

CHAPTER 60—S. F. No. 473

An act providing for cancellation of taxes which are liens on lands at time of acquisition thereof by any school district of the State of Minnesota.

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

Section 1. **Taxes may be cancelled when.**—That in all cases where common or independent school districts of the State of Minnesota have acquired title for a nominal consideration to lands within the State of Minnesota for school purposes exclusively, on which the taxes have not been paid for the past five years or more, such school district may apply to the district court of the county wherein said lands are situated for an order cancelling and annulling all taxes on said lands which may have been assessed or levied on said lands prior to the year 1935. Such application shall be by motion duly served on the county auditor of the county within which said lands are situated, on the mayor of any city within which said lands are situated, on the president of the village council of any village within which said lands are situated, on the town clerk of any township within which said lands are situated and outside the limits of any city or town, in said township, and on the attorney general of the State of Minnesota. If it shall appear to the satisfaction of said court at the hearing on said motion that the taxes so levied or assessed against said lands amount to more than the value of said lands, and that said school district has acquired the title thereto from the owners of said lands for a nominal consideration, said court shall make findings of fact setting forth the amount of said unpaid taxes, the value of the lands acquired by said district, and the price paid the owners of said lands therefor, and that said price was nominal; and on such findings the court shall cause judgment to be entered in said proceeding cancelling and annulling said taxes.

This Act shall take effect and be in force from and after its passage.

Approved March 20, 1935.

CHAPTER 61—S. F. No. 586

An act to promote the public welfare, to be known as the Cream Grading and Testing Law, relating to the purchase of cream; to establish grades of cream quality, methods for deter-

mining such grades and provisions to insure the purchase of cream on the basis of established grades; to provide equitable differentials of value as between grades, necessary licensing provisions and to provide penalties for violation of the Act.

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

Section 1. **Definitions.**—As used in this act, the following words and phrases in this act shall unless the same be inconsistent with the context, be construed as follows:

(a) The term “person” shall mean, “individual”, “partnership”, “corporation”, and “association”.

(b) The term “cream buying station” shall mean any place other than a creamery, where deliveries of cream are weighed, sampled, and/or tested for purchase on a butterfat basis.

(c) The term “creamery” shall mean any place where cream, delivered by two or more persons, is churned into butter for commercial purposes.

(d) The term “Babcock Test” shall mean the official Babcock test for milk and cream as set forth in Chapter 154, Babcock Test Law of 1927.

Sec. 2. Grades of cream and butter fat.—All cream and/or butterfat sold and/or purchased shall be graded and paid for on the basis of the following established grades:

Sweet Cream Grade shall consist of fresh, clean, fine-flavored cream, the acidity of which calculated as lactic acid shall at no time have exceeded .20% in cream.

Grade One shall consist of cream that is clean, free from undesirable odors and flavors, the acidity of which calculated as lactic acid shall at no time have exceeded .60% at the time and place of purchase.

Grade Two shall consist of cream that is too acid to grade as Grade One and/or contains undesirable odors and flavors in a moderate degree.

Unlawful Cream shall consist of cream which contains dirt, filth, or other foreign matter which makes it unfit for human consumption.

Sec. 3. To affix condemnation tags.—All licensed cream buyers shall affix to the container of condemned unlawful cream, condemnation tags provided by the Department of Agriculture, Dairy and Food, and shall also place in such un-

lawful cream a harmless, permanent coloring matter so as to prevent the said unlawful cream from being sold for human consumption.

Sec. 4. Cream to be shipped daily.—The cream buyer shall ship all cream purchased by him within 24 hours of the time of purchase of said cream, except where acts of Providence beyond his control prevent compliance with this provision.

Sec. 5. Purchases to be on basis of grades.—All purchases of cream shall be on the basis of the grades hereinbefore defined. All purchasers of cream and/or butterfat shall maintain a reasonable price differential for such grades and at no time shall this differential be less than one cent per pound butterfat between grades. The daily current price being paid for each grade shall be posted in a prominent place in each cream buying station or creamery provided, however, that this requirement as to the posting of the daily current price shall not be applied to those creameries or cream buying stations that do not make daily cash purchases.

Sec. 6. Monthly test to be made.—A minimum of one sediment test per month must be made of the cream of each producer patron of a creamery or of any cream buyer. If such sediment test is unsatisfactory, then successive tests on future deliveries of cream marketed must be made and must conform to the definition for Sweet Cream, Grade One or Grade Two cream before the marketer of said cream shall be entitled to receive the price being paid for the grade of cream offered.

Sec. 7. Must have license cream buyer.—A licensed cream buyer, duly qualified to grade and test cream, shall be maintained in each creamery and in each cream buying station where cream is purchased. A grading and testing license shall be issued by the Department of Agriculture, Dairy and Food, to such person who shall have passed a satisfactory examination in person and shall have proved by actual demonstration before an inspector or authorized agent of the Department that he is competent and qualified to grade and test cream and that he is fully conversant with all the requirements of this Act. Every such license shall be issued for a period ending on the thirty-first day of December following, and shall not be transferable. The fee for each such annual license shall be One Dollar, and shall be paid to the Department of Agriculture, Dairy and Food, or its agent before such license or renewal thereof is issued.

Sec. 8. Agricultural department to enforce act.—The Department of Agriculture, Dairy and Food shall be charged

with the enforcement of the provisions of this Act, and shall have the authority to promulgate such rules and regulations as are necessary to the enforcement thereof.

Sec. 9. Violations—penalties.—Any violation of any of the provisions of this Act is hereby declared to be a misdemeanor, and any person, whether individually, or as a member of a partnership, or as an agent or officer of a corporation or any corporation, who shall be convicted of such violation either on his or its own behalf or in the interest of any other individual or corporation, association, or partnership, shall be fined not less than \$25.00, nor more than \$100.00 and such person's or corporation's license may be revoked on second offense.

Sec. 10. Provisions severable.—If any section, subdivision, sentence or clause in this act shall for any reason, be held void or unconstitutional, such decision shall not affect the validity of any other portion of this act.

Approved March 20, 1935.

CHAPTER 62—S. F. No. 759

An act to fix the times of holding general terms of the District Court in the Third Judicial District of the State of Minnesota.

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

Section 1. Terms of court in third judicial district.—The general terms of district court in the several counties constituting the Third Judicial District of the State of Minnesota shall be held each year at the times prescribed as follows:

Houston County on the third Monday in May and the fourth Monday in October;

Olmsted County on the third Monday in January, April and September;

Wabasha County on the third Monday in May and the second Monday in November;

Winona County on the second Monday in January and the third Monday in April and September;

Provided, however, that when any general term in any of said counties shall be adjourned for a period of more than