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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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CHAPTER 21.

TO PROVIDE AGAINST THE TRAFFIC IN ARDENT SPIRITS WITH THE INDIANS.

SECTION

1. Penalty for selling or giving liquor to an Indian.
2. In case of conviction, offender may be confined in jail or fort.

SECTION

3. Duty of certain officers to make complaint.
4. Offender may be prosecuted before a justice of the peace.
5. Indians competent witnesses.

SEC. 1. If any tavern keeper, grocery keeper, or any other person, or persons, shall sell, give, barter, or in any manner dispose of any spirituous liquors, or any other liquor of an intoxicating quality, to any Indian, or Indians, within this territory, every such person, or persons, so offending, shall be deemed guilty of a misdemeanor; and upon conviction thereof, by indictment, in any court having competent jurisdiction to try the same, shall be imprisoned in the county jail for a period of not less than thirty, nor more than ninety days, and shall forfeit and pay to the use of the county in which the offence may have been committed, a fine of not less than twenty, nor more than one hundred dollars.

Penalty for selling or giving liquor to an Indian.

SEC. 2. In all cases of conviction under this chapter, if there be no jail within the county where the offence was committed, (or to which it may be attached for judicial purposes,) it shall be competent for the court before which said conviction was had, to commit the offender to the nearest jail in any other county, or either of the forts of this territory, with the permission of the commanding officer thereof; and it is hereby made the duty of the keeper of such jail to receive the prisoner so committed, and in all respects to proceed with him as if he had been committed by the proper authorities of the county in which such jail is situated: *Provided*, That in all cases of conviction under the provisions of this chapter, when the person convicted is confined in the jail of any other county, the county in which such offence shall have been committed, shall pay all the expenses arising from such confinement.

In case of conviction, offender may be confined in jail or fort.

SEC. 3. All sheriffs, constables, and justices of the peace, within this territory, are, under the penalty of forfeiting their respective offices, required to make complaints of such violation of the provisions of this chapter, as may come within their knowledge; and the judges of the several district courts in this territory are hereby required to give this chapter in special charge to the grand juries of the several counties in their districts.

Duty of sheriff and other officers to make complaint.

SEC. 4. Any individual who shall violate either of the provisions of this chapter, may be prosecuted therefor before a justice of the peace, by any citizen of the county, and if found guilty, shall be fined not more than one hundred, nor less than twenty dollars, for each violation; which fine, or fines, shall be paid into the county treasury, to the support of common schools in the county.

Offender may be prosecuted before a justice of the peace.

SEC. 5. Indians are hereby declared to be competent witnesses in cases arising under the provisions of this chapter; but the same objections may be made to their competency, and the same rules shall govern in the admission of their testimony, that may be made, and that govern, as to other witnesses.

Indians competent witnesses.