

other or further security of the same nature within ten days, and thereupon if so ordered, the work on such contract shall cease until such other or further security is furnished. If such other or further security is not furnished within such time, the pledgee may at its option terminate the contract and complete the same as the agent and at the expense of such contractor.

Sec. 6. **Notice of claim.**—No action shall be maintained by any person seeking to avail himself of the benefit of such pledge, unless within 90 days after the completion of the contract and acceptance by the proper public authorities of the work done, the plaintiff shall serve upon the contractor and upon the state or such corporation or department a written notice specifying the nature and amount of his claim and the date of furnishing the last item thereof, nor unless the action is begun within one year after the service of such notice.

Sec. 7. This act shall take effect from and after its passage.
Approved April 21, 1919.

CHAPTER 347—H. F. No. 1234.

An act to validate the sale of school sites in certain cases.

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

Section 1. **Sale of school site in certain district validated.**—The action of the board of education of any independent school district in the state, in selling at public sale after advertisement of such sale any school site in the month of February, 1919, the school house upon which site was destroyed by fire within six months previous to such sale, although such sale was not previously authorized by the voters of the district as required by section 2746, General Statutes Minnesota 1913, as amended, is hereby validated, notwithstanding the omission of such requirement.

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

Approved April 21, 1919.

CHAPTER 348—S. F. No. 108.

An act to regulate the sale of cigarettes and cigarette paper and providing for licensing the manufacture and sale of same, and providing penalties for the violation thereof.

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

Section 1. **Sale of cigarettes, etc., to person under 18 years prohibited.**—That it shall be unlawful for any person and any clerk, servant, employe or agent of any person, directly or indirectly upon any pretense, or by any device to sell, exchange, barter, dis-

pose of or give away to any person below the age of eighteen (18) years of age, any cigarettes, cigarette paper, or cigarette wrappers, or any paper made or prepared for the purpose of being used for or in the making or manufacturing of cigarettes.

Sec. 2. Smoking cigarettes by person under 18 misdemeanor.—The smoking of cigarettes within this state by any person below the age of eighteen (18) years is hereby prohibited and any person of such minor age found smoking cigarettes shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than ten (\$10) dollars or by imprisonment in the county jail of not more than five (5) days, such fine or imprisonment only to be imposed in the discretion of the court.

Sec. 3. Licensing of sale of cigarettes, etc.—That it shall be unlawful for any person and any clerk, servant, employe, or agent of any person, directly or indirectly, upon any pretense or by any device, to manufacture, sell, exchange, barter, dispose of or give away, or keep for sale any cigarettes, cigarette paper or cigarette wrappers or any paper made or prepared for the purpose of making cigarettes without first having obtained a license therefor, as hereinafter provided.

Sec. 4. License to be secured of dairy and food commissioner—fee.—License for the manufacture, sale, exchange, barter disposition of or giving away or keeping for sale of cigarettes, cigarette paper or cigarette wrappers for the making of cigarettes may be granted by the state dairy and food commissioner, who shall provide a suitable blank form of application for the use of applicant. The fee for such license shall be twelve (12) dollars and shall expire on December 31, next after its issue, and no license shall be issued for a longer term than one year, and shall not be transferable from one person to another person or from the ownership to whom issued to another ownership. Provided, that a license issued for a less term than one year, the fee for same shall be computed at the rate of one dollar for each calendar month or fractional part of such month. A penalty of fifty per cent of the license fee shall be imposed if license is not applied for within the same calendar month that first sale of cigarettes is made.

Sec. 5. Written application to be filed.—Every person desiring a license under this act shall file with the state dairy and food commissioner, his inspectors or agents, a written application therefor, stating the person or firm for whom, place and building for which, it is to be issued, and shall deposit therewith the amount of the license fee.

Sec. 6. When license is not to be granted.—No license shall be granted in or for any city, village or county, if the governing body of such city, village or county shall by ordinance or resolution prohibit the sale of cigarettes, and a certified copy of such ordinance or resolution is filed with the state dairy and food commissioner.

Sec. 7. Present licenses in force until expiration.—All licenses heretofore issued under provisions of chapter 580, General Laws of 1913, as amended by chapter 245 of General Laws of 1917, shall be, and the same is hereby in force and effect until date of expiration.

Sec. 8. Dairy and food commissioner to enforce provisions of act.—The state dairy and food commissioner, his inspectors and assistants and employes, shall enforce the provisions of this act, and in so doing shall have all the powers and authority with relation thereto, that are conferred upon them and each of them by chapter 21, Revised Laws of 1905, and the provisions of sections 1736, 1738, 1776, 1777, 1778 and 1779, Revised Laws of 1905, shall be deemed a part thereof in the enforcement of this act and accomplishments of its purposes.

Sec. 9. Fees to be paid into state treasury.—The fees collected under the provisions of this act shall be paid into the state treasury by the dairy and food commissioners. The state treasurer shall transmit such license money semi-annually to the treasury of the city, village or county from which the license is issued.

Sec. 10. Violation a misdemeanor.—Any person violating any of the provisions of this act, except as herein provided for violation of section 2 hereof, shall be guilty of a misdemeanor and be punished by a fine of not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars or by imprisonment in the county jail of not less than fifteen (15) days nor more than ninety (90) days.

Sec. 11. Certain chapters repealed.—That chapter 580, General Laws of 1913, as amended by chapter 245, General Laws of 1917, is and the same are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its passage.

Approved April 22, 1919.

CHAPTER 349—S. F. No. 308.

An act to amend Section 83, Chapter 235 of the General Laws of Minnesota for 1913, entitled: "An act relating to public highways, the powers and duties of counties, towns, villages and cities in relation thereto; the creation of a state highway commission, prescribing its powers and duties, appropriating money therefor, and providing for the payment of state aid for the construction and improvement of roads, and authorizing and directing the levy of taxes for highway purposes," as amended by Chapter 43 of the General Laws of 1917.

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

Section 1. Repairing, as well as constructing, etc., of bridges, by joint action authorized.—That section 83 of chapter 235 of