

Possession *prima facie* evidence of intent to violate law.

shall be considered *prima facie* evidence that the same is kept by such person or firm in violation of the provisions of this act, and the state dairy and food commissioner shall be authorized to seize upon and take possession of such article or substance, and upon the order of any court which has jurisdiction under this act, he shall sell the same for any purpose other than to be used for food; the proceeds derived from fines and the sale of imitation butter shall be paid into the state treasury, to be placed to the credit of the state dairy and food commissioner's fund.

Butter defined.

SEC. 4. For the purpose of this act the term "butter" shall be understood to mean the product usually known by that name, and which is manufactured exclusively from milk or cream, or both.

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

Approved April 21, 1891.

CHAPTER 12.

[H. F. No. 1237.]

AN ACT IN RELATION TO THE MANUFACTURE AND SALE OF LARD AND OF LARD COMPOUNDS AND SUBSTITUTES, AND OF FOODS PREPARED THEREFROM; TO PREVENT FRAUD AND TO PRESERVE THE PUBLIC HEALTH.

Lard compounds.

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

Sale of compounds prohibited as lard.

SECTION 1. No person shall within this state manufacture for sale, have in his possession with intent to sell, offer or expose for sale or sell, as lard, any substance not the legitimate and exclusive product of the fat of the hog.

Misdemeanor to sell substitute for lard not branded.

SEC. 2. Every person who manufactures for sale within this state, has in his possession with intent to sell, offers or exposes for sale, or sells as lard, or as a substitute for lard, or an imitation of lard, any mixture or compound which is designed to take the place of lard and which is made from animal or vegetable oils or fats, or any mixture or compound consisting in part of lard in mixture or combination with animal or vegetable oils or fats, unless the same shall be branded or labeled as hereinafter required and directed, shall be guilty of a misdemeanor and shall upon conviction be subject to the penalties hereinafter provided in this act.

"Lard Substitute" to be labeled on all packages.

SEC. 3. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale or sells, any substance made in the semblance of lard, or as an imitation of lard, or a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of animal or vegetable oils or

fats other than hog fat in the form of lard, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled, in letters not less than one (1) inch in length, with the name of the person or firm making the same, together with the location of the manufactory, and the words "Lard Substitute," and immediately following the same in letters not less than one-half ($\frac{1}{2}$) inch in length, with the names and approximate proportions of the several constituents which are contained in the mixture or compound.

SEC. 4. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale or sells, any substance made in the semblance of lard, or as an imitation of lard, or as a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled, in letters not less than one (1) inch in length, with the name of the person or firm making the same, together with the location of the manufactory, and the words "Adulterated Lard," and immediately following, the same, in letters not less than one-half ($\frac{1}{2}$) inch in length with the names and approximate proportions of the several constituents which are contained in the mixture or compound.

"Adulterated Lard" to be labeled on all packages containing part lard.

SEC. 5. Every dealer or trader who, by himself or his agent, or as the servant or agent of another person, offers or exposes for sale or sells any form of lard substitute or adulterated lard as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein the same is contained, offered for sale or sold, a label, upon the outside and face of which is distinctly and legibly printed, in letters not less than one-half ($\frac{1}{2}$) inch in length, the words "Lard Substitute" or "Adulterated Lard," and immediately following the same, in letters not smaller than long primer, the name and approximate proportions of the several constituents which are contained in the mixture or compound, and shall furnish to the purchaser, at the time of sale, a card upon which is distinctly and legibly printed the name of the article as hereinbefore defined, and a list of the several components of the mixture.

Dealers prohibited from selling adulterated or substitute lard without proper labels.

SEC. 6. Every person who manufactures for sale, or who offers or exposes for sale or sells, or who serves to guests as keeper of hotel, restaurant, dining room, or in any other capacity, articles of food which have been prepared, either wholly or in part, with lard substitutes or adulterated lard as hereinbefore defined, shall at the time of sale furnish to the purchaser a card upon which is distinctly and legibly printed the words, "This food is prepared with lard substitute (or adulterated lard)," or in case no bill of fare is provided, there shall be kept con-

Signs to be put up in hotels using adulterated lard.

stantly posted upon each of the sides of the dining room, in a conspicuous position, cards, upon the face of which is distinctly and legibly printed, in the English language, and in letters of sufficient size to be visible from all parts of the room, the words, "Lard substitute (or adulterated lard) is used in the preparation of the food served here."

Possession of unbranded compounds *prima facie* violation of law.

SEC. 7. The having in possession of any lard substitute or adulterated lard as hereinbefore defined which is not branded or labeled as hereinbefore required and directed, upon the part of any dealer or trader, keeper of hotel, restaurant, bakery, or any person engaged in the public sale of such articles or of food prepared therefrom, shall for the purpose of this act be deemed *prima facie* evidence of intent to sell the same or to use the same in an illegal manner.

Courts having jurisdiction.

SEC. 8. The district and municipal courts and justices of the peace of this state shall have jurisdiction of all cases arising under this act, and their jurisdiction is hereby extended so as to enable them to enforce the penalties imposed by this act.

Dairy and food commissioner and agents to enforce the law.

SEC. 9. It shall be the duty of the state dairy and food commissioner and his assistants, experts, chemists and agents by him appointed, to enforce the provisions of this act. The said commissioner is hereby authorized and empowered to employ such experts and chemists as may be deemed by him necessary for the proper enforcement of the law, their compensation to be fixed by the commissioner. All charges, accounts and expenses authorized by this act shall be paid by the state treasurer upon a warrant drawn by the state auditor.

Access to all places of business, factories and buildings.

SEC. 10. The said commissioner and assistant commissioners, experts, chemists and others by him appointed, shall have access, ingress and egress to all places of business, factories and buildings where the same is manufactured or kept for sale. They shall also have power and authority to open any package, car or vessel containing such articles which may be manufactured, sold or exposed for sale in violation of the provisions of this act, and may inspect the contents therein and take samples therefrom for analysis. All clerks, book-keepers, express agents, railroad officials, employes or common carriers shall render to them all the assistance in their power, when so requested, in tracing, finding or discovering the presence of any prohibited article named in this act. Any refusal or neglect on the part of such clerk, book-keeper, express agent, railroad officials, employes or common carriers to render such friendly aid, shall be deemed a misdemeanor and be punished by a fine of not less than twenty-five (25) dollars or more than fifty (50) dollars for each and every offense.

Penalty for refusing information.

SEC. 11. In all prosecutions under this act, the costs thereof shall be paid in the manner now provided by law,

and such fine shall be paid into the state treasury and placed to the credit of the state dairy and food commissioner's fund.

Fines to be paid into state treasury.

SEC. 12. Any person violating any of the provisions of this act shall be deemed to be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five (25) dollars or more than one hundred (100) dollars and costs for each offense, or by imprisonment in the county jail for not less than thirty (30) days or more than ninety (90) days.

Penalty for violation.

SEC. 13. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved April 20, 1891.

CHAPTER 13.

[S. F. No. 453.]

AN ACT AUTHORIZING THE FORMATION OF FARMERS' MUTUAL FIRE INSURANCE COMPANIES.

Farmers' fire insurance companies.

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

SECTION 1. That it shall be lawful for any number of persons, not less than twenty-five (25), residing in this state, who shall collectively own property of not less than twenty-five thousand (25,000) dollars, to form themselves into a company or corporation for mutual insurance against loss or damage by fire or lightning, which corporation shall have perpetual succession, may sue and be sued, contract or be contracted with, plead or be impleaded in any court in this state, and possess the usual powers and duties of corporations; *Provided, however,* That nothing herein contained shall be construed as amending, repealing or in anywise affecting the existing statutes for the incorporation or operation of county or township farmer fire insurance companies.

Powers of corporation.

SEC. 2—They shall organize by adopting and signing articles of incorporation, which shall contain:

First—The name of the corporation, which shall not be the same as that previously assumed by any other corporation in the state.

Articles of incorporation.

Second—The general nature of its business, and the place of its principal office or headquarters.

Third—The names and residence and the value of the real estate owned by the persons, respectively, so associating to form such corporation.

Fourth—The time of commencement and the period of duration of such corporation.