

may consider necessary for the more thorough examination of the affairs and business of said corporation. The said person or persons so appointed shall report the result of their investigation to said court, and if satisfied thereby that any officer, trustee or servant of said corporation has been guilty of any fraud or misconduct, may remove said person or persons, and make further order, and take such further measures for securing the funds and property of said corporation as the court shall deem expedient.

Punishment for violation of the provisions of this act.

SEC. 20. Any person or association of persons who shall assume the name of a savings bank or association, or hold themselves out to the public as a savings bank or association, and who shall not have been duly organized under this act, or the act of which this is amendatory, shall be deemed guilty of violating the provisions of this act, and on conviction be fined not less than one hundred dollars and not more than two hundred dollars, for every thirty days while so violating this act.

Approved March 9, 1875.

CHAPTER LXXXV.

AN ACT TO REGULATE THE GAUGE OF CERTAIN RAILROADS IN THIS STATE.

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

Uniform gauge of railroads.

SECTION 1. All railroads in this state commonly known as narrow gauge railroads, shall be built of the uniform gauge of three feet.

When act to take effect.

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

Approved March 5, 1875.

CHAPTER LXXXVI.

AN ACT TO PROVIDE FOR THE INSPECTION OF MINERAL OILS FOR ILLUMINATING PURPOSES.

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

SECTION 1. That upon the application of five or more citizens of any county in this state, wherein any mineral oils are made, refined, or produced, for the purpose of burning in any kind of lamp as an illuminator, or where any of them are sold for that purpose, the judge of the district court shall appoint a sufficient number of suitable and qualified persons, who are not interested in the making or vending of any of said oils, who shall, at their own expense, provide themselves with the necessary instruments and apparatus for testing the quality of said oils for illuminating purposes; that they shall be requested by the manufacturer, refiner, dealer, vendor, or producer to test and examine, and if upon such testing or examination the oils so tested shall meet the requirements hereinafter specified, the inspector shall fix his brand and device, "approved," with the date, upon the package, cask, or barrel containing the same, and it shall be lawful for any manufacturer, refiner, dealer, or producer to sell the same as an illuminator; but if the oil so tested shall not meet the requirements hereinafter specified, he shall mark upon such package, cask, or barrel, "rejected for illuminating purposes," under his name, and it shall be unlawful for the owner thereof to sell it for illuminating purposes, under the pains and penalties hereinafter provided.

Inspector to be appointed.

SEC. 2. It shall be the duty of the inspector, when called upon for that purpose, promptly to inspect all oils hereinbefore mentioned, and to reject as dangerous all of said mineral oils known by whatsoever name, which, at the temperature of one hundred and fifty degrees of Fahrenheit's thermometer, will emit an explosive gas; *Provided*, That the instrument used in testing of said mineral oils shall be one approved by the state board of health; *And provided also*, That the quantity of oil used in the test shall not be less than half a pint, and the temperature slowly raised to the degree at which such explosive gas is emitted, or to that hereinbefore provided as a test.

Duty of inspector.

SEC. 3. That if any person, whether manufacturer, refiner, dealer, or producer, shall sell or attempt to sell to any person in this state any of said mineral oils for illuminating purposes, whether manufactured, refined, or produced in this state or not, before having the same inspected, as provided by this act; or if any manufacturer, refiner, vendor, producer, or inspector of said mineral oils for illuminating purposes, shall falsely brand the package, cask, or barrel containing the same, as provided in the first section of this act, or shall use barrels, casks, or packages having the inspector's brand, without the oil therein having been inspected, he or they so offending, upon conviction thereof, shall be fined in any sum not exceeding five hundred dollars nor less than fifty dollars, or be imprisoned in the county jail not exceeding three months, or both, at the discretion of the court; and any person violating any provision of this act, or who shall neglect to do what is required herein, shall be liable to any party injured for any damage sustained

Penalty for violation of provisions of this act.

thereby; and if any loss of life result as a consequence of not doing what is herein required, or by the neglect of the manufacturer, refiner, dealer, producer, or inspector to do what is hereby enjoined, the person so delinquent shall be deemed guilty of manslaughter, and punished according to the statute in such cases made and provided.

Disposition of moneys collected as fines. SEC. 4. All prosecutions for fines and penalties under the provisions of this act, shall be by indictment in the district court in the proper county, and when collected, shall be paid into the county treasury, for the use of the school fund of the proper county.

Oath. SEC. 5. Every person appointed inspector shall, before he enters upon the duties of his office, take an oath or affirmation to support the constitution of this state and of the United States, and perform the duties of his office with fidelity. He shall also execute a bond to the state of Minnesota in such sum and with such surety as shall be approved by the district court of the county where appointed, conditioned for the faithful performance of the duties imposed on him by this act, which bond shall be for the use of all persons aggrieved by the acts or neglect of such inspector.

Term of office. SEC. 6. The term of office of an inspector shall be for three years, and every inspector shall, upon the requisition of any manufacturer, vendor, or producer, or purchaser of the oils herein mentioned, proceed without unnecessary delay to the inspection thereof; and the said inspector shall be entitled to demand and receive from the owner or party calling upon him the sum of twenty-five cents for every package, cask or barrel of said refined mineral oils or crude petroleum so inspected and branded by him.

Inspector not to deal in, during term of office. SEC. 7. No inspector shall, while in office, buy, sell, barter or otherwise trade directly or indirectly in any of the aforesaid mineral oils which they are appointed to inspect, and for the violation of this section they shall be liable to a fine of not more than five hundred dollars nor less than two hundred dollars, to be collected in accordance with the provisions of section five of this act.

When act to take effect. SEC. 8. This act shall take effect and be in force from and after May first, A. D. eighteen hundred and seventy-five.

Approved March 9, 1875.

CHAPTER LXXXVII.

AN ACT TO ESTABLISH A STANDARD OF WEIGHT AND MEASURE FOR LIME.