

2A:105-4

December 17, 1969

LEGISLATIVE NOTES ON R.S. 2A:105-4  
(Threatening to kidnap, kill or injure for purposes of extortion)

L. 1898, Chapter 235 - S147, p. 794.  
No statement on the bill.

COPY NO. 31

Amended by:

L. 1933, Chapter 322 - S440  
June 19 - Introduced by Wolber.  
June 21 - Passed in Senate.  
June 21 - Passed in Assembly.  
June 26 - Approved, Chapter 322.  
Not amended during passage.  
Statement reads as follows:

"The purpose of this bill is to increase the penalty for an attempted or a threatened kidnapping, above the penalty for a misdemeanor in the crimes act at the present time, and to increase the penalty for the writing of threatening letters to kidnap and demand money, above that of a misdemeanor.

*Because an attempt to commit a crime is generally a misdemeanor  
2A: 85-5*

No hearings or reports were located.

1937 Revision.

2:127-4 - Wording remained the same in first, second and final drafts. Copy enclosed of final draft of 2:127-4.

1951 Revision of Titles 2 and 3 - Tentative Draft.

2:127-4 became temporary 2A:127-4. No change in wording since 1937 Revision.

Suggested changed to 1951 Revision. No changes suggested for 2A:127-4.

When Title 2A became effective (Laws 1951, 1st Special Session, Chapter 344) 2:127-4 became 2A:105-4 instead of 2A:127-4.

Please note that the wording of 2A:105-4 was changed when 2A was enacted in 1951. There is no indication of this in the Tentative Draft of Titles 2A and 3A or in the suggested changes to 2A and 3A. We are unable to locate any comments on or reasons for this change in wording.

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1937 Revision of Statutes

2:127-1

CRIMES—Extortion and Threats

2:128-1

the insane, village for epileptics, or institution or colony for the feeble-minded, or who personally or through another shall give, sell, furnish or otherwise deliver to any prisoner, inmate or patient in custody, any drug, liquor, knife, dagger, pistol, explosive matter or any other article prohibited

by law or by the rules of the agent, warden, superintendent, keeper, sheriff, board of managers, chief executive officer or other person or official having charge or control of any such place of detention, shall be guilty of a misdemeanor. Source. L. 1919, c. 196, §2, p. 433 [1924 Suppl. §52-37e], suppl. to L. 1898, c. 235, p. 794.

Chapter 127. EXTORTION AND THREATS.

Section

2:127-1. Extortion.

2:127-2. Magistrate or constable taking fees in criminal cases.

2:127-1. Extortion. Any judge, magistrate, sheriff, coroner, constable, jailer or other officer who shall by color of his office, receive or take any fee or reward whatsoever not allowed by law for doing his office, shall be guilty of a misdemeanor.

Source. L. 1898, c. 235, §22, p. 800 [C. S. p. 1750, §22].

2:127-2. Magistrate or constable taking fees in criminal cases. Any magistrate or constable who shall ask, demand or receive from any complainant, witness or other person, directly or indirectly, any fee or reward for the performance of any service in any criminal case, shall be guilty of a misdemeanor.

Source. L. 1898, c. 235, §23, p. 800 [C. S. p. 1750, §23].

2:127-3. Sending or delivering threatening letters or letters demanding money. Any person who shall knowingly send or deliver any letter or writing, whether signed or unsigned, or signed with a fictitious name:

a. Threatening to accuse any person of a crime of an indictable nature under the laws of this state, with intent to extort from any person any money or other valuable thing; or

b. Demanding money or other valuable thing; or

c. Threatening to maim, wound, kill or murder any person or to burn his house, outhouse, barn

Section

2:127-3. Sending or delivering threatening letters or letters demanding money.

2:127-4. Threatening to kidnap, kill or injure for purposes of extortion.

or other building or stacks of corn, grain or hay, or to do any civil injury to any person or to his property, though no money or other valuable thing be demanded by such letter or writing—

Shall be guilty of a misdemeanor.

Source. L. 1898, c. 235, §39, p. 805 [C. S. p. 1758, §39].

2:127-4. Threatening to kidnap, kill or injure for purposes of extortion. Any person who, with intent to extort from any person any money or other thing of value, shall by speech, writing, printing, drawing or by any other method either directly or indirectly threaten to kidnap or steal or forcibly take away any man, woman or child, or who shall directly or indirectly demand, either orally or in writing, any sum of money or other thing of value whatsoever, on a threat to kidnap, steal or forcibly take away any man, woman or child, or who shall directly or indirectly threaten to kill or to do any bodily injury to any man, woman or child unless a sum of money be paid, shall be guilty of a high misdemeanor and punished by imprisonment at hard labor for a term not exceeding thirty years, or by a fine not exceeding five thousand dollars, or both.

Source. L. 1933, c. 322, §2, p. 847, suppl. to L. 1898, c. 235, p. 794.

Chapter 128. EXTRADITION.

Section

2:128-1. Violating statutes relating to procedure on extradition.

2:128-1. Violating statutes relating to procedure on extradition. Any agent or officer, or other person, appointed by or representing the authorities of any other state, who shall violate any provision of any statute of this state regulating

the procedure for the extradition of a person charged with a criminal offense in any other state, or claimed to be a fugitive from justice, shall be guilty of a misdemeanor.

Source. L. 1898, c. 235, §24, p. 800 [C. S. p. 1750, §24].

Chapter 129. FALSE IMPRISONMENT.

Cross Reference.

Punishment for sending citizen as prisoner out of state for offense committed within state, see §2:82-6 of this title.

Chapter 130. FLAG—OFFENSES AGAINST.

Section

2:130-1. Use of state or national flag for advertising.

2:130-2. Mutilation or defilement of flag.

Section

2:130-3. "Flag, standard, color or ensign" defined.

2:130-4. Permitted uses of flag.