

fine and imprisonment, in the discretion of the court having cognizance of the offense.

Approved January 26, 1865.

CHAPTER XXIX.

February 13, 1865. *An Act to preserve and protect the growth of Ginseng.*

- SECTION 1.** Penalty upon conviction of persons digging or exposing for sale green ginseng root between the first of May and the first of August.
2. When prosecutions to be commenced—disposition of fines so collected.
 3. Duty of Supervisors and Constables.
 4. When act to take effect.

Beit enacted by the Legislature of the State of Minnesota :

Penalty for digging or exposing for sale green ginseng root—when.

SECTION 1. That if any person or persons shall dig, or have in his, her or their possession, or expose for sale, or purchase, within the State of Minnesota, any green ginseng root, between the first day of May, and the first day of August, in each year, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than five dollars, nor more than one hundred dollars, in the discretion of the court.

When prosecutions to be commenced—disposition of fine so collected.

SEC. 2. That all prosecutions under the provisions of this act shall be commenced within three months from the time such offense shall have been committed, and not afterwards, and the same shall be on complaint under oath, before any justice of the peace in the county where the offense shall have been committed, and all fines imposed and collected under this act, shall be paid one-half to the complainant, and one-half into the treasury of the county, where such conviction shall take place, for the use of common schools within such county.

SEC. 3. It shall be and is hereby made the duty of the supervisors and constables of the town having knowledge of the violation of any of the provisions of this act, to make complaint thereof to any justice of the peace of the proper county, and any other person having such knowledge, may make complaint before such justice, and the said justice shall issue his warrant for the arrest of the offender, and proceed to hear and determine the matter in issue in the same manner as provided in other cases, and that each and every person convicted under any of the provisions of this act, shall stand committed to the common jail of the county wherein the offense was committed, until such fine be paid.

Duty of Supervi-
sors and Constables.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 13, 1865.

CHAPTER XXX.

An Act to amend an Act entitled "An Act to provide for the opening, establishing, changing and vacating of county roads," approved March first, eighteen hundred and sixty-two.

March 5, 1865.

SECTION 1. County Commissioners to have general supervision of county roads—power of Commissioners.

2. When act to take effect.

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

SECTION 1. That section nine of said act approved March first, eighteen hundred and sixty-two, be amended so as to read as follows :