

CHAPTER LXXV.

AN ACT TO AMEND SECTION SEVEN OF CHAPTER TWENTY-SIX OF THE GENERAL LAWS OF THE YEAR 1871, RELATING TO "PATENT RIGHTS."

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

SECTION 1. That section seven of chapter twenty-six of the general laws of the year one thousand eight hundred and seventy-one, be so amended as to read as follows: "All actions commenced before a justice of the peace, in the district court, or in a court of common pleas, in this state, to recover any debt, demand or sum of money, upon any promissory note or other written instrument where the consideration thereof was for a patent right, or any interest therein, shall be brought in the county where the defendant resides, if a resident of this state, at the time of the commencement of such action and not elsewhere."

Patent rights—
actions to recover
relating there-
to.

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

When act to take
effect.

Approved February 19, 1874.

CHAPTER LXXVI.

AN ACT TO AMEND SECTION FOUR, AND TO REPEAL SECTION FIVE, AND AMEND SECTION ELEVEN OF CHAPTER TWENTY-ONE, STATUTES OF MINNESOTA, REVISION OF EIGHTEEN HUNDRED AND SIXTY-SIX, RELATING TO WEIGHTS AND MEASURES.

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

SECTION 1. That section four of chapter twenty-one of the statutes of Minnesota, revision of eighteen hundred

and sixty-six, relating to weights and measures, be and the same is hereby amended so as to read as follows :

County treasurer authorized to appoint deputy sealers of weights and measures.

Sec. 4. The county treasurer of each organized county shall have power to appoint in writing a deputy sealer of weights and measures for each railroad station and wheat market in his county, each of which appointments shall be recorded in the office of register of deeds, and there upon each of said deputies shall have all the powers and shall be competent to perform all the duties of such office, and shall, in case of willful neglect or refusal to faithfully discharge the duties required of him by law, be punished in accordance with the provisions of this act relating to the office of sealer of weights and measures.

SEC. 2. That section five of chapter twenty-one of the statutes of Minnesota, revision of eighteen hundred and sixty-six, be and the same is hereby repealed.

SEC. 3. That section eleven of said chapter twenty-one be, and the same is hereby amended so as to read as follows, to-wit :

Persons using weights and measures to have same proved and sealed.

Section 11. All persons engaged in any business, trade or occupation, requiring the use of weights or measures, shall, on or before the first day of June annually, cause to be tried, proved and sealed by the sealer of weights and measures, in their respective counties, all scale beams, steelyards, weights or measures, used by them in buying or selling any goods, wares, merchandize, grain or other commodities. If after the expiration of three months from the passage of this act, any person shall buy, sell or dispose of any goods, wares, merchandize, grain, or other commodities by any scale beams, steelyard, weight or measure, not proved and sealed in accordance with the provisions of the law to which this is amendatory, or shall fraudulently buy, sell or dispose of any goods or commodities, wares, grain or merchandize by any scale beam, steelyard, weight or measure that has been sealed, but is unjust, shall be deemed guilty of a misdemeanor, and upon conviction thereof by any court having competent jurisdiction, shall be fined not less than five, nor more than one hundred dollars; and upon neglect or refusal to pay such fine and the costs of prosecution, the court before whom the accused shall have been tried shall commit him to the county jail, until such fine and costs are paid, or he is discharged by due course of law. And for the purpose of enforcing the law, it shall be the duty of the sealer of weights and measures, or his

Penalty for using weights and measures not proved and sealed, &c.

deputy, upon the written request of any aggrieved person, and upon the payment to him in advance by such person, the sum of one dollar, and the further sum of twenty cents per mile for going and returning, as traveling expenses, to examine and test any weights or measures used within his county, whether the same shall have been before tested, proved and sealed or not, at any time when called upon, and without previous notice to the person or party complained of. And if such sealer of weights and measures, or any deputy sealer of weights and measures, shall directly or indirectly give previous notice or information to the party complained of, of such examination, in any manner whatever, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not less than fifty, nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty, nor more than ninety days, or by both fine and imprisonment in the discretion of the court. All fines collected under the provisions of this act shall be paid over to the county treasurer for the benefit of the school fund of the county where the action is brought.

Disposition of
fines collected.

SEC. 4. This act shall take effect and be in force from and after its passage.

When act to take
effect.

Approved March 9, 1874.

LXXVII.

AN ACT TO AMEND SECTION SIX, TITLE THREE, CHAPTER THIRTY-TWO OF THE GENERAL STATUTES, IN RELATION TO THE OFFICE OF SURVEYOR GENERAL.

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

SECTION 1. That section six, title three, chapter thirty-two of the general statutes, is hereby amended so as to read as follows: There shall be biennially appointed by the governor, with the advice and consent of the senate, a surveyor general for each of the districts aforesaid, who shall be a citizen of the district for which he is appointed

Appointment of
surveyors gener-
al of districts.