

Aitkin county [as] if the same had been organized for judicial purposes, shall be transferred to said Aitkin county. And all records pertaining to, or which properly belong to said Aitkin county, where no other provision is made by law, shall be transferred from said Crow Wing county to said Aitkin county. The expense of said transferring and transcribing shall be paid by said Aitkin county; *Provided*, That a grand jury shall be summoned only at the first term of each year, unless otherwise ordered by the judge of the district court.

Records and papers transferred.

SEC. 4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal of inconsistent acts.

SEC. 5. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 6, 1885.

CHAPTER 143.

AN ACT FOR THE TAKING OF THE CENSUS AND FOR THE ENUMERATION OF THE INHABITANTS OF THIS STATE.

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

SECTION 1. The assessors of the several towns in this state, under the direction of the county auditors of their respective counties, are hereby authorized and required to take an enumeration of the inhabitants in their respective towns, omitting in such enumeration Indians not entitled to the right of suffrage under the constitution and laws of the state, and in case there shall be no town or shall be no assessor in any district composing the whole or a part of any county, then and in every such case the county auditor of the county to which any such district may be attached for judiciary purposes, shall appoint one or more assistants with power to perform the service required of town assessors by this act and within the limits of any incorporated city or village the said service shall be performed by the assessor of the corporation.

Enumeration of inhabitants to be taken — by whom.

SEC. 2. The secretary of state shall prepare appropriate forms distinguishing therein persons of each sex and their respective ages, deaf and dumb, blind, insane, persons of color, nativity of persons, persons of foreign parentage, number of families, number of churches, value of church property, and property held by church associations ex-

Appropriate forms to be prepared — by whom — what to contain.

empt from taxation, and shall cause a sufficient number of copies thereof to be printed and transmitted to the several county auditors on or before the fifteenth (15th) day of April next, and immediately thereafter each of said auditors shall forward the requisite number of such forms to the town assessors and assistants appointed by him within his county to enable them to take said census in a uniform manner.

Assessors and assistants to subscribe an oath to faithfully perform their duties.

SEC. 3. The town assessors and assistants shall severally take and subscribe an oath before some person authorized to administer oaths previous to entering upon the discharge of the duties imposed by this act, that they will well and truly cause to be made a just and perfect enumeration of all persons within their city, town or division, as the case may be, and make a true return thereof in pursuance of the provisions of this act, according to the best of their ability, which oath shall be returned with the census taken by each person respectively to the county auditor of the county on or before the first (1st) day of August next.

How enumeration to be made — when to begin and terminate.

SEC. 4. The said enumeration shall be made by an actual inquiry by the person taking such census at every dwelling or by personal inquiry of the head of every family in their several cities, towns or districts, and shall commence on the first (1st) day of May next and shall be completed and closed in two (2) months thereafter, and said enumeration shall include only those whose place of residence shall be in said cities, towns or districts on the first (1st) day of May aforesaid, and the several assessors and assistants shall deliver to the county auditor a true and accurate enumeration of all persons within their respective cities, towns and districts, which enumeration shall be set forth in schedule according to the form prescribed by the secretary of state, designating the city, town or district and shall embrace the several families by the name of the head thereof and the aggregate population therein.

Duty of county auditor.

SEC. 5. The several county auditors shall on the first (1st) day of August or sooner if all the returns shall be received by him from the assessors and assistants, prepare the duplicate copies of the enumeration of the inhabitants of their respective counties and transmit said copies to the secretary of state and deliver the returns as received from the assessors and assistants to the clerk of the district court of the county and the said clerk shall preserve the same on file in his office.

SEC. 6. The persons appointed to take said census shall be allowed compensation for the services to be performed in taking the same as follows:

How compensated.

Assessors of incorporated villages and cities shall be paid at the rate of one dollar and seventy-five cents (\$1.75) for every one hundred (100) persons enumerated by them respectively. Town assessors [and assistants] appointed by the county auditors shall be paid at the rate of two dollars and fifty cents (\$2.50) for every one hundred (100) enumer-

ated by them respectively, and the compensation for taking the enumeration in unorganized counties shall be five (5) cents for each name so taken; *Provided*, That each county auditor shall be allowed for making his returns ten (10) dollars in case the schedules returned by him shall contain one thousand (1,000) names or less, and five (5) dollars for every one thousand (1,000) the schedules returned shall contain exceeding that number. The accounts for taking the census shall be certified in duplicate by the county auditors respectively on blanks to be furnished by the state auditor, and such accounts shall be payable to the respective county treasurers and shall be endorsed by the person taking the census and to whom compensation is to be paid, as follows:

"I authorize the payment of the amount due me on the within voucher to the treasurer of.....county
.....assessor of....."

Form of voucher.

And said county treasurer shall receipt for the total amount found to be due persons in their respective counties, and shall distribute the same to the parties entitled thereto. Such accounts shall be in duplicate, and when adjusted by the state auditor a warrant shall be sent to the treasurer of the proper county with the duplicate of the bill as allowed and adjusted, and shall be paid out of the state treasury; *Provided*, That the provisions of this section shall not be subject to any of the provisions of section one hundred and forty-two (142) chapter eight (8), nor section eighty-six (86) chapter ten (10) of the general statutes of A. D. one thousand eight hundred and seventy-eight (1878).

How paid.

SEC. 7. In case any of the assessors should refuse to perform the duties required by this act, then it shall be the duty of the auditors to appoint assistants for the performance of such duties as in case of unorganized towns.

Appointment of assistant in case assessor refuses to act.

SEC. 8. It shall be the duty of the secretary of state, after receiving the returns from the auditors, to digest and compile the contents of such returns, showing the number of inhabitants belonging to the respective classes in the several counties and in the state, and to make his printed report to the legislature at the commencement of its next regular session and the secretary of state shall receive five hundred (500) dollars as an additional compensation for the performance of his duties under this act; the secretary is authorized to employ the necessary assistants whose compensations shall not exceed three (3) dollars per day, to be paid on the warrant of the state auditor.

Duty of secretary of State on receipt of returns.

SEC. 9. Every county auditor, town assessor or assistant appointed and who shall have accepted said appointment, who shall neglect or refuse to perform the duties required by them in taking or returning the census as herein directed shall forfeit and pay the sum of two hundred and fifty (250) dollars, to be recovered in the manner provided by law for the collections of fines and forfeitures.

Penalty for neglect of performing duties required.

SEC. 10. The sum of thirty-five thousand (35,000) dol-

Necessary ap-
propriation.

lars or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying into effect this act.

When act to
take effect.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

CHAPTER 144.

AN ACT TO REGULATE WAREHOUSES, INSPECTION, WEIGH- ING AND HANDLING OF GRAIN.

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

What to be de-
clared public
warehouses.

SECTION 1. All elevators or warehouses located at Minneapolis, St. Paul, and Duluth, in this State, in which grain is stored in bulk, and in which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of different lots or parcels cannot be accurately preserved, and doing business for a compensation, are hereby declared to be public warehouses.

License re-
quired before
transacting
business.

SEC. 2. The proprietor, lessee or manager of any public warehouse shall be required before transacting any business to procure from the railroad and warehouse commissioners a license permitting such proprietor, lessee or manager to transact business as a public warehouseman under the laws of this State, which license shall be issued by the railroad and warehouse commissioners upon written application, which shall set forth the location and name of such warehouse, and the individual name of each person interested as owner or principal in the management of the same, or if the warehouse be owned or managed by a corporation, the name of the president, secretary, and treasurer of such corporation shall be stated, and the said license shall give authority to carry on and conduct the business of public warehouse, in accordance with the laws of the State, and shall be revocable by said commissioners upon a summary proceeding before the commissioners, upon complaint of any person in writing, setting forth the particular violation of law, and upon satisfactory proof to be taken in such manner as may be directed by the commissioners.

License may be
revoked in case
of violation of
law.

Person receiv-
ing license to
file bond — in
what amount —
conditions.

SEC. 3. The person receiving a license as herein provided shall file with the commissioners granting the same, a bond to the state of Minnesota, with good and sufficient sureties