

approval in writing by the commissioner of insurance of this state.

Nothing in this section shall be deemed to permit the ceding insurer to receive through the cession of the whole of any risk or risks any advantage in respect to its unearned premium reserve that would reduce the same below the actual amount thereof.

For the purposes of this section, the word "insurer" shall be deemed to include the word "reinsurer," and the words "issue policies of insurance" shall be deemed to include the words "make contracts of reinsurance."

Approved March 29, 1919.

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#### CHAPTER 142—H. F. No. 722.

*An act to legalize mechanics' lien foreclosure sale heretofore made.*

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

Section 1. **Certain mechanic lien foreclosure legalized.**—Every mechanics' lien foreclosure sale heretofore made under the terms and provisions of a final judgment of a district court in this state, wherein the order of the district court confirming the report of the sheriff was made within ten days after the date of sale, which sale was otherwise regular, except that the sheriff's certificate of sale was not recorded in the register's office of the county in which the premises are situated until after the period of one year from the date of the order confirming such sale, is hereby legalized, with the same effect as if such certificate had been executed and acknowledged subsequent to the confirmation of the sale by the court, and recorded as provided by law; provided, that nothing herein contained shall be construed to apply to actions now pending which involve the validity of any such sale.

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

Approved March 29, 1919.

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#### CHAPTER 143—S. F. No. 236.

*An act creating a board for seed potato inspection and certification, providing penalties for the violation of such provisions.*

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

Section 1. **Inspection of seed potatoes authorized.**—The inspection and certification of potatoes for seed purposes by or under the direction of the board hereinafter created and under the conditions and limitations herein specified, is hereby authorized.

Sec. 2. **Inspection board and membership.**—There is hereby created a board for seed potato inspection and certification. It shall consist of five members, two of whom, the dean of the College of

Agriculture of the state of Minnesota and the president of the State Potato Growers' Association, shall be ex-officio members. The three remaining members shall be appointed by the governor for the term of three years each; provided, that of those first appointed one shall hold his office for one year, one for two years, and one for three years.

The members of said board shall be residents of this state and thoroughly acquainted with the business of potato growing, either by actual experience or education and interested in the propagation of pure seed.

**Sec. 3. To be paid only actual expenses and duties.**—The members of said board shall serve without pay, but their actual expenses shall be paid from the fund hereinafter provided. Said board shall organize within thirty days after its appointment and shall adopt such rules and regulations with reference to the conduct of its business and the inspection and certification of seed potatoes as it shall deem advisable, except that no certification of purity or quality shall be made except upon an inspection both of the crop while it is growing and after it is harvested, and no rules shall be promulgated which will authorize the appointment of inspectors who are not familiar with the business of raising potatoes. Said board shall appoint such inspectors, officers and employes as it may deem necessary, fix the amount of salary or the fees to be received by each, and the amount of fees to be paid by potato growers desiring inspection and certification. Said board shall also provide the various forms necessary for use by growers in applying for inspection and by inspectors in their work of inspection and certification and shall specify the methods to be used by officers and inspectors and shall direct that no certificates shall be issued except upon stocks duly inspected and which are in the hands or under the control of the original grower.

Said board shall also provide permanent records of its own organization, rules and acts and a record of the work of its inspectors and officers.

**Sec. 4. Each member to give bond.**—Before entering on the duties of his office each member of said board shall give bond to the state of Minnesota with sureties to be approved by the governor in the sum of \$5,000, conditioned for the faithful discharge of the duties of his office. The cost of such bonds shall be paid from the funds hereinafter provided. Every inspector or deputy and every officer appointed by said board shall give bond to the state in such sum as said board shall direct with sureties to be approved by the board, conditioned for the faithful discharge of the duties of their respective offices.

**Sec. 5. Fees to be fixed by board, and salaries, etc., to be paid from fund.**—The fees for inspection shall be fixed by the board and shall be paid or secured at the time of inspection. All

moneys so collected, together with any fines and penalties for the violation of any of the provisions of this act, shall be paid into the state treasury and known as the potato inspection and certification fund, and paid out only on order of the board and auditor's warrant. Any interest received from deposit of said moneys shall be credited to such fund.

All expenses of the board and all salaries and fees of inspectors, officers and employes shall be paid out of said fund. There shall be paid into said fund from time to time such sums as may be provided by the legislature for the purpose of carrying out the provisions of this act.

**Sec. 6. Application for inspection and certification.**—Any potato grower may make application to said board for inspection and certification of his crop growing or to be grown in this state, giving description of his land and such other information as said board shall require and pay or secure the amount of the fee required for such purpose to said board, and thereupon this crop shall be listed for inspection by said board and inspected and certified by it under the rules and regulations adopted by it for its government.

**Sec. 7. False certificate declared a gross misdemeanor.**—Any inspector, deputy or officer who shall negligently or carelessly inspect or give any false certificate of inspection or accept money or other consideration directly or indirectly for any negligence or improper performance of duty, and any person who shall improperly influence or attempt to influence any such inspector, deputy or officer in the performance of his official duty, and any person who shall change in any manner the certificate attached to and intended for the containers of potatoes which have been inspected to containers of potatoes which have not been inspected shall be guilty of a gross misdemeanor.

**Sec. 8. Certain terms prohibited.**—Any person not connected with the state inspection and certification department is hereby prohibited from using the term "inspector" or "deputy inspector" or any other words or device calculated or intended to indicate that the certificate made by him is issued under the authority of any officer or person connected with such department and is hereby prohibited from otherwise deceiving or misleading the public as to the inspection or any certification of inspection of seed potatoes.

Any person found guilty of violating any provisions of this section shall upon conviction be punished as for a gross misdemeanor.

**Sec. 9.** This act shall take effect and be in force from and after its passage.

Approved March 31, 1919.