

*building, for use as a passage way between such building and for other public purposes, upon such terms and conditions and for such consideration and for such period of time, as shall be agreed upon between the county board of such county and the city council of such city.*

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

Section 1. **City may acquire jail facilities.**—That any city of the first class in this state, now or hereafter operating under a home rule charter, and now or hereafter containing a city hall building on land contiguous to the county court house and jail grounds, may enter into contract with the county in which such city is located, for the furnishing to such city by such county of jail facilities in the county jail building for the care of persons who are usually confined in the city jail and for the furnishing of heating and lighting service to such city, and for the construction and maintenance of a tunnel connecting the court house, county jail, and city hall buildings, for use as a passage way between said buildings and for other public purposes, upon such terms and conditions, for such consideration, and for such period of time not exceeding five years at a time, with right of successive renewals as shall be agreed upon between the county board of such county and the city council of such city, acting for their respective political subdivisions.

Sec. 2. All acts and parts of acts inconsistent herewith are hereby expressly repealed.

Approved April 13, 1927.

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#### CHAPTER 177—H. F. No. 1147

*An act to amend Sections 3835, 3837, 3839, 3842 and 3843, General Statutes, 1923, and Section 3844, General Statutes 1923, as amended by Chapter 385, Laws of 1925, relating to commercial canneries.*

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

Section 1. **Commercial canneries.**—That section 3835, General Statutes, 1923, be and the same hereby is amended so as to read as follows :

“Section 3835. All commercial vegetables and fruit canneries, located within this state, shall be under the supervision and regulation of the commissioner. For the purpose of this act, a commercial cannery is defined to be a *place or buildings* where vegetables *and/or* fruits are packed in hermetically sealed cans, where sterilization by heat is used, and *the* products placed on the market for general consumption as *human food*: but shall not include *private homes where farmers and/or others or state or county*

*institutions may pack or preserve vegetables and/or fruits for their own use and make occasional sales of the surplus thereof. At such times as the commissioner may deem proper, he shall cause to be inspected all commercial canneries where vegetables and/or fruits are packed and/or preserved, and shall require the correction of all insanitary conditions or practices found therein, and may search and enter all cupboards, closets, or any other places in such canneries for the purpose of discovering any chemical preservatives or adulterants which he has reason to believe are used or intended to be used in the canning or preserving of vegetables and/or fruits, and for enforcing the provisions of this act."*

Sec. 2. **Minnesota standard.**—That section 3837, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"Section 3837. *No person shall operate a commercial cannery without having a license therefor from the commissioner, as hereinafter provided. Such license shall be granted under such reasonable rules and regulations as the commissioner may prescribe. Upon filing application for a license, the commissioner shall issue a temporary permit, to be in effect only until a license shall have been issued or until the applicant shall have been notified of the denial of such application. Upon the filing of such application the commissioner shall cause an investigation to be made of the conditions of such cannery, for the purpose of determining whether or not a license should be granted. The application shall be in the form prescribed by the commissioner and shall give such information as he may require. Each application shall be accompanied by a license fee of one dollar. All licenses shall expire on the 31, day of December next following the date of issue but may be renewed without inspection, on or before the first day of May of each year, upon application and payment of the license fee. The commissioner after reasonable notice and opportunity to be heard may by order revoke any license when the licensee fails to comply with any of the provisions of the Minnesota Dairy and Food Law, or any rule or regulation promulgated, issued and published by the commissioner relating to the operation of commercial canneries; and he may reinstate any license when the licensee has fully complied with all the provisions of said law, rules and regulations."*

Sec. 3. **Special inspectors.**—That section 3839, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

Section 3839. The commissioner shall, whenever he deems it necessary, furnish efficient inspectors *at canneries* while in operation, whose duties shall be to see that the *canneries* where assigned shall at all times comply with all food laws, national and state, and all sanitary laws, *rules* and regulations; to superintend and

see that nothing but proper raw materials, articles or substances are used with the necessary sterilization by heat in the packing and preservation of food. The commissioner, his inspector in charge of canneries or any local inspector assigned at such canneries shall be the judge of the quality of any raw material, articles or other substances used in canning, packing or preserving vegetables and/or fruits, and may, whenever they deem it necessary, condemn any such raw materials, articles or substances, as being unfit for use in the packing, canning or preservation of foods."

Sec. 4. **Certificate of inspection.**—That section 3842, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"Section 3842. The commissioner shall furnish to each commercial cannery that shall have fully complied with the provisions of this act, a certificate of inspection that such cannery has been inspected and has complied with all laws, rules and regulations applying thereto. The commissioner may authorize the proprietor of such cannery to use the following or similar label or brand on his products: "Packed under regulations of, and in cannery inspected by Minnesota Dairy and Food Department" or such other label, trademark, device, brand or guarantee certificate, as the commissioner may designate or adopt."

Sec. 5. **Penalties.**—That section 3843, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"Section 3843. The commissioner is hereby authorized and directed to collect from each commercial cannery, as herein defined, an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing a bacteriologist and such assistants as he may deem necessary, and a sufficient number of special inspectors to be assigned to canneries. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed \$1000. The commissioner may, whenever he deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. The assessment made and the sums so collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the "COMMERCIAL CANNERIES INSPECTION ACCOUNT," which is hereby created, and together with moneys now remaining in said account, is hereby set aside and appropriated as a revolving fund, to meet the expense of special inspection, laboratory and other services rendered, as herein provided. The amount of such assessment shall be due and payable on or before December 31, of each year and

shall bear interest after that date at the rate of 7 per cent per annum, and if not paid on or before January 15, following, a penalty of 10 per cent on the amount of the assessment shall also be added and collected."

Sec. 6. **Inspection of canneries.**—That section 3844, General Statutes, 1923, as amended by Chapter 385, Laws 1925, be and the same hereby is amended so as to read as follows;

"Section 3844. *Whoever shall without permission of the commissioner use any brand, label or device authorized by the commissioner, or who shall fail to furnish reports containing information required or within the time specified, or who shall fail to obey any lawful direction of the commissioner given by him in carrying out the provisions of this act, or shall use any raw materials, articles or substances, forbidden to be used in canning, packing or preserving vegetables and/or fruits, or shall violate or fail to comply with any of the provisions of this act or the rules or regulations made hereunder, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25. nor more than \$100. or by imprisonment for not less than 30 days nor more than three months for each offense.*"

Approved April 13, 1927.

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#### CHAPTER 178—H. F. No. 1257

*An act to legalize mortgage foreclosure sales heretofore made.*

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

Section 1. **Mortgage foreclosures legalized.**—Every mortgage foreclosure sale by advertisement heretofore made in this state, under power of sale in the usual form contained in any mortgage duly executed and recorded in the office of the register of deeds or registered with the registrar of titles of the proper county of this state, together with a record of such foreclosure sale, is hereby legalized and made valid and effective to all intents and purposes, as against either or all of the following objections, viz:

1. That in the notice of foreclosure sale as published and recorded, the hour of the day when such mortgage was recorded, in the office of the register of deeds was not written in.

2. That the notices of mortgage foreclosure sale correctly stated the day of the month and hour and place of sale but named a day of the week which did not fall on the date given for such sale.

3. That the notice of sale correctly describes the real estate but omits to name the county, or omits to name the county and state in which such real estate is located.