

truant officer to make complaint to a court or magistrate having jurisdiction over misdemeanors in such district or city.

Such court or magistrate shall thereupon issue a warrant for the arrest of such child, and proceed to a hearing on such complaint, and if, upon such hearing, the court or magistrate shall decide that such child is disorderly and beyond the proper control of the schools of the district, and under seventeen years of age, he shall sentence him to the state training school; but, in case of a first conviction, the court, in its discretion, may suspend the sentence.

Sec. 6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

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#### CHAPTER 401—H. F. No. 679.

*An Act to amend chapter 115 General Laws 1905, relating to the suppression of dangerous, contagious and infectious diseases of domestic animals.*

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

**Killing of animal affected with tuberculosis—Procedure.—**

Section 1. That section 1 of chapter 115, General Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 1. That section thirteen (13) of chapter three hundred fifty-two (352) of the General Laws of the year one thousand nine hundred and three (1903) be and the same is hereby amended so as to read as follows:

Whenever the state live stock sanitary board shall decide upon the killing of an animal affected with the disease tuberculosis or glanders, it shall notify the owner or keeper of such decision, when the judgment of the state live stock sanitary board, such animal may be ordered transported for immediate slaughter by the said board, through its executive officer to any abattoir within the state where the United States bureau of animal industry maintains inspection, and said live stock sanitary board shall pay the expense, said transportation and yardage.

Before being removed from the premises of owner, there shall be appointed three (3) competent disinterested men, one appointed by the state, one by the owner, and a third by the first two, to appraise such animal at its cash value.

Such appraisal shall in no case exceed thirty-five dollars (\$35) for a cow and seventy-five dollars (\$75) for a horse, except

in the case of pure bred cattle and horses, where the pedigree shall be proved by certificates of register from the herd books where registered, and in that case the maximum appraisal shall not exceed seventy-five dollars (\$75).

If upon slaughter such animal is found by the inspector in charge of such abattoir, or veterinarian of the state live stock sanitary board, to be free from any contagious or infectious disease, then the full amount of such appraisal, less the value of the carcass, shall be paid to the owner of such animal from the funds hereby appropriated for the purpose of carrying out this act.

But if upon postmortem examination such animal shall be found to be afflicted with tuberculosis or glanders, then and in that case the value of the carcass shall be deducted from the appraised value of the living animal; three-fourths ( $\frac{3}{4}$ ) of the remainder shall be paid to the owner by the state, provided the animal has been kept for one year in good faith in the state prior to the killing thereof.

The owner or keeper may file with the board which has ordered the killing, within forty-eight (48) hours after being notified, a protest stating therein under oath that to the best of his knowledge and belief the animal is not infected with tuberculosis or glanders; blank protest shall be furnished by the board which has ordered such killing.

Thereupon, if the animal be killed, an autopsy shall be held by three (3) experts, who shall be graduate veterinarians of a recognized college, one appointed by the state board, one by the owner, to be paid by the owner, and the third by the first two, to be paid by the state, who shall appraise such animal before it is killed at its cash value, and the autopsy shall then be held upon such animals by the above mentioned veterinarians.

If the autopsy shows that the animal is entirely free from any such disease, the full cash value thereof immediately before the killing shall be paid to the owner by the state, less the value of the carcass, but if found to be diseased, the owner shall be paid three-fourths value, as hereinbefore provided.

The appraisements made under this act shall be in writing and signed by the appraisers and certified by the local board of health and the state live stock sanitary board, respectively, to the auditor of the state, who shall draw a warrant on the state treasurer for the amount thereof.

When cattle have been bought in good faith for slaughtering purposes by butchers who are retail dealers, and the carcasses thereafter found to be infected with tuberculosis, it shall be the duty of the local board of health to appoint three (3) disinterested persons to appraise the value of said carcass, and the owner of said carcass shall be entitled to receive from the state

two-thirds (2-3) of the amount of such appraisement, and the hide shall also be returned to him; *provided*, however, that this provision shall not apply to a slaughtering or packing house that has a state or United States government inspection system.

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

Approved April 22, 1909.

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CHAPTER 402—H. F. No. 872.

*An Act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in advance of the special assessments levied therefor, and to provide for ascertaining, reporting and supplying any impairment or depletion of the fund into which the proceeds of said bonds come.*

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

**\$400,000 bond issue authorized.**—Section 1. The city council or common council of each and every city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time as needed the negotiable bonds of their respective city to an amount in the aggregate not to exceed \$400,000, said bonds to be made in such denominations and payable at such places and at such times, not to exceed thirty (30) years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed 4 per cent per annum, payable semi-annually, and to have interest coupons attached, payable at such place or places as shall be designated therein, and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor, and upon the best terms that can be obtained for said bonds.

*Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and

*Provided, further*, that said bonds shall not be issued until the issuance thereof is authorized by a resolution duly passed by a three-fourths vote of all the members of the city council or common council proposing to issue the same.