

dairy association and the state horticultural society who are then elected and acting as such presidents shall become members of such board of administration and shall hold their places as such members for three (3) years when the vacancies then made shall be filled by the acting presidents of these societies as above stated. *Provided* that the board of administration as it now exists shall constitute the board of administration until August first (1st), one thousand eight hundred and ninety-five (1895).

Approved April 25th 1895.

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S. F. No. 491.

CHAPTER 121.

Legal news-
papers.

An act to amend chapter thirty-three (33), laws of the state of Minnesota for the year 1893, entitled an act defining what shall constitute a newspaper for publication of the laws of the state and legal notices and to legalize publications heretofore made.

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

SECTION 1. That section one (1) of chapter thirty-three (33), laws of the state of Minnesota, for the year 1893, be and the same is hereby amended to read as follows:

Requirements.

Section 1. A newspaper, in order to entitle it to publish the laws of this state, or any legal notices required by law to be published, shall, in addition to all requirements of the law now in force, conform to the following definition, viz.:

A newspaper is a collection of reading matter in columns and sheet form; the matter consisting of general and local news, comments and miscellaneous literary items, printed daily, tri-weekly, semi-weekly or weekly, at an established office or known place of business, in the English language, equipped with the necessary materials, excepting newspaper press, and skilled workmen for preparing and printing the same in whole or in part in the village, town or city in which it is dated and generally circulated in the town, city or county where said office or place of business is located; *provided*, that no publication shall be considered a newspaper of general circulation unless it shall have been printed in whole or in part and published in the county for one year, and shall consist of the equivalent in space of four pages, or more, of five columns or more, to each page, and each column shall be not less than

seventeen and three-quarter inches long, and the proprietor or publisher thereof shall print, publish and deliver at each regular issue not less than 240 complete copies of such publication to paying subscribers; *provided further*, that publications which are duplicates and publications which are made up wholly of patents, or plates and patents and advertisements, shall not be recognized as legitimate newspapers of general circulation; *provided further*, that any newspaper which has heretofore, or may hereafter become a legal newspaper within the terms of the foregoing definition of a legal newspaper, and which shall heretofore have been, or may hereafter be destroyed by fire or other casualty, so that its regular publication and issue shall have been, or may be suspended and interrupted for a time not exceeding four months, and shall continue to be a legal newspaper within the meaning of this act, and for all purposes, immediately upon the resumption of its publication and issue by the same publisher, his heirs or legal representatives under the same name and in the same town, village or city where it was published and issued prior to its destruction and suspension by fire or casualty.

SEC. 2. That section three (3) of said chapter be, and the same hereby is amended to read as follows: Privileges.

Sec. 3. Any newspaper conforming to the description given in section one (1) of this act, and complying with the requirements of section two (2) of this act shall be considered a legal newspaper in all meanings of the term, and shall be entitled to publish all legal notices, general laws, foreclosures of mortgage sales, probate notices and other legal official notices of any kind whatsoever, required by law to be published in a newspaper.

Provided, that the making and filing of the affidavit provided for in section two (2) of this act shall be prima facie evidence that said newspaper conforms in all respects to the description given in section one (1), and in case any probate notice, summons, notice of mortgage foreclosure sale, execution sale, or other legal notice in proper form, shall heretofore have been published in a newspaper in the proper county for the number of times prescribed by law or by the order of the court or judge directing such publication to be made, if the publisher of the newspaper in which such legal notice was published, shall have filed with the county auditor the affidavit provided for in section two (2) of said chapter thirty-three (33) such publication shall be, and hereby is, legalized and made valid and effectual and of the same effect in all respects as if the newspaper in which such publication was made conformed to the description

given in section one (1) of said chapter thirty-three (33), whether such newspaper did in fact, at the time of such publication, fully conform to such description or not.

Provided, that nothing herein contained shall be construed to apply to any suit now pending which involves the legality or validity of any such publication.

SEC. 3. This act shall take effect and be in force from after its passage.

Approved April 8th, 1895.

S. F. No. 143.

CHAPTER 122.

Trade marks.

An act to amend an act entitled an Act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same or for using counterfeits of the same. Approved Aprilseventeenth (17th), (being chapter twenty-four (24) of general laws of Minnesota of 1893).

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

SECTION 1. That section 1 of an act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, or for using counterfeits of the same, (being chapter twenty-four (24) of the general laws of Minnesota of one thousand eight hundred ninety-three (1893), be and the same is hereby amended to read as follows, namely:

Protection.

“Sec. 1. Whenever any person, or any association or union of working men has heretofore adopted or used or shall hereafter adopt or use any label, trade mark, term, design, device or form of advertisement for the purpose of designating, making known, or distinguishing any goods, wares, merchandise or other product of labor, as having been made, manufactured, produced, prepared, packed or put on sale by such person, or association or union of workingmen or by a member or members of such association or union, it shall be unlawful to counterfeit or imitate such label, trade mark, term, design, device or form of advertisement or to use, sell, offer for sale or in any way utter or circulate any counterfeit or imitation of any such label, trade mark, term, design, device or form of advertisement.”

SEC. 2. That section two (2) of the act above named be and is hereby amended to read as follows, namely: