

ter or bill heads of any person not having a license from the commission. Any person, firm or corporation who shall hold themselves out or claim to be licensed and bonded commission merchants, either by written, printed or verbal representation, or by the use of any letter head, statement or advertisement, without having a license from the commission shall be guilty of a misdemeanor.

Sec. 11. This act shall take effect and be in force from and after the 1st day of January, 1920.

Approved September 22, 1919.

CHAPTER 40—H. F. No. 54.

An act to provide for the weighing of live stock at public stock yards under the jurisdiction of the railroad and warehouse commission.

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

Section 1. **Appointment of weighers—Bond.**—The railroad and warehouse commission shall appoint at public stock yards such weighers as may be necessary for the purpose of weighing live stock. Every such weigher shall give to the state a bond in the sum of five thousand dollars (\$5,000.00) conditioned for the faithful discharge of his duty.

Sec. 2. **Reports—Certificates.**—Such weighers shall report daily to the supervisor of stock yards all weights taken by them in such form as he may prescribe. The supervisor of stock yards shall furnish to interested parties a certificate setting forth the number of animals weighed, for whose account weighed, and the actual weight of such animal or animals. Such certificate shall be *prima facie* evidence of the facts therein certified.

Sec. 3. **Fees—Where deposited.**—The commission shall prescribe the fee necessary to cover the cost of such weighing to be assessed and collected in such a manner as the commission may prescribe. All moneys so collected shall be deposited in the state treasury and known as the "Live Stock Weighing Fund," and paid out only on order of the commission and the auditor's warrant. The interest received from such deposits of said moneys shall be credited on the first of each month to such fund, and notice of the amount of such interest shall be sent to the commission.

Sec. 4. **Weighers' qualifications.**—No such weigher shall during his term of service be in any manner interested in the handling, shipping, purchasing or selling of live stock, nor in the employment of any person or corporation engaged therein, nor

shall he be a member of any live stock exchange or organization of like character.

Sec. 5. Bonds filed.—All bonds required by this act shall be filed with the secretary of state, and suit may be brought thereon by any person injured by the misconduct of the principal.

Sec. 6. Appointment may be revoked.—Upon written complaint filed with the commission, charging any such weigher with official misconduct, inefficiency, incompetency, or neglect of duty, the commission shall investigate such charge, and if it be sustained, shall remove such officer.

Sec. 7. Penalty.—Any person not duly appointed and qualified, who shall assume to act as such weigher, shall be guilty of misdemeanor and be punished by a fine of not less than fifty dollars nor more than one hundred dollars.

Sec. 8. False weights or certificates—Penalties.—Any weigher who shall knowingly or carelessly weigh any live stock improperly, or give any false certificates of weight, or accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, or who shall be guilty of any neglect of duty, and any person who shall improperly influence, or attempt to influence, any such officer in the performance of his official duty, shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment.

Sec. 9. Terms prohibited.—Any person who is not connected with the state weighing department is hereby prohibited from using the term "supervisor of weights" or "state weigher," any representation of the seal of the state, or any other words or device calculated or tending to indicate that the certificate or receipt is issued under state authority, or to otherwise deceive or mislead the public or any person interested, when issuing certificates or receipts purporting to show the weight of live stock.

Any person found guilty of violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 10. Interference with supervisor or weigher.—Any person or corporation who shall obstruct any state supervisor or weigher in the performance of his official duties by preventing his proper access to the scales used in the weighing of live stock or otherwise, shall forfeit to the state one hundred dollars for each offense.

Sec. 11. This act shall take effect and be in force from and after January 1st, 1920.

Approved September 22, 1919.