

GENERAL STATUTES  
OF THE  
STATE OF MINNESOTA

36

IN FORCE

JANUARY 1, 1889.

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COMPLETE IN TWO VOLUMES.

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VOLUME 1, the General Statutes of 1878, prepared by GEORGE B. YOUNG, edited and published under the authority of chapter 67 of the Laws of 1878, and chapter 67 of the Laws of 1879.

VOLUME 2, Supplement.—Changes effected in the General Statutes of 1878 by the General Laws of 1879, 1881, 1881 Extra, 1883, 1885, and 1887, arranged by H. J. HORN, Esq., with Annotations by STUART RAPALJE, Esq., and others, and a General Index by the Editorial Staff of the NATIONAL REPORTER SYSTEM.

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VOL. 2.

SUPPLEMENT, 1879-1888,

WITH

ANNOTATIONS AND GENERAL INDEX TO BOTH VOLUMES.

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## CHAPTER 92.

## OF THE RIGHTS OF PERSONS ACCUSED.\*

## § 2. Defendant presumed innocent.

Where, in a prosecution for a crime, several accounts of the affair made by the accused are proved, some more favorable to him than others, it is for the jury to determine which account is the true one, and a charge which leaves the jury to infer that they are not to take into consideration the accounts most favorable to him is erroneous. *State v. Laliver*, 4 Minn. 368, (Gil. 277.)

## CHAPTER 93.

## OF OFFENSES AGAINST THE SOVEREIGNTY OF THE STATE.

[See *post*, Penal Code, § 541, repealing *cc.* "93, 94, 95, 96, 97, 98, 99, 100, 101, of the General Statutes of 1878, and all acts and parts of acts which are inconsistent with the provisions of this act, \* \* \* so far as they define any crime or impose any punishment for crime, except as herein provided."

By § 542 the Penal Code, when construed in connection with other statutes, "must be deemed to have been enacted on the sixth day of January, 1885, so that any statute enacted after that day is to have the same effect as if it had been enacted after this Code."]

See, also, *post*, Penal Code, § 344, note.

## CHAPTER 94.

## OFFENSES AGAINST LIFE AND PERSON.

[As to repeal, see note to *c.* 93, *ante.*]

## \*§§ 3, 4, 5, 6. Death penalty.

[These sections repealed, and death penalty restored, 1883, *c.* 122; *post*, pages 1054, 1055, \*§ 2*a.*, and note.]

## § 34. (Sec. 24.) Manslaughter in fourth degree—Penalty.

[Amended 1881, *c.* 62, § 2; *post*, page 1055, § 34.]

See, as to the amendment of 1881, (*Laws* 1881, *c.* 62, § 2,) *State v. Small*, 29 Minn. 216, 12 N. W. Rep. 703.

## \*§ 60. Tumbling-rods of threshing-machines — Failure to cover—Prosecutions.

This and the two preceding sections make the operation of a threshing-machine using a tumbling-rod an unlawful act, unless such rod and the knuckles are boxed, and no

\* See provisions for private consultations between attorneys and prisoners, *ante*, *c.* 88.