

this state unless a certificate of such test approved by the board shall be exhibited by the vendor of such cattle at the time of such sale.

Sec. 3. Violation a misdemeanor.—Any person violating the provisions of this act shall be guilty of a misdemeanor, and any auctioneer knowingly conducting a sale of cattle in violation of this act, shall upon conviction forfeit his license as an auctioneer.

Sec. 4. Invalidity of one section not to affect act.—If any section or part of this act shall be declared unconstitutional or invalid for any reason, the remainder of the act shall not be affected thereby.

Sec. 5. Law repealed.—That Chapter 193, Laws 1925, be and the same hereby is repealed.

Approved February 20, 1929.

CHAPTER 34—S. F. 339

An act to amend Section 5390, General Statutes 1923, relating to suppression and elimination of rabies, and conferring additional powers and duties on the executive officer of the State Live Stock Sanitary Board, providing for the enforcement, and penalties for the violation, of this act.

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

Section 1. Proclamation—Publication.—That Section 5390, General Statutes 1923, be and the same hereby is amended so as to read as follows:

“5390. If on such investigation any such officer finds and determines that rabies does exist in any town, city or village, he shall forthwith and thereupon make and file, as hereinbefore provided, a proclamation, setting forth the fact of such investigation and determination, and also in and by said proclamation prohibit the owner or custodian of any dog from permitting or allowing such dog to be at large within such town, city or village, designating it, unless such dog shall be so effectually muzzled that it cannot bite any other animal or any person.

Whenever the secretary and executive officer of the State Live Stock Sanitary Board, after investigation, has determined that rabies exists in any territory in the State of Minnesota he shall issue similar proclamations in all towns, villages and cities within such territory or area which in his judgment it is necessary to control the outbreak and prevent the spread of such disease, and such proclamation when filed as hereinafter provided, shall prohibit the owner or custodian of any dog within the designated ter-

ritory, from permitting or allowing such dog to be at large within such territory unless such dog shall be so effectively muzzled that it cannot bite any other animal or any person.

It shall be the duty of all local peace officers and all health officers to enforce the provisions of this act and any person violating any of its provisions shall be guilty of a misdemeanor.

Such proclamation, when issued by the executive officer of a town or village board of health, shall be filed with the town or village clerk, respectively; when issued by the chief health officer of a city, it shall be filed with the city clerk; when issued by the state official hereinbefore named, it shall be filed with the clerk of each town, village and city within the territory specified therein.

It shall be the duty of each officer with whom such proclamation is filed as aforesaid, to forthwith publish a copy thereof in one issue, at the expense of his municipality, in a legal newspaper published in the town, village or city of which he is clerk, if such a newspaper is published therein, and if there be no newspaper published therein, then, to post a copy of such proclamation in three public places therein.

Proof of publication shall be made by affidavit of the publisher in the one case, and of posting, in the other, by the person posting the same, which affidavit shall be filed with the proclamation. Such proclamation shall be deemed effective and in full force five days after the publication or posting of copies thereof, as hereinbefore provided for, and shall remain in full force and effect for a period of time therein designated not exceeding six months, as shall be determined by the officer making such proclamation.

Approved February 20, 1929.

CHAPTER 35—S. F. No. 340

An act to amend General Statutes 1923, Section 5402, and Paragraph (a) of Section 5403, and to repeal Subdivision 1 of Paragraph (b) of said Section 5403, all as amended by Chapter 230, General Laws, 1925, relating to the suppression of dangerous, infectious and contagious diseases of animals and the payment of indemnity upon the slaughter of diseased 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 5402, General Statutes 1923, as amended by Chapter 230, General Laws 1925, be and the same hereby is amended so as to read as follows:

“5402. Whenever the State Livestock Sanitary Board (here-