

Revised Statutes of 1846 (EXCERPT)
R.S. of 1846

CHAPTER 158-Continued-2

Chapter 158. Of Offences Against Chastity, Morality and Decency.

752.525 Religious meeting, disturbance, carrying on certain business within two miles, obstruction of highway; prohibited acts.

Sec. 25. No person shall wilfully disturb, interrupt, or disquiet any assembly of people met for religious worship, by profane discourse, by rude and indecent behavior, or by making a noise either within the place of worship, or so near it as to disturb the order and solemnity of the meeting; nor shall any person within 2 miles of the place where any religious society shall be actually assembled for religious worship, expose to sale or gift, any ardent or distilled liquors, wine, beer, cider, fruit, or any other article of food or merchandize, or keep open any huxter shop in any other place, inn, stand or grocery, than such as shall be, or have been duly licensed, or in which such person shall have usually carried on such business; nor shall any person within the distance aforesaid, exhibit any shows, or plays, unless the same shall have been duly licensed by the proper authority; nor shall any person within the distance aforesaid, promote, aid, or be engaged in any racing of any animals, or in any gaming of any description; nor shall any person obstruct the free passage of any highway to any place of public worship, within the distance aforesaid.

History: R.S. 1846, Ch. 158;—CL 1857, 5880;—CL 1871, 7714;—How. 9300;—CL 1897, 11713;—CL 1915, 15488;—CL 1929, 16839;—CL 1948, 752.525.

752.526 Violation of MCL 752.525; fine.

Sec. 26. Whoever shall violate either of the provisions of the foregoing section, may be convicted before the district or municipal court of the judicial district or municipality where the offense was committed, and on such conviction shall be fined a sum not exceeding \$25.00, for the benefit of the township libraries.

History: R.S. 1846, Ch. 158;—CL 1857, 5881;—CL 1871, 7715;—How. 9301;—CL 1897, 11714;—CL 1915, 15489;—CL 1929, 16840;—CL 1948, 752.526;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991.

752.527 Duty to apprehend offender.

Sec. 27. It shall be the duty of all sheriffs, and their deputies, coroners, marshals, constables, and other peace officers, all presiding elders, and ministers of the gospel, deacons, stewards and official members of any church or religious society, who may be present at the meeting of any assembly for religious worship, which shall be interrupted or disturbed in the manner prohibited, on sight to apprehend the offender, and take him or her before the district or municipal court of the judicial district or municipality, to be proceeded against according to law.

History: R.S. 1846, Ch. 158;—CL 1857, 5882;—Am. 1871, Act 61, Eff. July 18, 1871;—CL 1871, 7716;—How. 9302;—CL 1897, 11715;—CL 1915, 15490;—CL 1929, 16841;—CL 1948, 752.527;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991.

752.528 Ordering offender into custody.

Sec. 28. All judges, mayors, and aldermen, within their respective jurisdictions, upon their own view of any person offending against the provisions of either of the last 3 preceding sections of this chapter, may order the offender into the custody of any officer in the preceding section named, or any official member of the church or society so assembled or disturbed, for safe keeping, until he or she shall be held to bail, or a trial for such offense be had.

History: R.S. 1846, Ch. 158;—CL 1857, 5883;—CL 1871, 7717;—How. 9303;—CL 1897, 11716;—CL 1915, 15491;—CL 1929, 16842;—CL 1948, 752.528;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991.

752.529 Religious meeting, disturbance, carrying on certain business within two miles, obstruction of highway; commitment to jail if penalty not paid.

Sec. 29. If any person convicted of any of the offenses herein prohibited, shall not immediately pay the penalty incurred, with the costs of the conviction, or give security to the satisfaction of the officer before whom the conviction shall be had, for the payment of the said penalty and costs within 20 days thereafter, he shall be committed by warrant to the common jail of the county, until the same be paid, or for such term, not exceeding 30 days, as shall be specified in the warrant.

History: R.S. 1846, Ch. 158;—CL 1857, 5884;—CL 1871, 7718;—How. 9304;—CL 1897, 11717;—CL 1915, 15492;—CL 1929, 16843;—CL 1948, 752.529.

752.530 Jury trial; costs.

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Sec. 30. It shall be lawful for any person complained of, for the violation of any of the provisions of either of the last 2 preceding sections of this chapter, before the court shall proceed to investigate the merits of the cause, to demand of such court, that he or she may be tried by a jury; upon such demand, it shall be the duty of such court to issue a venire to any constable of the county or marshal of the city where the case is to be tried, commanding such officer to summon the same number of jurors, and in the same manner as is provided for in the summoning of jurors before the district or municipal court. The court shall proceed to impanel a jury for the trial of the cause, in the same manner, and shall be subject to all the rules and regulations prescribed in the act providing for trial by jury in the district or municipal court. The costs of suit shall be paid by the party offending in case of conviction, and shall be the same as is allowed by law in civil cases.

History: R.S. 1846, Ch. 158;—CL 1857, 5885;—CL 1871, 7719;—How. 9305;—CL 1897, 11718;—CL 1915, 15493;—CL 1929, 16844;—CL 1948, 752.530;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991.