

## CHAPTER XV.

February 28, 1868

*An act to amend the Charter of the City of Winona.*

- SECTION 1. Gives powers to authorities of Winona, by amendment of Charter, to arrest drunkards, and prevent the immoderate use of intoxicating liquors, etc.
2. Amends section 33 of Charter so as to give power to City Council, magistrates, &c., to enforce ordinances and by-laws.
  3. Amends chapter 4 of Charter by defining how all proceedings had by City Council under certain sections are to be conducted.
  4. When act to take effect.

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

Amendment of  
Incorporation  
Act.

SECTION 1. That paragraph 16, of section two, of chapter four, of an act entitled "An act to incorporate the City of Winona," approved March 6th, 1857, be amended so as to read as follows:

"16." To restrain drunkards immoderate drinking of intoxicating beverages, brawling and obscenity in the streets or public places, and to provide for arresting, removing and punishing any person who may be guilty of the same.

"To authorize the arrest, fine and imprisonment in the city prison, or in the jail of Winona county, as vagrants, all persons who, not having visible means to maintain themselves, are without employment, idly loitering or rambling about, or staying in groceries, drinking saloons, houses of ill fame or houses of bad repute, gambling houses, taverns or railroad depots, or who shall be found trespassing in the night time upon the private premises of others, or placing themselves in the streets or other public places to beg or receive alms. Also keepers, exhibitors or visitors at any gaming table, gambling house, or other places of device; and all persons who go about for the purpose of gaming, watch stuffing, or who shall have in their possession any article or thing used for gaming or obtaining money under false pretenses."

SEC. 2. That section two, of chapter four, of said act, be amended by adding thereto the following:

"38." The City Council may enforce all ordinances, by-laws, police and other regulations, by punishment of fine or imprisonment in the city or county jail, or by both fine and imprisonment in the discretion of the magistrate or court before whom conviction may be had: *Provided*, Such fine shall not exceed one hundred dollars, nor such imprisonment the term of three months. Any justice of the peace in the city of Winona shall have jurisdiction of all prosecutions for the violation of all ordinances, by-laws, police or other regulations passed by the City Council under this act. And it shall be the duty of any justice of the peace residing in said city, and he is hereby authorized and empowered, on complaint being made to him on oath of the violation of any law or ordinance of said city, or of the neglect or violation of any duty imposed thereby, to issue his warrant, directed to the city marshal or to the sheriff of Winona county, to arrest the offender or offenders and bring them forthwith before him; and the trial of such offenders shall be conducted in the same manner and in accordance with the general laws of this State in regard to the trial of criminal cases before justices of the peace, so far as applicable thereto; and upon plea of guilty, or upon conviction of such offender, such justice shall impose such fine or imprisonment, or both, as may be prescribed by such by-law or ordinance; and the said justice shall have power to enforce such judgment in criminal cases under the general laws of this State.

Powers of City Council.

SEC. 3. That chapter four of said act be amended by adding thereto the following section:

Personal notice not requisite.

*Section 15.* In all proceedings had by the City Council under or by virtue of sections six to thirteen inclusive, of chapter four of this act, or acts amendatory thereof, no personal notice shall be required to be given to the owners or occupants of any lot or parcel of land, but in all cases publication in such manner as the City Council may direct, of any notice provided for in this act, shall be deemed sufficient and valid notice.

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

Approved February 28, 1866.