

CHANGES

IN THE

General Statutes of 1878,

OF THE

STATE OF MINNESOTA,

EFFECTED BY THE GENERAL LAWS OF THE EXTRA
SESSION OF 1881, AND THE REGULAR
SESSION OF 1883.

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

by reason of exceptional circumstances the case is not one in which the penalty of death should be imposed, the punishment shall be imprisonment for life in the penitentiary. (1883, c. 122, § 1.)

See page 883.

*§ 3b. **Same—not to operate ex post facto.** The provisions of this act shall not apply nor extend to any act done nor offense committed prior to the passage hereof; but the law now in force, applicable to the crime of murder in the first degree, shall, for all purposes, be and remain in full force and effect as to any such offense heretofore committed. (*Id.* § 2.)

*§§ 3, 4, 5 and 6, and all inconsistent acts, are repealed by § 3. (*Id.*)
See page 883.

§ 29a. **Willful violation or omission of duty by railroad employes—penalty where death or injury results.** Every engineer, conductor, brakeman, switch-tender, train dispatcher, telegraph operator, or other officer, agent or servant of any railroad company, or of any person, officer, trustee, or association operating any railroad in this state, who shall be guilty of any willful violation or omission of his duty, or of any gross negligence of his duty as such engineer, conductor, brakeman, switch-tender, train dispatcher, telegraph operator, officer, agent, or servant, by means of which human life or safety is endangered, shall, in case any human being shall thereby receive injuries resulting in death, be guilty of manslaughter in the third degree, and in every such other case not resulting in death, shall be punished by imprisonment in the state prison for a term not exceeding two years, or in the county jail for a period not exceeding one year. (1883, c. 121, § 1.)

See page 886.

CHAPTER XCV.

OFFENSES AGAINST PROPERTY.

§ 22. (SEC. 12.) **Entering, etc., buildings, etc., with felonious intent.** Whoever enters in the night-time, or breaks and enters in the day-time, any dwelling-house, or any outhouse thereto adjoining and occupied therewith, or any office, shop, or warehouse, or any ship, steam-boat, or vessel, within the body of any county, or any railroad car, with intent to commit the crime of murder, rape, robbery, larceny, or any other felony, shall be punished by imprisonment in the state prison not more than four years nor less than six months; and every person who makes an unsuccessful attempt to commit either of the offenses specified in this section, or the preceding six sections of this chapter, shall be punished by imprisonment in the state prison for a term not exceeding two years, nor less than six months. (*As amended* 1883, c. 65, § 1.)

§ 23. (SEC. 13.) **Larceny in dwelling-house, etc.** Whoever commits the crime of larceny in any dwelling-house, office, shop, bank, or warehouse, ship, steam-boat, vessel, railroad or railway car, or carriage or other vehicle, or breaks and enters, in the night-time or day-time, any meeting-house, church, court-house, town-house, college, academy, or other public building erected for public use, and steals therein, shall be punished by imprisonment in the state prison not more than three years nor less than one year, or by imprisonment in the county jail not more than one year nor less than three months, or by fine not exceeding five hundred dollars. (*Id.* § 2.)

§ 23a. **Not to operate ex post facto.** This act shall not extend to any act done or offense committed prior to the passage hereof, but the provisions of law now in force, prescribing the punishment for the offenses mentioned in the sections herein amended, shall continue in force as to all such offenses committed prior to the passage hereof. (*Id.* § 3.)

See page 894.

§ 24. (SEC. 14.) **Larceny from the person.** Whoever commits the offense of larceny, by stealing from the person of another, shall be punished by imprisonment in the state prison not more than four years, or imprisonment in the county jail not less than three months, or by a fine not exceeding five hundred dollars. This act shall not extend to any act done or offense committed prior to the passage hereof, but the provisions of law now in force prescribing the punishment for larceny, by stealing from the person of another, shall continue in force as to all such offenses committed prior to the passage hereof. (*As amended* 1883, c. 72, § 1.)

See page 894.

Add to § 58, page 900:

And costs, or by imprisonment in the county jail for any period not exceeding sixty days. (1883, c. 32, § 2.)

*§ 71. **Burning prairie, etc., willfully, carelessly, etc.—penalty—limitation.** Whoever willfully and intentionally, or negligently and carelessly, sets on fire any woods, prairies, or other grounds, shall be guilty of a misdemeanor, and, upon conviction thereof, shall forfeit and pay a fine of not less than five dollars nor more than one hundred dollars, together with the costs of prosecution; and, in default of payment thereof, shall be committed to the county jail for not less than thirty days nor more than ninety; but this shall not extend to any person who sets on fire any prairie or other grounds on or adjoining his own improved farm, inclosure, or timber for the necessary protection thereof from any prairie or other fire which shall be approaching his farm, inclosure, or timber, and threatening immediate injury thereto: *provided*, that this act shall not be construed to take away any civil remedy which any person may be entitled to for any injury done or received in consequence of any such setting of fire. (1883, c. 128, § 1.)

See page 902.

*By § 2, Id., § 67 and *§§ 68, 69, 70, 71 and 72 are repealed.*

See page 901.

*§ 91a. **Willful trespass upon buildings.** Whoever shall willfully damage or disfigure in any manner any part or parts of any building, or throw any stones or other missile at or break any window glass of any building, and whoever shall aid, counsel, hire, or procure any person so to do, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by fine not less than five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than five days nor more than three months, or by both such fine and imprisonment, in the discretion of the court. (1881, *Ex. Sess.* c. 74, § 1.)

See page 904.

*§ 91b. **Willful or careless injury to baggage, etc.** If any person employed by a railroad or other corporation of this state, or if any express agent, stage-driver, drayman, hackman, or other person who handles, or whose duty it is to handle, remove, or take care of trunks, valises, boxes, packages, parcels, or other baggage, shall, while handling, loading, transporting, unloading, delivering, or storing such property, willfully, wantonly, or carelessly break, injure, or destroy the same, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than one hundred dollars, with costs of prosecution, and, in default of payment of such fine and costs, shall be imprisoned in the county jail not more than ninety and not less than twenty days. (1883, c. 120, § 1.)

See page 904.

In *§§ 92, 93, 94, 95, on pages 904 and 905, after words "Canada thistle or thistles," wherever they occur, insert, "burdock and wild mustard, or burdocks or wild mustard." (1883, c. 35, § 1.)