

## CHAPTER 195.

[H. F. No. 282.]

AN ACT TO PROVIDE FOR THE COMPENSATION OF AUDITORS AND TREASURERS OF COUNTIES WHERE UNORGANIZED COUNTIES ARE ATTACHED.

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

SECTION 1. That the county commissioners of any county in this state, to which any unorganized county is attached, are hereby empowered and authorized to fix annually the extra compensation of the county auditor and treasurer of such county for the additional labor occasioned by such annexation of such unorganized territory. *Provided*, That in no case shall such additional compensation be fixed at a greater sum than that provided by law for the compensation of like officials in unorganized counties of like valuation.

Compensation  
of auditors  
and treasurers.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

When act to  
take effect.

Approved March 7, 1887.

## CHAPTER 196.

[S. F. No. 541.]

AN ACT TO PREVENT THE PRACTICE OF FRAUD BY TREE PLANTERS AND COMMISSION MEN IN THE SALE OF NURSERY STOCK.

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

SEC. 1. It shall be unlawful for any person, corporation or association, to sell or offer for sale any tree, plant, shrub or vine not grown in the state of Minnesota without first filing with the Secretary of State an affidavit setting forth his name, age, occupation and residence and if an agent, the name, occupation and residence of his principal, and a statement as to where the nursery stock aforesaid to be sold is grown, together with a bond to the state of Minnesota in the penal

To prevent  
fraud in the  
sale of nursery  
stock.

sum of two thousand (\$2,000.00) dollars conditioned to save harmless any citizen of this state who shall be defrauded by any false or fraudulent representations as to the place where such stock sold by such person, corporation or association was grown or as to its hardiness by climate, *provided* that the bond aforesaid shall when the principal is a resident of this state be given by such principal and not by the agent.

Bond to be given.

SEC. 2. The secretary of state shall on the full compliance with the foregoing provisions give to the applicant aforesaid a certificate under his official seal setting forth in detail the facts showing a full compliance by said applicant with the provisions of this act, and said applicant shall exhibit the same or a certified copy thereof to any person to whom stock is offered for sale.

Secretary of state to give certificate

SEC. 3. Any person whether in the capacity of principal or agent, who shall sell or offer for sale any foreign grown nursery stock within this state shall furnish to the purchaser of such stock a duplicate order, with a contract specifying that such stock is true to name and as represented.

Duplicate order with contract to be given purchaser.

SEC. 4. Any person whether in the capacity of principal or agent, who shall sell or offer for sale any foreign grown nursery stock within this state without complying with the requirements of this act, or shall refuse to exhibit the certificate mentioned in section two (2) of this act, whenever demanded, or shall by means of any advertisement, circular, notice or statement, printed or written, published or posted, or circulated by the agency of any officer, agent or other person, or by any other means shall falsely represent to any person or to the public that said nursery stock is grown in the state, and is hardy and is adapted to this climate, shall be deemed guilty of a misdemeanor and upon conviction thereof by any court of competent jurisdiction, shall be punished by fine of not less than twenty-five (\$25) nor exceeding one hundred (\$100) dollars, or by imprisonment in the county jail for a term not less than ten (10) nor more than sixty (60) days, in the discretion of the court, and shall be liable to the party injured in a civil action for tribute the amount of damages sustained, and such party in such civil action may sue in his own name on said bond for the amount of such damages.

Fraudulent sales a misdemeanor.

Penalty.

When act to take effect.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 8th, 1887.