

SEC. 120. The use of the singular number includes the plural, and the plural the singular; and the word "person" or "party," or any other general term is equally applicable to the singular or plural, and may be extended to the Territory when any of the property or interests of the Territory require it.

SEC. 121. The word "writing" includes "printing;" the word "oath" includes "affirmation," and the word "signature" includes the mark of a person unable to write his name.

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## CHAPTER XII.

### THE PREVENTION OF PUBLIC OFFENCES.

SEC. 122. Lawful resistance to the commission of a public offence may be made by the party about to be injured or by others.

SEC. 123. Resistance sufficient to prevent the offence, Resisting of  
offence. may be made by the party about to be injured:

*First:* To prevent an offence against his person.

*Second:* To prevent an illegal attempt by force, to take or injure property in his lawful possession.

SEC. 124. Any other person in aid or defence of the person about to be injured, may make resistance sufficient to prevent the offence.

SEC. 125. Public offences may be prevented by the intervention of the officers of justice:

*First:* By requiring security to keep the peace.

*Second:* By forming a police in cities and villages, and by requiring their attendance in exposed places.

*Third:* By suppressing riots.

SEC. 126. Whenever the officers of justice are authorized to act in the prevention of public offences, other persons, who by their command act in their aid, are justified in so doing.

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## CHAPTER XIII.

### SECURITY TO KEEP THE PEACE.

SEC. 127. The judges of the supreme, district and county courts, mayors of cities or towns, and justices of the peace, Preservation of  
the public peace are magistrates and have power to cause all laws

made for the preservation of the public peace, to be kept, and in the execution of that power, may require persons to give security to keep the peace in the manner provided in this chapter.

**Proceedings to keep the peace.** SEC. 128. Whenever complaint is made to a magistrate that any person has threatened to commit any offence against the person or property of another, it is the duty of the magistrate to examine such complaints and any witnesses he may produce on oath, and to reduce such examination to writing, and cause the same to be subscribed by the parties so examined.

**Magistrate to issue warrant for arrest of persons charged with intent to break the peace.** SEC. 129. If it appears from such examination, that there is just cause to fear the commission of any public offence, such magistrate must issue a warrant under his hand directed generally to the sheriff of the county, or any constable, marshal, or policeman of the city or town, reciting the information and commanding the officer forthwith to arrest the person complained of, and bring him before the magistrate.

**Proceedings after arrest.** SEC. 130. When the person complained of, is brought before the magistrate, if the charge be controverted, the magistrate must take testimony in relation thereto. The evidence must be reduced to writing and subscribed by the witnesses.

**Discharge of accused.** SEC. 131. If it appear that there is no just reason to fear the commission of the offence alledged, the person complained of must be discharged.

**Accused held to bail.** SEC. 132. If there be just reason to fear the commission of the offence, the person complained of, may be required to enter into a recognizance in such sums as the magistrate may direct, with one or more sufficient sureties, to abide the order of the next district court of the county, and in the meantime to keep the peace toward the people of this Territory, and particularly toward the complainant.

**Party discharged if giving required bail.** SEC. 133. If the recognizance required by the last section be given, the party complained of must be discharged. If he do not give it, the magistrate must commit him to prison, specifying in the warrant the requirements to give security, the amount thereof, and the omission to give the same.

SEC. 134. If the person complained of be committed for not giving a recognizance, he may be discharged by a magistrate upon giving the same.

SEC. 135. The recognizance, together with the complaint, depositions and other papers in the cause, must be returned by the magistrates to the District Court of the County, on the first day of the next term thereof. Recognizance and Depositions

SEC. 136. Any person who, in the presence of a Court or Magistrate, shall assault, or threaten to assault, another, or to commit an offense against his person or property, may be ordered by the Court or Magistrate to give security as above provided in the section relating to keeping the peace. Assault in presence of a Court or Magistrate.

SEC. 137. A person who has entered into recognizance to keep the peace, must appear on the first day of the next term of the District Court of the County; and if the complainant appear and the defendant do not appear, the court may forfeit the recognizance, and order the same to be prosecuted. Persons entering into recognizance must appear on first day of Term.

SEC. 138. If neither the complainant nor the defendant appear, the court must discharge the recognizance on payment of costs by the defendant; but if both parties appear, the court may hear their proofs and allegations, and may either discharge the recognizance, or require a new one for a time not exceeding one year. Recognizance to be discharged when neither party appear.

CHAPTER XIV.

POLICE IN CITIES AND VILLAGES AND THEIR ATTENDANCE AT EXPOSED PLACES.

SEC. 139. The organization and regulation of the police in cities and towns, shall be as regulated by law.

SEC. 140. The mayor, or other officer having the direction of the police in a city or village, must order a force sufficient to keep the peace, and to attend any public meeting when he is satisfied that a breach of the peace is to be apprehended. The Mayor of a city to preserve the peace.

SEC. 141. If there be no police in such city or town, he may order out such a number of able-bodied citizens as he may deem necessary for the purpose of keeping the peace, as provided in the last section.

CHAPTER XV.

RESISTANCE OF PROCESS AND SUPPRESSION OF RIOTS.

SEC. 142. When a sheriff, or other officer authorized to