

ORDINANCE NO 26: An Ordinance to prohibit and perish the sale of Intoxicating and spirituous liquors within the Village of Hokah,

The President and Trustees of the Village of Hokah do ordain as follows.

SECTION 1.

Whereas, at the last annual election held in and for the Village of Hokah, in Houston county and state of Minnesota pursuant to a notice duly given and also pursuant to the provisions of chapter 238 of the special laws of the state of Minnesota of the year A.D. 1876, a majority of the legal voters of said village voted against the issuance of license for the sale of intoxicating and spirituous liquors within said village of Hokah therefore hereafter it shall be unlawful for any person or persons to sell, or expose for sale, give, furnish barter, deliver, or in any manner dispose of to any person whomsoever any kind or quantity of intoxicating or spirituous liquors or drink within the limits of said village of Hokah.

SECTION 2.

That the term intoxicating or spirituous liquors wherever it occurs in the Ordinance shall be held and constructed to mean and include alcohol, rum, gin, brandy, whiskey, ale, beer of all kinds, kimmel, wine of all kinds, bitters of all kinds, and all other kinds of beverages containing any quantity of alcoholic or intoxicating spirits.

SECTION 3.

It shall be unlawful for any person or persons to keep any place of business, saloon, building, store or other place, within the limits of said village of Hokah for the purpose of keeping for sale, distribution to deal out, give away, sell, barter, furnish, deliver, store, drunk, or in any manner to dispose of, any such intoxicating or spirituous liquor, and it shall likewise be unlawful for any number of persons to jointly or severally purchase or place in store, keep or cause to be kept any quantity whatever or such intoxicating or spirituous liquors in any such place of business saloon, building, store, or other place, for the purpose of causing the same to be dealt out distributed sold, given away, furnished or delivered to or drunk up or in any other manner disposed of contrary to the provisions of this Ordinance.

SECTION 4.

It shall be unlawful for any number of persons to combine, confederate, agree with each other, or associate together in any manner whatever for the purpose of, or to take part in organizing any society association, club or assembly to procure purchase place in store keep giveaway, distribute, sell, barter, furnish, deliver, drink, or in any other manner dispose of any such intoxicating or spirituous liquors.

SECTION 5.

It shall be unlawful for any person, partner, or partnership, to be or act as the servant, clerk, agent, officer, president, vice president, secretary, cashier, or steward of any such person, society, club, association or assembly of the kind mentioned in sections three (3) and four (4) of this Ordinance or any such intoxicating or spirituous liquors, in any quantity whatever, and it shall be unlawful for any person to attend any meeting of any such society, club, association or assembly, called on held for any such purpose or to keep any list or memorandum of the names of the members of any such society, club, association or assembly or to make furnish or deliver any certificate or ticket of membership to any person officer or servant of any such society club, association or assembly or to take, receive or payout any money for the purpose of procuring any such intoxicating or spirituous liquor, for any such society, club, association or assembly.

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SECTION 6.

Any person or persons having or holding a license from the government of the united states authorizing the sale of any intoxicating or spirituous liquors who shall post such license up at any place within the village of Hokah to protect him or them in the sale or disposal of such liquors, shall be deemed guilty of having unlawful exposed such liquors for sale, contrary to the provisions of this Ordinance and liable to the penalty provided against exposing such intoxicating or spirituous liquors for sale.

SECTION 7.

Any person who shall violate any of the provisions of this ordinance shall be punished by a fine not less than fifty (50) dollars, nor more than one-hundred (100) dollars, and shall pay the costs of prosecution, and in default of the payment of either such fine or costs , shall be imprisoned in the common jail of Houston County, until such fine and costs are paid, which imprisonment shall not exceed a period of sixty (60) days.

SECTION 8,

It shall be the duty of every constable of said village of Hokah having knowledge of any violation of any of the provisions of this ordinance to seize any and all such intoxicating or spirituous liquors, and make complaint against the person or persons in whose possession he shall find the same and cause him or them to be prosecuted there for. Proof of the possession of any such intoxicating or spirituous liquors, shall be prima facie proof that the same is kept for sale contrary to the provisions of this ordinance

SECTION 9.

Every prosecution for any violation of any of the provisions of the ordinance, shall be commenced by a written complaint, made upon oath, before any justice of the peace of the village of Hokah, and a warrant issued thereon for the arrest of the person or persons charged there with and such proceedings shall be had there on as are prescribed by law in other criminal cases.

SECTION 10.

All liquors seized under the provisions of this ordinance shall on the conviction of the person or persons accused of having illegally had the same, be summarily destroyed, provided: that none of the provisions of this ordinance shall apply to any judicial sale of any such intoxicating or spirituous liquor ordered to be sold by any of the courts of this state.

SECTION 11.

Each and every ordinance of said village of Hokah, heretofore passed or ordained, in any manner relating to the sale of intoxicating or spirituous liquors of any and all kinds, or purporting to restrain, limit, or in any manner regulate the sale of intoxicating or spirituous is hereby repealed and declared null and void and all ordinances of said village of Hokah which an inconsistent with the provisions of this ordinance an hereby repealed.

SECTION 12.

This ordinance shall take effect and be in force ten (10) days after the same shall have been duly posted as required by law.

Adopted, passed, signed and sealed at a meeting of the Board of Trustees of the Village of Hokah, heed at the recorders office, in the village of Hokah, Houston County, and state of Minnesota on the 24th day of August A.D. 1878.

STATE OF MINNESOTA)
COUNTY OF HOUSTON) ss

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W.H. Kelson being duly sworn upon oath says that on the 2nd day of September A.D. 1878 he posted a true and correct copy of the foregoing Ordinance at the Post Office in the Village of Hokah, Houston County, State of Minnesota and that the place where he posted said Ordinance is the most public place in Said Village.

W.H. Kelson

Subscribed and sworn to
Before me this 30th day
Of September 1878
A.H. Bondish
Recorder