

CHAPTER 259—S. F. No. 1042.

An act authorizing the board of county commissioners to allow compensation to attorneys assisting the county attorney in criminal proceedings.

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

Section 1. County board authorized to pay attorney assisting county attorney in certain cases.—In any case in which an attorney has heretofore been employed by direction of the grand jury to assist the county attorney in the prosecution of a criminal proceeding pending in any county in this state, the board of county commissioners of such county is hereby authorized to allow to such attorney and to direct the payment to him of such reasonable compensation for the services rendered under such employment, not exceeding three hundred dollars.

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

Approved April 15, 1919.

CHAPTER 260—H. F. No. 366.

An act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 383, General Laws of Minnesota 1907, and all other acts or parts of acts inconsistent herewith.

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

Section 1. Statement of concentrated feeding stuff to be filed with dairy and food commissioner.—That before any concentrated commercial feeding stuff is sold, offered or exposed for sale in Minnesota, the manufacturer, importer, dealer, agent, or person who causes it to be sold or offered for sale, by sample or otherwise, within this state, shall file with the dairy and food commissioner of the state of Minnesota, a statement that such manufacturer, importer, dealer, agent, or person desires to offer for sale such concentrated commercial feeding stuff, in this state, and also a certificate, the execution of which shall be sworn to before a notary public, or other proper official, for registration, stating the name of the manufacturer, the location of the principal office of the manufacturer, the name, brand, or trade mark under which the concentrated commercial feeding stuffs will be sold, the ingredients from which the concentrated commercial feeding stuffs are compounded, and the minimum percentage of crude fat and crude protein, allowing one per cent of nitrogen to equal 6.25 per cent of protein, and the maximum percentage of crude fiber which the manufacturer or person offering the concentrated commercial feeding stuff for sale guarantees it to contain.

Sec. 2. Statement to be affixed to packages and samples.—Any person, company, corporation or agent who shall sell, offer, or expose for sale or distribution in this state, any concentrated commercial feeding stuffs shall affix, or cause to be affixed, to every package or sample of such concentrated commercial feeding stuffs, in a conspicuous place on the outside thereof, a tag or label which shall be accepted as a guarantee of the manufacturer, importer, dealer, or agent, and which shall have plainly printed thereon in the English language, the number of net pounds of concentrated commercial feeding stuffs in the package, the name, brand or trade mark under which the concentrated commercial feeding stuffs are sold, the name of the manufacturer, the location of the principal office of the manufacturer, and the guaranteed analysis, stating minimum percentage of crude fat and crude protein, and the maximum percentage of crude fiber, determined as provided in the provisions of this act, and the ingredients from which the concentrated commercial feeding stuff is compounded. For each one hundred pounds, or fraction thereof, the person, company, corporation, or agent shall also affix the tag or label purchased from the dairy and food commissioner of the state of Minnesota, showing that the concentrated commercial feeding stuff has been registered as required by the provisions of this act, and that the inspection tax has been paid. When the concentrated commercial feeding stuff is sold in bulk, a tag, as hereinbefore described, shall be delivered to the consumer with each 100 pounds or fraction thereof, provided, that the state dairy and food commissioner's tags and labels shall be issued to cover twenty-five, fifty and one hundred pounds; provided, further, that the state dairy and food commissioner is authorized to issue tags or labels of other denominations.

Sec. 3. Registration by dairy and food commissioner and tags and labels to be supplied—Fees.—The state dairy and food commissioner shall register the facts set forth in the certificate required by section 1 of this act in a permanent record, and shall furnish tags or labels showing the registration of such certificate to manufacturers or agents desiring to sell the concentrated commercial feeding stuff so registered at such times and in such numbers as the manufacturers or agents may desire; provided, that the state dairy and food commissioner shall not be required to sell tags or labels in less amount than to the value of five dollars (\$5.00) or multiple of five dollars, for any one concentrated commercial feeding stuff; provided, further, that the state dairy and food commissioner shall not be required to register any certificates unless accompanied by an order and fees for tags or labels to the value of five dollars (\$5.00) or some multiple of five dollars; provided, further, that such tags or labels shall be printed in such form as the state dairy and food commissioner may prescribe; provided, however, that each package or container of a concentrated commercial feeding stuff offered for sale in the state of Minnesota,

containing one or more of the materials of low feeding value enumerated in section six of this act, in which the maximum crude fiber content of such concentrated commercial feeding stuff is twelve and one-half per cent or more, or the minimum crude protein of such concentrated commercial feeding stuff is nine per cent or less, shall have attached to it a yellow tag or label, identical with the official tag as prescribed by the state dairy and food commissioner, except in color, and that there should be printed on this tag, in red ink, the per cent present of each material enumerated in section six, or the names and total per cent of all such materials or the names and maximum per cent thereof. Provided, further, that such tags or labels shall be good until used.

Sec. 4. Sworn statement to be filed annually.—On or before January 31st of each year, each and every manufacturer, importer, dealer, agent or person, who causes any concentrated commercial feeding stuff to be sold or offered or exposed for sale in the state of Minnesota, shall file, with the state dairy and food commissioner of the state of Minnesota, a sworn statement, giving the number of net pounds of each brand of concentrated commercial feeding stuff that such manufacturer, importer, dealer, agent, persons, or person has sold or caused to be offered for sale in the state, for the previous year, ending with December 31; provided, that when the manufacturer, jobber, or importer of any concentrated commercial feeding stuff shall have filed the statement aforesaid, any persons or person acting as agent for such manufacturer, importer, or jobber, shall not be required to file such statement.

Sec. 5. Fees to be paid to cover expenses of department.—For the expenses incurred in registering, inspecting and analyzing concentrated commercial feeding stuffs, the state dairy and food commissioner shall receive for tags or labels furnished, to cover one hundred pounds, one dollar for each one hundred tags or labels; to cover fifty pounds, sixty cents for each one hundred tags or labels; to cover twenty-five pounds, forty cents for each one hundred tags or labels; provided, that if the state dairy and food commissioner should, at his discretion, issue tags or labels to cover more than one hundred pounds or less than twenty-five pounds, as is provided in the provisions of this act, he shall receive for all tags or labels in excess of one hundred pounds, a proportional rate on the basis of a one hundred pound tag, and for all tags or labels issued in denominations of less than twenty-five pounds, he shall receive not less than thirty cents for each one hundred tags or labels. The money for said tags or labels shall be forwarded to the state dairy and food commissioner, who shall pay all such fees received by him to the treasurer of the state of Minnesota, who shall expend the same, on proper vouchers, to be filed with the auditor of the state in meeting all necessary expenses in carrying out the provisions of the act, including the employment of in-

spectors, chemists, expenses in procuring samples, printing bulletins giving the results of the work in feeding stuff inspection, as provided for by this act, and for any other expenses deemed necessary by the state dairy and food commissioner for carrying out the provisions of this act. The state dairy and food commissioner shall make to the governor on or before the first day of January of each year, a classified report showing the total receipts and expenditures of all fees received under the provisions of this act, as well as a statement showing the number of samples procured, the number of analyses made, and the names of manufacturers, importers, agents, or dealers who have failed to comply with the provisions of this act, or whose concentrated commercial feeding stuffs were found upon analysis to be below that guaranteed upon the tag or label.

Sec. 6. Certain adulterations prohibited from commercial feeding stuffs.—No person, company, corporation, or agent shall offer for sale, sell or expose for sale any package or sample or any quantity of any concentrated commercial feeding stuffs which is adulterated with any foreign mineral matter or damaged feeding materials which have been reduced in feeding value to an extent as to be rendered unwholesome, or any foreign substance of low feeding value, such as mill, elevator, boat or other sweepings or dust; buckwheat hulls; cottonseed hulls, peanut hulls; peanut shells; rice hulls; oat hulls; corn cobs ground; cocoa shells; clipped oat by-products; ground or unground hulls; chaff, dust or other inferior cleanings derived from the preparation, cleaning or milling of any seed or grain when separated from the standard product; humus; peat, sphagnum moss; ivory nut turnings; ground corn stalks; flax plant by-products; sorghum pulp; ground or shredded straw, or hay (excepting alfalfa meal or similar leguminous meals); sawdust; tree bark; cellulose or dirt; coffee hulls or chaff; or any other materials of equally low feeding value, without plainly stating on the tags or labels hereinbefore described, the components of such mixture, using the names by which each ingredient is commonly known. Provided, that if any concentrated commercial feeding stuff is adulterated with humus, peat or sphagnum moss, the maximum percentage of such humus, peat or sphagnum moss present in the concentrated commercial feeding stuff must also be stated upon the tag or label.

Provided, further, that no concentrated commercial feeding stuffs shall be adulterated with any substance injurious to the health of domestic animals.

Sec. 7. Powers granted state dairy and food commissioner.—The state dairy and food commissioner or any person deputized by him is hereby empowered to procure from any lot, parcel or package of any concentrated commercial feeding stuff offered for sale or found in the state of Minnesota; and upon tender and full payment of the selling price of said sample take therefrom a quantity

of commercial feeding stuff of not less than two pounds; provided that such sample shall be obtained during reasonable business hours, or in the presence of the owner of the concentrated commercial feeding stuff or in the presence of some person claiming to represent the owner.

Sec. 8. Standards and definitions authorized to be promulgated.—The state dairy and food commissioner is hereby empowered to promulgate standards and definitions for concentrated commercial feeding stuffs, and to subscribe and enforce such rules and regulations, relating to concentrated commercial feeding stuff as he may deem necessary to carry into effect the full intent and meaning of this act, and to refuse the registration of any concentrated commercial feeding stuff under a name which would be misleading as to the materials of which it is made or when the percentage of crude fiber is above or the percentage of crude fat or crude protein below the standards adopted by the state dairy and food commissioner for concentrated commercial feeding stuffs. The state dairy and food commissioner is further empowered to refuse to issue tags or labels to any manufacturer, importer, dealer, agent or person who shall sell or offer or expose for sale any concentrated commercial feeding stuff in the state of Minnesota and refuse to submit a sworn statement as required by the provisions of this act.

Sec. 9. County attorneys to prosecute for violations.—It shall be the duty of every prosecuting attorney to whom the state dairy and food commissioner shall report any violation of this act to cause proceedings to commence against the person or persons so violating this act, and the same prosecuted in the manner required by law.

Sec. 10. Articles included within terms.—The term "concentrated commercial feeding stuffs" as used in this act shall include linseed meals, cocoanut meals, gluten feeds, gluten meals, germ feeds, corn feeds, maize feeds, starch feeds, sugar feeds, dried brewer's grains, malt sprouts, dried distiller's grains, dried beet refuse, hominy feeds; cerealine feeds, rice meals, rice bran, rice polish, peanut meals, oat feeds, corn and oat feeds, corn bran, wheat bran, wheat middlings, wheat shorts, and other mill by-products not excluded in this section, ground beef or fish scraps, dried blood, blood meals, bone meals, tankage, meat meals, slaughter house waste products, mixed feeds, clover meals, alfalfa meals and feeds, pea vine meal, cottonseed meal, sunflower oil cake, velvet bean meal or any other leguminous meal, mixed feeds and mixed meals made from seeds or grains and all materials of similar nature used for food for domestic animals, condimental feeds, poultry feeds, stock feeds, patented proprietary or trade and market stock and poultry feeds; but it shall not include straws, hays, whole seeds, unmixed meals, made directly from the entire grains of wheat, rye,

barley, oats, Indian corn, buckwheat and broom corn, nor wheat flours or other cereal flours.

Sec. 11. **Violations a misdemeanor.**—Any person, company, corporation or agent that shall offer for sale, sell or expose for sale any package or sample or any quantity of any concentrated commercial feeding stuff which has not been registered with the state dairy and food commissioner as required by the provisions of this act, or which does not have affixed to it a tag or label required by the provisions of this act, or which is found by an analysis made by or under the direction of the state dairy and food commissioner to contain a smaller percentage of crude fat or crude protein than the minimum guarantee, or a greater percentage of crude fiber than the maximum guarantee or which shall be labeled with a false or inaccurate guarantee, or who shall alter the tags or labels of the state dairy and food commissioner, or who shall use the name and title of the state dairy and food commissioner, or who shall use the tags or labels of the state dairy and food commissioner a second time, or who shall refuse or fail to make the sworn statement required under the provisions of this act, or who shall prevent or strive to prevent the state dairy and food commissioner, or any person or persons deputized by him, from inspecting and obtaining samples of concentrated commercial feeding stuffs, as provided for in this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in the sum of fifty dollars for the first offense, and in the sum of one hundred dollars for each subsequent offense. In all litigation arising from the purchase or sale of any concentrated commercial feeding stuff in which the composition of the same may be involved a certified copy of the official analysis signed by the state dairy and food commissioner or the chemist authorized by the state dairy and food commissioner to make such analysis, shall be accepted as prima facie evidence of the composition of such concentrated commercial feed stuff, provided that nothing in this act shall be construed to restrict or prohibit the sale of concentrated commercial feed stuff in bulk to each other by importers, manufacturers, or manipulators who mix concentrated commercial feeding stuff for sale, or as preventing the free, unrestricted shipment of these articles in bulk to manufacturers or manipulators who mix concentrated commercial feeding stuff for sale, or to prevent the state dairy and food commissioner or any person or persons deputized by the state dairy and food commissioner, or the Minnesota agricultural experiment station or any person or persons in the employ of the Minnesota agricultural experiment station, making experiments with concentrated commercial feeding stuffs for the advancement of the science of agriculture.

Sec. 12. **Chapter 383, General Laws 1907 repealed.**—Chapter 383, General Laws of Minnesota for the year 1907, is hereby re-

pealed and all other acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its passage.

Approved April 15, 1919.

CHAPTER 261—H. F. No. 625.

An act to amend Section 17, Chapter 35, General Laws of 1915, relating to the recording of conveyances of land assessed for sewer construction.

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

Section 1. **Conveyance not to be recorded until assessments are paid.**—That section 17, chapter 35, General Laws of 1915, be amended to read as follows:

Section 17. No conveyance of any land upon which any such special assessment, or portion thereof, is due and unpaid, shall be recorded until such delinquent assessment, or portion thereof, shall have been paid.

Sec. 2. **Application.**—This act shall apply to all special assessments heretofore made or to be made, under chapter 35, General laws of 1915.

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

Approved April 15, 1919.

CHAPTER 262—H. F. No. 791.

An act entitled An act authorizing cities of the fourth class to issue bonds for waterworks purposes, and repealing Chapter 205, Laws 1909, and Chapter 253, Laws 1915, except as to pending proceedings.

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

Section 1. **Pumping and reservoir system bond authorized for Bemidji.**—That in addition to the power heretofore granted by law, any city in the state of Minnesota of the fourth class is hereby authorized and empowered to issue and sell its bonds for the purpose of extending or repairing any pumping plant, reservoir system, or any system of water mains, or either or any of them, now owned and operated by any such city.

Sec. 2. **30 years at 5½ per cent—Signatures.**—The bonds hereby authorized shall be ordered to be issued by an ordinance duly passed by the council of such city. All bonds issued under the authority of this act shall become due not later than thirty (30) years after date and bear interest at not exceeding five and one-half per centum per annum, payable semi-annually. Such