

such acknowledgment has been recorded as provided by law, provided that this act shall not extend to any action or proceeding now pending.

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

Approved April 24, 1913.

CHAPTER 474—S. F. No. 892.

An Act to amend Section 4365, Revised Laws of 1905, relating to appeals to the supreme court in civil actions or proceedings, and providing for expediting the hearing on such appeals in certain cases.

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

Section 1. **When appeals may be taken—Time for hearing of appeal.**—That Section 4365, Revised Laws of 1905 be and the same is hereby amended so as to read as follows:

“Section 4365. An appeal may be taken to the supreme court by the aggrieved party in the following cases:

1. From a judgment in an action commenced in the district court, or brought there from another court from any judgment rendered in such court; and upon such appeal the court may review any intermediate order involving the merits or necessarily affecting the judgment appealed from.

2. From an order granting or refusing a provisional remedy, or which grants, refuses, dissolves, or refuses to dissolve, an injunction, or an order vacating or sustaining an attachment.

3. From an order involving the merits of the action or some part thereof.

4. From an order refusing a new trial, or from an order sustaining a demurrer, *provided that when an order granting a new trial is based exclusively upon errors occurring at the trial and it is so expressly stated in the order or memorandum of the trial court, an appeal therefrom may be taken but in such case only.*

Provided further that where the trial court has once granted a new trial in the exercise of its discretion, on the ground that the evidence is not sufficient to support the verdict, an appeal may be taken from any subsequent order granting a new trial wholly or in part upon that ground.

Provided further that when upon the entry of an order overruling a demurrer, the trial court shall certify that the question presented by the demurrer is in his opinion important and doubtful, and such certification is made part of the order overruling the demurrer, an appeal from such order may be taken.

5. From an order which, in effect, determines the action, and prevents a judgment from which an appeal might be taken.

6. From an order or judgment made or rendered in proceedings supplementary to execution.

7. From a final order, affecting a substantial right, made in a special proceeding, or upon a summary application in an action after judgment.

When an appeal is perfected under subdivisions 2 or 7 of this section, and notice and bond on appeal is filed with the clerk of the supreme court, the party appealing or the respondent, may apply to the supreme court, upon ten days' notice, for an order fixing the time and manner of the hearing of the appeal; and the court may, in its discretion, if it be of opinion that the substantial interests of the parties involved, or of the public, require a speedy hearing, summarily fix the time of hearing, whether the court be then in session or in vacation, and may summarily determine the time for filing paper books and briefs, and the method of submission."

Sec. 2. This act shall take effect and be in force from and after July 1, 1913.

Approved April 24, 1913.

CHAPTER 475—H. F. No. 148.

An Act to regulate the manufacture, use and sale of oleomargarine and prevent deception and fraud therein, and to prescribe penalties and punishment for violations of the provisions hereof.

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

Section 1. Manufacture and sale of oleomargarine, etc., prohibited—Penalty for violation.—No person, firm or corporation, by himself, or by his or their agents or employees, shall produce or manufacture out of or from any animal fats or animal or vegetable oils not produced from adulterated milk or cream from the same, the articles known as oleomargarine or any article or product in imitation or semblance of natural butter produced from pure unadulterated milk or cream of the same; or mix, compound with or add to milk, cream or butter any acids or other deleterious substance or any animal fats or animal or vegetable oils not produced from milk or cream, so as to produce any article or substance or any human food in imitation or in semblance of natural butter, nor sell, keep for sale or offer for sale any article, substance or compound, made, manufactured or produced in violation of the provisions of this section, whether such article, substance or compound shall be made or produced in this state or elsewhere. Any person manufacturing, selling, offering or exposing for sale any commodity or substance in imitation or semblance of butter, the product of the dairy, shall be deemed guilty of a violation of this section whether he sells such