

mons in a civil action, at least ten days before the time named therein for taking such depositions.

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

Approved April 24, 1915.

CHAPTER 370—H. F. No. 948.

An Act to amend Sections 4598, 4599, 4600, 4601, 4602, 4603, and 4604 of the General Statutes of Minnesota for 1913, relating to commission merchants.

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

Section 1. **Bonds required of commission merchants.**—That Section 4598 of the General Statutes of 1913 be and the same is hereby amended to read as follows.

4598. **Definition License—Bond.**—For the purpose of this subdivision, a commission merchant is a person who may receive for sale, for account of the consignor, any agricultural products or farm produce. No person shall sell, or receive, or solicit shipments of such commodities for sale, without first obtaining a license from the Railroad and Warehouse Commission to carry on the business of a commission merchant, and executing and filing with the secretary of state a bond to the state for the benefit of such consignors; if the license authorizes the sale of grain the bond shall be not less than four thousand dollars (\$4,000.00). If the license only authorizes the sale of products other than grain the bond shall be not less than two thousand dollars. In either case the Railroad and Warehouse Commission may at any time require such an additional amount of bond as it may deem necessary to protect the consignor.

Sec. 2. **Licenses to be secured for receiving and disposing points.**—That Section 4599 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4599. **Application for license—Conditions of Bonds—Additional bonds.**—The application for license shall be in writing, state the commodities for which license to sell is wanted, also the cities or other locations in the state where applicant intends to do business, and give the business address of the applicant and the estimated volume of business to be done monthly. If he desires a license which shall authorize him to sell grain, the bond shall be conditioned that he report to all persons consigning grain to him, and pay to them the proceeds of its sale, less charges and actual disbursements; otherwise, the bond shall be conditioned for the faithful performance of his duties as commission merchant. *Separate licenses and bonds shall be required for each city or location at which consignments are received and*

disposed of by such commission merchant, and said licenses shall be kept posted in each office of licensee. All licenses shall expire May 31st of each year. The fee for each license shall be two dollars (\$2.00). Such license may be revoked by the commission for cause, upon notice and hearing.

Sec. 3. Statements to be furnished.—That Section 4600 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4600. Commission may require confidential statements.—For the purpose of fixing or changing the amount of a bond the commission shall require statements of his business from the licensee, and, if he fail to render such statements or to furnish any new bond required, the commission may revoke his license. All such statements shall be for the exclusive information of the commissioners, unless they shall be required for use in court, in which case the commissioners shall produce them.

Sec. 4. To be made within reasonable time.—That Section 4601 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4601. Statement to consignor.—Whenever a licensee sells any grain he shall render a true statement in writing to the consignor within twenty-four (24) hours of the amount sold, price received, name and address of purchaser, and the day, hour, and minutes of the sale, and shall forward vouchers for all charges and expenses. Whenever consignments of commodities other than grain are sold, the licensee shall render a true statement in writing to the consignor *within such reasonable time and in such manner and form as may be prescribed by the commission.*

Sec. 5. Licensee to produce all records.—That Section 4602 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4602. Complaint—Investigation—Report.—Whenever a consignor of a commodity, other than grain, after demand therefore, shall have received no remittance or report of its sale, or shall be dissatisfied with the remittance, or report, he may complain in writing, under oath, to the commission, who shall investigate the matter complained of. In making the investigation the commission may compel the licensee to produce all information, books, records, and memoranda concerning the matter, and they shall give the complainant a written report of the investigation. This report shall be prima facie evidence of the matters therein contained.

Sec. 6. Suit on bond and amount recovered to be proportioned among aggrieved parties.—That Section 4603 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4603. **Action on bond.**—*If any licensee shall fail to account for any consignment of any of the commodities mentioned in this subdivision, or to pay to the consignor monies due on such consignment, the consignor, or his agent, may file with the commission an affidavit setting forth the matters complained of. Thereafter, such consignor may bring an action upon the bond of the licensee, and recover the amount due him on account of such consignment. If such licensee has become liable to more than one consignor, and the amount of his bond be insufficient to pay the entire liability, the consignors shall be compensated in proportion to their several claims.*

Sec. 7. **Refusal to permit inspection of books a misdemeanor.**—That Section 4604 of the General Statutes of 1913 be and the same is hereby amended to read as follows:

4604. **Violations—Penalty, etc.**—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, or any of the rules of the commission therein provided for, 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) dollars nor more than one hundred (\$100.00) dollars, 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 interest of those making consignments for sale, to such person, persons, firm or corporation. Where a license has been cancelled, the Railroad and Warehouse Commission may refuse to issue any license to such person, persons firm or corporation for a term of one year.

Whenever requested to do so by any interested shipper, the Railroad and Warehouse Commission shall have power to investigate any sale or transaction carried on by any person, persons, firm or corporation licensed under this act and for that purpose, shall have the right to examine *any and all books, records and accounts of any licensed commission merchant. Any licensed commission merchant or any agent in charge of such books, records or accounts who shall fail or refuse to submit such books, records, or accounts for the examination of said Railroad and Warehouse Commission shall be guilty of a misdemeanor.*

It shall be unlawful to use the word commission, commission merchant or commission company on any advertising matter, letter or bill heads of any person not having a license from the commission. Any person who shall hold himself out or claim to be a licensed or bonded commission merchant, either by written, printed, or verbal representation or by the use of any letter

head, statement or advertisement, without having a license from the commission, shall be guilty of a misdemeanor.

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

Approved April 24, 1915.

CHAPTER 371—H. F. No. 1083.

An Act to amend Chapter 126 of the Laws, session of 1909 as amended by Chapter 368 of the laws, session of 1911, known as Sections 178 and 179, of the General Statutes of Minnesota, 1913.

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

Section 1. **Provision for holding courts at Hibbing and Virginia—Courthouse—Jail—Expenses.**—It is hereby made the duty of the board of county commissioners of the county of St. Louis, to furnish and maintain adequate accommodations for the holding of terms of the district court at the village of Hibbing, and the City of Virginia, proper offices for said deputies, and a proper place for the confinement and maintenance of the prisoners at the village of Hibbing and the City of Virginia.

And said county shall also reimburse the clerk of said court and his deputies as herein provided for, and the county attorney and his assistants and the district judges of said district and the official court reporter for their traveling expenses actually and necessarily incurred in the performance of their respective official duties.

Sec. 2. **Deputies at Virginia, Hibbing and Ely—Deputy sheriff and clerk.**—There shall be at all times a chief deputy sheriff of said county and a chief deputy clerk of said district court and such other deputies as may be necessary, resident at said City of Virginia and village of Hibbing or said City of Ely, and their appointment shall be made in the same manner as other deputy sheriffs and deputy clerks of the district court in said counties.

The salaries of such deputies shall be fixed and paid in the same manner as other such deputies, except that the salary of such chief deputies shall be not less than \$2,000 per year.

But the offices of said deputy sheriff and the offices of said deputy clerk at Virginia and Hibbing or said city of Ely shall not in any sense be considered or deemed to be the office of the sheriff or the office of the clerk of said court for any purpose, except for the performance of their respective duties, relating solely to proceedings tried or to be tried at said city of Virginia or village of