

3. An amount equal to four-tenths of one mill on each dollar of the taxable property of the district, for the support and maintenance of evening and summer schools for elementary and high school grades.

4. An amount equal to one-half of one mill on each dollar of the taxable property of the district in 1919, 1920 and 1921, for the purpose of paying and discharging existing indebtedness arising from the maintenance and the operation of the schools in such district.

5. An amount equal to twenty-five hundredths of one mill on each dollar of the taxable property of the district, for educational work among immigrants, candidates for naturalization and removal of illiteracy.

6. An amount equal to two and one-half mills on each dollar of the taxable property of the district, for additional salaries for teachers, janitors, engineers and firemen; provided, that the total annual levy of taxes for school purposes in any such district, exclusive of the state and county school taxes therein, shall not exceed fifteen and sixty-five hundredths mills on each dollar of the taxable property of the district.

Sec. 2. Not to apply to other school districts.—The provisions of this act shall not apply to school districts within the limits of any city of the first class operating under a home rule charter.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 15, 1919.

CHAPTER 254—S. F. No. 624.

An act to amend Sections 4476, 4477, 4478, 4479, 4481, 4483, 4489, 4497 of the General Statutes of 1913, relating to the general supervision of the grain interests of the state and to repeal acts or parts of acts inconsistent herewith.

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

Section 1. **Public local warehouse defined.**—That section 4476 of the General Statutes of 1913 is hereby amended to read as follows:

All elevators, *flour mills* and warehouses in which grain is received, stored, shipped or handled, situate on the right of way of any railroad company, or adjacent thereto to be used in connection with a line of railway at any station or siding other than Minneapolis, St. Paul and Duluth, shall be public warehouses known as public local warehouse and shall be under the supervision and subject to the inspection of the commission.

All elevators, flour mills or warehouses located on any line of railway in either of said cities receiving grain direct from producers in less than minimum carload lots shall be required to conform to all laws relating to public local warehouses.

Sec. 2. Application, license, revocation to be posted.—That section 4477 of the General Statutes of 1913, be amended to read as follows:

All public local warehouses shall be licensed annually by the commission. Application for license must be filed with the commission before transacting warehouse business.

Every license shall expire on the *thirty-first* day of August, the fee shall be *five* dollars for each license issued. The fees so collected shall be paid into the state treasury and credited to the state grain inspection department.

Such license shall be revoked by the commission for cause upon notice and hearing.

All licenses, grade rules and rules regulating public local warehouses shall, upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to his warehouse.

Any person, firm or corporation desiring to purchase grain in small lots from producers for the purpose of loading the same in cars on track of any railway company for shipment shall be known as track buyers and shall first procure a license therefor and shall be subject to the same laws, rules and regulation as may govern public local warehousemen.

Section 3. Commission may authorize public local warehouses to close.—That section 4478 of the General Statutes of 1913, be amended to read as follows:

All duly licensed public local warehouses shall be kept open for business in order to properly serve the public. Upon application and sufficient cause shown the commission may allow any such local warehouse to close for such length of time as may be stated in the order issued therein. Provided, that nothing in this section contained shall apply to flour mills.

Sec. 4. Failure to keep open, building destroyed notice, license transfer, how made, notice of sale or lease.—That section 4479, General Statutes of 1913, be amended to read as follows:

Any person, operating a public local warehouse who shall fail to keep the same open for the receiving, storing or handling of grain without first having received written permission from the commission to close, shall be guilty of a misdemeanor and the license issued may be revoked by the commission and no reissue of license will be made to such warehouseman, or anyone associated or connected with him or them for the period of one year.

In case of the destruction by fire or other cause of any licensed public local warehouse it shall be the duty of the licensee thereof to notify the commission in writing within ten (10) days thereafter of such loss.

Upon the sale or lease of a public local warehouse, a transfer of the license for such warehouse shall be necessary and such transfer of license may be had, free of charge, by applying to the railroad and warehouse commission for the same, provided, however, that the party or parties selling or leasing shall first file with the railroad and warehouse commission a report of the business done up to the time of such sale or lease.

Sec. 5. Storage, duties of warehousemen, receipts scale tickets, state grades as established by state board of grain appeals to be followed.—That section 4481 of the General Statutes of 1913 be amended to read as follows:

Every public *local* warehouseman shall receive for storage and shipment, so far as the capacity of his warehouse will permit, all grain in a suitable condition for storage tendered him in the usual course of business without discrimination of any kind, a legal warehouse storage receipt shall be issued to the party delivering the grain which shall state the place and date when the grain was received, the name and residence of the owner of the grain, the kind and grade of the grain *according to the official terms established by the state board of grain appeals*, the gross weight, dockage and net weight of the grain as per Minnesota standard weight and in addition thereto such receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

This grain is received, insured and stored under the following conditions: The maximum charges for receiving, insuring, handling, storing fifteen days and delivering grain is two cents per bushel. Storage after the first fifteen days, one-half cent per bushel for each fifteen days or part thereof, for the first three months; after that one-half cent per bushel for each thirty days or part thereof. If grain is cleaned at owner's request, one-half cent per bushel. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of stated lawful charges accrued up to the time of said return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named, or his order, either from this warehouse, or if the owner so desires, in quantities not less than a carload on track at any terminal point upon the same line of railway within this state, designated by said owner, where state inspection and weighing is in force, the grade and weight thereof to be determined by state inspection and weighing as provided by law. Attached to the receipt shall be a stub record stating number and date of receipt and the gross weight, dockage and net weight; such stub record to remain

in the possession of the warehouseman for inspection by the commission or interested parties. The receipts shall be consecutively numbered and delivered to the owner immediately upon receipt of each lot or parcel of grain, giving the true and correct grade and weight thereof.

Any provision or agreement in such receipt not contained in the aforesaid specific warehouse and storage contract shall be void. The failure to issue such receipt, as directed, or the issuance of slips, memoranda or any other form of receipt embracing a different warehouse or storage contract, shall be deemed a misdemeanor, and no such slip memoranda, or other form of receipt shall be admissible in evidence in any civil action; provided, nothing in this act contained shall be construed to require or compel any party or parties operating a flour mill grinding wheat to receive, store or purchase at said mill any kind of grain.

Public local warehousemen shall be held liable to the owner for the delivery of the kind, grade and net quantity of grain called for by said storage receipts. The term "grain" is held to signify and include the following products: Wheat, corn, oats, rye, barley, flaxseed and speltz.

All public local warehousemen shall purchase grain in conformity with the official grades of grain, established from time to time by the state board of grain appeals. They shall post in a conspicuous place in their warehouse the official grades so established and also any change that may be made from time to time.

No public local warehouseman shall issue a receipt for grain not actually received into his warehouse. Any warehouseman who shall violate the provisions of this act shall upon conviction be subject to a fine of not exceeding one thousand dollars or imprisonment of not more than one year, or both, and revocation of his license.

Sec. 6. **Delivery of grain, disagreement as to grade.**—That section 4483 of the General Statutes of 1913 be amended to read as follows:

On the return and surrender of any receipts and payment of lawful charges, the grain represented therein shall be immediately deliverable to the owner, or his order, and shall not be subject to any further charge for storage after demand for delivery shall have been made and facilities for receiving and shipping the same have been provided.

If not delivered within twenty-four hours after such demand, the warehouseman shall be liable to the owner in damages not exceeding one cent a bushel for each day's delay, unless he shall deliver to different owners in the order demanded as rapidly as it can be done by ordinary diligence. In case that terminal delivery of grain is demanded, the warehouseman shall forthwith issue and deliver to the owner or his order a surrender receipt, such receipt to state the date, name of owner, the grade, gross weight, dockage

and net weight of the grain represented by such receipt, making such grain deliverable in its net amount any terminal market in the state designated by the owner of said receipt on the same line of railroad, such grain to be subject to the usual freight, inspection, weighing and switching charges when it arrives at the terminal, so designated, the freight to be computed on the basis of the gross weight of the grain represented by such surrender receipt, the owner of the receipt may at his option order a car in which the grain covered by his surrender receipt is to be transported, and in such case the grain shall be delivered immediately when the car so ordered is placed at the warehouse.

When delivery is demanded by the owner on track at any terminal point in the state, it shall not be completed until the grade and dockage of such grain has been finally established by the state inspection department at such point.

If any dispute or disagreement arises between the party receiving and the party delivering the grain at any public local warehouse in this state as to the proper grade or dockage, or both, of any grain, in accordance with standards at terminal points, an average sample of at least three quarts of said grain in dispute may be taken by either or both of the parties interested, and forwarded in a suitable sack, express charges prepaid, with the name and addresses of the parties, to the chief inspector, St. Paul, Minnesota, who will, upon request, examine said grain and adjudge what grade said sample of grain is entitled to under the inspection rules, in his judgment and opinion, and what amount of dockage it contains. If the grain in question is damp, musty or otherwise out of condition, this fact, with any other necessary information, must accompany sample.

Section 7. Reports to commission, grain accounts kept separate.—That section 4489 of the General Statutes of 1913 be amended to read as follows:

Every such warehouseman shall on or before the *first* day of *August* of each year render such commission on blanks or forms prepared by it an itemized and verified report of all business transacted by him as a public local warehouseman during the year beginning July first of the preceding year and ending June thirtieth of the current year.

Such report shall state the gross bushels of all grain of various kinds in his warehouse at the beginning of the year, the *net bushels* and dockage of all grain received, the *net bushels* and dockage of all grain shipped or delivered from such warehouse and the gross *bushels* of all grain remaining in the warehouse at the end of the year, and such report shall particularly specify and account for any overage or shortage in any kind of grain accruing during the year; *provided, that nothing in this section herein before contained shall apply to flour mills.*

All public local warehousemen engaged in the handling or sale of any other commodity than grain shall keep an entirely separate account of their grain business and under no circumstances shall their grain account and other accounts be mixed.

The commission may also require special reports from such warehousemen at such times as the commission may deem expedient.

No license shall be reissued to any local warehouseman who fails to make the annual report as required herein.

The commission may cause every such warehouse and the business thereof and the mode of conducting the same to be inspected by one or more of its members or by its authorized agent whenever deemed proper, and the property, books, records, accounts, papers and proceedings of every such warehouseman shall at all times during business hours be subject to such inspection. The expense incurred by the commission in carrying out the provisions of this section shall be paid out of the state grain inspection fund.

Sec. 8. **General supervision by the commission rules.**—That section 4497 of the General Statutes of 1913 be amended to read as follows:

The commission shall exercise general supervision over the grain interests of the state, and of the *buying and selling*, handling, inspection, weighing, and storage of grain, and of the management of public warehouses, shall investigate all complaints of fraud, any injustice in grain trade, *unfair practices, or unfair discrimination in the buying of grain* and may fix the charges of public warehousemen, and shall make all proper rules and regulations for carrying out and enforcing the provisions of this chapter, and all of laws of the state relating to such subjects. The commission may also furnish inspection and weighing service to private terminal warehouses on such terms as it shall deem proper.

Sec. 9. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after the date of its passage and approval.

Approved April 15, 1919.

CHAPTER 255—S. F. No. 844.

An act authorizing county boards of education for unorganized territory, containing 75 or more townships or fractions thereof, in counties of this state, to issue bonds for the purpose of refunding outstanding floating indebtedness.

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

Section 1. **County boards authorized to issue refunding bonds.**—The county board of education for unorganized territory in any county of the state having a floating indebtedness, where such unorganized territory contains 75 or more townships or fractions thereof, is hereby authorized to issue the