

## CHAPTER 311—S. F. No. 472.

*An Act to provide for the suppression of contagious diseases among bees, to create the office of State Inspector of Apiaries, to appropriate money therefor, and repealing chapter 160 of the General Laws of 1907.*

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

**State inspector of apiaries to be appointed by governor.—**

Section 1. There shall be appointed by the governor a practical apiarist to be the state inspector of apiaries, who shall hold office two years or until his successor qualifies, and who shall have power within the limitations set out in section 12 of this act to appoint deputy inspectors as they may be required in the interest of time, economy or in emergency for inspection and treatment of apiaries in different parts of the state. The term inspector when used in this act includes deputy inspector unless otherwise specified. Vacancies in the office of state inspector of apiaries shall be filled for the unexpired term in the manner above prescribed for original appointment.

**Duty of inspector.—**Sec. 2. It shall be the duty of the state inspector to aid the development of the bee and honey industry and to adopt proper measures for the prevention and suppression of contagious diseases and infectious diseases among bees.

**Authority to visit apiaries.—**Sec. 3. The state inspector shall have authority at his discretion to visit and examine personally or by deputy any apiary for the purpose of ascertaining the existence, or the treatment or destruction of any disease among bees or brood; and for this or any other purpose within the scope of this act he may enter upon private property. When notified of the probable existence of contagious or infectious disease of bees or brood in any apiary he shall visit and examine said apiary personally or by deputy as he shall deem most expedient within thirty (30) days from receipt of said notice. Wherever any contagious or infectious disease of bees or brood shall be found the inspector shall inspect all apiaries within a radius of three miles of said apiary of which he is able to learn by diligence. After inspecting any apiaries or appurtenances thereof of bees or brood in which contagious or infectious disease has been found he shall thoroughly disinfect his person and clothing before leaving the premises where such disease is found.

**Diseased bees declared a public nuisance.—**Sec. 4. All bees, brood and apiary appurtenances, infected with any contagious or infectious diseases which, after inspection by an inspector,

who is hereby made sole judge of the character thereof, shall have been declared by him to be incurable according to his best judgment, and which appurtenances cannot be successfully disinfected, and is liable to spread disease are hereby declared and adjudged to be public nuisances, and subject to abatement as such according to law. The inspector or deputy shall also cause said bees or brood or apiary appurtenances to be immediately destroyed by fire under his personal supervision, and the owner thereof and the person in charge of the same is hereby required to assist him in said work and to carry out such destruction according to his directions.

**Inspector to order treatment.**—Sec. 5. Wherever in the judgment of the inspector or his deputy it shall be practicable to cure the diseases or any of them which shall be found in any apiary, by treatment, he may order the bees and apiary appurtenances affected therewith to be treated for twenty-one days or until cured. Whenever treatment shall be so ordered the owner and the person in charge of said bees or appurtenances shall carry out proper treatment as prescribed. The inspector shall also inspect such diseased apiaries a second time after twenty-one days when he shall cause all bees, brood and appurtenances and honey in which the disease shall be found not to have been cured to be destroyed as in section 4 hereof so far as may be necessary to prevent the spread of the disease; and wherever said property shall be so destroyed the owner thereof shall receive no compensation therefor.

**Transfer of bees.**—Sec. 6. The state inspector or his deputies at his discretion may order the owner or the person in charge of bees dwelling in log gums, boxes or other receptacles in which the combs are stationary, within three miles of any diseased apiaries, to transfer said bees to hives wherein the combs shall be movable. In default of such transfer said bees and all the articles in which they are contained are declared to be a public nuisance and shall be disposed of according to section 4 of this act.

**Violation a misdemeanor.**—Sec. 7. Any person who shall sell, barter or give away or remove to another location without the consent of the inspector any bees, honey or appurtenances from an apiary known to be infected with contagious disease, or having done so either with knowledge or in ignorance of its condition, shall refuse to give the name and address, if known, to him of the person to whom the same was disposed of, or who shall import into the state any bees infected with disease, or who shall cause other bees to become exposed to infected comb, brood, honey, bee-hives or other appurtenances so infected, or who shall after knowledge thereof conceal or neglect to report to the

state inspector the existence of disease in any apiary owned by him or within his charge, or who shall refuse to permit or to assist in the inspection and necessary treatment or destruction of his brood, bees, honey or appurtenances, or who shall impede or hinder or obstruct an inspector in any of his duties shall be guilty of a misdemeanor and liable upon conviction to a fine of not less than twenty-five (\$25.00) nor more than fifty (\$50.00) dollars, or to imprisonment in the county jail for not less than thirty nor more than sixty days.

**Queen rearing apiaries to be inspected three times each summer.**—Sec. 8. Any person engaged in the rearing of queen bees shall have his queen-rearing apiary inspected at least three times each summer season; on the discovery of the existence of any contagious or infectious disease in the bees, brood or appurtenances of said apiary he shall cease to sell or give away any queen bees from said apiary until it shall have been declared free from disease by an inspector after inspection thereof. Candy used in mailing cages of queen bees shall be made from honey which has been boiled thirty minutes or more. Any person violating this section shall be guilty and liable as prescribed in section 7 of this act.

**Inspector read a copy of this act.**—Sec. 9. The inspector or deputy shall read to a person the provision of this act under which he is liable or cause the same to be sent to him before proceeding against him for its violation.

**Affidavit may be required.**—Sec. 10. Whenever destruction or treatment of any bees or apiary appurtenances shall have been ordered the state inspector may require the owner or person in charge of said property to file an affidavit with him that the destruction or treatment has been carried out effectually.

**Construction of apiaries.**—Sec. 11. Apiaries within the meaning of this act shall mean any place where one or more hives or colonies of bees are kept.

**Salary of inspector and deputy inspector and appropriation therefor.**—Sec. 12. The state inspector shall receive a salary of fifteen hundred dollars per annum in equal monthly payments. Deputy inspectors shall receive five dollars per day for each day actually spent in the performance of his duties: *Provided* that the total sum paid deputies shall not exceed five hundred dollars in any year. The above salaries shall be paid out of the general appropriation for the purposes of this act and there is hereby appropriated annually the sum of two thousand dollars or so much thereof as may be necessary to carry out the provisions of this act, out of any moneys in the state treasury not otherwise appropriated.

**Annual report to governor.**—Sec. 13. The state inspector shall make an annual report to the governor stating the number of apiaries inspected, and the number where disease shall be found, the number of colonies treated, cured and destroyed, an itemized expense account of his deputies, and such other information as he may deem important to the state and of value to the art of apiculture. This report shall be printed by the state printer and copies thereof sent by the state inspector of apiaries to the members of the Minnesota bee-keepers' association and to all in the state who may apply for it. He shall also keep a record of all apiaries and the location thereof in which contagious or infectious disease shall be found within the last year of his office and turn the same over to his successor.

**Oath of office and bond.**—Sec. 14. The state inspector of apiaries shall take the usual oath of office and give bonds in the sum of two thousand dollars for the faithful discharge of his duties.

**Chap. 160 G. L. 1907 repealed.**—Sec. 15. Chapter 160 of the General Laws of Minnesota for the year 1907 is hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its passage.

Approved April 20, 1911.

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## CHAPTER 312—S. F. No. 492.

*An Act to provide for the service of proofs of loss, notices, summonses and process upon foreign insurance companies doing business in this state and to prevent the removal to the federal courts by such companies of any action commenced against them in courts of this state and to provide for the revocation of the licenses of such companies in such cases.*

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

**Proofs of loss, etc., to be made upon insurance commissioner.**—Section 1. That before any corporation, association or company, issuing policies of insurance of any character, and not organized or existing pursuant to the laws of this state, is admitted to or authorized to transact the business of insurance in this state, it shall, by a duly executed instrument to be filed in the office of the insurance commissioner, constitute and appoint the insurance commissioner and his successor in office its true and lawful attorney upon whom proofs of loss, any notice authorized or required by any contract with such company