

Returns of election made to Registers of Deeds, who shall issue certificates.

made to the Register of Deeds of the county of Benton. The returns from the counties of Chisago and Itasca, for members of the Council and House of Representatives, shall be made to the Register of Deeds of the county of Washington; and the votes so returned from all the said counties, shall be canvassed and certificates issued in accordance with the statutes providing for the regulation of general elections.

M. E. AMES,
Speaker of the House of Representatives.
D. B. LOOMIS,
President of the Council.

APPROVED, March thirty-first, one thousand eight hundred and fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE,
St. Paul, May 13, 1851. }

I hereby certify the foregoing to be a true copy from the original on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

Feb. 30, 1851.

CHAP. VII.—*An Act Regulating the sale of Spirituous Liquors.*

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That no person shall be permitted to sell spirituous liquors in less quantities than one quart, without having obtained a license from the Board of County Commissioners of the proper County, for that purpose.

SEC. 2. That every application to the Commissioners for a license to sell spirituous liquors, shall be in writing, signed by the applicant; in which the applicant shall state the place where he proposed to sell the same; and the applicant shall produce to the Commissioners satisfactory evidence by his own affidavit, or otherwise of his having given twenty days previous notice, by advertisements set up in three of the most public places in the township or neighborhood, where he proposed to sell spirituous liquors, of his intention to apply at the next meeting of the Board of County Commissioners for a license; but no notice of the intended application for the renewal of his license shall be required.

SEC. 3. That the Commissioners granting the license shall fix the price thereof; which shall not be more than fifty dollars, nor less than twenty dollars per annum, having proper regard to the apparent advantages of the applicant's situation for business; and on the applicant's producing the County Treasurer's receipt for the payment of the sum so fixed, he shall receive a license; which shall continue for the term of one year, unless sooner revoked by the said Commissioners, for a violation of the provisions of this act.

SEC. 4. That every person applying for a license to sell spirituous liquors, before receiving the same, shall execute to the Board of County Commissioners of the proper county, a bond, in the

Licenses from County Commissioners necessary for retailing of liquor.

Licenses, made of application to obtain them.

Licenses, Commissioners to fix the price; their duration.

penal sum of five hundred dollars, with two or more good and sufficient sureties, conditioned that he will keep an orderly house, and that he will not permit any unlawful gaming, or riotous conduct in or about his house; and in case of a violation of the foregoing conditions by any person giving such bond, he shall be liable to pay a fine of not less than ten, nor more than fifty dollars, for every such violation; the same to be for the use of common schools of the county in which the offence was committed, to be recovered by an action of debt as hereinafter prescribed; and the bond so given as aforesaid, by such person, shall also be liable to be prosecuted, as hereinafter prescribed, for any violation of its conditions.

Bond to be filed.

Sec. 5. That no person shall keep open any house or room, in which intoxicating liquor is kept for retail, on the first day of the week, commonly called Sunday, or give, sell or otherwise dispose of intoxicating liquor on that day; any person violating this section, shall be fined in a sum not exceeding twenty-five, nor less than ten dollars for each offence; such fine to be for the use of the common schools of the county in which the offence may be committed: *Provided*, That this section, so far as it prohibits keeping open a house or room, shall not apply to tavern keepers.

Not to sell on Sunday.

Sec. 6. If any person or persons shall sell, barter or dispose of in any manner, any spirituous liquors in less quantity or quantities than one quart, without first having obtained a license, agreeably to the provisions of this act, he shall upon conviction thereof, by indictment in any court having jurisdiction of the same, or by complaint before a justice of the peace, be fined in any sum not exceeding one hundred, nor less than fifty dollars, for the use of the common schools of the county where the offence shall have been committed, and upon failure to pay the fine so assessed, shall be confined in the county jail, one day for every two dollars thereof, until said fine is discharged.

Penalty for selling without license.

Sec. 7. Any person who shall dispose of any spirituous or vinous liquors, under the pretext of exhibiting any show or curiosity or dispose of the same in connection with any other article, or in any manner from which an intention to evade the provisions of this act may appear, shall be deemed guilty of a violation of the same, and shall be liable to the penalties prescribed in the sixth section of this act.

Pretext with intent to evade the law.

Sec. 8. And it is hereby made the duty of the prosecuting attorney, sheriffs, constables, and justices of the peace, knowing of any violation of the provisions of this act, to make complaint thereof to the grand jury at the next session of the district court of the county in which the offence may have been committed after said violation, or to a justice of the peace; which justice shall have full power to proceed to judgment thereon. And the moneys collected on such judgments, except the taxable costs, shall be paid to the Treasurer of the proper county, for the use of the common schools therein. It shall also be the duty of the Clerk of the Board of County Commissioners and County Treasurer, to prosecute the bond given by such applicant, as is required by the fourth section of this act for any violations of its conditions.

Duty of officers to make complaints for violation of this act.

Sec. 9. That every Clerk of the Board of County Commissioners, shall, on the first day of the term of each district court, deliver to the grand jury an accurate list of all persons holding licenses under the provisions of this act within his county, which list shall show the date and expiration of said licenses.

Clerk Board Co. Comr's. to furnish list of persons paying licenses.

Grand Jury to inquire into violations of this act.

SEC. 10. That it shall be the duty of the grand jury at each and every term of the district court in any county in the Territory, to make strict inquiry and return bills of indictment against every person violating any of the provisions of this act.

Licenses for selling in quantities not less than one quart.

SEC. 11. Any person desirous of disposing of spirituous liquors in quantities not less than one quart, may without previous notice, pay to the Treasurer of the proper county, the sum of twenty dollars, who shall give a receipt therefor, and on production of such receipt to the Board of County Commissioners, they shall grant to such person a license to dispose of spirituous liquors in quantities not less than one quart, for the term of one year: *Provided*, That if such Commissioners shall deem such person unfit to be entrusted with a license, they may refuse the same, in which case they shall order the Treasurer to return the money paid by the applicant.

Former acts repealed.

SEC. 12. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed: *Provided*, That all suits or prosecutions now pending, commenced under any law which by this act is repealed, shall be prosecuted to final judgment and execution, as though this act had not passed: *And provided, also*, That all licenses granted in pursuance of any law, which by this act is repealed, shall continue in full force and effect for the full period for which it was granted.

SEC. 13. This act shall take effect on the first day of April next.

HENRY L. TILDEN,

Speaker pro tem. of the House of Representatives.

D. B. LOOMIS,

President of the Council.

APPROVED, February thirtieth, one thousand eight hundred and fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE, }
St. Paul, April 7, 1851. }

I hereby certify the foregoing to be a true copy taken from the original on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

Feb. 1851.

CHAP. VIII.—*An Act to incorporate the Mississippi Boom Company.*

Corporate name and powers.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That Franklin Steele, Joseph R. Brown, and Daniel Stinchfield, and their associates, successors and assigns, be, and they are hereby constituted a body corporate, and politic, for the purposes hereinafter mentioned, by the name of the "Mississippi Boom Company," for the period of fifteen years, and by that name they and their successors shall be, and they are hereby made capable in law, to contract and be contracted with, sue and be sued, plead and be impleaded, prosecute and defend, answer and be answered, in any court of record, or elsewhere, and to purchase and hold any estate, real, personal or mixed, so far as the same may be necessary to carry on the legitimate business of said company