

ever, any person selling "blended" gasoline for "straight run" gasoline, shall be guilty of a gross misdemeanor and upon conviction shall be punished accordingly.

And provided further any oil company or any agent or representative thereof who fails to notify deputy inspectors of the arrival of tank cars as provided in section 13 of chapter 520 Session Laws of Minnesota, 1919, as amended hereby, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or in default of payment of such fine, by imprisonment for not more than ninety days."

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 23, 1921.

CHAPTER 484—S. F. No. 425.

An act to supplement, amend, revise and codify the laws relating to the publication of legal notices in newspapers in the State of Minnesota, establish a basis for the measurement of such legal notices and to prescribe the fees for the publication of the same.

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

Section 1. **Basis of measurement.**—*The basis of measurement of type used in the publications of notices and forms required by law to be published in a newspaper in this state shall be as follows:*

(1) *One inch in length shall contain seventy-two (72) points of type measurement.*

(2) *Nonpareil or six-point type shall be twelve (12) lines to the inch and the length of the lower case alphabet from A to Z inclusive set in compact form shall be nine and one-half (9½) ems Pica, or twelve-point type, a total of one hundred and fourteen (114) points in length. A folio of Nonpareil or six-point type as described herein shall be two hundred and sixty (260) square ems. A square em of Nonpareil is six points square.*

(3) *Brevier or eight-point type shall be nine (9) lines to the inch and the length of the lower case alphabet from A to Z, both inclusive, set in compact form shall be ten (10) ems Pica, a total of one hundred and twenty points (120). A folio of Brevier or eight-point type shall be two hundred eight (208) square ems. A square em of Brevier or eight point type as described herein shall be eight points square.*

(4) *Long Primer or ten-point type shall be seven and two-tenths (7.2) lines to the inch, and the length of the lower case alphabet from A to Z, both inclusive, shall be eleven and three-fourths (11¾) ems Pica, a total of one hundred and forty-one (141) points. A folio of Long Primer or ten-point type as de-*

scribed herein shall be one hundred eighty-seven (187) square ems. A square em of Long Primer is ten points square.

(5) *Agate type shall be fourteen lines to the inch, and the length of the lower case alphabet from A to Z, both inclusive, set in compact form shall be seven and one-half (7½) ems Pica, a total of ninety points. A folio of Agate type shall be two hundred and fifty square ems. A square em of Agate is five and one-seventh (5⅙) points square.*

(6) *In the measurement of type as set forth in these rules, leads and slugs, between lines, if any, are to be deducted and the deduction for over-spacing between words, if any, shall be made, but this rule must not be construed to preclude a reasonable amount of spacing for headings and sub-headings of a legal notice, which headings and sub-headings with the proper spacing are to be measured as being of the same type of the body of the notice published.*

(7) *In all instances where notices for publication are set in type that does not conform to the sizes herein set forth as the standard type for the basis of measurement for legal notices for publications in newspapers in this state, whatever difference there may be in size must be taken into consideration in determining the number of folios in the legal notice in order that the same shall be made to conform with the standard.*

(8) *In the measurement of a legal notice a fraction over a full number of folios equal to one-half folio or less shall be computed as one-half folio; a fraction over one-half and less than one folio shall be computed as one folio.*

Sec. 2. Fees for publication of legal notices.—The fee for publication of a legal notice in any legal newspaper in this state shall be *Ninety (90) cents per folio for the first insertion and Forty Five (45) cents per folio for each subsequent insertion of a notice.* The fee for the publication of the delinquent tax list shall be the same as now provided by Sec. 2096, General Statutes of Minnesota, 1913, *provided, that in all cases where a notice for publication contains tabular matter in whole or part, or what is termed "price and one-half" or "double price" composition, an additional fee of twenty-five cents per folio shall be paid for all such price and one-half and double price composition matter for the first insertion of a notice, provided further, that in the publication of official ballots for elections in the counties and state the same shall be measured as though the entire space occupied is that of solid Brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter. (5780 G. S. 1913).*

Sec. 3. Legal newspaper qualifications.—A newspaper in order to be qualified as a medium of official and legal publications, shall:

(1) Be printed from the place from which it purports to be

issued, and in column and sheet form equivalent in space to at least four pages, with five columns to the page, each seventeen and three-quarters inches long.

(2) It shall be issued at least once each week, and if a daily, at least six days each week, from a known office, established in such place for publication and equipped with skilled workmen and the necessary material for preparing and printing the same; except in any week in which a legal holiday or Thanksgiving Day is included, not more than five issues of a daily paper shall be necessary, *provided that part of the press work shall be done in its known office of publication*, except in cities of the first class when the press work may be done elsewhere.

(3) Contain general and local news, comment and miscellany, not wholly duplicating any other publication, and not entirely made up of patents, plate matter and advertisements.

(4) Be circulated in and near its place of publication to the extent of at least two hundred and forty copies regularly delivered to paying subscribers.

All of the foregoing conditions shall have existed for at least one year last past, provided, however, that any newspaper which shall have been a duly, qualified medium of legal publication for at least one year immediately preceding the passage of this act, and which shall at any time prior to the time this act shall take effect conform to the requirements herein provided for, shall not affect the qualification or validity of such newspaper as a medium of official and legal publication, and such newspaper shall be deemed to be a legal newspaper, provided that suspension of publication for a period of not more than *three* months within said year, resulting from the destruction of its office by the elements or unforeseen accident to the equipment thereof shall not affect the qualification of such newspaper after it shall have resumed; nor shall the consolidation of one newspaper with another published in the same county, nor any change in the name or ownership thereof, disqualify it or invalidate any publication continuously made therein before and after the change. Provided further that all legal notices shall be printed in the English language.

Neither the change of the day of publication nor the change of office or place of publication from one place to another within the same county shall deprive it of standing as a legal newspaper, and it shall be deemed to be a legal newspaper notwithstanding such change of the day of publication or change of office and place of publication within the same county. (9413, 9414, G. S. 1913).

Sec. 4. Affidavit—Evidence.—No compensation shall be recoverable for publishing legal or official matter in any newspaper not so qualified, nor until there shall have been filed with the county auditor the affidavit of a person having knowledge of the facts, showing the name and location of the newspaper and the existence

of conditions constituting its qualifications as a legal newspaper as required and set forth in section three of this act. If the matter published relates to proceedings in another county, a like affidavit must be filed with its auditor also. And such affidavit, if it states the required facts, shall be prima facie evidence thereof and of such qualification. *Nor shall any compensation be recoverable for publishing legal or official matter in any newspaper unless the bill for same is accompanied by an affidavit of the publisher or printer in charge of such newspaper having knowledge of the facts, setting forth the fact that such newspaper has complied with all the requirements that constitute a legal newspaper as defined in sections three and four of this act, and such affidavit must contain a printed copy of the lower case alphabet from A to Z, both inclusive, which copy of the alphabet must be acknowledged in the said affidavit by the publisher, or printer in charge, having knowledge of the facts, as being the size and kind of type used in the composition and publication of the legal or official matter published in such newspaper for which such compensation is claimed; and such affidavit must set forth the dates of the month and year and the day of the week upon which such legal or official matter was published in such newspaper.* (9418 G. S. 1913).

Sec. 5. *Published notice.*—Unless otherwise specifically provided, the words "published notice," when used in reference to the giving of notice in any proceeding or the service of any summons, order or process in judicial proceedings, shall mean the publication in full of the notice, or other paper referred to, in the regular issue of a qualified newspaper, once each week and at uniform intervals, for the number of weeks specified; provided that when the publication day of any newspaper falls upon Thanksgiving Day or upon any legal holiday, the publication of any summons, order or process in judicial proceedings may be made either the day before or the day after Thanksgiving Day, or the day before or the day after such legal holiday.

Sec. 6. *Controversy publisher and public official.*—In case of controversy or disagreement between a publisher of a newspaper and a public official of this state as to the measurement of any legal notice published or required by law to be published in newspapers, such public official is hereby required to submit a copy of the printed notice to the state expert printer, who shall measure such notice and attach thereto a certificate signed by him, giving the number of folios and the amount of the fees allowed for the publication of such notice.

Sec. 7. *State printer to prepare forms.*—Within one year after the passage of this act by the legislature of this state, the state expert printer shall prepare and issue a pamphlet containing a description and fac simile copy, and style of composition, as near as can be, of all notices required by law to be published by

public officials in a newspaper in this state, for distribution; provided, such forms of official notices shall have the approval of the attorney general before being issued for distribution by the state expert printer, and such forms when so approved and so issued shall become a guide for public officials in the publication of official notices in newspapers.

Sec. 8. Laws repealed.—Chapters 5780, 9413, 9414 and 9418, General Statutes of 1913 are hereby repealed.

Sec. 9. Effective July 1, 1921.—This act shall take effect and be in force from and after July 1, 1921, but shall not effect any contracts heretofore entered into by counties or other municipalities for public printing.

Approved April 23, 1921.

CHAPTER 485—S. F. No. 471.

An act to amend Section 4696, General Statutes Minnesota 1913, as amended by Chapter 114, General Law: 1915, and Section 4697, General Statutes Minnesota, 1913, the same relating to the suppression of dangerous, infectious and contagious diseases of animals.

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

Section 1. Diseased horses and cattle to be killed—Rate of compensation to owner.—That section 4696, General Statutes Minnesota 1913, as amended by chapter 114, General Laws 1915, be and the same is hereby amended so as to read as follows:

4696. Whenever the state live stock sanitary board shall decide upon the killing of an animal affected with the disease of tuberculosis, glanders or foot-and-mouth disease, it shall notify the owner or keeper of such decision, when in the judgment of the state live stock sanitary board, such animal may be ordered transported for immediate slaughter by said board, through its executive officer to any abattoir where the United States Bureau of Animal Industry maintains inspection, and said live stock sanitary board shall pay the expense, said transportation and yardage.

Before being removed from the premises of the owner and upon consent by such owner to have examined and tested all other animals upon the premises of such owner to determine if such animals are free from the diseases of tuberculosis, glanders, and foot-and-mouth disease, there shall be appointed three (3) competent disinterested men, one appointed by the state, one by the owner, and a third by the first two, to appraise such animal at its cash value.

Such appraisal shall in no case exceed sixty dollars (\$60) for a cow and one hundred twenty-five dollars (\$125) for a horse, except in the case of pure bred cattle and horses, where the pedigree shall be proved by certificates of register from the herd books where