

prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than sixty (60) days.

SEC. 68. All acts and parts of acts inconsistent with the provisions of this chapter, are hereby repealed.

SEC. 69. This act shall take effect and be in force from and after its passage.

Approved April 19, 1905.

CHAPTER 345.

S. F. No. 218.

An act to amend chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness."

Days of
grace.

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

SECTION 1. That chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness, except drafts drawn at sight," be and the same is hereby amended as follows:

That section one (1), of said chapter 261 be and the same is hereby amended to read as follows:

Section 1. No promissory note, draft, check, acceptance, bill of exchange or other evidence of indebtedness, shall be entitled to days of grace, but the same shall be payable at the time fixed therein without grace.

That section two (2) of said chapter 261 be and the same is hereby amended so as to read as follows:

Section 2. All promissory notes, drafts, checks, acceptances, bills of exchange, or other evidences of indebtedness, falling due or maturing on Good Friday, Thanksgiving Day, Sunday, or on any legal holiday, shall be deemed due or maturing on the next succeeding business day; and when Sunday and one or more legal holidays, or two or more legal holidays, fall on the same day, the following day shall be deemed a legal holiday, and when Sunday and one or more legal holidays, or two or more legal holidays, immediately succeed each other, then such instrument, paper or indebtedness shall be deemed as due or maturing on the day following the last of such days.

Maturity of
negotiable
instruments.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after June 30th, 1905.

Approved April 18, 1905.

The above is the enrolled bill signed by the Governor, but it differs from that passed by the Legislature in this respect:

In the bill passed by the Legislature the words "except drafts drawn at sight" followed immediately after the word "indebtedness" in Section One as it purports to be amended by this act, "instead of where it appears now.

The question as to whether this mistake of enrollment invalidated the act, having been submitted to the Attorney General, he gave it as his opinion that the first section only, of the above act, is invalid; that the first section of Chapter 261 General Laws of 1903 remains in force and that the second section of the above act is a valid amendment of Section Two of said Chapter 261, General Laws of 1903.

Sustaining this ruling see:

O'Brien vs. Krenz, 36 Minn. 136.

City of Duluth vs. Krupp, 46 Minn. 435.

Reimer vs. Newel, 47 Minn. 237.

State vs. Deal, 24 Fla. 293—12 Am. St. R. 204.

Barry vs. Baltimore, etc., 41 Md. 448—20 Am. R. 69.

State vs. Platt, 2 S. Car. 150—16 Am. R. 647.

Am. & Eng. Ency. Law, Vol. 26, p. 648 and notes.

H. F. No. 839

CHAPTER 346.

Intoxicating
liquors.

An act prohibiting the sale of intoxicating liquors and for the granting of license for the sale of spirituous and vinous liquors and providing for a penalty for the violation thereof.

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

License
required.

SECTION 1. That whoever on his own behalf or as an agent for others, without having a license so to do as provided for in this act, shall solicit any person or persons, firm or corporation or association not having a license to keep a dram shop or saloon under the laws of this state or to a licensed physician or druggist to buy or contract for the future delivery or to make order for any spirituous or vinous liquors in any less quantity than five (5) gallons or either on his own behalf or as said agent or as an agent for the purchaser make an order contracting for the future delivery of any such liquors to any said person, persons, firm, corporation or association shall be subject to a fine of not less than fifty (\$50.00) dollars and not exceeding five hundred (\$500.00) dollars and to imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days or both such fine and imprisonment in the discretion of the court.

Co. commis-
sioners may
grant.

SEC. 2. The board of county commissioners may grant license to persons to act on their own behalf or as