

and marking a single barrel, cask or package not containing more than fifty-five gallons; thirty cents each when not exceeding five in number of above capacity each, twenty cents when not exceeding ten in number of above capacity each, submitted at one time for inspection; fifteen cents each where the number of packages exceed ten in number of a capacity not in excess of fifty-five gallons each, and fifteen cents for each fifty-five gallons when contained in barrels, casks, packages, tank-cars, storage-tanks or otherwise with a capacity in excess of fifty-five gallons each.

SEC. 12. It shall be the duty of the state inspector of illuminating oils and of every deputy inspector who shall know of the violation of any of the provisions of this act to enter complaint before any court of competent jurisdiction against any person so offending, and all justices of the peace within their respective counties shall have power to order any person violating any of the provisions of this act to enter into a recognizance, and with sufficient sureties, in such sum as to them may seem proper, for his appearance at the next term of the district court, to answer to such complaint or charges as may be made against him.

Violations of law, inspector to prosecute.

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 All acts or parts of acts inconsistent with this act are hereby repealed.

Repeal of inconsistent acts.

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

Approved April 14, 1893.

## CHAPTER 21.

H. F. No. 553.

*An Act in relation to the sale of honey compounded or adulterated, and to prevent fraud and to preserve the public health.*

Honey and its compounds.

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

SECTION 1. It shall be unlawful for any person or persons within the state of Minnesota, to offer for sale or have in their possession with intent to sell, sell or cause to be sold honey compounded, manufactured from, or mixed with, glucose, sugar syrup of any kind, or any substance whatever, not the legitimate and exclusive product of the honey-bee, unless the package containing same is so marked and represented as such and bearing the label upon the package printed thereon in heavy gothic capitals eighteen point, the name of the person or persons having compounded, manufactured or mixed the same, and the name of the substance or material from which it is compounded, manufactured or mixed with.

Adulterated honey must be labeled.

SEC. 2. It shall be unlawful for any person or persons within the state of Minnesota to offer, or have in their possession for sale, sell or cause to be sold honey which has not been made by the bees from the natural secretions of flowers and plants, but which has been stored

Honey from bees fed on glucose or sugar syrup must be labeled.

or made by the bees from glucose, sugar syrup or any other material or substance fed to them; unless the same is marked, represented and designated as such, and bearing a label upon each package printed in heavy gothic capitals eighteen point thereon, the name of the person or persons who fed, or caused to be fed, the substance or material from which the same is stored or made, and the name of the substance or material from which the said honey is stored or made.

Penalty for violation.

SEC. 3. Any person or persons violating sections one and two of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be punished for each offense by a fine of not less than fifteen dollars or more than one hundred dollars or by imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment.

Having in possession prima facie evidence of intention.

SEC. 4. The having in possession by any person or persons or firm any honey compounded, manufactured or mixed as hereinbefore described, or any honey stored or made by the bees as hereinbefore described, and not labeled as provided in this act, shall be considered prima facie evidence that the same is kept in violation of the provisions of this act.

Dairy and food department to enforce this law.

SEC. 5. 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.

Right of commissioner to take samples and analyze.

SEC. 6. The said commissioner and his assistants, experts, chemists and others by him appointed, shall have access, ingress and egress to all places of business and buildings where the same is 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, bookkeepers, express agents, railroad agents, or officials, employes or common carriers, or other persons shall render 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, bookkeeper, express agent, railroad agents, 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 dollars or more than fifty dollars for each and every offense.

Penalty for obstructing commissioner.

SEC. 7. 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.

As to costs and fines.

SEC. 8. All acts and parts of acts inconsistent with this act are hereby repealed.

Repeal of inconsistent acts.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 17, 1893.