

by its charter, fix and prescribe; anything in the charter of any city to the contrary notwithstanding.

SEC. 3. No license for the sale of intoxicating liquors shall be granted by the county commissioners of any county; or the municipal authorities of any town, village or borough, to any person applying for the same under the provisions of chapter sixteen (16), General Statutes of eighteen hundred and seventy-eight (1878), or of any general or special law governing such village or borough, except upon the condition of paying, in the manner prescribed by said chapter sixteen (16), or in the case of any village or borough organized or existing under a general or special law regulating the subject of licenses for the sale of intoxicating liquors, then in the manner provided in and by such general or special law, a license fee of five hundred (500) dollars, or such fee in excess of said sum as the county commissioners, or in case of such village or borough, the municipal authorities of such village or borough shall fix and prescribe.

Regulating
licenses grant-
ed by county
commissioners
5-3
189 . . . 93

Provided, That no license shall be granted for a longer period than one (1) year, or for a period beyond twenty (20) days after the annual election in such village or city next ensuing after the date of such licenses.

SEC. 4. Nothing herein contained shall be construed as affecting or repealing the local option proviso of section one (1) of chapter sixteen (16) of the General Statutes of eighteen hundred and seventy-eight (1878), or the local option provisions of section forty-eight (48) of chapter one hundred and forty-five (145) of General Laws of eighteen hundred and eighty-five (1885).

Local option
proviso not
repealed.

SEC. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after July 1st, 1887.

When act to
take effect.

Approved Feb. 10th, 1887.

CHAPTER 6.

[S. F. No. 602.]

AN ACT TO FURTHER REGULATE THE SALE OF OR DISPOSITION OF INTOXICATING LIQUORS.

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

SECTION 1. Any person applying to the county commissioners of any county, or to the municipal authorities

41-6
38-M . 146
41-nw 363
6
47-M . 521
87 C 6
101-M - 287
103-M - 315
154-NW 798
13-GS 3116

Applicants for
license to file
bond.

of any city, village, town or borough in this state for a license to sell intoxicating liquors shall, before the same is issued, file with the clerk of said board of commissioners or with the clerk or recorder of such city, village, town or borough, a bond, with two or more sureties who shall be freeholders of the county and who shall justify in twice the amount of said bond, to be approved by the said board of county commissioners or by the common council or other governing body of any town, village or borough, or the common council of any city to which such application is made, in the penal sum of two thousand dollars (\$2,000) conditioned that the said person so licensed will not sell or otherwise dispose of any intoxicating liquors at any place other than the room named in such license, nor on the Sabbath, nor on any general or special election day, and that he will keep a quiet and orderly house and not permit gambling with cards or with any other means or device for money or its representative, or other thing of value, in the house or place of business of such person, and will not sell, barter, give away or otherwise furnish or dispose of such liquors to any minor person, or to any pupil or student in any public school, academy, seminary or other institution of learning, nor to any intemperate person nor habitual drunkard. No person shall be accepted as sureties on any such bond who are already on any other bond given pursuant to the provisions of this section.

No license
issued to any
person viola-
ting laws of
state.

6-2-5
52-N.W. 387

SEC. 2. No license shall be issued or renewed by the authorities of any county, city, town, village or borough in this state when the sum paid therefor is less than the minimum amount required by the laws of this state; nor to any person who, during the twelve (12) months next preceding the application for such issuance or renewal, shall have been convicted of violating any law of this state, or any ordinance of any municipal corporation therein, regulating the sale of intoxicating liquors. And any member of any board of county commissioners or of the council of any city or of any municipal corporation in this state, who shall vote to issue or renew such license, and any officer who shall issue or renew, or shall take any part in issuing or renewing such license, upon the payment by the applicant of a sum less than the full minimum amount required by law, shall be deemed guilty of a misdemeanor and shall be punished by fine not exceeding five hundred (\$500) dollars nor less than one hundred (\$100) dollars, and such license so issued or renewed in violation of law shall be void.

Penalty.-

SEC. 3. If any county commissioner or member of the council or other governing body of any city, village or other municipal corporation in this state, any mayor of any city, any judge, sheriff, justice of the peace, constable or

other officer wilfully neglects or refuses to perform any duty required of him by the laws regulating the liquor traffic or the issue of licenses therefor, he shall be deemed guilty of a malfeasance in office, and shall thereafter be disqualified from holding the same for and during the remainder of the term for which he was elected or appointed, and shall be liable on his bond in an amount not more than five hundred (500) dollars, nor less than one hundred (100) dollars, recoverable in any court having jurisdiction.

Penalty for neglect or refusing to perform duties of office.

Punishment for violating provisions of this act.

6-4
47-M - 270.
95 § 135
117-M - 332
135-NW 745
201.RAns1101.

SEC. 4. Whoever sells, barter, gives away or otherwise disposes of any spirituous, vinous, fermented or malt liquors, without first having obtained license therefor agreeably to the laws of this state, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court having jurisdiction of the same, be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars, together with the costs of prosecution, and by imprisonment in the county jail not less than thirty (30) days nor more than ninety (90) days. All prosecutions for the violation of any of the provisions of this section may be tried and conducted in a summary manner before any municipal court, police justice or justice of the peace having jurisdiction thereof in the same manner as violations of any municipal ordinance or by-law may now be tried and conducted; provided that the provisions of this section shall not be so construed as to prohibit any regularly licensed druggist from dispensing liquors in filling prescriptions, made by any regular, reputable and duly licensed physician in the practice of his profession.

SEC. 5. The provisions of this act shall apply to all cities and villages in this state incorporated under general or special law, and to every other municipal corporation or quasi corporation in this state, whether or not said municipal corporations have the right by general or special charter or general or special laws to grant licenses for the sale of intoxicating liquors or to regulate said sale through or by any council or officer of the same—anything in the charter of any municipal corporation in this state to the contrary notwithstanding.

Provisions of this act to apply to all cities and towns.

SEC. 6. All licenses granted after the passage of this act and before July 1st, one thousand eight hundred and eighty-seven (1887), shall expire on said last named date; provided that in any town, village or city where, under the existing laws, the licenses are granted in March, April, May or June, such licenses may be issued to terminate on July 1st, one thousand eight hundred and eighty-seven (1887), on the payment of a pro rata of the amount of the license required by the existing laws, for the entire year; and provided further, that where, in any town, village or city, any license for the sale of intoxicating liquors has been granted since the first (1st) day of

Licenses to expire July 1st.

July, one thousand eight hundred and eighty-six (1886) and before the passage of this act, any and all such licenses shall expire within one year from the date of issuing the same.

Intoxicating
liquors defined.

SEC. 7. The words "intoxicating liquors", wherever used in the laws or statutes of this state, now in force or hereafter to be in force, shall be construed to mean spirituous vinous, fermented and malt liquors, or either of them.

SEC. 8. All acts or parts of acts inconsistent with this act are hereby repealed.

When act to
take effect.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 3d, 1887.

CHAPTER 7.

[H. F. No. 336.]

AN ACT TO DEFINE AND PUNISH THE CRIME OF UNLAWFULLY DISPOSING OF INTOXICATING LIQUORS BY THE DEVICE KNOWN AS "BLIND PIG" OR OTHER CONTRIVANCES INTENDED TO CONCEAL THE TRANSACTION.

44-7
38-M . 151

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

Evasions of
liquor laws by
means of
"blind pig,"
etc., to be
punished.

SECTION 1. Whoever shall attempt to evade or violate any of the laws of this state regulating or prohibiting the sale of intoxicating liquors by selling, giving away or otherwise disposing of any spirituous, vinous, malt or other intoxicating liquors, contrary to law, by means of the artifice or contrivance known as the "blind pig" or "hole in the wall", or by any other practice, artifice, contrivance or device intended to conceal such evasion or violation of said laws, or the identity of the person or persons engaged in the same, shall, in addition to the offense of selling or otherwise disposing of such liquors without license, be guilty of a misdemeanor, and upon conviction thereof shall, for each offense be punished by a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) or by imprisonment in the county jail not less than ten (10) days nor more than three (3) months, or by both fine and imprisonment in the discretion of the court.

Owner, etc., of
building where
evasions of
liquor laws are
practiced to be
punished.

SEC. 2. The owner, lessee, tenant, or person or persons, in possession or control of any premises in which any such means or deceptive practices are resorted to, to evade or violate said laws, who shall knowingly consent to or permit any other person or persons to so attempt to evade or