

SECTION 1. That the sum of nine hundred and sixty-six dollars and ninety-three cents (\$966.93) is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, to be paid to Joseph H. Coats to reimburse him for expenses incurred in contesting the seat of E. S. Hall as a member of this house; that a warrant in favor of said Joseph H. Coats for that sum be drawn by the proper officers of the state of Minnesota and delivered to him for payment.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1897.

H. F. No. 690.

CHAPTER 167.

Adulteration
of food
jellies.

An act to so provide against the manufacture, adulteration or sale of food jellies as to prevent fraud and preserve the public health.

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

Food jellies
defined.

SECTION 1. The term food jellies, as used herein, shall embrace and include all the substances known and recognized in commerce as jellies for human consumption as food, whether such jellies are preparations of animal or vegetable products.

Manufacture
and sale
prohibited.

SEC. 2. No person shall within this state by himself, his servant or agent, or as the servant or agent of any other person or corporation, manufacture for sale or offer for sale or sell any food jellies which are adulterated with any foreign substance or substances within the meaning of this act, unless the can, jar, glass, firkin, tub or other package containing the same shall bear a label or brand in the manner and form hereinafter required and directed.

Adulteration.

SEC. 3. Any food jelly shall, for the purposes of this act, be deemed adulterated—

1. If any substance or substances, or any other jelly, shall have been mixed with it so as to lower or depreciate its quality, strength or purity.

2. If any inferior or cheaper substance or substances have been substituted wholly or in part for it.

3. If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it.

4. If it is an imitation of, or sold or represented for sale under the name of any other substance or article.

5. If it is treated in any manner whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

6. If it contains any added substance or ingredient which is poisonous or injurious to health.

SEC. 4. Every firm, person or corporation manufacturing for sale, offering or exposing for sale, or selling or delivering to a purchaser any food jelly or any mixture or compound intended for use as a food jelly which is adulterated as hereinbefore defined, shall securely affix or cause to be affixed in a conspicuous place upon the side of every can, jar, glass, tub, firkin or other package wherein the same is contained, offered or exposed for sale or sold, a label, upon the outside and face of which is distinctly printed upon a background of a single color, in the English language and in legible type not smaller than double pica, the name and location of the factory, of the person, firm or corporation manufacturing the same, the words "Mixture" and "Adulterated," and immediately following and below these words the common English name and the quality, grade and net weight of the article claimed to be contained in such can, jar, glass, tub, firkin or other package.

Labels indicating adulterated food jellies.

SEC. 5. The having in possession by any person, firm or corporation any article or substance herein described as adulterated or mixed, and which is not labeled as hereinbefore required and directed, shall be considered as prima facie evidence that the same is kept by such person, firm or corporation in direct violation of this act.

Possession of adulterated food jelly evidence of violation.

SEC. 6. All persons, firms or corporations, jobbers or wholesale dealers manufacturing, selling or offering for sale or keeping on hand food jellies for export trade outside of this state, shall be and hereby are exempted from the provisions of this act as to such food jellies as are so manufactured or kept for export trade.

Exemptions.

SEC. 7. In all prosecutions arising under this act the certificate of the chemist making the analysis, when duly sworn to by such analyst, shall be prima facie evidence of the fact or facts therein certified.

SEC. 8. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall for each offense, upon conviction thereof, be subject to a fine of not less than five dollars, nor more than fifty dollars and costs, or by imprisonment not to exceed three months.

Penalty.

SEC. 9. In all prosecutions under this act the costs shall be paid in the manner now provided by law, and the fines resulting therefrom shall be paid into the state

treasury and placed to the credit of the state dairy and food commissioner's fund for his use.

Enforcement
of act by
dairy and
food com.

SEC. 10. The state dairy and food commissioner and his assistants, experts and chemists by him appointed, shall be charged with the proper enforcement of all the provisions of this act. When complaint is made by the said dairy and food commissioner, his assistants, employes and chemists, or by any other person authorized by the said dairy and food commissioner, security for costs shall not be required of the complainant in any case at any stage of the prosecution on trial.

SEC. 11. The said commissioner and the assistants, experts, chemists and agents he shall duly authorize for the purpose, shall have access and ingress to all places of business, factories, stores and buildings used for the manufacture or sale of food jellies. They also shall (have) power and authority to open any package, can, jar, tub or other receptacle containing any food jellies that may be manufactured, sold or exposed for sale in violation of the provisions of this act.

SEC. 12. This act shall take effect and be in force on and after January first, 1898.

Approved April 21, 1897.

H.F. No. 670.

CHAPTER 168.

Repeal of
swamp land
grant to Du-
luth & Iron
Range Rail-
road com-
pany.

An act repealing an act entitled "An act granting certain swamp lands to the Duluth & Iron Range Railroad Company," approved March 9th, 1875, and all acts amendatory thereof and supplementary thereto, including an act entitled "An act relating to the Duluth & Iron Range Railroad," approved February 17th, 1876, and an act entitled "An act to amend and continue the act of the legislature of this state, approved March ninth (9th), one thousand eight hundred and seventy-five (1875), relating to the Duluth & Iron Range Railroad Company," approved March 6th, 1883; and an act entitled "An act to amend section one (1) of chapter fifty-four (54) of the special laws of one thousand eight hundred and seventy-five (1875), an act granting swamp lands to the Duluth & Iron Range Railroad Company," approved March 10, 1885; and also chapter 246 of the special laws of 1878, entitled "An act to transfer the lands granted to the Duluth & Iron Range Railroad Company and for other purposes, approved March 9th, 1878."

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