

SECTION 1. All railroad companies or corporations operating or running cars or steam engines over roads in this state shall be liable to any party aggrieved for all damage caused by fire being scattered or thrown from said cars or engines without the owner or owners of the property so damaged being required to show defect in their engines or negligence on the part of their employees. But the fact of such fire being so scattered or thrown shall be construed by all courts having jurisdiction as prima facie evidence of such negligence or defect provided that the said railroad corporation may show upon the trial of any action that said damage arose from the default or negligence of the party injured.

Damages awarded caused by fire.

219.76

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

When act to take effect.

Approved March 9, 1874.

CHAPTER XXXI.

AN ACT FOR THE REGULATION OF GRAIN ELEVATORS AND WAREHOUSES.

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

SECTION 1. It shall not be lawful for any railroad company or person, association or corporation engaged in the business of keeping an elevator or warehouse, situated upon the line of any railroad in this state, for receiving and handling grain for other persons, to charge any greater sum than two cents per bushel for receiving, elevating, handling and delivering such grain; nor shall it be lawful for any such railroad company, person, association or corporation to employ or allow any person to act as inspector of the grain received into their elevator or warehouse who is in any manner, directly or indirectly, interested in the purchase or shipping thereof.

Establishing rates for receiving grain in elevators.

SEC. 2. Whenever any railroad company shall refuse to receive, store, handle and deliver grain, at any station on the road, at the rates provided in section one of this act, then in such case, said railroad company shall, upon

When parties other than railroad corporation may erect and maintain warehouses.

demand, allow any person, association or corporation, to erect and maintain, at such station, adjoining the railroad track, or side-track, warehouses to receive, store and ship grain; or, at the option of the railroad company, such company shall build and maintain a side-track to and for the use and accommodation of any warehouse near the station. And no person keeping a warehouse or elevator shall in any case be compelled to pay the railroad company, or any person keeping any other warehouse or elevator, any sum or compensation for or on account of the privilege of doing business.

Penalty for violation.

SEC. 3. Any railroad company, or any keeper of any warehouse or elevator, or any person who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than one hundred nor more than five hundred dollars, in the discretion of the court.

When act to take effect.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.

CHAPTER XXXII.

AN ACT TO DECLARE CERTAIN ELEVATORS AND GRAIN HOUSES PERSONAL PROPERTY FOR THE PURPOSE OF ASSESSMENT AND TAXATION.

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

Declared personal property.

SECTION 1. All elevators, warehouses or grain houses, and all machinery and fixtures therein, situate upon the line of any railroad corporation in this state, and which were built by money or means other than those of such corporation upon lands owned by the railroad company and not at the time in good faith owned, operated and exclusively controlled by said corporation, shall be taken and deemed for all purposes of assessment and taxation personal property, and the same shall be assessed in the manner provided for in the general laws of this state to the proper owner thereof.