

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AND A LIST OF ACTS PREVIOUSLY REPEALED,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.

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in any other manner, shall be punished by imprisonment in the state prison, not exceeding one year, or in the county jail not more than six months, or by fine not exceeding one hundred dollars.

Officers taking rewards for omitting their duty, how punished.

SEC. 21. If any sheriff, constable or other officer authorized to serve legal process, receives from a defendant or any other person, any money or other valuable thing, as a consideration, reward, or inducement for delaying or omitting to arrest any defendant, or to carry him before a magistrate, or for delaying to take any person to prison, or for postponing the sale of any property under an execution, or for omitting or delaying to perform any duty pertaining to his office, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding five hundred dollars.

CHAPTER XCVIII.

OFFENSES AGAINST THE PUBLIC PEACE.

SECTION

1. Unlawful assemblies, how dispersed.
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SECTION

5. Armed force, called out to suppress riot, &c., to be under whose orders.
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7. Destruction of building or vessel by persons unlawfully assembled, how punished.

Unlawful assemblies, how dispersed.

SECTION 1. If any persons, to the number of twelve or more, any of whom being armed with any dangerous weapons; or if any persons to the number of thirty or more, whether armed or not, are unlawfully, riotously, or tumultuously assembled in any city, town, or county, it shall be the duty of the mayor and each of the aldermen of such city, and of the president and each of the trustees of such town, and of every justice of the peace living in such city or town, and of the sheriff of the county and his deputies, and also of every constable and coroner living in such city or town, to go among the persons so assembled, or as near them as may be with safety, and in the name of the state of Minnesota, to command all the persons so assembled, immediately and peaceably to disperse; and if the persons so assembled shall not thereupon immediately and peaceably disperse, it shall be the duty of each of the magistrates and officers to command the assistance of all persons there present, in seizing, arresting, and securing in custody, the persons so unlawfully assembled, so that they may be proceeded with according to law.

Person refusing to assist, how liable.

SEC. 2. Whoever, being present and commanded, by any of the magistrates or officers mentioned in the preceding section, to aid or assist in seizing and securing such rioters or persons so unlawfully assembled, or in suppressing such riot or unlawful assembly, refuses or neglects to obey such command, shall be deemed to be one of the rioters or persons unlaw-

fully assembled, and shall be liable to be prosecuted therefor, and punished accordingly.

SEC. 3. If any mayor, alderman, president, trustee, justice of the peace, sheriff, constable, or coroner, having notice of any such rioters or tumultuous and unlawful assembly as is mentioned in this chapter, in the city, town or county in which he lives, neglects or refuses immediately to proceed to the place of such assembly, or as near thereto as he can with safety, or neglects or omits to exercise the authority with which he is invested by this chapter, for suppressing such riotous or unlawful assembly, and for arresting and securing the offenders, he shall be deemed guilty of a misdemeanor, and punished by a fine not exceeding three hundred dollars.

Officers neglecting to exercise their authority, how punished.

SEC. 4. If any persons who shall be so riotously and unlawfully assembled, and who have been commanded to disperse as before provided, refuse or neglect to disperse without unnecessary delay, any two of the magistrates or officers before mentioned may require the aid of a sufficient number of persons, in arms or otherwise, as may be necessary, and shall proceed in such manner as in their judgment is expedient, forthwith to disperse and suppress such unlawful, riotous, or tumultuous assembly, and seize and secure the persons composing the same, so that they may be proceeded with according to law.

Officers may use what means to disperse unlawful assemblies.

SEC. 5. Whenever an armed force is called out for the purpose of suppressing any tumult or riot, or dispersing any body of men acting together by force, with intent to commit any felony, or to offer violence to persons or property, or with intent by force or violence, to resist or oppose the execution of the laws of this state, such armed force, when they arrive at the place of such unlawful, riotous, or tumultuous assembly, shall obey such orders for suppressing the riot or tumult, and for dispersing and arresting all the persons who are committing any of the said offenses, as they have received from the governor, or from any judge of the court of record, or the sheriff of the county; and also such further orders as they there shall receive from any two of the magistrates or officers mentioned in the first section.

Armed force called out to suppress riot, to be under whose orders.

SEC. 6. If by reason of any of the efforts made by any of the said magistrates or officers, or by their direction, to disperse such unlawful, riotous, or tumultuous assembly, or to seize and secure the persons composing the same who have refused to disperse, though the number remaining may be less than twelve, any such person or other persons then present as spectators, or otherwise, are killed or wounded, the said magistrates and officers, and all persons acting by their order, or under their direction, shall be held guiltless and fully justified in law; and if any of the said magistrates or officers, or any person acting by their order or under their direction, are killed or wounded, all the persons so unlawfully, riotously, and tumultuously assembled, shall be held answerable therefor.

Officers, held guiltless of death of persons caused by efforts to suppress riot—all rioters answerable for death of officers.

SEC. 7. If any of the persons so unlawfully assembled, demolish, pull down, or destroy any dwelling house, or any other building, or any shop, steamboat, or vessel, he shall be punished by imprisonment in the state prison, not more than seven years, nor less than three years.

Destruction of building or vessel by persons unlawfully assembled, how punished.

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