

in his office a copy for distribution to each member of the legislature which shall convene in the year one thousand nine hundred and seven (1907). All remaining copies shall be retained in the office of the secretary of state and circulated as he may deem proper and sufficient.

Compensation of superintendent.

SEC. 19. The said superintendent of census shall receive as compensation for his services under the provisions of this act the sum of five hundred (500) dollars.

SEC. 20. All bills and expenses incurred in the taking of the fifth (5th) decennial census of this state shall be vouchered and approved by the superintendent of census and presented to the state auditor of this state, who shall issue, to the party entitled thereto, the proper warrant on the state treasurer for the amount of said voucher.

Amount of appropriation.

SEC. 21. That the sum of sixty-five thousand (65,000) dollars is hereby fixed and limited as the maximum cost of the census herein provided for; which said sum, or so much thereof as may be necessary for the carrying out of the provisions of this act, is hereby appropriated out of any money in the state treasury not otherwise appropriated.

SEC. 22. That the superintendent of census is hereby authorized, whenever he may think proper, to call upon any other department or office of the state government or any municipal government for information pertinent to the enumeration and inquiry herein provided for, which information shall be promptly given by said department or municipality.

SEC. 23. This act shall take effect and be in force from and after its passage.

Approved April 7, 1905.

S. F. No. 172.

## CHAPTER 125.

*An act amending General Statutes of 1894, § 6445, relating to manslaughter.*

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

SECTION 1. That § 6445 of the General Statutes of 1894, being § 160 of the penal code of this state, be and the same is hereby amended so as to read as follows:

"Section 6445. Same—In the first degree.

Relating to manslaughter.

Such homicide is manslaughter in the first degree when committed without a design to effect death, either

1. By a person engaged in committing or attempting to commit a misdemeanor, affecting the person or property, either of the person killed, or of another; or

2. In the heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon;

3. By shooting another with a gun, or other firearm, when resulting from carelessness in mistaking the person shot for a deer or other animal."

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

Approved April 7, 1905.

## CHAPTER 126.

S. F. No. 314.

*An act to amend chapter 225, General Laws 1899. An act to regulate and license and define the business of commission merchants or persons selling agricultural produce and farm products 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 violating any of the provisions of this act.*

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

SECTION 1. That section (7) of chapter 225, General Laws of 1899, be and the same is hereby amended so as to read as follows:

"Section 7. Any person, persons, firm or corporation engaged in selling any property as herein specified, who fails or neglects to comply with any of the provisions of this act, 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 (\$25.00) dollars nor more than one hundred dollars (\$100), and the railroad and warehouse commission is hereby authorized either upon such conviction or upon its own findings after investigation, if the facts warrant it, to cancel the license of any person, persons, firm or corporation guilty of any violation of law or conduct prejudicial to the interests of those making consignments to such person, persons, firm or corporation to be sold on commission. Where a license has been canceled, the railroad and warehouse commission may refuse to issue any license to such person, persons, firm or corporation for a term of one year.

Violation.  
Penalty.