has in his possession any forged,  
 2 counterfeit, or altered bank bill, promissory note, draft, or  
 3 other evidence of debt issued or purporting to have been  
 4 issued as is mentioned in the preceding section, with intent  
 5 to utter the same as true or false, knowing the same to be  
 6 so forged, counterfeited or altered as aforesaid, shall be  
 7 punished by imprisonment in the state prison, not more  
 8 than five years, nor less than one year.

C. S. p. 717, Sect. 6.

1 SECT. 6. Whoever utters, or passes, or tenders in pay-  
 2 ment as true, any false, altered, forged, or counterfeit note,  
 3 certificate, or bill of credit for any debt of this state, or  
 4 bank bill, promissory note, draft, or other evidence of debt,  
 5 issued or purporting to have been issued as is mentioned in  
 6 the fourth section of this chapter, knowing the same to be  
 7 false, altered, forged, or counterfeit, with intent to injure  
 8 or defraud, shall be punished by imprisonment in the state  
 9 prison, not more than five years, nor less than one year.

C. S. p. 717, Sect. 7.

1 SECT. 7. Whoever engraves, makes, or mends, or be-  
 2 gins to engrave, make or mend any plate, block, press, or  
 3 other tool, instrument, or implement, or makes or provides  
 4 any paper or other materials adapted and designed for the  
 5 forging or making any false and counterfeit note, certificate,  
 6 or other bill of credit in the similitude of the notes, certifi-  
 7 cates, or bills of credit issued by lawful authority for any  
 8 debt of this state, or any false counterfeit note, or bill in  
 9 the similitude of the notes or bills issued by any bank or  
 10 banking company established in this state, or within the  
 11 United States, or any territory thereof, or within any other  
 12 government or country, and every person who has in his  
 13 possession any such plate or block engraved in any part, or  
 14 any press or other tool, instrument or implement, paper or  
 15 other material adapted and designed as aforesaid, with intent  
 16 to use the same, or to cause or permit the same to be used in

17 forging or making any such false and forged certificates,  
 18 bills, or notes, shall be punished by imprisonment in the  
 19 state prison not more than five years, nor less than one  
 20 year.

1 SECT. 8. Whoever fraudulently connects together differ-  
 2 ent parts of several bank notes, or other genuine instru- C. S. p. 718, Sect. 10. *c 91*  
 3 ments, in such manner as to produce an additional note or  
 4 instrument, with intent to pass all of them as genuine, is  
 5 guilty of forgery in like manner as if each of them had been  
 6 falsely made or forged.

1 SECT. 9. If any fictitious or pretended signature, pur- C. S. p. 718, Sect. 11.  
 2 porting to be the signature of an officer or agent of any cor-  
 3 poration, is fraudulently affixed to any instrument or writ-  
 4 ing, purporting to be a note, draft, or other evidence of  
 5 debt issued by such corporation, with intent to pass the  
 6 same as true, it shall be deemed a forgery, though no such  
 7 person was ever an officer or agent of such corporation, nor  
 8 such corporation ever existed.

1 SECT. 10. In any case where the intent to defraud is  
 2 necessary to constitute the offense of forgery, or any other  
 3 offense that may be prosecuted, it shall be sufficient to al- C. S. p. 718, Sect. 12.  
 4 lege in the indictment an intent to defraud, without naming  
 5 therein the particular person or body corporate intended to  
 6 be defrauded; and on the trial of such indictment, it is suf-  
 7 ficient, and shall not be deemed a variance if there appears  
 8 to be an intent to defraud the United States, or any state,  
 9 territory, county, city, town, or village, or any body corpo-  
 10 rate, or any public officer in his official capacity, or any co-  
 11 partnership or member thereof, or any particular person.

1 SECT. 11. Whoever counterfeits any gold or silver coin,  
 2 current by law or usage within this state, and whoever has C. S. p. 718, Sect. 13.  
 3 in his possession, at the same time, ten or more pieces of  
 4 false money or coin, counterfeited in the similitude of any  
 5 gold or silver coin current as aforesaid, knowing the same  
 6 to be false and counterfeited, and with intent to utter or  
 7 pass the same as true, shall be punished by imprisonment  
 8 in the state prison, not more than five years, nor less than  
 9 one year.

1 SECT. 12: Whoever has in his possession, any number C. S. p. 718, Sect. 14.  
 2 of pieces less than ten of the counterfeit coin mentioned in  
 3 the preceding section, knowing the same to be counterfeit,  
 4 with intent to utter or pass the same as true, and whoever  
 5 utters, passes, or tenders in payment as true, any such  
 6 counterfeit coin, knowing the same to be false and counter-  
 7 feit, with intent to injure or defraud, shall be punished by

8 imprisonment in the state prison, not more than three years,  
9 nor less than one year.

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C. S. p. 719, Sect. 15.

1 SECT. 13. Whoever casts, stamps, engraves, makes or  
2 mends, or knowingly has in his possession any mould, pat-  
3 tern, die, puncheon, engine, press, or other tool or instru-  
4 ment, adapted and designed for coining or making any  
5 counterfeit coin in the similitude of any gold or silver coin,  
6 current by law or usage in this state, with intent to use the  
7 same, or causes or permits the same to be used or employed  
8 in coining or making any such false and counterfeit coin as  
9 aforesaid, shall be punished by imprisonment in the state  
10 prison, not more than five years, nor less than two years.

## CHAPTER XCVII.

## OFFENSES AGAINST PUBLIC JUSTICE.

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C. S. p. 719, Sect. 1.

1 SECTION 1. Whoever, being lawfully required to depose  
2 the truth in any proceedings in a court of justice, commits  
3 perjury, shall be punished, if such perjury was committed on  
4 the trial of an indictment for a capital crime, by imprison-  
5 ment in the state prison, not more than fifteen years, nor  
6 less than three years, and if committed in any other case, by  
7 imprisonment in the state prison, not more than five years,  
8 nor less than two years.

C. S. p. 719, Sect. 2.  
Amended.

1 SECT. 2. Whoever, being required or authorized by law,  
2 to take an oath or affirmation, wilfully swears, affirms,  
3 promises, or declares falsely, in regard to any matter or  
4 thing respecting which such oath, affirmation, promise or  
5 declaration is required, or authorized, is guilty of perjury.

C. S. p. 719, Sect. 3.

1 SECT. 3. Whoever is guilty of subornation of perjury,  
2 by procuring another person to commit the crime of per-  
3 jury, as aforesaid, shall be punished in the same manner as  
4 for the crime of perjury.

C. S. p. 720, Sect. 4.

1 SECT. 4. Whoever endeavors to procure or incite any  
2 other person to commit the crime of perjury, though no  
3 perjury is committed, shall be punished by imprisonment in  
4 the state prison, not more than three years nor less than one  
5 year.

C. S. p. 720, Sect. 5.

1 SECT. 5. Whenever it appears to any court of record,  
2 that any witness or party who has been legally sworn and