

89022

GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

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1918

PENALTIES AND PROSECUTIONS

3179. Giving, procuring, or purchasing for minors, etc.—

Cited (135-214, 160+673).

3188. Construction of terms—

Cited (135-214, 160+673).

The definitions given in this section are sufficiently clear and complete that they may be given to the jury without further explanation (132-4, 155+766). Intoxicating Liquors, Ⓒ 239(10).

3191. Sale by employee—

126-45, 147+822.

This section is not unconstitutional, as special legislation (124-162, 144+752, Ann. Cas. 1915B, 377). Statutes, Ⓒ 76(5).

The proprietor of a saloon is liable to the penalty for a sale to a minor, though the sale was made by his barkeeper without his knowledge or assent (124-162, 144+752, Ann. Cas. 1915B, 377). Intoxicating Liquors, Ⓒ 168.

The proprietor of a saloon is liable for any sale of liquor to a habitual drunkard, made either by himself or any of his bartenders, after he receives the notice provided for by § 3148 (129-409, 152+775). Intoxicating Liquors, Ⓒ 161.

3199. Securing evidence—Immunity of witness—

This section gives no immunity to the witness from a prosecution for a crime which may be established by independent evidence (126-521, 148+471). Criminal Law, Ⓒ 42.

CIVIL ACTIONS

3200. Action for injuries caused by intoxication—

The bond required by §§ 3116, 3117, though running to the state, is for the protection of all persons damaged, and they may sue thereon in their own names (121-450, 141+793, 47 L. R. A. [N. S.] 183). Intoxicating Liquors, Ⓒ 88(2).

Cause of action for breach of bond survives death of licensee (121-450, 141+793, 47 L. R. A. [N. S.] 183). Abatement and Revival, Ⓒ 53.

Unchallenged instructions, held to be regarded as the law of the case on appeal (121-455, 141+803). Appeal and Error, Ⓒ 853.

This section has no application to the act of a bartender in pouring alcohol on a guest and setting fire to him, where such bartender was not at the time intoxicated (131-136, 154+795, L. R. A. 1916E, 269). Intoxicating Liquors, Ⓒ 86, 87.

CHAPTER 16A

CIGARETTES

3202. Penalty for violation—Any person violating the provisions of section 1 of this chapter shall be guilty of a misdemeanor, and upon first conviction for such violation shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or imprisonment in the county jail for not less than fifteen days, nor more than sixty days; and upon second conviction for violation of any of said provisions shall be punished by imprisonment in the county jail for not less than thirty days, nor more than ninety days, and his license shall then be terminated as hereinafter provided. (Amended '17 c. 245 § 1)