

to him, as the case may be, without examination, upon the payment of a fee of \$25, when in the discretion of the board such action is warranted.

Approved April 25, 1955.

CHAPTER 869—S. F. No. 1267

An act relating to the sale of cattle at public auction, public or private sale, mortgage foreclosure sale, sale by order of any court, and to the leasing or loaning of cattle for breeding purposes, and prohibiting such sale, lease or loan of cattle unless the same have been tested and found free of brucellosis, and requiring certificate of test to be procured, and to be exhibited at such sale, lease or loan, and before the sale is held or the lease or loan of cattle made, and prescribing penalties for violation of this act; amending Minnesota Statutes 1953, Section 35.245.

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

Section 1. Minnesota Statutes 1953, Section 35.245, is amended to read as follows:

35.245 Cattle; sale, lease, loan. Subdivision 1. **Limitation on sale.** No person shall sell or offer for sale any cattle over six months of age, except steers, at public auction, sale barns, private stockyards or concentration points, mortgage foreclosure sale or sale by order of any court, or lease or loan cattle for breeding purposes except under such rules and regulations as may be prescribed by the *State Live Stock Sanitary Board*, and no person shall sell or offer for sale except for immediate slaughter, or consigned to a public stockyards under supervision of the United States *Department of Agriculture*, cattle which have not been tested and found free of *brucellosis* and unless a certificate of test is furnished or posted as provided in subdivision 2, unless such cattle have been vaccinated against *brucellosis* in accordance with the rules and regulations of the *State Live Stock Sanitary Board* when between four and eight months of age and a certificate of such vaccination is exhibited as provided in subdivision 2, *excepting cattle under 18 months of age of beef type sold for feeding purposes as provided in subdivision 3.*

Subd. 2. **Tests and vaccination.** Such test and vaccination shall be made at the time and in the manner prescribed by the *State Live Stock Sanitary Board* and a certificate of the test and vaccination or both, approved by the

Board, shall be furnished to the purchaser by the vendor at the time of sale, excepting when cattle are sold at public auction and a certificate of test or vaccination or both is posted in a place plainly visible to the purchasers at such sale, and the auctioneer or other person conducting the sale shall publicly announce prior to conducting the sale, that the certificate of such test, or vaccination or both, approved by the Board, has been posted and is available for inspection. No auctioneer or other person conducting such sale shall conduct any public sale in this state unless a certificate of such test or vaccination or both, approved by the board shall be posted by the vendor of such cattle at the time of such sale.

Subd. 3. Female cattle, sale without test or vaccination. Female cattle under 18 months of age of beef type and breed may be sold in quarantine for feeding or grazing purposes without a test for, or vaccination against brucellosis, pursuant to rules and regulations prescribed by the State Live Stock Sanitary Board provided the purchaser of such cattle furnishes the seller an affidavit certifying such cattle are purchased for feeding or grazing purposes, and will be maintained separate and apart from all other cattle except other quarantined feeding cattle until resold for immediate slaughter or until delivered to a public stockyard under supervision of the United States Department of Agriculture. Any person who purchases cattle under the provisions of this section shall comply with the terms of the affidavit furnished the seller and shall also comply with such rules, regulations or quarantines prescribed by the State Live Stock Sanitary Board pursuant to this section.

Subd. 4. Violations, penalties. Any person violating the provisions of this section or rules, regulations or quarantines of the State Live Stock Sanitary Board adopted pursuant hereto shall be guilty of a gross misdemeanor, and any auctioneer knowingly conducting a sale of cattle in violation of this section, shall upon conviction, forfeit his license as an auctioneer until such time as its renewal is approved by the authority which issued the license.

Approved April 25, 1955.

CHAPTER 870—S. F. No. 1277

An act relating to the duties and responsibilities of the public examiner; amending Minnesota Statutes 1953, Sections 215.21, 215.22, 215.23, and 215.24.