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THE
REVISED STATUTES,
OF THE
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

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1851

Property of territory, in care of directors, where to be kept.

Captain to preside at meetings and enforce by-laws.

Treasurer to be elected annually, and his duties.

Upon application to governor for arms, &c., he shall require evidence that company consists of forty persons.

Directors to execute bond to governor.

Governor to require return of arms in certain cases.

SEC. 6. The property of the territory, committed to the care of such directors, shall be kept at a general deposit; and no member shall be allowed to take any article therefrom, unless permitted by the directors.

SEC. 7. The captain of such company shall preside at all meetings for the transaction of business, preserve order, enforce the by-laws, and see that they are carried into effect; in the absence of the captain, the highest officer in rank, present, shall exercise the duties of captain.

SEC. 8. Such company shall annually elect a treasurer, who shall receive and keep all moneys raised by tax or otherwise, belonging to the company, and shall pay over the same as may be ordered by a vote of the company, or to any person authorized in its behalf; such treasurer shall keep a book, in which he shall charge himself with all moneys received belonging to the company, from whatever source, and credit himself with all moneys paid out; and he shall render an account of his receipts and disbursements, whenever required by said company, or the officers thereof.

SEC. 9. Upon application of the commissioned officers of any uniform company, to the governor of the territory, for arms or ordnance for the use of such company, the governor shall require such evidence as he may deem proper, that the number of uniformed persons belonging to such company, is not less than forty, and that they are furnished with a proper uniform; and if he shall be satisfied that such company is entitled thereto, he shall furnish such number of arms as shall be necessary for said company; provided there shall be any in his possession belonging to the territory.

SEC. 10. Before any such arms or ordnance shall be delivered to any such company, the directors thereof shall execute to the governor, a bond with sufficient sureties for the safe keeping and return of such property, when required by the governor.

SEC. 11. It shall be the duty of the governor, to require the return of any arms or ordnance belonging to the territory, and which have been furnished to any uniform company, whenever he shall become satisfied that they are not safely and properly kept, or that the company to which they were furnished has become disbanded, or that there are not forty uniformed members belonging to such company.

CHAPTER 18.

OF THE PRESERVATION OF THE PUBLIC HEALTH.

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SECTION

10. If such person cannot be removed, how board to proceed.

11. Warrant to remove infected person by two

SECTION

Justices; this chapter not to be so construed as to conflict with any city charter.

SEC. 1. The justices of the peace of every precinct, the president and trustees of every incorporated village, and the mayor and the aldermen of every incorporated city in this territory, shall be boards of health, and as such shall exercise all the powers, and perform all the duties provided in this chapter, within the limits of the precincts, villages and cities, respectively; of which they are such officers.

Who to constitute board of health.

SEC. 2. Every board of health may take such measures and make such rules and regulations; as they may deem most effectual, for the preservation of the public health; and for that purpose, may appoint a physician, who shall be the health officer of the territory, within the jurisdiction of the board, and who shall hold his office during their pleasure; they may also appoint so many persons to aid them in the execution of their powers and duties, as they may think proper, and shall regulate the fees and charges of every person so employed by them.

To make regulations, appoint health officers, &c.

SEC. 3. The board of health may examine into all nuisances, sources of filth and causes of sickness, and make such regulations respecting the same as they may judge necessary, for the public health and safety of the inhabitants; and every person who shall violate any order or regulation made by any board of health, and duly published agreeably to the provisions of this chapter, shall be deemed guilty of misdemeanor, and punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months.

Board to examine into nuisances, &c.

SEC. 4. Notice shall be given by the board of health of all orders and regulations made by them, by publishing the same in some newspaper, if there be one published in such town; village or city, if there be none, then by posting up such notice in five public places therein; and such publication of said orders and regulations, shall be deemed a legal notice to all persons.

Notice of orders and regulations to be published.

SEC. 5. Whenever any nuisance, source of filth, or cause of sickness, shall be found on private property, the board of health shall order the owner or occupant thereof, at his own expense, to remove the same within twenty-four hours; and if the owner or occupant shall neglect so to do, he shall forfeit a sum not exceeding fifty dollars.

Nuisances on private property to be removed by owner.

Penalty for neglect.

SEC. 6. Whenever such owner or occupant shall not comply with such order of the board of health, said board may cause the said nuisance, source of filth, or cause of sickness to be removed, and all expenses incurred thereby shall be paid by the said owner or occupant, or by such other person as shall have caused or permitted the same.

Board of health may remove nuisance at expense of owner, &c.

SEC. 7. Whenever the board of health shall think it necessary, for the preservation of the health of the inhabitants, to enter any building or vessel in their city, village or town, for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth, or cause of sickness, and shall be refused such entry, any member of the board may make complaint under oath to a justice of the peace of his county, whether such justice be a member of such board or not, stating the facts in the case so far as he has knowledge thereof.

Proceedings to remove nuisance in vessels or buildings.

SEC. 8. Such justice shall thereupon, issue a warrant, directed to the sheriff or any constable of the county, commanding him to take sufficient aid, and being accompanied by two or more of the board of health, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth or cause of sickness complained of may be, and the same destroy, remove, or prevent, under the direction of the members of such board of health.

Justice to issue warrant to sheriff to remove nuisance.

SEC. 9. When any person coming from abroad, or residing in any

Infected person to be removed to separate house, &c.

town within this territory, shall be infected or shall lately have been infected with the small pox or other contagious disease, dangerous to the public health, the board of health of the town, village or city where such sick or infected person may be, may immediately cause him to be removed to a separate house, if it can be done without danger to his health, and shall provide for him nurses and necessaries, which shall be charged to the person so removed and taken care of, or the parent, guardian or other person who may be liable for the support of such infected person.

If such person cannot be removed, how board to proceed.

SEC. 10. If such infected person cannot be removed without danger to his health, the board of health shall make provision as directed in the preceding section, for such person in the house where he may be, and in such case, they may cause the persons in the neighborhood to be removed, and may take such other measures as they may deem necessary for the safety of the inhabitants.

Warrant to remove infected person by two justices.

SEC. 11. Any two justices of the peace may make out an order under their hands, directed to the sheriff or any constable of the county, requiring him under the direction of the board of health, to remove any person infected with contagious disease, and to provide nurses, attendants and other necessaries for the accommodation, safety and relief of such infected persons. This chapter shall not be construed so as to annul or conflict with any powers granted in any city charter for the regulation of the public health.

This chapter not to conflict with city charter.

CHAPTER 19.

OF COUNTY MEDICAL SOCIETIES.

SECTION

1. County medical societies, how formed; choice of officers; to be bodies corporate.
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10. Duties of treasurer; how moneys drawn from treasury.
11. Duties of recording secretary.
12. Duties of corresponding secretary.
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14. Persons may practice, though not members.

County medical societies how formed.

SEC. 1. It shall and may be lawful for the physicians and surgeons in the several counties of this territory, to meet together on such day as they, or a majority of them, shall deem proper, at the place where the last term of the county court next preceding such meeting, shall have been held in their respective counties; and the several physicians and surgeons so convened as aforesaid, or any part of them, being not less than five in number, shall proceed to the choice of president, vice president, recording secretary, corresponding secretary, treasurer, and three censors, who shall hold their offices for one year, and until others are elected to fill their places; and when the said societies shall be so

Choice of officers.