

at a price not less than 15 percent above the manufacturer's published list price, less his published trade discounts, where the manufacturer publishes a list price; or, in the absence of such a list price, at not less than 15 percent above the current delivered invoice or replacement cost, without deducting customary cash discounts, plus, in either case, the amount of any excise or sales tax imposed on such merchandise subsequent to the purchase thereof and prior to the resale thereof.

Any sale made by a wholesale vendor, or a sub-jobber to a retailer at less than two percent above the manufacturer's published list price, less his published trade discounts, where the manufacturer publishes a list price; or, in the absence of such a list price, at less than two percent above the actual current delivered invoice or replacement cost, without deducting customary cash discounts, plus, in either case, the amount of any excise or sales tax imposed on such merchandise subsequent to the purchase thereof and prior to the resale thereof, for the purpose or with the effect of injuring a competitor or destroying competition, shall be prima facie evidence of the violation of sections 325.02 to 325.07.

Any sale made by a wholesaler to another wholesaler, sub-jobber or vending machines operator at less than the manufacturer's published list price less his published trade discounts, where the manufacturer publishes a list price; or, in the absence of such a list price, at less than the actual current delivered invoice or replacement cost, without deducting customary cash discounts, plus, in either case, the amount of any excise or sales tax imposed on such merchandise subsequent to the purchase thereof and prior to the resale thereof, for the purpose or with the effect of injuring a competitor or destroying competition, shall be prima facie evidence of the violation of sections 325.02 to 325.07.

Approved April 27, 1957.

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CHAPTER 823—H. F. No. 888

[Coded]

*An act establishing a rule of evidence in criminal proceedings for the enforcement of the provisions of Minnesota Statutes 1953, Sections 340.03, 340.73, 340.82, 340.83, 340.941, relating to the sale or furnishing of non-intoxicating malt liquor or intoxicating liquor.*

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

Section 1. [340.035] **Evidence of defendant reinvestigation of status of purchaser.** In any criminal proceeding for the enforcement of the provisions of Minnesota Statutes 1953, Sections 340.03, 340.73, 340.82, 340.83, 340.941, relating to the sale or furnishing of non-intoxicating malt liquor or intoxicating liquor to the persons described therein, the defendant may establish by competent evidence that he has made a bona fide and careful investigation of the status of such person and he has determined upon evidence sufficient to convince a careful and prudent person that such sale is not a violation of said sections; such evidence shall be considered in determining whether the defendant is guilty of intent to violate said laws.

Sec. 2. This act shall not be held to affect suits now pending nor any cause of action which may have arisen prior to the passage of this act.

Approved April 29, 1957.

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#### CHAPTER 824—H. F. No. 482

*An act relating to the state highway patrol; amending Minnesota Statutes 1953, Section 161.03, Subdivisions 21, 22, 23, as amended.*

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

Section 1. Minnesota Statutes 1953, Section 161.03, Subdivision 21, as amended by Laws 1955, Chapter 667, Section 1, is amended to read:

Subd. 21. **Highway patrolmen, duties, number.** The commissioner of highways is hereby authorized to employ and designate not to exceed 297 persons and a chief supervisor, and such assistant supervisors and sergeants as hereinafter provided, who shall comprise the Minnesota Highway Patrol. The members of the Minnesota Highway Patrol shall have the power and authority:

(1) As peace officers to enforce the provisions of the law relating to the protection of and use of trunk highways.

(2) At all times to direct all traffic on trunk highways in conformance with law, and in the event of a fire or other emergency, or to expedite traffic or to insure safety, to direct traffic on other roads as conditions may require notwithstanding the provisions of law.

(3) To serve warrants *and legal documents* anywhere