

THE  
REVISED CODE

OF THE  
STATUTE LAWS

OF THE  
STATE OF MISSISSIPPI,

PREPARED BY

J. A. P. CAMPBELL,

AND

REPORTED TO AND AMENDED, AND ADOPTED BY THE LEGISLATURE AT ITS  
BIENNIAL SESSION, IN 1880.

WITH REFERENCES TO DECISIONS OF THE HIGH COURT OF ERRORS  
AND APPEALS, AND OF THE SUPREME COURT,  
APPLICABLE TO THE STATUTES.

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shall be imprisoned in the penitentiary not exceeding two years.

## MISCELLANEOUS OFFENCES.

### PROFANITY AND DRUNKENNESS.

§ 2974. If any person shall profanely swear or curse, or be drunk in any public place, in the presence of two or more persons, he shall, on conviction thereof, be fined, not more than ten dollars for each offence, and shall stand committed to jail until such fine and costs are paid.

### RESISTING PROCESS.

§ 2975. Any person, who knowingly and wilfully opposes or resists any officer or other authorized person in serving or attempting to serve or execute any legal writ or process, shall be guilty of a misdemeanor.

§ 2976. If any person, by threats or force, attempts to intimidate or impede a judge, justice of the peace, juror, witness or any officer in the discharge of his duty, or to obstruct or impede the administration of justice in any court, he shall, upon conviction, be punished as for a misdemeanor.

### FRAUD IN REGISTRATION OF VOTERS.

§ 2977. If any registrar, appointed by law to register voters, shall, intentionally, refuse or neglect to register any voter entitled to registration, or register any voter not entitled to registration, he shall be punished, on conviction, by imprisonment in the penitentiary not less than one year, nor more than three years.

### INJURY TO CERTAIN BUILDINGS, ETC.

§ 2978. If any person, by any means whatever, shall, wilfully or mischievously, injure or destroy any of the work, materials or furniture of any court-house or jail, or other public building or school house or church, or deface any of the walls or other parts thereof, or shall write any obscene words, or shall make any drawing or character, or do any other act, either on said building or the walls thereof, in violation of decency or propriety, or shall deface or injure the trees, fences, pavements or soil, on the grounds belonging thereto, or an ornamental or shade tree on any public road or street, such person, for every such offence, shall forfeit and pay a sum not more than one hundred dollars, or be imprisoned not more than six months, or both.

## VARIOUS OTHER OFFENCES.

§ 2979. If any person shall sell, or expose, or keep for sale,

any lottery ticket, to be drawn in any lottery or gift enterprise, of any kind, within this state, or any device in the nature of a lottery ticket, or any lottery policies, or any paper with letters or figures that evidence the same, or in any way represents the drawing of any such lottery or gift enterprise whatsoever, or act as agent or broker in effecting the sale of the same, on conviction thereof, before any court of competent jurisdiction in this state, shall, for each offence, be sentenced to pay a fine, not exceeding five hundred dollars, and imprisoned, not exceeding one year, at the discretion of the court; and the purchaser of any such lottery ticket, or device in the nature of a lottery and gift enterprise ticket, or policy, or paper, as above mentioned, shall not be held liable to punishment by this or any other law of this state, but shall be a competent witness in the cause; and any indictment shall be held good, which charges the crime in the language of the law, without setting forth therein the number or date of the ticket, or the device, or anything in the nature thereof, or policy, or that which represents the same, or the name of the lottery or gift enterprise, or where the same is located.

§ 2980. If any person shall go upon the enclosed land of another, without his consent, after having been notified by such person, or his agent, not to do so, either personally or by published or posted notice, or shall remain on such land, after a request by such person, or his agent, to depart, he shall, upon conviction, be fined not more than fifty dollars for such offence.

§ 2981. If any person shall have in his possession, or under his control, personal property of any kind, subject to seizure by virtue of any legal process in the hands of any officer, as the property of another, or as subject to such process, and shall refuse or omit to point out such property to such officer, on his demanding it, and to permit him to take possession of it, he shall, upon conviction, be subject to a fine of not less than the value of such property, nor more than double such value, or to imprisonment in the county jail, not less than one month, nor more than six months, or to both such fine and imprisonment.

§ 2982. Any person who shall, without authority of law, remove property of his own or any other person, which he knows has been levied on by virtue of any legal process, upon conviction thereof, shall be punishable by fine, of not exceeding five hundred dollars, and by imprisonment not exceeding six months in the county jail.

§ 2983. If any person assaults and beats another with a cowhide, whip or stick, having at the time in his possession a pistol or other deadly weapon, with intent to intimidate the person assaulted, and prevent him from defending himself, he shall on conviction be imprisoned in the penitentiary not longer than ten years.

§ 2984. Any person who shall intentionally point or aim any gun, pistol or fire-arm at or towards another, except in self-defence, or in the lawful discharge of official duty, shall be punished by a fine of not more than five hundred dollars, or im-

prisonment in the county jail, not longer than six months, or by both; and any person who shall discharge such fire-arm, so intentionally pointed or aimed, shall be punished by not exceeding double such fine or imprisonment, or both; and any person, who, by such discharge shall maim, kill or injure another, shall be punished by imprisonment in the penitentiary, not exceeding five years; and on the trial of an indictment for a homicide, if the jury shall be satisfied that the accused is guilty under this section, it may find him not guilty of murder or manslaughter, and render a verdict of guilty under this section.

#### CARRYING CONCEALED WEAPONS.

§ 2985.\* Any person, not being threatened with, or having good and sufficient reason to apprehend an attack, or travelling (not being a tramp) or setting out on a journey, or a peace officer, or deputy, in discharge of his duties, who carries concealed, in whole or in part, any bowie knife, pistol, brass or metallic knuckles, slung-shot, or other deadly weapon of like kind or description, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by fine not exceeding one hundred dollars, and in the event the fine and costs are not paid, shall be required to work at hard labor under the direction of the board of supervisors or of the court, not exceeding two months, and for the second or any subsequent offence, shall, on conviction, be fined not less than fifty nor more than two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor, not exceeding six months, as above provided, and in any proceeding under this section, it shall not be necessary for the state to allege or prove any of the exceptions herein contained, but the burden of proving such exception shall be on the accused.

§ 2986. It shall not be lawful for any person to sell to any minor or person intoxicated, knowing him to be a minor or in a state of intoxication, any weapon of the kind or description in the foregoing section described, or any pistol cartridge, and on conviction he shall be punished by a fine not exceeding two hundred dollars, and if the fine and costs are not paid, be condemned to hard labor under the direction of the board of supervisors or of the court, not exceeding six months.

§ 2987. Any father who shall knowingly suffer or permit any minor son under the age of sixteen years to carry concealed, in whole or in part, any weapon of the kind or description in the foregoing section described, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than twenty dollars, nor more than two hundred dollars, and if the fine and costs are not paid, shall be condemned to hard labor as provided in the preceding section.

§ 2988. Any student of any university, college, or school who shall carry concealed, in whole or in part, any weapon of the kind or description in the foregoing section described, or

\* 57 M., 685.

any teacher, instructor or professor who shall knowingly, suffer or permit any such weapon to be carried by any student or pupil, shall be deemed guilty of a misdemeanor, and on conviction, be fined not exceeding three hundred dollars, and if the fine and costs are not paid, be condemned to hard labor as above provided.

§ 2989. Each justice of the peace, before whom a conviction is had, under this title, shall, in addition to the costs now allowed by law, be entitled to a tax fee of two dollars and fifty cents.

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## CHAPTER 78.

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### AN ACT

#### IN RELATION TO CRIMINAL PROCEDURE.

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#### JURISDICTION.

§ 2990. The several courts of justice, organized under the constitution and laws of this state, shall possess the sole and exclusive jurisdiction of trying and punishing all persons, in the manner prescribed by law, for crimes and offences committed in this state, except such as are exclusively cognizable by the courts deriving their jurisdiction from the constitution and laws of the United States.

§ 2991. The local jurisdiction of all offences, unless otherwise provided by law, shall be in the county where the offence was committed. But, if on the trial the evidence makes it doubtful in which of several counties, including that in which the indictment alleges it, the offence was committed, such doubt shall not avail to procure the acquittal of the defendant.

§ 2992. Where an offence is commenced out of this state, and consummated in it, or where an offence is consummated in this state, by any means or agency, proceeding from a person out of this state, the person so commencing such offence or putting in operation such means or agency, although out of the state, at the time such offence was actually consummated, shall be liable to indictment and punishment therefor, in the county where the offence was consummated.

§ 2993. Where an offence is commenced in this state, and