

31700

THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

PRINTED AND PUBLISHED PURSUANT TO LAW, UNDER THE SUPERVISION OF M. S. WILKINSON.

SAINT PAUL:

JAMES M. GOODHUE, TERRITORIAL PRINTER.

.....
1851

CHAPTER 105.

OF OFFENCES AGAINST PUBLIC POLICY.

SECTION

1. Setting up or promoting illegal lotteries.
2. Selling lottery tickets or aiding therein.
3. On second conviction.
4. Advertising lottery tickets, &c.

SECTION

5. Making or selling tickets in fictitious lottery.
6. Defendant to prove genuineness of ticket, &c.
7. Prizes forfeited to the territory.

SEC. 1. Every person who shall set up or promote any lottery for money, or shall dispose of any property of value, real or personal, by way of lottery, and every person who shall aid, either by printing or writing, or shall in any way be concerned in setting up, managing or drawing any such lottery, or who shall in any house, shop, or building, owned or occupied by him or under his control, knowingly permit the setting up, managing, or drawing of any such lottery, or the sale of any lottery ticket, or share of a ticket, or any other writing, certificate, bill, token, or any other device purporting or intended to entitle the holder, bearer, or any other person to any prize or interest, or share of any prize to be drawn in a lottery, shall, for every such offence, be punished by imprisonment in the county jail not more than six months, nor less than one month.

Setting up or promoting illegal lotteries.

SEC. 2. Every person who shall sell, either for himself or for any other person, or shall offer for sale, or shall have in his possession with intent to sell or to offer for sale, or to exchange or negotiate, or shall in any wise aid or assist in the selling, negotiating, or disposing of a ticket in any such lottery, or a share of a ticket, or any such writing, certificate, bill, token, or other device, as is mentioned in the preceding section, shall be punished by fine not exceeding five hundred dollars, nor less than one hundred dollars.

Selling lottery tickets or aiding therein.

SEC. 3. If any person shall, after being convicted of any offence mentioned in either of the two preceding sections, commit the like offence, or any other of the offences therein mentioned, he shall be punished by imprisonment in the territorial prison not more than two years, nor less than six months.

On second conviction.

SEC. 4. Every person who shall advertise any lottery ticket, or any share in such ticket for sale, either by himself or any other person, or who shall set up or exhibit any sign, symbol, or any emblematic or other representation of a lottery, or of the drawing thereof, or any such writing, certificate, bill, token, or other device before mentioned, or where the same may be purchased or obtained, or shall in any way invite or entice, or attempt to invite or entice any other person to purchase or receive the same, shall be punished by fine not exceeding one hundred dollars.

Advertising lottery tickets, &c.

SEC. 5. Every person who shall make or sell, or shall have in his possession with intent to sell, exchange or negotiate, or who shall, by printing, writing, or otherwise, assist in making or selling, or in attempting to sell, exchange or negotiate any false or fictitious lottery ticket, or any share thereof, or any writing, certificate, bill, token, or other device before mentioned, or any ticket or share thereof, in any fictitious or pretended lottery, knowing the same to be false or fictitious, or who shall receive any money, or other thing of value, for any such ticket or

Making or selling tickets in fictitious lottery.

share of a ticket, or for any such writing, certificate, bill, token, or other device, purporting that the owner, bearer, or holder thereof shall be entitled to receive any prize, or any share of such prize, or any other thing of value, that may be drawn in any lottery, knowing the same to be false or fictitious, shall for every such offence be punished by imprisonment in the territorial prison not exceeding two years, nor less than six months.

Defendant to prove genuineness of tickets, &c.

SEC. 6. Upon a trial of an indictment for either of the offences mentioned in the preceding section, any ticket or share of a ticket, or any other writing or thing before mentioned which the defendant shall have sold or offered for sale, or for which he shall have received any valuable consideration, shall be deemed to be false, spurious or fictitious unless such defendant shall prove the same to be true and genuine, and to have been duly issued by the authority of some legislature within the United States, and that such lottery was existing and undrawn, and that such ticket or share thereof, or other writing or thing before mentioned, was issued by lawful authority and binding upon the persons who issued the same.

Prizes forfeited to the territory.

SEC. 7. All sums of money, and every other valuable thing drawn as a prize or share of a prize in any lottery by any person being an inhabitant or resident within this territory, and all sums of money and other things of value received by such person by reason of his being the owner or holder of any ticket or share of a ticket, in any lottery or pretended lottery, contrary to the provisions of this chapter, shall be forfeited to the use of the territory and may be recovered by an information to be filed, or by a civil action, to be brought by the attorney general or any district attorney in the name and on behalf of the said territory.

CHAPTER 106.

OF GAMING.

SECTION

1. All gaming tables prohibited.
2. Gaming how punished.
3. Person betting how liable.
4. Person suffering gaming device to be set up how liable.
5. Who not excused from testifying, &c.

SECTION

6. Jurisdiction of justices under this chapter.
7. Duties of district attorney.
8. Money lost by gaming may be recovered in a civil action.
9. Judgment how rendered in such cases.
10. Notes, &c., for money won, &c., void.

All gaming tables prohibited.

SEC. 1. All E. O. or rolette tables, faro, or pharo banks, and all gaming with cards, gaming tables or gambling devices whatever, are hereby prohibited from being set up or used for gaming or gambling, purposes in this territory.

Gaming how punished.

SEC. 2. Every person who shall deal cards at the game called faro, pharo, or forty eight, whether the same shall be dealt with fifty two, or any other number of cards, and every person who shall keep to be used in gaming any gambling device whatever, designed to be used