

*Any person, firm or corporation who shall personally, or by clerk, or agent, falsely stamp, seal, brand, or mark any cask, barrel, or other package or receptacle of oil, gasoline, benzine or naphtha, or who shall cause the changing, altering, or defacing in any manner any stamp, seal, brand, or device affixed to any cask, barrel or other package or receptacle of oil, gasoline, benzine or naphtha by any deputy inspector, or who shall refill or use any cask, barrel or other package or receptacle having a deputy inspector's seal, mark, stamp, or brand thereon without cancelling or defacing said seal, mark, stamp or brand and having the oil, gasoline, benzine or naphtha in such a cask, barrel or other package or receptacle properly examined or tested and stamped or marked under the provisions of this chapter, or who shall offer for sale, or who shall sell any such oil, gasoline, benzine or naphtha representing it to be in any respect other and different in quality or kind than as represented to the person so purchasing same, shall be liable to a fine of not less than five dollars nor more than five hundred dollars, or to imprisonment in the county jail for not more than six months, or to both such fine and imprisonment; and who shall sell or in any way dispose of any empty cask, barrel or other package or receptacle bearing a deputy inspector's seal, brand or stamp, without first thoroughly cancelling, defacing or removing such seal, brand, stamp, mark or any combination thereof, shall be liable to a fine of not less than five dollars nor more than five hundred dollars, or to imprisonment in the county jail not exceeding six months, or to both such fine and imprisonment.*

*Any person who shall violate any of the provisions of this act, not specifically mentioned in this section, shall be guilty of a gross misdemeanor.*

Approved April 23, 1915.

---

#### CHAPTER 272—S. F. No. 619.

*An Act relating to the duties of coroners and prescribing the manner and procedure of holding examinations and inquests by coroners, in counties having a population of not less than two hundred and twenty thousand (220,000) and not more than three hundred thousand (300,000) inhabitants.*

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

Section 1. **Extension of powers of Ramsey county coroner.**—It shall be the duty of the coroner, in counties having a population of not less than two hundred and twenty thousand (220,000), and not more than three hundred thousand (300,000) inhabitants, to make such investigations as he shall deem necessary and issue his death certificate in all of the following cases and

no others: Violent, mysterious and accidental deaths, including suspected homicides, occurring in his county.

**Sec. 2. Body not to be interfered with.**—It shall be unlawful for any person, in any such county, in any manner, to remove, interfere with or handle the body or the effects of any deceased person subject to an investigation by the coroner, except upon order of the coroner or his deputy, and the coroner shall receive, take charge of and safely keep the effects found on the body of such deceased persons and make such disposition of the same as the probate court shall direct by written order to said coroner, and if a crime is suspected the coroner shall have the power to prevent any person or persons from coming into or on said premises, or rooms or buildings thereon, and shall have the custody of any objects that he may deem may be of material evidence in the case.

**Sec. 3. Coroner only to issue death certificate.**—It shall be unlawful for any person, other than the coroner, to issue a certificate of death in any of the cases set forth in Section 1, and any violation of this section, or Section 2, of this act, shall be a misdemeanor, punishable by fine or imprisonment, or both.

**Sec. 4. May order autopsy and fee for same.**—The coroner shall order an autopsy when and where he deems proper and physicians called by the coroner to make such autopsies shall receive six dollars (\$6.00) per day and mileage for such services. He may order a chemical analysis or microscopic examination of any portion of a dead body, or matter or other thing material to determine the facts of death. It is hereby made the duty of the chief chemist of the state dairy and food department to make such chemical analysis upon the request of the coroner.

**Sec. 5. When inquests are to be held.**—The coroner shall hold inquests only in such cases as he deems there exists probable cause that a crime has been committed. He shall have authority to fix the time and place for holding such inquests. He shall notify the county attorney to appear and conduct the examination of all witnesses at such inquest and in the absence of the county attorney at such proceeding the coroner shall conduct the same.

**Sec. 6. Form of summons for jurors.**—In every case where he holds an inquest he shall summon as jurors six good and lawful men of said county to appear before him at the time and place specified in the summons, which said summons shall read in substance as follows:

STATE OF MINNESOTA,

County of .....

State of Minnesota to ....., Greeting:.

You are hereby commanded to lay aside your business and excuses and appear before me, coroner of said county at (state time and place) and then and there inquire into the death of .....and as to how and by what means he or she came to his or her death.

Hereof fail not on penalty that will follow. Given under my hand this ..... day of ..... 19...

Coroner.

Sec. 7. Sheriff or constable to make return.—The sheriff or any constable or any other person whom the coroner shall designate, shall forthwith make return of the summons above mentioned and of his doings thereunder, under his hand, to the coroner.

Sec. 8. Service of process.—The coroner, or any person of legal age whom he may designate, shall have the power and authority to serve any and all process or papers issued under the hand of such coroner.

Sec. 9. Penalty for refusal to serve.—In case any of the jurors so summoned fail to appear, the coroner may require the sheriff or constable, or any person whom he shall appoint, to return other jurors selected in the foregoing manner, until a jury is obtained, and if any person so summoned as a juror fails to appear without reasonable excuse therefor he shall be subject to the same procedure and punishment for non-appearance and contempt as is now provided by law for juries in the district court.

Sec. 10. Form of oath.—The following oath shall be administered to the jury by the coroner or any of his deputies: "You do swear that you will diligently inquire and due presentment make on behalf of the State of Minnesota, when, how and by what means the person of .....did come to his or her death, and return a true inquest thereof, according to your knowledge and such evidence as shall be laid before you, so help you God."

Sec. 11. Form of certificate of jury.—The jury, after hearing the testimony, shall draw up and deliver to the coroner, the inquisition under their hands, in which they shall certify when, how and by what means the deceased came to his or her death, and his, or her, name, if it is known, together with all material circumstances attending his or her death, and if it appears that death was caused by criminal violence or culpable negligence, the jurors shall further state by whom the act was committed, if any, either as principals or accessories, if known, or was in any man-

ner the cause of his or her death, which inquisition shall be in substance as follows:

**STATE OF MINNESOTA,**

County of .....

Inquisition taken at ..... in the county of ..... on the ..... day of ..... 19.., before ..... coroner of said county of ..... upon the body of ....., by the oath of the jurors whose names are hereunto subscribed, who being sworn to inquire on behalf of the State of Minnesota, when, how and by what means the said ..... came to his, or her, death, upon oath do say (insert here when, how and by what means, persons, weapon or instrument, if any, he or she came to his or her death).

In testimony whereof the said coroner and jurors of this inquisition have hereunto set their hands the day and year aforesaid.

**Sec. 12. Sheriff or other person to be at disposal of coroner.** The coroner shall have the services of the sheriff or such person as the coroner may designate and appoint, who shall attend any and all inquests upon request of such coroner and perform all duties as are necessary and imposed upon sheriffs or their deputies in district court and take the oath as prescribed for officers in charge of petit jurors.

**Sec. 13. Summoning of witnesses.**—The coroner may issue subpoenas and summon such persons as witnesses as he may deem necessary and proper, returnable forthwith, or at such time and place as he shall direct, to give evidence before any inquest or investigation, and such witnesses shall be allowed and paid one dollar per day, for each day's attendance or any fraction thereof, while actually in attendance on such inquest, or investigation, and mileage to and from the place of attendance at the rate of ten cents per mile, which sum shall be allowed and paid out of the county treasury upon warrant of the county auditor thereof and certificate of the coroner that such services have been rendered, and said witnesses shall be subject to the same procedure and punishment for non-attendance or refusal to testify as is imposed by law upon witnesses in the district court and no person shall be excused from answering any question on the ground that his examination will tend to convict him of the commission of a crime, but his answers shall not be used as evidence against him in any criminal proceeding.

**Sec. 14. Form of oath.**—The following oath shall be administered to witnesses: "You do solemnly swear that the evidence you shall give at this inquest, or investigation, concerning the death of ..... shall be the whole truth and nothing but the truth, so help me God."

Sec. 15. **In case death occurred within jurisdiction of another coroner.**—If, during any proceeding authorized by this act, the coroner finds that death actually occurred within the jurisdiction of another coroner, he shall discontinue further proceedings and hold the body subject to the order of the coroner in whose jurisdiction the death occurred, and he shall immediately notify the coroner having jurisdiction where death occurred, of the main facts in the case, and it shall be the duty of the coroner so notified to immediately institute such proceedings as the law directs had the case come into his hands originally, and all further proceedings shall be held by the coroner of the county in which death occurred.

Sec. 16. **Police authority conferred on coroner.**—Police authority is hereby conferred on the coroner and his deputies.

Sec. 17. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its passage.

Approved April 23, 1915.

---

#### CHAPTER 273—S. F. No. 710.

*AN ACT to amend Section 5481 General Statutes of Minnesota 1913, so as to authorize the State Drainage Commission to construct and acquire dams and other works for controlling flood waters and to make the laws relating to state ditches applicable thereto.*

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

Section 1. **State drainage commission authorized to construct dams.**—That Section 5481 of the General Statutes of Minnesota, 1913, be, and the same is hereby amended so as to read as follows:

5481. The drainage commission of the State of Minnesota shall have power to construct as hereinafter provided, any ditch, drain or other water course within the State of Minnesota, and such ditch, drain or other water may in whole or in part follow and consist of the bed of any creek, stream, or river, whether meandered or not, and they may widen, deepen, straighten, change, lower or drain the channel or bed of any creek, river, lake or other natural water course, whether navigable or whether meandered or not, and may construct new and additional outlets to any marshy, shallow or meandered lake, for the purpose of draining the same, and may follow and extend the same into or through any city or village within the state far enough to secure a sufficient fall and flow of water to reasonably effectuate the pur-