

2. This act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

3. This act shall not be so construed as to impair the obligations of any contract existing when the act goes into effect nor to affect any action or proceedings begun or right accrued before this act takes effect.

Sec. 29. Rules for cases not provided for in this act.—In any case not provided for in this act the rules of law and equity, including the law merchant, shall govern.

Sec. 30. Provisions for existing limited partnerships.—1. A limited partnership formed under any statute of this state prior to the adoption of this act, may become a limited partnership under this act by complying with the provisions of Section 2; provided the certificate sets forth

(a) The amount of the original contribution of each limited partner, and the time when the contribution was made, and

(b) That the property of the partnership exceeds the amount sufficient to discharge its liabilities to persons not claiming as general or limited partners by an amount greater than the sum of the contributions of its limited partners.

2. A limited partnership formed under any statute of this state prior to the adoption of this act, until or unless it becomes a limited partnership under this act, shall continue to be governed by the provisions of chapter 57, general statutes 1913, except that such partnership shall not be renewed unless so provided in the original agreement.

Sec. 31. Act repealed.—Except as affecting existing limited partnerships to the extent set forth in section 30, chapter 57, general statutes 1913, the existing limited partnership act, is hereby repealed.

Approved April 25, 1919.

CHAPTER 499—H. F. No. 1086.

(This act re-enacts the chapters mentioned in the title and the italics show new matter.)

An act relating to the equipment and regulation of hotels, restaurants, lodging houses, boarding houses, and places of refreshment, defining the same and relating to the inspection thereof, providing for penalties for violations of the provisions of this act, and repealing Chapter 343 of the General Laws of 1905, Chapter 206 of the General Laws of 1911 and Chapter 569 of the General Laws of 1913.

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

Section 1. Defining hotels, restaurants, lodging houses, boarding houses, and places of refreshment.—Every building or structure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be a place where sleeping accom-

modations are furnished to the public whether with or without meals *and furnishing accommodations for periods of less than one week* shall for the purpose of this act be deemed an hotel.

Every building or other structure, *or any part thereof* and all buildings in connection, kept, used or maintained as, or advertised as, or held out to the public to be a place where meals or lunches are served without sleeping accommodations, *and furnishing accommodations for periods of less than one week*, shall for the purpose of this act be deemed to be a restaurant, and the person or persons in charge thereof, whether as owner, lessee, manager, or agent, for the purpose of this act, shall be deemed the proprietor of such restaurant, and whenever the word "restaurant" shall occur in this act, it shall be construed to mean such structure as described in this section.

Every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished for regular roomers, for periods of one week or more, and having accommodations for ten or more persons, shall, for the purpose of this act, be deemed a lodging house.

Every building or structure, or any part thereof, used as, maintained as, or advertised as, or held out to be a place where food is furnished to regular boarders for periods of one week or more, and having accommodations for ten or more boarders, shall, for the purpose of this act, be deemed a boarding house.

Every building or other structure or any part thereof, kept, used as, maintained as, or advertised as, or held out to be a place where confectionery, ice cream, sandwiches, or drinks of various kinds are made, sold or served at retail, shall, for the purpose of this act, be deemed to be a place of refreshment.

This act shall not be construed to apply to any building or premises operated or controlled by an sectarian corporation, society or organization.

Sec. 2. Governor to appoint hotel inspector.—For the purpose of carrying into effect the provisions of this act, the governor shall appoint an hotel inspector at a salary of \$2,400 per year, payable monthly, who shall hold office for two years, and who shall furnish a bond in the sum of \$2,000.00 to be approved by the attorney general. He shall keep a set of books for public use and inspection, showing the condition of all hotels, restaurants, *lodging houses, boarding houses, and places of refreshment* together with name or names of the owner, proprietor or manager thereof, and showing their sanitary condition, the number and condition of fire escapes, and any other information that may be for the betterment of the public service, and likewise shall assist in the enforcement of any orders promulgated by the state board of health, and pure food

department of this state, relating to hotels, restaurants, *lodging houses, boarding houses, and place of refreshment.*

Sec. 3. Hotels, restaurants, lodging houses, boarding houses and places of refreshment, to be licensed—Fees.—Within sixty days after the passage of this act and each year thereafter, every person, firm or corporation now engaged in the business of conducting a hotel, restaurant, *lodging house, boarding house, or place of refreshment*, and every person, firm or corporation who shall hereafter engage in conducting such business, must procure a license for each hotel, restaurant, *lodging house, boarding house, or place of refreshment*, so conducted, provided that one license shall be sufficient for each combined hotel and restaurant, *lodging house, boarding house, and places of refreshment*, where each are conducted in the same building and under the same management. Each license shall expire on the 31st day of December next following its issuance. The hotel inspector shall furnish to any person, firm or corporation desiring to conduct an hotel, restaurant, *lodging house, boarding house or place of refreshment*, an application blank to be filled out by such person, firm or corporation for a license therefor, and which shall require such applicant to state the full name and address of the owner of the building, the lessee and manager of such hotel, restaurant, *lodging house, boarding house or place of refreshment*, together with a full description of the building and property to be used or proposed to be used for such business, the location of the same, the name under which such business is to be conducted, and such other information as may be required therein by the hotel inspector to *complete such application for license*, and such application shall be accompanied by a license fee of \$3.50 and all such fees shall be turned into the state treasury on the first of January, April, July and October of each year.

Upon the approval of such application by such hotel inspector, a license to conduct such business as such application is made for, shall be issued by such hotel inspector. No hotel, restaurant, *lodging house, boarding house, or place of refreshment*, shall be maintained and conducted in this state after the taking effect of this act, without having secured a license therefor as herein provided, and no license shall be transferable. Provided, however, that after the making of application for license herein provided for and pending the issuance of such license, such hotel, restaurant, *lodging house, boarding house, or place of refreshment*, shall be permitted to operate as such, until the final refusal of such application by the inspector.

Provided, also, that no hotel, restaurant, *lodging house, boarding house, or place of refreshment*, shall be denied relief in the courts in any action instituted by either such hotel, restaurant, *lodging house, boarding house, or place of refreshment*, by reason of the

fact that a license has not been issued to such hotel, restaurant, *lodging house, boarding house, or place of refreshment.*

Sec. 4. Annual inspection.—It shall be the duty of such hotel inspector to inspect or cause to be inspected at least once annually every hotel, restaurant, *lodging house, boarding house, or place of refreshment*, in this state, and for such purpose he shall have the right to enter and have access thereto at any time *between the hours of seven o'clock A. M. and six o'clock P. M.*, and whenever, upon such inspection it shall be found that such business and property so inspected is not being conducted, or is not equipped, in the manner required by the provisions of this act, or is being conducted in such manner as to violate any of the laws of this state *pertaining to said business* it shall thereupon be the duty of the hotel inspector to notify the owner, proprietor or agent in charge of such business, or the owner or agent of the building so occupied, of such condition so found, and such owner, proprietor or agent shall forthwith comply with the provisions of this act unless otherwise herein provided. A reasonable time may be granted by the hotel inspector for compliance with the provisions of this act.

Sec. 5. Plumbing, lighting, heating, etc.—Every hotel, restaurant, *lodging house, boarding house, or place of refreshment*, shall be properly plumbed, lighted and ventilated, and shall be conducted in every department with strict regard to health, comfort and safety of the guest. Provided, that such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to *the local approved sanitary principles*, and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room.

No rooms shall be used for a sleeping room which does not open to the outside of the building or light wells, air shafts, or courts, and all sleeping rooms shall have at least one window to the outside of the building or light wells, air shafts, or courts and shall have one door opening on a hallway, *and unless adequate provision is made for unobstructed egress to the outside of building at bottom of the aforesaid light wells, air shafts, or courts, then the hallway upon which such door or doors open shall run through to an outside wall and there be provided with proper, safe and unobstructed egress from the building.* Storm windows on all sleeping rooms must be so arranged that rooms can be thoroughly ventilated. *All light wells, air shafts or courts shall be open at the top or properly ventilated.*

Outside windows of, and used entrances of all hotels, restaurants, lodging houses, boarding houses or places of refreshment, shall be properly screened or approved ventilators installed, to keep

out flies and other insects, except in cases where swinging doors, vestibules or revolving doors are installed.

Provided, that the provisions of paragraphs 1 and 2 of this section shall not apply to any hotel in which the compartments are arranged on the cubical plan, or the dormitory plan, in conformity with the provisions of local ordinances and regulations.

In all cities, towns and villages where a system of water works and sewerage is maintained for public use, every hotel *and lodging house*, shall, within six months after the passage of this act, be equipped with suitable water closets for the accommodation of its guests, which water closets or closets shall be connected by proper plumbing with such sewerage system, and the means of flushing such water closet with the water of said system or their own sufficient water system or tanks, in such manner as to prevent sewer gas or effluvia from arising therefrom.

All lavatories, bath tubs, sinks, drains, closets and urinals, in such hotels *and lodging houses* must be connected and equipped in a similar manner as to methods and time. *Public toilets in hotels, restaurants or lodging houses shall be properly ventilated in order to prevent any odor from permeating the premises.*

In all cities, towns and villages not having a system of water works, every hotel *and lodging house* shall have properly constructed privies or overvaults, which shall be heated during the days of the winter months between the hours of 6 A. M. to 10 P. M. to receive the night soil, the same to be kept clean and well screened at all times and free from all filth of every kind, furnishing separate apartments for sexes, each being properly designated.

Each hotel in this state shall be provided with a main public wash room convenient and of easy access to guests *in lieu of having such accommodations in the guest rooms.*

Sec. 6. Fire protection to be provided.—In all hotels *and lodging houses*, two stories high, where sleeping accommodations are furnished to the public, there shall be provided for each twenty-five hundred feet area or fractional part thereof an efficient chemical fire extinguisher, conveniently located in a public hallway outside of the sleeping rooms, and always in condition for use, or a one and one-fourth inch inside standpipe with hose connections and a hose of sufficient length always attached in such hallway, which standpipe shall be supplied by a sufficient pressure of water.

Sec. 7. Additional fire protection in larger hotels, etc.—In all hotels *and lodging houses* more than two stories high where sleeping accommodations are furnished to the public each six thousand feet of area or fractional part thereof shall be provided with a two inch standpipe, and sufficient one and one-fourth inch hose connected therewith on each floor and constantly furnished with sufficient water pressure from water works or pump which can be put into instant action, or for each such area there shall be a two and

one-half inch metallic standpipe with metallic ladder attached above the first story, located on the outside of the wall extending above the roof and so situated as to be accessible from the roof and from each story above the first, with valves and male hose connections at every story and on the roof, and female hose connections at base of the pipe of such size and pattern as to allow connections with the equipment of the local fire department. There shall also be provided for each eighty-five hundred feet of such area or fractional part thereof at least one efficient chemical fire extinguisher on each floor containing sleeping apartments. If, for lack of water works or steam power to operate pumps the inside standpipe is impracticable, then, in addition to the fire extinguishers there shall be placed in the hallway on each floor containing sleeping apartments one barrel of water and two pails labeled "For fire purposes only." For each twenty-five hundred feet area or fraction thereof on such floor a red light shall be kept burning all night at the head of each stairway above the first floor, and that near each approach to a stationary fire escape in each sleeping room above the first floor the following printed notice shall be conspicuously posted: "Exit in case of fire. Upon leaving this room, turn to the (here insert right or left) and pass along the hall until you reach a red light, which indicates (here insert fire escape or stairway)."

Sec. 8. Iron stairways for exit, and other provisions.--That within six months after the passage of this act every hotel and lodging house in this state, occupied and used as such, and which is more than three stories high shall be equipped with an iron stairway on the outside of the building extending from the cornice of said building to within twelve feet of the ground, and connecting on each floor above the ground with an opening from such floor, which stairway shall have platform landings at each floor not less than six feet in length and three feet in width, and which stairway and landing shall be guarded by an iron railing not less than thirty inches in height and shall be safely fastened and secured. Said stairway shall not be less than two feet wide, with steps not less than six inches tread and shall be placed at an angle of not more than forty-five degrees. The way of egress to such fire escape shall at all times be kept free and clear of any and all obstructions of any and every nature. Fire escapes shall be placed where the hotel inspector may direct. And if there are more than fifteen sleeping rooms on any floor above the third floor there shall be provided one such additional fire escape for each fifteen sleeping rooms or fractional number thereof on any floor, every hotel or lodging house less than four stories high shall have hallways placarded to indicate all stairways and exits, and shall keep a five-eighths inch manilla rope of sufficient length to reach the ground in lieu of said described iron stairway fire escape or properly con-

structed fire-escape stairway inside the building, having knots at least every fifteen inches apart, in each bedroom, such rope to be fastened six feet above the floor near a window in a substantial manner and capable of sustaining at least five hundred pounds weight.

Provided, however, that nothing in this section shall be construed to prevent the use of any recognized automatic fire escape in lieu of knotted rope.

Whenever it shall be proposed to erect a building three stories or more in height intended for use as an hotel or lodging house in this state, it shall be the duty of the owner, contractor or builder of such hotel or lodging house to construct same so that one main hall on each floor above the ground floor shall run through from one outside wall to another outside wall of said building, and every building converted into an hotel or lodging house after the passage of this act must comply with the provisions thereof.

Provided, however, that the provisions of this act relating to outside fire escapes and ropes or automatic appliances shall not apply to hotels or lodging houses having or making provisions for interior fire proof stairways approved as such by the hotel inspector.

All hotels in this state shall hereafter provide each bedroom with at least two clean towels daily for each guest, and shall also provide the main public wash room with clean, individual towels, maintaining same in view and reach, and for the use of guests during the regular meal hours, and where no regular meal hours are maintained, then between the hours of 6:30 A. M. and 9:00 A. M. and 11:30 A. M. and 2:00 P. M. and 6:00 P. M. and 8:00 P. M., so that no two or more guests will be required to use the same towel unless it has first been washed. Such individual towels shall not be less than nine inches wide and thirteen inches long after being washed; provided, that this shall not prohibit the use of individual paper towels or mechanically operated driers in such wash rooms.

All hotels and lodging houses hereafter shall provide each bed, bunk, cot or sleeping place for the use of guests with pillow slips and under and top sheets; each sheet shall not be less than 99 inches long nor less than 24 inches wider than the mattress; provided, that a sheet shall not be used which measures less than 90 inches in length after being laundered. Said sheets and pillow slips to be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforts used in any hotel or lodging house in this state must be thoroughly aired and kept clean, provided that no

bedding including mattresses, quilts, blankets, pillows, sheets, or comforts shall be used which are worn out or unfit for further use.

Any room in any hotel, restaurant, or lodging house, infested with vermin or bed bugs, shall be fumigated, disinfected, and renovated at the expense of the proprietor of the said hotel or lodging house until said vermin or bed bugs are exterminated, and said room shall not be used as a sleeping room until all vermin or bed bugs have been exterminated. All rugs and carpets in all sleeping rooms shall be taken up and thoroughly cleaned at least once a year and oftener if deemed necessary by the hotel inspector, except where steam or electrically operated vacuum cleaners are used.

All tables, table linens, chairs and other furniture, all hangings, draperies, curtains, carpets and floors in all dining rooms of hotels, restaurants, boarding houses or places of refreshment, shall be kept in a clean and sanitary condition, all dishes and table cutlery used in serving food and all drinking glasses shall be thoroughly washed in hot water, and soap, or other cleansing material of like efficiency.

No dishes that are badly cracked or chipped on the top side or chipped glasses shall be used.

It shall be unlawful to sweep or dust in any dining room in any hotel, restaurant, boarding house or place of refreshment, while guests are eating, except in the case of restaurants where a continuous service is maintained, and then only at such times when the smallest number of guests is likely to be present. Sweeping compound, moist sawdust or other substance to prevent the raising of dust must be used.

Every kitchen in all hotels, restaurants, boarding houses, or places of refreshment shall be provided with soap, clean water and towels, and all employes who in any manner come in contact with or handle foods to be prepared or served, shall, before beginning work or after using toilets, thoroughly wash their hands in clean water.

No person known to be suffering from any contagious disease shall be employed in any capacity in any hotel, restaurant, lodging house, boarding house or place of refreshment.

No hotel, restaurant, boarding house or place of refreshment kitchen or dining room used as such shall be used as a sleeping or dressing room by any employe or other person.

All garbage and kitchen refuse must be kept in water tight metal containers with tight fitting metal covers, and must be removed as often as necessary to prevent decomposition.

No dishwater, wash water or other substance which is or may become foul or offensive shall be thrown out on the ground near any hotel, restaurant, lodging house, boarding house or place of refreshment.

No water closet shall be maintained in any kitchen or dining room of any hotel, restaurant, boarding house, or place of refreshment.

All sample rooms shall be kept clean and properly ventilated, heated and lighted.

An abstract of these laws relating to the operation of hotels, restaurants, lodging houses, boarding houses and places of refreshment, shall be prepared by the state hotel inspector, with the approval of the attorney general which shall be furnished free of charge to all proprietors of hotels, lodging houses, restaurants, boarding houses and places of refreshment, where the public may have easy access thereto.

All notices to be served by the hotel inspector provided for in this act, shall be in writing and shall be either delivered personally, or by registered letter, to the owner, agent, lessee or manager of such hotel, restaurant, lodging house, boarding house or place of refreshment.

Any person, firm or corporation, who shall operate an hotel, restaurant, lodging house, boarding house or place of refreshment in this state or who shall let a building used for such business without having first complied with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than *twenty-five* dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than ninety days.

The county attorney of each county in this state is hereby authorized and required upon complaint on oath of the hotel inspector or his duly authorized deputy to prosecute to termination before any court of competent jurisdiction in the name of the state of Minnesota, a proper action or proceeding against any person or persons violating the provisions of this act.

Sec. 9. Whenever the owner, manager or person in charge of any hotel, restaurant, lodging house, boarding house or place of refreshment, shall have been convicted as provided in the preceding section, and shall for a period of *ten* days after such conviction, fail to comply with any provisions of this act, the license granted to such person to conduct such business may be cancelled by the hotel inspector.

Sec. 10. The hotel inspector shall appoint *three* deputy inspectors at a salary of fifteen hundred dollars (\$1,500) each per year, and such special inspectors as may be deemed necessary to carry into effect the provisions of this act, the compensation of these special inspectors not to exceed \$5.00 per day and necessary traveling expenses, whose terms of office shall be of the same duration as that of the hotel inspector, also one office assistant at a salary not to exceed \$1,200 per annum, and also one stenographer at a salary not to exceed \$1,080 per annum, who shall assist under

his direction in performing the duties imposed by this act. The office of the hotel inspector shall be in the state capitol.

Sec. 11. On or before the 15th day of each month, the hotel inspector shall certify to the state auditor the amount due to each of his deputies as compensation and necessary traveling expenses for the preceding month, also the items and amounts of all expenses necessarily incurred by him in the performance of his duties, including the cost of blanks, stationery, postage and travel, and also the amount due the stenographers as compensation for the preceding month, and such salaries, mileage and expenses being duly audited shall be paid by the state.

Sec. 12. Every hotel, restaurant, *lodging house, boarding house or place of refreshment*, securing a license or license fee receipt, under the provisions of this act shall keep the same posted in a conspicuous place in the office of such hotel, restaurant, *lodging house, boarding house or place of refreshment*.

All prosecutions under this act shall be conducted by the county attorney of the county in which the offense was committed.

Sec. 13. *All alterations, changes, reconstruction work, fire-escapes, outside standpipes, inside standpipes and necessary pumps, fittings and connections, storm windows and screens and all other changes, alterations, improvements (structural or otherwise) to, in, on and about the said building ordered by the state hotel inspector to meet the requirements of this act shall be ordered, installed and paid for by the owner or owners of the building in question and not by the lessee.*

Sec. 14. Chapter 206 of the General Laws of 1911, chapter 343 of the General Laws of 1905, and chapter 569 of the General Laws of 1913, and all acts conflicting with any of the preceding sections of this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved April 25, 1919.

CHAPTER 500—H. F. No. 1142.

An act providing for additional clerk hire for judges of probate in certain counties.

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

Section 1. **Additional clerk hire for judge of probate of Otter Tail county.**—In each county of this state now or hereafter containing more than 60 and less than 80 congressional townships, and which now has or may hereafter have a population of more than 45,000 and less than 75,000 inhabitants, according to the last preceding federal or state census, the county commissioners of such county may allow a sum not to exceed \$900 per annum for clerk hire in the office of the judge of probate of such county in ad-