

ever nativity, race, color or persuasion, religious or political, and it being the appropriate object of legislation to enact great fundamental principles of law; therefore

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

Equal rights
without dis-
tinction of
color or race.

SECTION 1. That all persons within the jurisdiction of the state of Minnesota shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land or water, theatres and places of public amusements, restaurants and barber shops, subject only to the conditions and limitations established by law and applicable alike to all citizens of every race and color, regardless of any previous condition of servitude.

Penalty for
violation.

SEC. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities or privileges in said section enumerated, or by aiding or inciting such denial, shall for every such offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred (100) nor more than five hundred (500) dollars, or shall be imprisoned not less than thirty (30) days nor more than one (1) year.

When act to
take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 7, 1885.

CHAPTER 225.

AN ACT TO PREVENT THE POLLUTION OF RIVERS AND SOURCES OF WATER SUPPLY.

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

Regulating the
drainage of
sewers and de-
posit of animal
and human
excrement.

SECTION 1. No sewage, drainage, or refuse or polluting matter of such kind as either by itself or in connection with other matter will corrupt or impair the quality of the water of any spring, well, pond, lake, stream or river for domestic use, or render it injurious to health, and no human or animal excrement shall be placed in or discharged into, or placed or deposited upon the ice of any pond, lake, stream or river, used as a source of water supply by any town,

village or city; nor shall any such sewage, drainage, refuse, or polluting matter or excrement be placed upon the banks of any such pond, lake, stream or river, within five miles above the point where such supply is taken, or into any feeders or the banks thereof, of any such pond, lake, stream or river; *Provided*, Nothing in this section contained shall apply to Lake Superior.

SEC. 2. The state board of health shall have the general supervision of all springs, wells, ponds, lakes, streams or rivers used by any town, village or city as a source of water supply, with reference to their purity, together with the waters feeding the same, and shall examine the same from time to time, and inquire what, if any, pollution exist, and their causes. In case of a violation of any of the provisions of section one (1) of this act, said board may appoint a time and place for hearing parties to be affected, and shall give due notice thereof, as hereinafter provided, to such parties, and after such hearing, if in its judgment the public health requires it, may order any person or corporation, or municipal corporation, to desist from the acts causing such pollution, and may direct any such person or corporation to remedy the pollution, or to cleanse or purify the polluting substances in such a manner and to such a degree as shall be directed by said board, before being cast or allowed to flow into the waters thereby polluted, or placed or deposited upon the ice or banks of any of the bodies of water in the first section of this act mentioned. Upon the application of the proper officers of any town, village or city, or of not less than legal voters of any such town, village or city, to said state board, alleging the pollution of the water supply of any such town, village or city, by the violation of any of the provisions of this act, said state board shall investigate the alleged pollution, and shall appoint a time and place when and where it will hear and examine the matter, and shall give notice of such hearing and examination to the complainant, and also to the person or corporation, or municipal corporation alleged to have caused such pollution, and such notice shall be served not less than ten (10) days prior to the time so appointed, and shall be served in the same manner that now is or hereafter may be by law provided for the service of a summons in a civil action in the district court. Said board, if in its judgment any of the provisions of this act have been violated, shall issue the order or orders already mentioned in this section.

SEC. 3. The district court, or the judge thereof, may, upon the complaint of said state board, or of the proper authorities of any town, city or village whose sources of water supply shall be so polluted, issue an injunction to enforce the orders of said state board.

SEC. 4. Such orders of the state board shall be served upon the persons, corporations, or municipal corporations

Springs, wells, etc., under the supervision of State board of health.

How to proceed in case of violation of provision of section one.

When injunction may issue.

Right of appeal.

found to have violated any of the provisions of this act, and any party aggrieved thereby shall have the right to appeal to the district court of the county in which is situate the town, village or city whose source of water supply is found to have been polluted, and such aggrieved party shall have the right to a trial by jury in the same manner as in a civil action in said court. During the pendency of the appeal the pollution against which the order has issued shall not be continued contrary to the order of the state board, and upon the violation of the order the appeal shall forthwith be dismissed.

Manner of
appealing.

SEC. 5. Any person, corporation or municipal corporation desiring to appeal from any such order of the state board, shall, within thirty (30) days after the service upon him or it of a copy of such order, file in the office of the clerk of the district court of the proper county, a notice of such appeal, together with a bond in the sum of not less than two thousand (2,000) dollars, with two (2) sureties, to be approved by the judge of said court, conditioned for the prosecution of such appeal to judgment, and for the payment of all the costs and disbursements that may be adjudged against him or it therein, and shall, within three (3) days after such filing, serve a copy of such notice and bond upon the secretary of said board; and said secretary shall, within ten (10) days thereafter, deliver such copies so served upon him to the mayor or other chief executive officer of any such city, village or town, whose source of water supply has been found to have been so polluted.

Water boards,
water compa-
nies, etc., to
make report to
said board —
when — what to
contain.

SEC. 6. Water boards, water commissioners, water companies, and the proper officers of any city, village or town making use as a source of water supply, of any well, spring, pond, lake, stream, river, reservoir or well, within, or partly within, this state, and distributing the waters thereof for public, domestic and general uses, shall, from time to time, and whenever required by said state board, make returns to said board, upon blanks to be furnished by it, of such matters as may be required by said board and called for by such blanks, and any such water board, water commissioners, water company, or officers of any city, village or town, who shall, for the space of thirty (30) days after being furnished with such blanks, fail or neglect to make any such report so required, shall, for each and every such neglect or failure, forfeit and pay the sum of one hundred (100) dollars, for the use of the local board of health, or the proper officer acting as such, of the city, town or village where such delinquent has its principal office. Said state board shall, in the name of the state, prosecute in the district court of the proper county an action for the recovery of the penalty or forfeit herein imposed.

Punishment for
neglect to
report.

When act to
take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 7, 1885.