

THE *J. Rogers*
GENERAL STATUTES

OF THE

STATE OF MINNESOTA:

REVISED BY COMMISSIONERS APPOINTED UNDER AN ACT APPROVED FEBRUARY 17, 1868, AND
ACTS SUBSEQUENT THERETO, AMENDED BY THE LEGISLATURE,
AND PASSED AT THE SESSION OF 1866.

TO WHICH

THE CONSTITUTION OF THE UNITED STATES, THE ORGANIC ACT, THE
ACT AUTHORIZING A STATE GOVERNMENT, AND THE
CONSTITUTION OF THE STATE OF MINNESOTA,

ARE PREFIXED;

AND A LIST OF ACTS PREVIOUSLY REPEALED,

A GLOSSARY, AND INDEX, ARE ADDED.

Edited and Published under the authority of Chapters 15 and 16 of
the Laws of 1866.

ST. PAUL.
PUBLISHED BY DAVIDSON & HALL,
STATE PRINTERS, 170 THIRD STREET.
1872.

county; and whoever willfully destroys or alters any mark or brand upon any horses, cattle, sheep, or hogs, the property of another, shall, on conviction thereof, before any justice of the peace, forfeit and pay for every such offense a sum not less than ten, nor over fifty dollars, and shall moreover pay to the party injured double damages.

Willful or negligent setting on fire woods, prairies, how punished—exceptions.

SEC. 50. Whoever willfully and intentionally, or negligently and carelessly sets on fire, or causes to be set on fire any woods, prairies or other grounds, shall forfeit and pay a fine of not less than five dollars, nor more than one hundred dollars, and in default of the payment of said fine shall be committed to the county jail for not less than thirty days nor more than three months; but this shall not extend to any person who sets on fire any woods or prairies adjoining his or her own farm or inclosure, for the necessary protection thereof from accident by fire, by giving to his or her neighbors one day's notice of such intention: *provided*, that in case the neighbors come together and participate in the burning of any woods, prairies or grounds, the notice aforesaid need not be given: *provided also*, that this section shall not be construed to take away any civil remedy which any person is entitled to for any injury done or received in consequence of such firing.

Penalties, how recovered.

SEC. 51. The penalties provided in the foregoing section shall be recovered by action before any justice of the peace in the county where such offense is committed, upon complaint of any legal voter thereof.

CHAPTER XCVI.

FORGERY AND COUNTERFEITING.

SECTION

1. Forgery of records, contracts, &c., how punished.
2. Uttering forged records, deeds, &c., how punished.
3. Forgery of note, certificate, &c., how punished.
4. Forgery of bank bill, draft, &c., how punished.
5. Having in possession counterfeit bill, draft, &c., with intent, &c., how punished.
6. Passing counterfeit note, bill, &c., how punished.
7. Making or having tools, &c., for counterfeiting, with intent, &c., how punished.

SECTION

8. Fraudulently connecting parts of several bank notes, &c., is forgery.
9. Fraudulently affixing signature to note, &c., deemed forgery.
10. Indictment for forgery is sufficient, when—what not deemed variance in such case.
11. Counterfeiting coin or having ten pieces in possession with intent, &c., how punished.
12. Having in possession less than ten pieces with intent, &c., how punished.
13. Manufacturing tools for making counterfeit money, or having such tools in possession with intent, &c., how punished.

Forgery of records, contracts, &c., how punished.

SECTION 1. Whoever falsely makes, alters, forges, or counterfeits any public record, or any certificate, return or attestation of any clerk of a court, register, notary public, justice of the peace, or any other public officer, in relation to any matter wherein such certificate, return, or attestation may be received as legal proof, or any charter, deed, will, testament, bond, or writing obligatory, letter of attorney, policy of insurance, bill of lading, bill of exchange, promissory note, or any order, acquittance, or

discharge for money or other property, or any acceptance of a bill of exchange, indorsement, or assignment of a bill of exchange or promissory note, or any accountable receipt for money, goods or other property, with intent to injure or defraud any person, shall be punished by imprisonment in the state prison not more than five years nor less than two years, or by imprisonment in the county jail not more than two years nor less than one year.

SEC. 2. Whoever utters and publishes as true, any false, forged, or altered record, deed, instrument, or other writing mentioned in the preceding section, knowing the same to be false, forged or altered, with intent to injure or defraud as aforesaid, shall be punished by imprisonment in the state prison not more than five years nor less than one year.

Uttering forged record, deed, &c., how punished.

SEC. 3. Whoever falsely makes, alters, forges or counterfeits any note, certificate, or other bill of credit issued by any commissioner or other officer authorized to issue the same for any debt of this state, with intent to injure or defraud as aforesaid, shall be punished by imprisonment in the state prison not more than seven years nor less than three years.

Forgery of note, certificate, &c., how punished.

SEC. 4. Whoever makes, alters, forges, or counterfeits any bank bill, promissory note, draft, or other evidence of debt issued by any corporation or company duly authorized for that purpose, by the laws of the United States, or of any state of the United States, or of any territory of the United States, or of any other state, government, or country, with intent to injure or defraud, shall be punished by imprisonment in the state prison, not more than five years, nor less than one year.

Forgery of bank bill, draft, &c., how punished.

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

Having in possession counterfeit bill, draft, &c., with intent, &c., how punished.

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

Passing counterfeit note, bill, &c., how punished.
5 Min. 19

SEC. 7. Whoever engraves, makes, or mends, or begins to engrave, make or mend, any plate, block, press, or other tool, instrument, or implement, or makes or provides any paper or other materials adapted and designed for the forging or making any false and counterfeit note, certificate, or other bill of credit in the similitude of the notes, certificates, or bills of credit issued by lawful authority for any debt of this state, or any false counterfeit note, or bill in the similitude of the notes or bills issued by any bank or banking company established in this state, or within the United States, or any territory thereof, or within any other government or country, and every person who has in his possession any such plate or block engraved in any part, or any press or other tool, instrument or implement, paper or other material adapted and designed as aforesaid, with intent to use the same, or to cause or permit the same to be used in forging or making any such false and forged certificates, bills, or notes, shall be punished by imprisonment in the state prison not more than five years, nor less than one year.

Making or having tools, &c., for counterfeiting with intent, &c., how punished.

SEC. 8. Whoever fraudulently connects together different parts of

Fraudulently connecting parts

of several bank notes, &c., is forgery.

several bank notes, or other genuine instruments, in such manner as to produce an additional note or instrument, with intent to pass all of them as genuine, is guilty of forgery in like manner as if each of them had been falsely made or forged.

Fraudulently affixing signature to note, &c., deemed forgery.

SEC. 9. If any fictitious or pretended signature, purporting to be the signature of an officer or agent of any corporation, is fraudulently affixed to any instrument or writing, purporting to be a note, draft, or other evidence of debt issued by such corporation, with intent to pass the same as true, it shall be deemed a forgery, though no such person was ever an officer or agent of such corporation, nor such corporation ever existed.

Indictment for forgery is sufficient, when—variance.

SEC. 10. In any case where the intent to defraud is necessary to constitute the offense of forgery, or any other offense that may be prosecuted, it shall be sufficient to allege in the indictment an intent to defraud, without naming therein the particular person or body corporate intended to be defrauded; and on the trial of such indictment, it is sufficient, and shall not be deemed a variance, if there appears to be an intent to defraud the United States, or any state, territory, county, city, town, or village, or any body corporate, or any public officer in his official capacity, or any co-partnership or member thereof, or any particular person.

Counterfeiting coin, or having ten pieces in possession with intent, &c., how punished.

SEC. 11. Whoever counterfeits any gold or silver coin, current by law or usage within this state, and whoever has in his possession, at the same time, ten or more pieces of false money or coin, counterfeited in the similitude of any gold or silver coin current as aforesaid, knowing the same to be false and counterfeited, and with intent to utter or pass the same as true, shall be punished by imprisonment in the state prison, not more than five years, nor less than one year.

Having in possession less than ten pieces, with intent, &c., how punished.

SEC. 12. Whoever has in his possession, any number of pieces less than ten of the counterfeit coin mentioned in the preceding section, knowing the same to be counterfeit, with intent to utter or pass the same as true, and whoever utters, passes, or tenders in payment as true, any such counterfeit coin, knowing the same to be false and counterfeit, with intent to injure or defraud, shall be punished by imprisonment in the state prison, not more than three years, nor less than one year.

Manufacturing tools for coining counterfeit money, or having such tools in possession with intent &c., how punished.

SEC. 13. Whoever casts, stamps, engraves, makes or mends, or knowingly has 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 state, with intent to use the same, or causes or permits 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 state prison, not more than five years, nor less than two years.