

such animal be the property of himself or another, is punishable by imprisonment in the state prison not exceeding two years or in a county jail not exceeding six months or by a fine not exceeding five hundred (\$500.00) dollars, or by both such fine and imprisonment.

Penalty.

SEC. 2. This act shall take effect and be in force from and after its passage; *provided*, that the provision of this act shall not apply to offenses committed before this act takes effect, and as to all such offenses the law in force at the time they were committed shall continue and remain in force the same as if this act had not been passed.

Not retro-active.

Approved March 21, 1905.

#### CHAPTER 54.

S. F. No. 229.

*An act defining and providing punishment for the crime of "common and habitual liquor selling without license."*

Common and habitual selling of liquor without license.

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

SECTION 1. Any person who shall in any one county of this state have been adjudged guilty of the offense of selling, bartering or disposing of in any manner any spirituous, vinous, fermented, malt, or intoxicating liquor in a less quantity than five (5) gallons, without first having obtained license therefor, agreeable to the provisions of the laws of this state, three or more times within two years immediately preceding the commencement of the proceedings against him, under the provisions of this act, shall be deemed guilty of the crime of "common and habitual liquor selling without license" and upon conviction of such crime of "common and habitual liquor selling without license" shall be punished by imprisonment in the state prison for not to exceed three years.

Offense defined.

SEC. 2. In all prosecutions under the provisions of this act, the date of the last conviction of such selling, bartering or disposing of liquor, shall be deemed the date of the commission of the offense of "common and habitual liquor selling without license," charged against such person in the indictment.

Date of commission of offense.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 21, 1905.