

Chas. S. Lapp

COMPILED LAWS

OF THE

STATE OF CALIFORNIA:

CONTAINING ALL THE

Acts of the Legislature

OF A PUBLIC AND GENERAL NATURE, NOW IN FORCE,
PASSED AT THE SESSIONS OF 1850-51-52-53.

TO WHICH ARE PREFIXED

THE DECLARATION OF INDEPENDENCE, THE CONSTITUTIONS OF THE UNITED STATES AND OF
CALIFORNIA, THE TREATY OF QUERETARO, AND THE NATURALIZATION LAWS
OF THE UNITED STATES.

By S. GARFIELDE AND F. A. SNYDER, Esqrs.
COMPILERS.

By Authority.

BENICIA:
PUBLISHED BY S. GARFIELDE.

PRESS OF THE FRANKLIN PRINTING HOUSE,
210 WASHINGTON STREET, BOSTON, MASS.
1853.

SEC. 122. If any man or woman, being unmarried, shall knowingly marry the husband or wife of another, such man or woman shall, on conviction, be fined not less than one thousand dollars, or imprisoned in the county jail not more than two years.

Knowingly marrying a married person.

SEC. 123. Persons being within the degrees of consanguinity, within which marriages are declared by law to be incestuous and void, who shall intermarry with each other, or who shall commit fornication or adultery with each other, shall, on conviction, be punished by imprisonment in the state prison not exceeding ten years.

Incestuous marriage or adultery.

SEC. 124. If any person shall obstruct or injure, or cause or procure to be obstructed or injured, any public road or highway, or common street or alley of any city, town, or village, or any public bridge or causeway, or public river or stream declared navigable by law, or shall continue such obstruction so as to render the same inconvenient or dangerous to pass, or shall erect or establish any offensive trade, manufacture, or business, or continue the same after it has been erected or established, or shall in any wise pollute or obstruct any water course, lake, pond, marsh, or common sewer, or continue such obstruction or pollution so as to render the same offensive or unwholesome to the county, city, town, village, or neighborhood thereabouts: every person so offending shall, upon conviction, be fined not exceeding one thousand dollars; and every such nuisance may, by order of the court before whom the conviction may take place, or of the district court, be removed and abated by the sheriff of the county.

Obstructing or injuring public highway or navigable stream.

SEC. 125. If any person or persons shall knowingly sell any flesh of any diseased animal, or other unwholesome provisions, or any poisonous or adulterated drink or liquors, every person so offending shall be fined not more than five hundred dollars, or imprisoned in the county jail not more than six months.

Selling unwholesome provisions.

SEC. 126. If any person shall intentionally deface, obliterate, tear down or destroy, in whole or in part, any copy or transcript, or extract from or of any law of the United States, or of this state, or any proclamation, advertisement, or notification, set up at any place in this state by authority of any law of the United States or of this state, or by order of any court, such person, on conviction, shall be fined not more than one hundred dollars nor less than twenty dollars, or be imprisoned in the county jail not more than one month: Provided, that this section shall not extend to defacing, tearing down, obliterating or destroying any law, proclamation, publication, notification, advertisement, or order, after the time for which the same was by law to remain set up, shall have expired.

Defacing or tearing down any proclamation, etc.

SEC. 127. If any person shall be found having upon him or her any

Having posses

sion of any
instrument with
intent to commit
a burglary, etc.

picklock, crow, key, bitt, or other instrument or tool, with intent feloniously to break and enter into any dwelling house, store, shop, warehouse, or other building containing valuable property, or shall be found in any of the aforesaid buildings with intent to steal any money, goods, and chattels, every person so offending shall, on conviction thereof, be imprisoned in the county jail not more than two years; and if any person shall have upon him any pistol, gun, knife, dirk, bludgeon, or other offensive weapon, with intent to assault any person, every such person, on conviction, shall be fined not more than one hundred dollars or imprisoned in the county jail not more than three months.

Refusing to join
the *posse comitatus*, etc.

SEC. 128. Every male person above eighteen years of age who shall neglect or refuse to join the *posse comitatus* or power of the county, by neglecting or refusing to aid and assist in taking or arresting any person or persons against whom there may be issued any process, or by neglecting to aid and assist in retaking any person or persons, who, after being arrested or confined, may have escaped from such arrest or imprisonment, or by neglecting or refusing to aid and assist in preventing any breach of the peace, or the commission of any criminal offence, being thereto lawfully required by any sheriff, deputy sheriff, coroner, constable, judge, or justice of the peace or other officer concerned in the administration of justice, shall, upon conviction, be fined in any sum not less than fifty nor more than one thousand dollars.

TWELFTH DIVISION.

OFFENCES COMMITTED BY CHEATS, SWINDLERS, AND OTHER FRAUDULENT PERSONS.

Fraudulent
conveyances to
hinder or
defraud creditors.

SECTION 129. All and every person who shall be a party to any fraudulent conveyance of any lands, tenements or hereditaments, goods or chattels, or any right or interest issuing out of the same, or to any bond, suit, judgment or execution, contract or conveyance had, made or contrived with intent to deceive and defraud others, or to defeat, hinder, or delay creditors or others of their just debts, damages, or demands; or who, being parties as aforesaid, at any time shall wittingly and willingly put in, use, avow, maintain, justify, or defend the same or any of them as true and done, had or made in good faith, or upon good consideration, or shall alien, assign, or sell any of the lands, tenements, hereditaments, goods, chattels, or other things before mentioned, to him, her, or them conveyed as aforesaid, or any part thereof, he, she, or they so offending shall, on conviction, be fined in any sum not exceeding one thousand dollars.