

county in which the suit was prosecuted and judgment obtained.

Repeal of former acts.

SEC. 16. All acts or portions of acts regulating the practice of pharmacy and the sale of poisons, or the adulteration of drugs, within this state, enacted prior to the passage of this act, are hereby repealed: *Provided*, That nothing in this act shall be so construed as to prevent any person who has once been a registered member, and may have forfeited his membership by non-payment of dues or fees, from renewing his membership within two (2) years by paying the required dues or fees without examination.

Exempt from jury duty.

SEC. 17. All persons registered under this act shall be exempt from jury duty in the state of Minnesota.

When act to take effect.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

## CHAPTER 148.

AN ACT TO ESTABLISH A BOARD OF INSPECTORS FOR STEAM VESSELS AND STEAM BOILERS, AND TO PROVIDE FOR LICENSING ENGINEERS OF STEAM ENGINES, AND TO AMEND CHAPTER ONE HUNDRED AND ELEVEN (111), OF THE GENERAL LAWS OF MINNESOTA, FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881).

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

SECTION 1. That chapter one hundred and eleven (111) of the general laws of Minnesota, for the year one thousand eight hundred and eighty-one (1881), be and the same is hereby amended to read as follows:

Board of inspectors appointed—by whom—term of office.

SEC. 2. There shall be appointed by the governor, a board of three (3) inspectors, whose duty it shall be to inspect all steam boilers in use within the state not subject to inspection under the laws of the United States, and to examine and grant certificates of licence to all steam engineers, entrusted with the care and management of steam boilers; said inspectors shall hold their respective offices for three (3) years from the date of appointment, unless sooner removed for cause by the governor.

Qualifications for appointment.

SEC. 3. No person shall be eligible to hold the office of inspector of boilers who is either directly or indirectly interested in the manufacture or sale of boilers or steam

machinery, or any patent article required to be used or of general use in the construction of steam engines or boilers, or who is *not of good moral character and suitably qualified by experience in the construction of steam boilers, or such experience in their manufacture as to enable him to perform the duties of the office, and no person shall enter upon or perform any of the duties of inspector who has not taken and subscribed an oath and filed the same with the secretary of state, that he will faithfully and impartially perform the duties of his office.*

SEC. 4. Said inspectors shall, in April next, after the passage of this act, and each year thereafter, meet as a board at the capitol in St. Paul, and establish such rules and regulations, for the inspection of steam boilers herein provided for as shall be required by the terms of this chapter. They shall also prescribe rules and regulations for the inspection of the hulls, machinery, boilers, steam connections, fire apparatus, life saving appliances, and equipments of all steamers propelled in whole or in part by steam, and navigating the inland waters of the state. They shall also designate the number of passengers that each steam vessel may safely carry, and it shall be unlawful for any master or owner of any steam vessel herein provided for, to carry a greater number of passengers than is allowed by the inspectors' certificate, and such regulations, when approved by the governor, shall have the force of law.

When and where to meet annually—duties of.

SEC. 5. Every owner, lessee or other person having charge of steam boilers, or any boat propelled in whole or in part by steam, not subject to inspection under the laws of the United States, shall cause the same to be inspected at least once in each year, by the inspectors herein provided for, and every such owner, lessee or person having charge of such boilers or steam vessel, who shall raise steam and operate such boilers and machinery without such inspection, shall be subject to a penalty of one hundred (100) dollars, said amount to accrue to the state.

Penalty for non-compliance with the provisions of this act.

SEC. 6. The said inspectors shall once in each year at least, upon application in writing of the owner, lessee, or manager, carefully inspect the hull, boiler, machinery and equipments of all steam vessels liable to inspection under this act, and shall satisfy themselves that every such vessel is of a structure suitable for the service in which she is to be employed, and has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation as a steamer with safety to life, and that such equipments as life preservers, floats, pumps, hose, anchors and other things necessary to insure safety, have been provided. When the inspection of a steam vessel is completed, and the inspectors approve the vessel and her equipments throughout, they shall make and subscribe a certificate to the secretary of state, in such

To annually inspect the boiler and machinery of all steam vessels liable to inspection.

In case of approval, inspectors to issue a certificate under oath, same to be posted up in a conspicuous place on steam-boat.

Annually to inspect steam boilers, etc.

To examine into every minutie connected therewith.

form as the board of inspectors shall prescribe, such certificate shall be subscribed and verified by the oath of the inspector making it, and a copy of said certificate shall be furnished by the inspector to the managing owner or master of said steam vessel, who shall post the same in a conspicuous place on said boat. The original certificate shall be kept on file in the office of the secretary of state.

SEC. 7. The said inspectors shall, in addition to their duties as inspectors of steam vessels, inspect all steam boilers or steam generators before the same shall be used, and once at least in every year thereafter, they shall subject all boilers to hydrostatic pressure, and shall satisfy themselves by a thorough examination that the boilers are well made of good and suitable material, that the openings for the passage of water and steam respectively, and all pipes and tubes exposed to heat are of proper dimensions and free from obstructions, that the flues are circular in form, that the friction [fire line] of the furnace is at least two (2) inches below the prescribed minimum water line of the boilers; that the arrangements for delivering the feed water is such that the boilers cannot be injured thereby, and that such boilers and their steam connections may be safely employed without peril to life. They shall also satisfy themselves that the safety valves are of suitable dimensions, sufficient in number and properly arranged, and that the safety valve weights are properly adjusted so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there is a sufficient number of guage cocks properly inserted, and to indicate the pressure of steam, suitable guages that will correctly record the pressure of steam; and that the fusible metals are properly inserted so as to fuse by the heat of the furnace, whenever the water in the boilers falls below its prescribed limits, and that adequate and certain provisions for an ample supply to feed the boilers at all times, so that in high pressure boilers the water shall not be less than four (4) inches above the top of the flues, and that means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boiler, when they are under pressure of steam. In subjecting to the hydrostatic tests, boilers usually designated as high pressure, the inspectors shall assume one hundred and twenty-five (125) pounds to the square inch as the maximum pressure allowable as a working pressure for new boilers of forty-two (42) inches in diameter, made in the best manner, of plates one-fourth ( $\frac{1}{4}$ ) of an inch thick of good material, but the inspector shall rate the working power of all high pressure boilers according to their strength, compared with this standard, and in all cases the test applied shall exceed the working power allowed, in the ratio of one hundred and sixty-five (165) to one hundred and ten (110). In subjecting to the hydrostatic test boilers usually designated as low pressure, the

inspectors shall allow as a working power for each new boiler, a pressure of only three-fourths ( $\frac{3}{4}$ ) the number of pounds to the square inch to which it has been subjected by the hydrostatic test. Should the inspectors be of the opinion that any boiler, by reason of its construction or material, will not safely allow so high a working pressure as herein provided, they may, for reasons to be stated specially in their certificate, fix the pressure of such boiler at less than three-fourths ( $\frac{3}{4}$ ) of the test pressure. No boiler or steam pipe nor any of the connections therewith shall be approved, which is made in whole or part of bad material, or is unsafe from any cause, nothing herein shall be construed to prevent the use of any boiler or steam generator which may not be constructed of riveted iron or steel plates, when the board of inspectors have satisfactory evidence that such boiler or steam generator is equal in strength and as safe from explosion as boilers of the best quality, constructed of riveted iron or steel plates.

Boilers made of bad material not to be approved.

SEC. 8. Every person who constructs a boiler or steam pipe, of iron or steel plates, known to be faulty or imperfect, or who drifts any rivet hole to make it come fair, or who delivers any such boiler for use knowing it to be imperfect in its flues, flanging, riveting, bracing or in any other of its parts shall be fined two hundred dollars (\$200), one-half for the use of the informer.

Penalty for manufacturing improper steam apparatus.

SEC. 9. In addition to the annual inspection, it shall be the duty of the inspectors to examine, at proper times, when in their opinion such examination shall become necessary, all such boilers as shall become unsafe from any cause, and to notify the owners or person using such boilers of any defect, and what repairs are necessary in order to render them safe, and it shall be the duty of the person operating any such boiler to cease to use the same until such repairs are made, and in case of failure to comply with the requirements of said inspector, the person operating any such boiler shall be liable to a fine not exceeding one hundred dollars (\$100) and liable for any damage to person or property resulting therefrom.

Penalty for using or operating condemned boilers.

SEC. 10. Every steam boiler shall be provided with a fusible plug of good Banca tin inserted in the flues, crown, sheet or other parts of the boiler most exposed to the heat of the furnace when the water falls below the prescribed limits.

Material to be inserted in boiler.

SEC. 11. It shall be the duty of owners or managers of steam boilers, mentioned in this act, to allow said inspectors free access to the same, and it is hereby made the duty of engineers operating the same to assist the inspectors in their examinations and to point out any defect they may know in the boiler or machinery in their charge.

Inspectors to have free access.

SEC. 12. No person shall be entrusted with the operating of any steam boiler or steam machinery who has not been examined by an inspector and found competent to

None but competent operators to be employed.

Classes of  
engineers.

When license  
not to be  
granted.

Special en-  
gineers.

When license  
may be revoked.

Inspectors may  
act jointly or  
separately.

Penalty for  
certifying  
falsely.

Inspectors' fees.

Not applicable  
to railroad  
locomotives:

Who not re-  
quired to pro-  
cure license.

perform the duties of an engineer, and received from such inspector a written or printed license to so act. Engineers shall be divided into three (3) classes, viz: Chief engineer, assistant engineer and special engineer. No license shall be granted to any person to perform the duties of chief engineer whose knowledge of steam machinery and experience as an engineer is not such as to justify the belief that he is competent to take charge of all classes of boilers and machinery. No licence shall be granted to any person to act as assistant engineer unless his knowledge of steam machinery and habits of life are such as to warrant the belief that he is competent to manage safely, and without danger to life, ordinary steam machinery. Special engineers may be licensed to operate steam thresher engines and engines of kindred class, where found, on examination, to be sufficiently acquainted with the duties of an engineer to warrant the belief that he can safely be entrusted to perform such duty. Whenever complaint is made against an engineer holding a licence from a state inspector that he has, through negligence, want of skill or inattention to duty, permitted his boilers to burn or otherwise become in bad condition, it shall be the duty of the inspector, upon satisfactory proof of such negligence, to revoke the license of such engineer.

SEC. 13. In making the inspection of boilers, machinery, or steam vessels herein provided for, the inspectors may act jointly or separately, but the inspector or inspectors making such inspections, shall in all cases subscribe and make oath to the certificate of inspection. Any inspector who shall willfully certify falsely regarding any steam boilers or their attachments, or the hull and equipments of any steam vessel, shall, on conviction thereof, be punished by a fine not exceeding five-hundred (500) dollars, or imprisonment not exceeding one (1) year, in the state prison, or both at the discretion of the court.

SEC. 14. The inspectors shall be authorized to charge a fee of five (5) dollars for the inspection of each single boiler and its steam connections and two (2) dollars for each additional boiler when connected, said fee being payable at the time of the delivery of the inspectors, certificate of approval. The fee for the examination of engineers and for the issuing of a license certificate shall be one (1) dollar, and for the annual renewal of the same, fifty (50) cents, said amounts to be equally divided among the inspectors, who shall receive no other compensation for their services.

SEC. 15. This act shall not apply to railroad locomotives nor to boilers owned or controlled by railway companies, unless used upon steam vessels navigating the inland waters of the state, nor shall it apply to boilers inspected by insurance companies, and certified by their authorized inspectors to be safe. Nor shall engineers employed by railroad companies be required to procure licenses from the state board of

inspectors, but the penalties herein provided for shall not obtain in any case prior to the time the inspector or inspectors have notified the persons affected that they are ready to make the inspection as herein provided for.

SEC. 16. All acts, or part of acts, inconsistent with this act, are hereby repealed.

Repeal of inconsistent acts.

SEC. 17. This act shall take effect, and be in force from and after April 15th, A. D. 1885.

When act to take effect.

Approved March 10, 1885.

## CHAPTER 149.

AN ACT TO PROHIBIT AND PREVENT THE SALE OR MANUFACTURE OF UNHEALTHY OR ADULTERATED DAIRY PRODUCTS.

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

SECTION 1. No person or persons shall sell or exchange or expose for sale or exchange any unclean, impure, unhealthy, adulterated or unwholesome milk, or shall offer for sale any article of food made from the same or of cream from the same. This provision shall not apply to pure skim cheese made from milk which is clean, pure, healthy, wholesome and unadulterated, except by skimming. Whoever violates the provisions of this section is guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five (25) dollars nor more than two hundred (200) dollars, or by imprisonment of not less than one (1) or more than six (6) months, or both such fine and imprisonment for the first offence, and by six (6) months imprisonment for each subsequent offense.

Not lawful to sell or exchange adulterated milk.

Penalty for violation.

SEC. 2. No person shall keep cows for the production of milk for market, or for sale or exchange, or for manufacturing the same or cream from the same into articles of food, in a crowded or unhealthy condition, or feed the cows on food that is unhealthy, or that produces impure, unhealthy, diseased or unwholesome milk. No person shall manufacture from impure, unhealthy, diseased or unwholesome milk or of cream from the same any article of food; whoever violates the provisions of this section is guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five (25) nor more than two hundred (200) dollars or by imprisonment of not less than one (1) or more

Cows kept for the production of milk for market to be kept in a healthy place.

Penalty for violation.