

city of Winona provided for in this act, until such work house or house of correction as herein provided shall have been established by said council; *provided further*, that the city prisoners while so confined in said jail, shall be under the control and custody of the sheriff of said county, except during the time they are employed upon the public streets and grounds in said city, when they shall be under the control of such officer as said council may designate.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 14, 1879.

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## CHAPTER XXV.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF SAINT JAMES IN THE COUNTY OF WATONWAN," APPROVED MARCH SECOND, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

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

SECTION 1. That subdivision one of section seven of said act be amended as follows:

*First*, To license and regulate within the corporate limits of said village, according to law or ordinance, or both, the selling, vending, or dealing in any manner in spirituous, vinous, malt, fermented, or intoxicating liquors or drinks, and may, in their discretion, refuse to grant [any] such license.

To license and regulate the exhibition of common showmen, or shows of any kind, or the exhibition of any caravan, circus, theatrical or sleight-of-hand performance.

To license and regulate auctioneers, and peddlers, and vendors of gunpowder, and regulate and license billiard tables and ten-pin alleys, and to revoke any such license, at their discretion.

*Provided*, That in no case shall the sum to be paid for any such license be less than the amount fixed and provided by law, when the same is established by the laws of this state; nor shall the sum paid for any one license to sell intoxicating liquors exceed the sum of five hundred dollars for one year. *And provided, further*, That any person paying license, as provided in this section, shall not be required to pay a county license for same. All moneys received for any such license shall be paid to the treasurer of said village by the person applying for the same, and no license shall be granted by said trustees until such money shall have been duly paid into such treasury by the applicant for such license.

The treasurer shall, upon the receipt of any money paid to him in pursuance of the requirements of this section, give to the person or party paying the same, a duly certified receipt for the same, which shall be filed with the clerk of said village before any such license shall be delivered to the person applying therefor. All moneys belonging to said village, received from any other source by any of the officers of said village, shall be paid immediately upon the receipt thereof, to the treasurer of said village, who shall receipt for the same, as provided in this section, and the same shall be filed as hereinbefore provided. Nothing hereinbefore provided shall prevent the legal voters of said village of Saint James from deciding by vote as to whether any license shall be granted by the officers of said village to sell intoxicating liquors.

*Provided*, In case a vote is to be taken, the clerk of said village; or in case the clerk neglects or refuses to give such notice, any legal voter of said village may cause a notice to be published in said village of Saint James, at least once within ten days next preceding said election, that the question of license will be submitted to the legal voters of said village at the next general election of said village, which question shall be determined by ballots containing the words "In favor of license," or "Against license," as the case may be, which votes shall be canvassed and returned as is by law provided for canvassing election returns; and if such returns show that a majority of the votes cast at such election shall be against license, no license to sell spirituous, malt, fermented, or any intoxicating liquors shall be granted by said village officers to any person at any time thereafter, unless a vote is again taken in pursuance of this section, and a majority of the votes so cast are in favor of license, in which case license may be granted, as provided in this chapter; *provided*, that in case no weekly newspaper is published in said village at the time of such election, said notice may be given at the time and as a part of the general election notice, as provided in this charter; but want of such notice shall not in any event invalidate such election.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 10, 1879.