

hundred dollars, or by imprisonment in the county jail not less than ten days and not exceeding ninety days upon conviction.

Neglect to perform duties of this act.

SEC. 5. If any person or persons mentioned in sections one, two and three of the within act shall neglect or fail to carry out the duties prescribed for their government in said sections, he or they shall be liable to the owner for the full amount of actual loss or damage which said owner may suffer by reason thereof.

Shippers to affix tags to car loads of grain.

SEC. 6. It shall be the duty of every shipper of grain by railroad to the terminal points within this state to fasten upon the inside of the door of every car so shipped by him a card upon which shall be given the number and initials of such car, the date of shipment and the exact weight of the grain in such car as ascertained and determined by such shipper.

In case of failure on the part of any shipper to comply with the provisions of this section, the weight of the grain in such car as ascertained and determined by the state weighmaster at the terminal point shall be taken as prima facie evidence of the amount of grain in such car contained.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 6, 1893.

S. F. No. 290.

CHAPTER 30.

State elevator.

An Act to provide for the purchase of a site and for the erection of a state elevator or warehouse at Duluth in this state for public storage of grain, and the regulation thereof, to publish a market report, and to appropriate money for that purpose.

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

State elevator to be located at Duluth.

SECTION 1. That there is hereby ordered to be established a warehouse and elevator of the total capacity of 1,500,000 bushels of grain; said institution to be located in the county of St. Louis and on the shore of Duluth harbor, or St. Louis bay, where there is navigable water, or where docks can be established for the largest vessels in the carrying trade on Lake Superior, and at such point as shall offer terminal facilities with the various railroads centering at the head of Lake Superior.

Under control of railroad and warehouse commissioners.

SEC. 2. Said institution shall be under the control and management of the board of railway and warehouse commissioners, who shall locate the same and procure the necessary land, erect the necessary buildings thereon with the proper equipments and facilities to carry this act into effect, and build or procure all necessary spur tracks, terminal yards and other facilities to receive and ship grain. And they shall commence work so as to have said

elevator ready for business on or before October 1st, 1894. Said elevator shall have facilities for weighing, unloading, cleaning and the safe keeping of grain in separate bins; also for placing grain of the same grade together.

SEC. 3. The said commission shall keep on file for public inspection publications showing the market price of grain and farm products in the markets of Liverpool, London, Paris, Hamburg, New York, Buffalo, Quebec, San Francisco, Chicago, Minneapolis and Duluth. Also the freight rates between said markets either by railroad, lake, ocean or other means of transportation. They shall publish a weekly bulletin or market report showing the prices paid in said markets for farm products. Said market report to show the prices as reported by the publications received from the other cities for one week and immediately preceding the date of said publication, as near as practicable; also the rates of freight between Duluth and Minneapolis and said markets. Said bulletin to be kept on file in said institution and in the office of said commission in St. Paul; also to be furnished by mail to all persons who shall order the same and pay the price fixed by said commission, which shall not exceed one dollar per annum.

Grain prices from foreign and domestic markets.

Weekly market report.

SEC. 4. Said board of railroad and warehouse commissioners shall send samples of the different grades of grain being exported to Buffalo and New York, in the state of New York; Liverpool and London, England; Paris, France; or any other market in the world they may deem advisable, for inspection and to secure prices as to their market value, that they may know whether the markets of Minnesota are within a reasonable difference in price of the markets of the world. Said commission shall have power to purchase and export a quantity of grain to any of the said markets if they deem such a course advisable, in order to ascertain the facts in the case; it being the intention of this act to prevent monopolization and unjust control of the markets of the state for farm products.

To ascertain relative difference of markets as to equality of prices.

SEC. 5. The said railroad and warehouse commissioners are directed and required to cause to be prepared immediately after the passage of this act, suitable plans and specifications; but no plan shall be adopted which shall not have first been approved by the governor. Said plans shall be accompanied by specifications, and by detailed estimates of the amount, quality and description of all materials and labor required for the erection and completion of the elevator or warehouse according to such plans.

Plans and specifications for building.

SEC. 6. Whenever the said plans and specification shall have been approved and adopted, the said railroad and warehouse commissioners shall at once cause to be daily published for three weeks in such newspapers in St. Paul, Minneapolis, Duluth, Chicago and New York, as the board may select, an advertisement for sealed bids for the construction of the elevator or warehouse herein authorized,

Advertisement for bids for construction.

and furnish a printed copy of this act and of the specifications to all parties applying therefor; and all parties interested, who may desire it, shall have free access to the plans, with the privilege of taking notes and making memoranda thereof.

Opening of bids
and acceptance.

SEC. 7. At the time and place named in said advertisement, in the presence of the bidders, or so many of them as may be present, the bids shall be opened for the first time, and the contract shall be let to the lowest and best bidder; provided that no bid shall be accepted which is not accompanied by a deposit in money of not less than ten thousand dollars, or a properly and sufficiently certified check for that amount; which shall be held by the commissioners as a guaranty for the responsibility and good faith of the bidder, and that he will, within ten days after being notified that his bid is accepted, enter into a contract and give bond as provided in this act. The board shall have the right to reject any and all bids, for causes satisfactory to them, and to proceed with the erection of said elevator under the supervision of a person selected by them.

Bond from suc-
cessful bidder.

SEC. 8. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond in a sum to be fixed by the said commissioners, not less than fifty per cent of the amount of the contract, said bond to be approved by the governor before being accepted; and to be conditioned for the faithful performance of his contract; the said contract shall be signed by the chairman of the board of railroad and warehouse commissioners on behalf of the board, and attested by the signature of the secretary of the board. It shall be drawn in triplicate, and one copy of the same shall be deposited in the office of the state auditor.

Disbursements.

SEC. 9. The moneys herein appropriated for purchasing the site, and constructing the elevator or warehouse, shall be paid to the parties to whom they may become due and payable direct from the treasury of the state on the warrant of the state auditor, who is hereby authorized and required to draw the said warrant for moneys due under this act, upon the order of the railroad and warehouse commissioners.

Warehousemen
and assistants.

SEC. 10. It shall be the duty of the railroad and warehouse commissioners to appoint a suitable person as warehouseman of the said state elevator or warehouse, and such assistants as shall be necessary, who shall hold their office during the pleasure of said commissioners. Said warehouseman and assistants shall not be members of any board of trade or association of like character; they shall give bonds in such sums as the railroad and warehouse commissioners shall require, conditioned on the faithful discharge of their duties, and shall receive such compensation as the board of railroad and warehouse commissioners determine, which compensation shall be paid out of the grain and warehouse fund hereafter created, on the order of the railroad and warehouse commissioners.

SEC. 11. The railroad and warehouse commissioners shall adopt such rules and regulations for the receiving, handling, storing and delivering of grain as they shall deem proper; and if the commissioners have reason to think that any person or combination of persons is seeking to monopolize the said elevator, they shall adopt rules to limit the amount of grain which any one person, combination or corporation may have in said elevator at any one time.

Rules and regulations.

SEC. 12. The railroad and warehouse commissioners shall fix the charges for storage, inspecting, weighing and handling of grain, including the cost of receiving and delivering; said charges shall be and constitute a lien on the grain so received; and said charges for receiving, inspecting, weighing, handling, storing and delivering of grain shall be collected by the inspector, warehouseman or assistants, and shall be by them paid into the state treasury, and be known as the grain and warehouse fund, provided that the minimum fee for inspecting grain shall be fifty cents per one thousand bushels or car load lot and twenty-five cents for weighing a like quantity.

Charges for storage, handling, etc.

SEC. 13. The state treasurer shall keep as a separate fund all money received from the inspection, weighing, handling or warehousing of grain, publishing the market report, or in any other manner connected with the grain and warehouse business; said fund to be known as the grain and warehouse fund; and pay the same out on the order of the board of railroad and warehouse commissioners. The grain inspection fund is hereby transferred to and consolidated with said fund.

State treasurer to keep separate account of funds received.

SEC. 14. That said elevator or warehouse shall be cleaned and measured up once each year, to ascertain whether there is any gain or loss by the system of dockage.

Gain or loss in dockage.

SEC. 15. That the sum of two hundred thousand dollars or as much thereof as may be necessary be and the same is hereby appropriated out of any money in the state treasury belonging to the warehouse fund, or out of any money coming into said treasury belonging to said fund for the purpose of establishing the elevator or warehouse, docks, track facilities and grounds contemplated by this act.

Appropriation from the grain and warehouse fund.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved April 18, 1893.