

THE
GENERAL STATUTES

OF THE
STATE OF MINNESOTA

As Amended by Subsequent Legislation, with which are Incorporated
All General Laws of the State in Force December 31, 1894

COMPILED AND EDITED BY
HENRY B. WENZELL, Assisted by EUGENE F. LANE

WITH ANNOTATIONS BY
FRANCIS B. TIFFANY and Others

AND A GENERAL INDEX BY THE EDITORIAL STAFF OF THE NATIONAL
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CHAPTER 99.

OFFENSES AGAINST PUBLIC POLICY.

By Penal Code, § 541 (ante, § 6851), cc. 93 to 101 (both inclusive), G. S. 1878, "and all acts and parts of acts which are inconsistent with the provisions of this act, are repealed, so far as they define any crime, or impose any punishment for crime, except as herein provided."

ENACTED SINCE THE PENAL CODE.

§ 6947. Prize fighting—Sparring matches.

Any person who within this state engages in, instigates, aids or encourages, or does any act to further a contention or fight, with or without weapons, between two or more persons, or a fight commonly called a ring or prize fight, or a contention commonly called a sparring match, in which the combatants are provided with gloves, or who sends or publishes a challenge, or acceptance to a challenge for such a contention, prize fight, sparring match, with or without gloves, or carries, or delivers such a challenge or acceptance, or trains or assists any person or persons in training, or preparing for such contention, prize fight or sparring match, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the common jail for a term of not less than thirty nor more than ninety days.

(1889, c. 12, § 1.1)

§ 6948. Same—Betting or holding stakes.

Any person who bets, stakes or wagers money or other property upon the result of such a fight, encounter or contention, or holds or undertakes to hold money or other property so staked or wagered, to be delivered to or for the benefit of the winner thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the common jail for a term not less than thirty days nor more than ninety days.

(Id. § 2.)

§ 6949. Drunkenness, a crime—Penalty for.

Whoever becomes intoxicated by voluntarily drinking intoxicating liquors shall be deemed guilty of the crime of drunkenness, and upon conviction thereof shall be punished as follows: For the first offense, by a fine of not less than ten nor more than forty dollars, or by imprisonment for not less than ten nor more than forty days. For the second offense, by imprisonment for not less than thirty nor more than sixty days, or by a fine of not less than twenty or more than fifty dollars. For the third and all subsequent offenses, by imprisonment for not less than sixty nor more than ninety days.

(1889, c. 13, § 1.2)

§ 6950. Opium joints prohibited—Penalty.

Any person who opens and maintains, to be resorted to by other persons, any place where opium or any of its preparations is sold or given away to be smoked at such a place; and any person who at such place sells or gives away any opium or its said preparations, to be there smoked or otherwise used; and any person who visits or resorts to any such place for the purpose of smoking opium or its said preparations, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

(1889, c. 17, § 1.3)

¹ An act to prohibit prize fighting and sparring matches. Approved April 24, 1889.

² An act to punish drunkenness. Approved April 20, 1889.

³ An act to prohibit the maintenance of opium "joints," and to punish the keepers of such resorts and those who smoke opium therein. Approved March 11, 1889.

§ 6951. Adulterated cigarettes—Penalty for manufacturing or using.

Any person within this state who manufactures, sells, gives to any one, or uses any cigarette containing any substance foreign to tobacco and deleterious to health, shall be punished by a fine of not more than fifty dollars or imprisonment in a county jail for not more than thirty days.

(1893, c. 22, § 1.⁴)

§ 6952. Penalty for selling to persons under 16 years of age.

Any person within this state who sells or gives to, or in any way furnishes to any person under the age of sixteen years any cigarettes, cigars or tobacco of any kind shall be subject to the penalties provided by the foregoing section.

(i.d. § 2.)

§ 6953. Improper use of Loyal Legion rosette, or Grand Army badge.

That any person who shall wilfully wear the insignia or rosette of the military order of the Loyal Legion of the United States, or the badge of the order of the Grand Army of the Republic, or any similitude of either of the same, or use the same to obtain aid or assistance within this state, unless he shall be entitled to use the same under the constitution and by-laws, or rules and regulations of the one or the other of such orders, as the case may be, shall be guilty of a misdemeanor, and upon conviction, shall be punished by imprisonment for a term not exceeding thirty days, or a fine not to exceed twenty dollars or by both such fine and imprisonment.

(1889, c. 15, § 1.⁵)

§ 6954. Improper use of secret society badges.

Any person who shall wilfully wear any badge, emblem or insignia, pertaining to the order of Odd Fellows, Masons, Knights of Pythias, or any other secret order or society, or any similitude of either of the same, or shall use the same to obtain aid or assistance, within this state, unless he shall be entitled to wear or use the same under the constitution, by-laws, rules and regulations of any one of such orders, as the case may be, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment for a term not exceeding twenty days or a fine not exceeding twenty-five dollars, or by both fine and imprisonment.

(1889, c. 18, § 1.⁶)

§ 6955. Pools and trusts—Prohibition of.

If any corporation organized under the laws of this state or any other state or country for transacting or conducting any kind of business in this state, or any partnership or individual shall create, enter into, become a member of or a party to any pool, trust, agreement, combination or confederation with any other corporation, partnership or individual to regulate or fix the price of oil, lumber, coal, grain, flour, provisions or any other commodity or article whatever, or shall create, enter into, become a member of a party to any pool, agreement, combination or confederation to fix or limit the amount or quantity of any commodity or article to be manufactured, mined, produced

⁴An act to prohibit the manufacture, sale or use of adulterated cigarettes, and the sale of cigars or tobacco to minors. Approved April 8, 1893. § 3 repeals all acts and parts of acts inconsistent with this act.

⁵An act to prevent the improper use or wearing of the insignia or badge of the Military Order of the Loyal Legion of the United States, and of the Grand Army of the Republic. Approved April 2, 1889.

⁶An act to punish the wilful and fraudulent use and wearing of badges, emblems and insignia of secret orders and societies. Approved April 24, 1889.

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or sold in this state, shall be deemed guilty of a conspiracy to defraud, and be subject to indictment and punishment, as provided in the next section.

(1891, c. 10, § 1.7)

§ 6956. Same—Penalty for violation.

Any person or corporation found guilty of a violation of this act shall be punished by a fine of not less than one hundred dollars, nor to exceed five thousand dollars, and be imprisoned in the state prison for not less than one year nor more than ten years. Provided, however, that this act shall not affect nor shall the same apply to any offense committed before the passage hereof; but any person having violated the provisions of said section previous to the passage of this act shall be prosecuted and punished in the manner and according to the provisions of the statutes in force at the time of the commission of such offense.

(Id. § 2, as amended 1893, c. 125, § 1.)

§ 6957. Same—Who are competent witnesses.

Upon the trial of an indictment against a corporation or a copartnership for a violation of the first section of this act, all officers and agents of such corporation or copartnership shall be competent witnesses against the defendant on trial, and such officers and agents may be compelled to testify against such defendant and produce all books and papers, in his custody or under his control, pertinent to the issue in such trial, and shall not be excused from answering any such question or from producing any books and papers because the same might tend to criminate such witness; but nothing which such witness shall testify to and no books or papers produced by him shall in any manner be used against him in any suit, civil or criminal, to which he is a party.

(1891, c. 10, § 3.)

§ 6958. Who may be sworn in as peace officers.

On and after the passage of this act it shall be unlawful for any state or municipal officers to swear in, appoint or allow any person to act as policeman, special policeman, constable or special constable, patrolman, militiaman, or any person to act as such, or as a peace officer for the purpose of bearing arms or maintaining the peace, who is not a legal voter or militiaman of the state, and has been a continual resident of the state for the four months next preceding such swearing in or appointing.

1891, c. 16, § 1.8)

§ 6959. Same—Penalty for violation.

Any person violating the provisions of this act shall be found guilty of a misdemeanor, and shall be fined in the sum of not less than fifty dollars nor more than five hundred dollars, and not less than three months nor more than twelve months imprisonment in the county jail.

(Id. § 2.)

§ 6960. Private detective office—Municipal detectives.

That it shall also be unlawful to institute or keep any private detective office for the purpose of keeping or letting out any armed force for hire. And it shall be unlawful for any person or persons, company or corporation, to keep or let any armed force for hire; but all armed forces shall be subject to the police authorities created by law, and under the control of the state or municipality. No person shall be appointed as a detective, spy or secret agent by any municipal authority until he has become a legal voter of the state of Minnesota and been a continuous resident of the state for four months next preceding such appointment. But nothing herein contained shall prevent the employment of any detective resident or non-resident,

¹ An act to prohibit pools and trusts in the state of Minnesota. Approved April 20, 1891. § 4 repeals all acts and parts of acts inconsistent with this act.

² An act regulating the employment of persons serving in the capacity of peace officers. Approved April 22, 1891. § 5 repeals all acts and parts of acts inconsistent with this act.

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by any person or corporation, municipal or otherwise, to obtain information as to the commission of any crime, and to report upon the same, but without any authority to make arrests or bear arms.

(Id. § 3.)

§ 6961. Same—Penalty.

That any person violating any of the provisions of this act shall be held liable and punished as provided in section two.

(Id. § 4.)

§ 6962. Rights of citizenship—Employers not to require abandonment of.

Any person or partnership carrying on any trade or business in this state, and any corporation created under general or special laws, foreign or domestic, and exercising public or private franchises therein, are hereby forbidden from requiring or demanding of or from any servant or employe, on any condition whatever, the surrender in writing or by parol, or the abandonment or any agreement to abandon any lawful right or privilege of citizenship, public or private, political or social, moral or religious, and whoever violates the provisions of this act shall be deemed guilty of a misdemeanor and upon a conviction shall be fined in a sum not exceeding one hundred dollars and shall stand committed to the common jail of the proper county until such fine and costs of prosecution are paid, or in lieu of such fine the proper court may, in its discretion, sentence the convicted party to imprisonment in the county jail of the proper county for a term not exceeding ninety days.

(1893, c. 25, § 1.^o)

§ 6963. Same—Who to be deemed "persons."

The president, the vice president, secretary, general superintendent or other principal officer of any such partnership, association or corporation as is named in section one of this act, who may direct or be a party to the violation of the provisions hereof, shall be taken and deemed as persons within the meaning thereof and shall be held liable in all courts and places for a violation by such partnership or corporation of the provisions thereof.

(Id. § 2.)

§ 6964. County attorney, etc., to prosecute violations.

The county attorney of any county, or the proper prosecuting officer of any city or municipality in this state, is hereby authorized and directed to commence and to prosecute to termination before the proper court all violations of the provisions of this act, whenever the same are brought to his notice.

(Id. § 3.)

§ 6965. Railroad engineers, etc.—Consecutive hours of labor on trains.

No company operating a railroad over thirty miles in length in whole or in part within this state shall permit or require any conductor or brakeman, engineer or fireman, or any trainman who has worked in his respective capacity for twenty consecutive hours, or twenty hours within any period of twenty-four consecutive hours, except in case of casualty, to again go on duty or perform any work until he has had at least eight hours' rest. On all lines of railroad operated in this state ten hours shall constitute a day's work, or any less number of hours which shall be agreed upon by such companies and persons, and every hour in excess of said ten hours' work that any conductor, engineer, fireman, brakeman or any trainman in employ of the company who works under the direction of a superior, or at the request of the company, shall be required or permitted to work, he shall be paid pro rata for such service in addition to his per diem wages. Provided, Nothing in this act shall be con-

^oAn act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship. Approved March 3, 1893. § 4 repeals all acts and parts of acts inconsistent with this act.

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strued to hinder or limit a right of contract for services to be rendered on a compensation to be fixed by agreement, based upon the number of miles run by such employes as constituting a day's work.

(1891, c. 17, § 1.¹⁰)

§ 6966. Same—Penalty for violation.

Any company which violates or permits to be violated any of the provisions of the preceding section, or any officer, director, president or foreman, agent or employe who violates or permits to be violated any of the provisions of the preceding section, shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars nor more than one hundred dollars.

(Id. § 2.)

¹⁰An act to regulate the labor of railway employes. Approved April 22, 1891. § 8 repeals all acts and parts of acts inconsistent with this act.

(1840)