

James C. Child
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

COMPILED BY
MOSES SHERBURNE and WILLIAM HOLLINSHEAD, Esqrs.,
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next to be holden in the same county, and to abide the order of said court, and in the mean time to be of good behavior.

Forfeiture of recognizance; procedure.

(30.) SEC. VIII. If such recognizance is forfeited, said court may require such offender to recognize with such sufficient sureties, in a sum not exceeding three hundred dollars, to appear at the next term of said court, and to abide the order thereof, and in the meantime to be of good behavior, and so from term to term as may be ordered by said court, as long as such forfeiture may be incurred.

Complaints how made.

(31.) SEC. IX. Any person may, upon view or knowledge of any offense described in this act, go before some justice of the peace of the town or adjoining town to that in which the offense was committed, who shall upon complaint under oath issue his warrant, cause such offender to be arrested, and proceed to a hearing of such complaint.

Fines and penalties to go to school fund.

(32.) SEC. X. All fines and forfeitures that may be collected under this act, shall be paid by the justice of the peace or court collecting the same, into the county treasury to the credit of the common school fund of the county, within ninety days after collecting the same.

Prosecutions to be commenced within sixty days.

(33.) SEC. XI. No prosecution for any violation of the provisions of this act shall be sustained unless commenced within sixty days after the commission of such offense.

Take effect when.

(34.) SEC. XII. This act shall take effect and be in force from and after its passage.

CHAPTER 97.

OFFENSES AGAINST THE PUBLIC HEALTH.

SECTION

1. Penalty for selling unwholesome provision, &c.
2. Penalty for adulterating food, liquors, &c.
3. Penalty for adulterating drugs and medicines.

SECTION

4. For inoculating with small pox.
5. Physician prescribing when intoxicated.
6. Apothecary selling arsenic without labeling, &c.

[Chapter 108, Revised Statutes.]

Penalty for selling unwholesome provision, &c.

(1.) SEC. I. If any person shall knowingly sell any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail, not more than six months, or by fine not exceeding five hundred dollars.

Penalty for adulterating food, liquors, &c.

(2.) SEC. II. If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor, or other liquor intended for drinking, with any substance injurious to health, he shall be punished by imprisonment in the county jail, not more than one year, or by fine not exceeding two hundred dollars, and the articles so adulterated, shall be forfeited and destroyed.

Penalty for adulterating drugs and medicines.

(3.) SEC. III. [As amended on page 25 of the amendments of 1852 to the revised statutes:] If any person shall fraudulently adulterate, for the

purpose of sale, any drug or medicine, or sell any drug or medicine knowing it to be adulterated, or offer the same for sale, he shall be punished by imprisonment in the county jail, not more than one year, or by fine not exceeding three hundred dollars, and such adulterated drugs and medicines shall be forfeited and destroyed by order of the court.

(4.) SEC. IV. If any person shall inoculate himself, or any other person, or shall suffer himself to be inoculated with the small pox, within this territory, with intent to cause the prevalence or spread of this infectious disease, he shall be punished by imprisonment in the territorial prison not more than three years, nor less than one year.

For inoculating with small pox.

(5.) SEC. V. If any physician or other person, while in a state of intoxication, shall prescribe any poison, drug, or medicine, to another person, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

Physician prescribing when intoxicated.

(6.) SEC. VI. Every apothecary, druggist, or other person who shall sell and deliver any arsenic, corrosive sublimate, prussic acid, or any other active poison, without having the word "poison" and the true name thereof, in English, written or printed, upon a label attached to the vial, box, or parcel containing the same, shall be punished by a fine not exceeding one hundred dollars.

Apothecary selling arsenic without labeling.

CHAPTER 98.

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS.

SECTION	SECTION
1. Accessory to felony before the fact how punished.	10. Allegation in indictment for embezzlement and evidence.
2. Accessory to felony before the fact how punished.	11. What deemed proof of ownership of property stolen, &c.
3. Accessory where and how tried.	12. Fines, &c., may be recovered by indictment in district court.
4. Accessory after the fact how punished.	13. Fines, &c., when recovered before justice.
5. Accessory after the fact how tried.	14. Plea of benefit of clergy and petit treason abolished.
6. On indictments for libel truth may be given in evidence, &c.	15. Constructive misdemeanor in office.
7. Offenses committed near boundary of county.	16. Punishments for attempts to commit offenses in violation of law.
8. Mortal wound in one county, and death in another.	17. Penalty for second offense.
9. Mortal wound without the territory, and death in the territory; trial where to be had.	18. Terms "felonious," "feloniously," "infamous crime," "personal property," "property," and "person," defined.

[Chapter 109, Revised Statutes.]

(1.) SEC. I. Every person who shall be aiding in the commission of any offense which shall be a felony, or who shall be accessory thereto before the fact, by counseling, hiring, or otherwise procuring such felony to be committed, shall be punished in the same manner as is, or shall be prescribed for the punishment of the principal felon.

Accessory to felony before the fact how punished.

(2.) SEC. II. Every person who shall counsel, hire, or otherwise pro-

Accessory to felony before the