

"Section 1. *Every cemetery association heretofore or hereafter organized under the laws of this State which shall maintain a public cemetery in or adjacent to any city of this state having a population of more than fifty thousand inhabitants, shall provide for the creation and establishment of a permanent fund, the income whereof shall be devoted to the care, maintenance and improvement of such cemetery, which fund shall be known as "Permanent Care and Improvement Fund" of such cemetery association.*"

"Section 3. *Each such cemetery association shall take not less than twenty per cent for such fund of the proceeds of all sales hereafter of cemetery lots, which shall be paid over on the first days of January, April, July and October of each year to the trustee or trustees of said fund, and such payments shall thereafter become a part of such permanent care and improvement fund. Any other income or funds not required by such association for other purposes may from time to time be added to said fund by a vote of at least two-thirds of the members of the said board of trustees of the Association.*"

Section 2. **Effective December 31, 1927.**—This act shall take effect and be in force from and after December 31st, 1927.

Approved April 14, 1927.

CHAPTER 199—S. F. No. 547.

An act to repeal Section 18 of Chapter 15 of the Special Laws of 1881 relating to the incorporation of the Village of Fisher, Polk County, Minnesota.

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

Section 1. **Law repealed.**—That Section 18 of Chapter 15 of the Special Laws of 1881 relating to the incorporation of the village of Fisher, Polk County, Minnesota, be, and the same is hereby repealed.

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

Approved April 14, 1927.

CHAPTER 200—S. F. No. 570.

An act to amend Section 5, Chapter 114, Laws 1923, relating to the storage of grain, issuance of storage receipt, fixing storage and delivery charges, and providing penalty for violation thereof.

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

Section 1. **Shall receive grain for storage—charge.**—That Section 5, Chapter 114, Laws 1923, be and the same hereby is amended so as to read as follows:

"Sec. 5. (a) Every public local grain warehouseman licensed to store grain shall receive for storage, so far as the capacity of his warehouse will permit, all grain tendered him, without discrimination of any kind; provided such grain is sound and in a warehouseable condition and of proper grade for delivery on terminal market contracts. Upon delivery of grain for storage a legal warehouse storage receipt shall be issued to the owner or his agent, which shall state the place and date when the grain was received, the name of the owner of the grain, the kind and grade of the grain, according to the official terms established by the state board of grain appeals, or by the Secretary of Agriculture of the United States, the gross weight, dockage and net weight of the grain as per Minnesota standard weight and in addition thereto such receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

(b) This grain is received, insured and stored to July 31st following, unless it is shelled corn, when the dates shall be March 31st following delivery, and terms expressed in the body of this receipt shall constitute due notice to the holder thereof of the expiration of the storage period. *The charges for receiving, insuring, handling and storing for the first fifteen days or part thereof shall be free. Storage after the first fifteen days shall be charged and hereby is fixed in the sum of one-thirtieth of a cent per bushel per day for the balance of the storage period, which shall be collected by the warehouseman upon presentation of the storage receipt for the sale or delivery of the grain represented by such receipt, or the termination of the storage period. It shall be and hereby is made unlawful for any person, firm, association or corporation to charge or collect a greater or lesser amount than the one herein fixed.* If grain is cleaned at owner's request, the charge shall be two cents per bushel. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of a delivery charge per bushel of four cents for flax, three cents for wheat and rye and two cents for all other grains, and all other stated lawful charges accrued up to the time of said return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named or his order, either from this warehouse, or if the owner so desires, in quantities not less than a carload in a public bonded warehouse at any terminal point upon the same line of railway within this state, where state or federal inspection and weighing is in force, the grade and

weight thereof to be determined by state or federal inspection and weighing as provided by law, and such grain to be subject to the usual freight, inspection, weighing and switching charges.

(c) Attached to the receipt shall be a stub record stating number and date of receipt and the gross weight, dockage and net weight; such stub record to remain in the possession of the warehouseman for inspection by the commission or interested parties. The receipts shall be consecutively numbered and delivered to the owner or his agent. All storage receipts shall state the date of delivery, except where the delivery of a certain lot for storage is not completed, when such receipt shall be dated not later than Saturday of the week of delivery. All special bin receipts and stub records thereof shall have plainly marked thereon the words 'Special Bin.' Public local grain warehousemen may insert on said receipt the following clause: "If any of the grain embraced in this receipt shall prove to be covered by any chattel mortgage or other lien, or the partial or absolute title prove to be in another than the party to whom this receipt was issued, the same shall, if discovered before the delivery of the grain, be a sufficient reason for a refusal to deliver to the holder of the receipt, or, if discovered after the delivery of the grain, such delivery shall be deemed an over-delivery, for which said holder of this receipt to whom such delivery is made, shall be accountable."

(d) Any provision or agreement in such receipt not contained in the aforesaid specific warehouse and storage contract shall be void. The failure to issue such receipt as directed, or the issuance of slips, memoranda or any other form of receipt embracing a different warehouse or storage contract shall be deemed a misdemeanor, and no such slip, memoranda, or other form of receipt shall be admissible in evidence in any civil action; provided, nothing in this act contained shall be construed to require or compel any party or parties operating a flour, cereal or feed mill or malthouse, doing a manufacturing business only, to receive, store or purchase at said mill any kind of grain.

(e) Public local grain warehousemen shall be held liable to the owner for the delivery of the kind, grade and net quantity of grain called for by said storage receipts. The term "grain" is held to signify and include the following products: Wheat, corn, oats, rye, barley, flaxseed and speltz.

(f) All public local grain warehousemen shall purchase grain in conformity with the official grades of grain established from time to time by the state board of grain appeals or by the Secretary of Agriculture of the United States, except as otherwise provided in rules and regulations applicable thereto

adopted by state or federal officials pursuant to law. They shall post in a conspicuous place in their warehouse the official grades so established and also any change that may be made from time to time.

(g) No public local grain warehouseman shall issue a receipt for grain not actually received into his warehouse.

(h) *Any person, firm, association or corporation, or any officer or agent of any person, firm, association or corporation, who shall violate the provisions of Section 5 of this act as herein amended shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than three months. The Railroad and Warehouse Commission of this state shall have the power and it shall be their duty whenever they find, after a hearing, that the provisions of this act have been violated by any person holding a license to conduct a public local grain warehouse in this state, to revoke and annul such license, and in such case no new license shall be granted to the person whose license is so revoked, nor to anyone either directly or indirectly engaged with him in said business for the period of one year.*

Sec. 2. **Effective August 1, 1927.**—This act shall take effect and be in force from and after August 1, 1927.

Approved April 14, 1927.

CHAPTER 201—S. F. No. 604.

An Act relating to the duties of coroners in all Counties in this State now or hereafter having a population of over one hundred fifty thousand (150,000) inhabitants and less than two hundred forty thousand (240,000) inhabitants.

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

Section 1. **Duties of coroner.**—In all counties in this state now or hereafter having a population of over 150,000 inhabitants and less than 240,000 inhabitants, it shall be unlawful for any person, in any such county, in any manner, to remove, interfere with, or handle the body or the effects of any deceased person subject to an investigation by the coroner of such county, except upon order of the coroner or his deputy, and the coroner shall receive, take charge of and safely keep the effects found on the body of such deceased persons and make such disposition of the same as the Probate Court shall direct by written order to said coroner, and if a crime in connection with the death of such deceased person is suspected, the coroner shall have the power to pre-