

sworn to by said chemist shall be prima facie evidence of the fact therein stated.

SEC. 4. 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 ten (10) dollars nor more than fifty (50) dollars and costs of prosecution, or to imprisonment not to exceed ninety days.

Penalty.

SEC. 5. 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 chemist or by any person authorized by the said dairy and food commissioner security for the costs shall not be required of the complainant in any case at any stage of the prosecution on trial.

Prosecution.

SEC. 6. The said commissioner and the associates, experts, chemists and agents whom he shall duly authorize for the purpose, shall have access and ingress of all places of business, factories, stores and buildings used for the manufacture or sale of maple sugar or maple syrup. They shall also have power and authority to open any package, can, jar, tub or other receptacle of any kind containing maple sugar or maple syrup that may be manufactured, sold or exposed for sale in this state.

Access by officials.

SEC. 7. This act shall take effect and be in force from and after October 1, 1901.

Approved April 13, 1901.

CHAPTER 330.

H. F. No. 427.

An act to amend sections, 6, 7, 9, 10, 11, 15 and 16 of chapter 7, of the General Laws of 1889, entitled, "An act in relation to the manufacture and sale of baking powders, sugars and syrups, vinegars, lards, spirituous and malt liquors, to prevent fraud and to preserve the public health."

Dairy and food commission.

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

SECTION 1. That section 6 shall be amended to read as follows:

"Sec. 6. Every person who manufactures for sale, or offers or exposes for sale as cider vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, or vinegar not made exclusively of said apple cider,

Adulterated vinegar, penalty.

or vinegar into which foreign substances, drugs or acids have been introduced, as may appear by proper tests, shall be deemed guilty of a misdemeanor, and for each offense be punishable by fine of not less than twenty-five (25) or more than one hundred (100) dollars and costs, or by imprisonment in the county jail by a term not to exceed ninety (90) or less than thirty (30) days."

SEC. 2. That section 7 shall be amended to read as follows:

Injurious
ingredients,
penalty.

"Sec. 7. Every person who manufactures for sale, or offers for sale, any vinegar found upon proper tests to contain any preparation of lead, copper, sulphuric acid, or other ingredients injurious to health, shall be deemed guilty of a misdemeanor, and for each such offense shall be punished by a fine of not more than one hundred (100) dollars and costs, or by imprisonment in the county jail not to exceed ninety (90) days."

SEC. 3. That section 9 shall be amended to read as follows:

Standard
quality.

"Sec. 9. All vinegars shall have an acidity equivalent to the presence of not less than four and one-half (4½) per cent by weight of absolute acetic acid, and in the case of cider vinegar shall contain, in addition, not less than two (2) per cent, by weight, of cider vinegar solids upon full evaporation over boiling water; and if any vinegar contains any artificial coloring matter injurious to health, or less than the above amount of acidity, or, in the case of cider vinegar, if it contains less than the above amount of acidity, or of cider vinegar solids, it shall be deemed to be adulterated within the meaning of this act.

How
marked.

All manufacturers of vinegar in the State of Minnesota, and all persons who reduce or re-barrel vinegar in this state, and all persons who handle vinegar in lots of one (1) barrel or more, are hereby required to stencil or mark in black figures, at least one (1) inch in length, on the head of each barrel of vinegar bought or sold by them, the standard strength of the vinegar contained in the package or barrel, and shall be denoted by the number of grains of pure bicarbonate of potash required to neutralize one (1) fluid ounce of vinegar.

Penalties.

"And any neglect so to mark, or stencil each package or barrel, or any false marking of packages or barrels, shall be deemed a misdemeanor and shall be punished by a fine of not less than twenty-five (25), nor more than one hundred (100) dollars and costs, or by imprisonment in the county jail not to exceed ninety (90) days or less than thirty (30) days."

SEC. 4. That section 10 shall be amended to read as follows:

"Sec. 10. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred (100) dollars and costs, or by imprisonment in the county jail not to exceed ninety (90) days."

SEC. 5. That section 11 shall be amended to read as follows:

"Sec. 11. Whoever adulterates, for the purpose of sale, lard with cotton seed oil, or other vegetable oils, or terra alba, or any substance injurious to health, or who ever barter or gives away, or sells, or has in possession with intent to sell, any substance intended for food, which has been adulterated with cotton seed oil, terra alba, or any other substance injurious to health, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five (25) nor more than one hundred (100) dollars and costs for each offense, or by imprisonment in the county jail not to exceed ninety (90) days or less than thirty (30) days."

Adulteration
of lard.

SEC. 6. That section 15 shall be amended to read as follows:

"Sec. 15. The said commissioner and assistant commissioners, and such experts and chemists as they shall duly authorize for the purpose, shall have access, ingress and egress to all places of business, factories and buildings where the same is manufactured or kept for sale, cases or vessels used in the manufacture and sale of any spirituous, fermented or malt liquors, or any imitation thereof, or any of the substances or articles mentioned in this act. They shall also have the 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 may take samples therefrom for analysis.

Access to
premises
by officials.

All clerks, bookkeepers, express agents, railroad officials, employes or common carriers shall render to 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.

Assistance
to be rendered
of officials.

Any refusal or neglect on the part of such clerks, bookkeepers, express agents, railroad officials, employes, or common carriers to tender such friendly aid, shall be deemed a misdemeanor and be punishable by a fine of not less than fifty (50) dollars or more than one hun-

dred (100) dollars for each and every offense, or by imprisonment in the county jail for a term not to exceed ninety (90) days or less than thirty (30) days."

SEC. 7. That section 16 shall be amended to read as follows:

"Sec. 16. The salary of the chemists shall not exceed fifteen hundred (\$1,500) dollars annually."

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 13, 1901.

H. F. No. 444.

CHAPTER 331.

Amendment.
Probate
code.

An act to amend section 5 of chapter 46 of the General Laws of 1889, being section 4412 of the General Statutes of 1894 as amended by chapter 181 of the General Laws of 1899, relating to the probate code.

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

SECTION 1. That section five of chapter 46 of the General Laws of 1889, being section 4412 of the General Statutes of 1894, as amended by chapter 181 General Laws of 1899, be and the same is hereby amended so as to read as follows:

When judge
or his rela-
tives are in-
terested in
causes, he
shall be dis-
qualified
from acting.

Sec. 5. Whenever the probate judge of any county, his wife, child, lineal descendant, parent, brother or sister is or may be interested as heir, executor, administrator, guardian, devisee, legatee or creditor, in any estate or guardianship matter pending or to be instituted in the probate court in such county, or in the matter of the insanity of any person whose sanity is to be or has been determined in said court; or when such probate judge shall have drawn any will to be presented in said court for allowance or the construction of which shall be controverted therein or shall be or may become a material witness in or has been an attorney, or of counsel, in any matter pending or to be instituted in said court or shall be in any way interested in the determination of any question pending in or to be determined by such probate court, said probate judge shall be disqualified from acting as judge therein, and the same shall be heard and determined in the same manner and like effect by the probate judge of some adjoining county, as hereinafter provided. In case the probate judge of any county shall be so disqualified from acting in any matter so pending or to be instituted in such court, or when by reason of his own illness or nec-