

CHAPTER 19

AN ACT TO INCORPORATE THE VILLAGE OF PINE ISLAND, IN
THE COUNTY OF GOODHUE, STATE OF MINNESOTA.

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

SECTION 1. That the following described territory in the county of Goodhue and State of Minnesota, to-wit: Sections thirty-one (31) and section thirty-two (32), also the south half ($\frac{1}{2}$) of the south-west quarter ($\frac{1}{4}$), and the south half ($\frac{1}{2}$) of the south-east quarter ($\frac{1}{4}$) of section thirty (30), and the south half ($\frac{1}{2}$) of the south-west quarter ($\frac{1}{4}$), and the south half ($\frac{1}{2}$) of the south-east ($\frac{1}{4}$) of section twenty-nine (29), township number one hundred and nine (109) north range number fifteen (15) west, be and the same is hereby incorporated as the Village of Pine Island, pursuant to chapter one hundred and thirty-nine (139) of the General Laws of one thousand eight hundred and seventy-five (1875), except as hereinafter provided.

SEC. 2. The village council of said village shall have power by ordinance to restrain, regulate, license or prohibit the sale, giving away, disposing of or dealing in spirituous, malt, fermented or vinous liquors, within the corporate limits of said village. *Provided*, That nothing herein contained shall be so construed as to prevent the people of said village from deciding for themselves whether license shall or shall not be granted in said village, and the village recorder shall upon written request of ten (10) or more legal voters of said village, post notices in three (3) of the most public places in said village, at least ten (10) days before any annual village election, that the question of granting license for the sale of spirituous, malt, fermented or vinous liquors will be submitted to the electors of said village at such election for their approval or rejection, and all those voting at such election shall have the words "licences, yes," written or printed upon their ballots; and all those voting at such election who are opposed to granting such license shall have written or printed upon their ballots the words "license, no," and if it shall appear upon canvassing the votes that a majority of the votes cast at such election upon the said subject of license shall read *no*, then the village council shall grant no such license for the sale of spirituous, malt, fermented or vinous liquors, for one (1) year from the date of such election. *Provided, however*, That nothing herein contained shall prevent said council from granting license to persons engaged in the business of druggist to sell liquors for medical purposes upon

the written prescription of a regular practicing physician only, said druggist to pay for said license a sum to be fixed by said council, not less than five dollars (\$5), nor more than one hundred dollars (\$100).

SEC. 3. Until the time when the electors of said village shall determine the question whether such license for the sale of such spirituous, malt, fermented or vinous liquors shall or shall not be granted, the council of said village shall have power by ordinance to restrain, regulate, license or prohibit the sale, giving away, disposing of or dealing in spirituous, malt, fermented or vinous liquors; and if at the annual village election the said question shall not be submitted, then the council shall have the said power by ordinance to restrain, regulate, license or prohibit the sale, giving away, disposing of or dealing in spirituous, malt, fermented or vinous liquors, until such time as the people shall in manner and form aforesaid decide such question, it being the true intent and meaning of this act, that such power vested in such council for and during all times and period may not be provided for by the decision of the electors as aforesaid upon such subject.

Provided, That every person so licensed shall be required to execute and deliver to said village council a bond in the same penal sum and containing the same conditions and requirements provided for in the General Laws of the State of Minnesota relating to the same matter, except that the same shall run to and in case of default be payable to said village council for the use and benefit of said corporate village.

SEC. 4. Any person who shall sell, barter or dispose of any spirituous, malt, fermented or vinous liquors within the corporate limits of said village, without first obtaining a license therefor, as provided for in this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100), with costs of prosecution for each offense, and to be imprisoned in the county jail of Goodhue county until said fine and costs are paid, not exceeding ninety (90) days.

SEC. 5. All ordinances, rules and by-laws enacted by said village council, shall be published once in a newspaper published in said village, and if there be no newspaper published in said village then by posting them conspicuously in three (3) of the most public places in said village, for ten (10) days, and shall be recorded in a book kept for that purpose.

SEC. 6. This is a public act, and need not be pleaded nor proven in any court in this State.

SEC. 7. That Charles Parker, Wallace W. Jewell and Fletcher Heyles, are hereby designated as the persons to carry out the provision of section nine (9) of the aforesaid chapter one hundred and thirty-nine (139), and the Secretary of State is hereby directed to issue his official notification of the passage of this act to said persons.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 6, 1878.