

SECTION 1. That all the villages in this state, incorporated by any special law, shall have the same right and authority to levy and collect taxes for the use of such village, in the sums, rates and under the same limitations as are by law allowed to and governing villages incorporated under the general laws of this state.

Villages under special law to have same right to tax as if under general laws.

SEC. 2. That all acts and parts of acts inconsistent with this act, whether the same be a part of any special charter of any village in this state, or of any special law, be and the same are hereby repealed.

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

Approved April 14, 1899.

CHAPTER 225.

S. F. No. 101.

An act to license and regulate and define business of commission merchants or persons selling agricultural products and farm produce on commission, and to require them to give a bond to the State of Minnesota for the benefit of their consignors, and prescribing a penalty for the violation of any of the provisions of this act.

Commission merchants, regulation and license of.

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

SECTION 1. From and after June 1, 1899, it shall be unlawful for any person, firm or corporation to engage in the business of selling agricultural products and farm produce on commission, or to receive or solicit consignments of such agricultural products and farm produce for sale on commission in the State of Minnesota, without first obtaining a license, from the railroad and warehouse commission to conduct and carry on the business of such commission merchant, and giving a bond to the State of Minnesota, with sufficient surety, for the benefit of persons entrusting such commission merchant with consignments of agricultural products and farm produce to be sold on commission, in a sum to be fixed by the railroad and warehouse commission. If such commission merchant receives grain for sale on commission, said bond shall be conditioned that he faithfully account and report to all persons entrusting him with any grain for sale on commission and pay to such persons the proceeds of any consignments of grain received by him, less the com-

Unlawful to do business after June 1, 1899, without license.

Bond to be given before license issues.

Conditions of bond.

mission earned on account of the making of such sale, and necessary and actual disbursements. If he does not receive grain for sale on commission, the bond shall be conditioned for the faithful performance of his duties as such commission merchant.

To render
statement to
consignor
within 24
hours after
sale.

SEC. 2. Whenever any grain commission merchant sells all or a portion of any grain consigned to him to be sold on commission he shall, within twenty-four hours thereafter, render a true statement to the consignor, showing what portion of such consignment has been sold, the price received therefor, the name and address of each purchaser, the date, hour and minute when such sale was made, with vouchers for all charges and expenses paid or incurred.

Complaint to
railway and
warehouse
commission.

SEC. 3. Whenever any consignor, who has consigned agricultural products and farm produce other than grain to any commission merchant, shall have, after demand, received no remittance for the same or report of the sale thereof, and if in any case after report is made, he is dissatisfied with the sale or the report thereof, he may make a verified complaint in writing to the railroad and warehouse commission, who shall, upon receipt of same, investigate the sale or sales complained of, and they shall have a right to compel the commission merchant to produce his record or memoranda of such sale, and give them all information in his possession regarding the report and sale so complained of. Immediately after such investigation the railroad and warehouse commission shall render to such complainant a written report of such investigation, which report shall be prima facie evidence of the matters therein contained.

Investigation
by commis-
sion.

Commission
to report to
complainant.

Application
for license;
terms of.

SEC. 4. Any person, firm or corporation desiring to carry on the business of such commission merchant in this state shall make application in writing to the railroad and warehouse commission, naming the kind of agricultural products and farm produce for which license to sell on commission is wanted, stating the name of the city, village or town where he intends to carry on such business, giving the street and number of building, if practicable, and the probable amount of business he will do monthly. On receiving such application it shall be the duty of the railroad and warehouse commission to fix the amount of bond to be given, taking into consideration the probable amount of business the applicant will do for the year next ensuing, and upon the execution of a bond, with satisfactory surety, said commission shall approve the same, and upon the payment of one (1) dollar shall issue a license to such applicant for one (1) year to carry on the business of such commission merchant. If said railroad and warehouse commission shall at any

Bond to be
fixed by com-
mission.

License to
be issued upon
payment of
\$1 for.

time deem it necessary that such commission merchant should give an additional bond they shall notify him in what amount they deem it necessary for him to furnish such additional bond, and within what time they require such additional bond given; and for the purpose of determining the amount of such additional bond they may require further and additional statements, and if such commission merchant neglects to furnish such additional bond within the time specified, or fails to make monthly report as aforesaid, the said railroad and warehouse commission may revoke his license. All bonds given under the provisions of this act after their approval shall be filed in the office of the secretary of state.

Additional bond; when required.

Provided, further, that all statements made under the provisions of this act shall be for the exclusive information of the railroad and warehouse commissioners, and no other person or persons shall be permitted to see or examine the same, unless the same shall be required for use in court, and in such case the commissioners shall produce the same.

Statements made to the commission to be kept secret, except when used in court.

SEC. 5. If any such licensed commission merchant shall fail or neglect to account and report for any consignment of agricultural products and farm produce received by him for sale on commission, or shall neglect to pay over any moneys due his consignor from the sale of any agricultural products or farm produce consigned to him as such commission merchant, the owner or consignor of such agricultural products or farm produce may bring an action on the bond given by such commission merchant under the provisions of this act, and recover against the sureties on said bond the amount due him from such commission merchant on account of such consignments up to the amount of the bond or bonds given.

Failure of commission merchant to report or pay; action on bond

Provided, if such commission merchant has failed or neglected to account for consignments of agricultural products or farm produce, made to him by two or more consignors and the amount of the bond or bonds given by said commission merchant is not sufficient to pay the amount due all the said consignors, they shall be entitled to receive from the proceeds of said bond or bonds a pro rata share in proportion to the amount due each of said consignors.

Proceeds of bonds to be applied pro rata in certain cases.

SEC. 6. For the purpose of this act a commission merchant is defined and declared to be any person, firm or corporation who may receive for sale for account of the shipper or consignor any grain, farm produce, agricultural products or fruits.

Definition of commission merchant.

SEC. 7. Any person, persons or corporation engaged in selling any property as herein specified, who fails or neglects to comply with any of the provisions of this act

Violation of law; penalty.

shall be guilty of a misdemeanor, and on conviction thereof in any court having competent jurisdiction shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

SEC. 8. This act shall take effect and be in force from and after June 1, A. D. 1899.

Approved April 14, 1899.

S. F. No. 400.

CHAPTER 226.

Children; edu-
cation of.
Truant officers.

An act requiring the education of children, and providing for truant officers in ungraded schools in school districts and cities.

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

Parent or
guardian to
send children
to school.

SECTION 1. Every parent, guardian or other person, who resides in any school district or city, and who has control of any child or children of or between the ages of 8 and 16 years, shall send such child or children to a public, parochial or private school in each year during the entire time the public schools of such district or city are in session.

May be ex-
cused by board
of education.

Provided, however, that such child or children may be excused from such attendance for the whole or any part of such period by the school board or board of education of the school district or city in which such parent, guardian or person having control resides, upon its being shown to the satisfaction of such board:

Causes of
excuse.

(1) That such parent, guardian or other person having control is not able by reason of poverty to clothe such child properly; or (2) That such child's bodily or mental condition is such as to prevent his attendance at school or application to study for the period required; or (3) That such child is taught at home in such branches of study as are usually taught in public schools, subject to the same examination as other pupils of such district or city; or (4) That such child has already acquired the ordinary branches required by law; or (5) That such child is actually engaged in some useful occupation, employment or service permitted by law.

School board
may appoint
truant officer.

SEC. 2. The school board or board of education of each such school district or city may appoint and at pleasure remove one or more truant officers, whose duty it shall be to investigate all cases of truancy or non-attendance