

CHAPTER 99.

AN ACT TO AMEND SECTION SIX (6) OF TITLE THREE (3), OF CHAPTER SEVEN (7) OF SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR (1874), AS AMENDED BY CHAPTER FIFTY-FOUR (54) OF SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-NINE (1879), RELATING TO THE INCORPORATION OF THE VILLAGE OF WINNEBAGO CITY.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section six (6) of title three (3) of chapter seven (7) of special laws of one thousand eight hundred and seventy-four (1874), as amended by chapter fifty-four (54) of special laws of one thousand eight hundred and seventy-nine (1879,) be amended by adding at the end of said section six (6) the following:

Provided, further, that no license for the sale or other disposition of such liquors shall be issued or granted for a less sum than five hundred dollars (\$500.)

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 17, 1881.

CHAPTER 100.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF WORTHINGTON," PASSED AND APPROVED MARCH EIGHTH (8TH), EIGHTEEN HUNDRED AND SEVENTY-THREE (1873), BEING CHAPTER FIVE (5), SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-THREE (1873).

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fourteen (14), chapter five (5), Special Laws of eighteen hundred and seventy-three (1873) be amended so as to read as follows:

Sec. 14. No license for [the] selling of any wine, beer, or spirituous, intoxicating, alcoholic, vinous, fermented, malt or mixed intoxicating liquors, liquids or drinks as a beverage shall be granted

to any person by the board of county commissioners of Nobles county, Minnesota, or by the village council within the corporate limits of said village. And no person shall vend, deal in or dispose of, under any pretext, or in any manner, any of the aforesaid liquors, liquids or drinks within said corporate limits. Any person who shall in any manner violate any of the provisions of this section, shall, on conviction thereof before any justice of the peace of said village, be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, and upon default of the payment of such fine, he shall be committed to the village prison or the county jail of said county, for a term not exceeding sixty (60) days or until such fine is paid. In all prosecutions for a violation of this section, it shall be sufficient to allege in general terms the selling, vending, dealing in or disposing of such inhibited liquors, liquids or drinks. And proof on the trial of such selling, vending, dealing in or disposing of to any person, of any such inhibited liquors, liquids or drinks, shall be sufficient proof to warrant and sustain a conviction, or proof that the person so charged kept a bar, side-board, or other thing or fixture with bar furniture usually used by persons vending or dealing in such inhibited liquors, liquids or drinks shall be *prima facie* evidence sufficient to warrant and sustain a conviction, or proof that he delivered or caused to be delivered in any manner, either directly or indirectly, any such inhibited liquors, liquids or drinks to any person, shall be *prima facie* evidence sufficient to warrant and sustain a conviction for such violation, and it shall be the duty of each member of the common council and marshal and all policemen to make complaint before some justice of the peace of said village for any violation of this section.

SEC. 2. The common council of said village may and hereby have the power to grant licenses to druggists to deal in spirituous, vinous, fermented or malt liquors for medicinal, mechanical and sacramental purposes, at a license fee of not less than twenty-five (25) nor more than one hundred (100) dollars per annum, to be fixed by the village council; but such licenses shall only be granted upon the application of such druggist and the petition of twelve (12) respectable householders of said village, and said applicant shall be a man of good moral character, and shall enter into bonds to the said village of Worthington in the sum of five hundred (500) dollars with good and sufficient security, to be approved by the common council of said village, conditioned that the person so licensed will not sell or dispose of, in any manner, any of the aforesaid liquors to any person or persons, except for the purposes named in his said license under the penalty named in said bond, which said bond shall be filed in the office of the recorder of said village before such license is delivered to the applicant. And the person so licensed shall keep a book, which shall be open to the inspection of every person, which book shall contain the name of the individual to whom sold, the date and the quantity and for what purpose sold, and if sold upon the prescription of a physician, that fact shall be stated; which said entries shall be signed by the per-

son so obtaining said liquor. And for any and every violation of the conditions of said bond, the said common council shall cause suit to be entered thereon, and all moneys collected in such suits shall be paid into the school fund of said village.

SEC. 3. Any person having a license under the provisions of section two (2) of this act, who shall violate any of its provisions, shall also be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of said village, shall be fined in any sum not exceeding one hundred (100) dollars, and in default of the payment of such fine shall be committed to the village prison or county jail of said county for a term not exceeding sixty (60) days or until such fine is paid.

SEC. 4. Any person buying or obtaining any of said liquors, in any manner, from the person or persons so licensed, mentioned in section two (2) of this act, and signing a false statement therefor, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace of said village, shall be liable to a fine in any sum not exceeding one hundred (100) dollars, and in default of the payment of such fine shall be committed to the village prison or the jail of said Nobles county for a term not exceeding sixty (60) days or until such fine is paid.

SEC. 5. The said amendment to the said charter shall not take effect or be in force until the same shall have been submitted to the people of said village for their approval or rejection, and the same shall be so submitted at the next election to be held in said village after the passage of this act. At such election, each of the qualified legal voters of said village may vote by ballot for or against said amendment, and the returns of said election shall be made and certified to, and such votes announced and the result thereof declared in the manner provided by law for returning, certifying and canvassing votes at other elections in said village, and declaring the result thereof, and if it should appear therefrom that a majority of the voters present and voting at said election upon the question of said amendment, have voted in favor of the same, then immediately after said result shall have been ascertained as herein provided, said amendment shall take effect and be in force as a part of said charter of the village.

SEC. 6. The ballots used at said election by those voting in favor of said amendment, shall have written or printed or partly printed and partly written thereon the words "Amendment of the charter, Yes," and the ballots used by those voting against the said amendment shall have written or printed or partly written and partly printed thereon the words "Amendment to the charter, No," and such ballots shall be attached to and be a part of the general tickets voted at said election.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 3, 1881.