

## CHAPTER 9.

[H. F. No. 639.]

## AN ACT TO PUNISH THE COUNTERFEITING OF LABELS, TRADEMARKS AND ADVERTISEMENTS, AND THE USE OF COUNTERFEITED LABELS, TRADEMARKS AND ADVERTISEMENTS.

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

SECTION 1. It shall be lawful for associations and unions of workmen to adopt for their protection labels, trademarks and advertisements used by such unions or associations, announcing that goods manufactured by members of such associations or unions are so manufactured by such members.

Labels, trade marks, etc.

SEC. 2. That any and all persons using such union or association trademark, labels or advertisements, whether exactly like such labels, trademarks or advertisements, or not, if with the intention to or likely to deceive the public, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than ten (10) days nor more than thirty (30) days, or a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

Deception in use of a misdemeanor.

SEC. 3. That every person who shall use any such counterfeited trademark, label or advertisement of such a union or association after having been notified that the same is so counterfeited, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment of not less than ten (10) days nor more than thirty (30) days, or by fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

Penalty for violation after notification.

SEC. 4. That every association of workmen or labor union adopting a label, trademark or advertisement of the kind specified in the first section of this act, shall record the same in the office of the secretary of state by leaving two (2) copies of said labels or advertisements with said secretary of state, who shall under his hand and seal deliver to the association or union recording such label or advertisements, a certificate of record, for which he shall receive a fee of one (1) dollar.

Shall be recorded.

SEC. 5. That every association of workmen or labor union adopting a label, trademark or advertisement of the kind specified in the first section of this act, may proceed by suit in any of the courts of the state to enjoin the manufacture, use, display or sale of counterfeits or imitations of such labels, trade marks or advertisements, and that all courts having jurisdiction of the persons, and upon satisfactory proof of such wrongful use shall grant an injunction for such wrongful use of such counterfeits, and shall award

May enjoin the use, display, etc., of counterfeits in the courts, and collect damages.

the complainants such damages resulting from such wrongful use as may be proved, and shall require the defendants to pay to the complainant the profits derived from such wrongful use, or both profits and damages, and the courts shall also order all counterfeit labels and advertisements in the possession or under the control of the defendant in such cause to be delivered to an officer of the court or to the complainants to be destroyed.

SEC. 6. In like manner such unions or associations of workmen shall be authorized to proceed against all persons who shall wrongfully use or display the genuine labels, trademarks or advertisements of the respective associations or unions, not being authorized by such associations or unions to use or display the same, in any court having jurisdiction thereof.

When act to  
take effect;

SEC. 7. This act shall take effect and be in force sixty (60) days after its passage.

Approved April 23, 1888.

## CHAPTER 10.

[H. F. No. 500.]

AN ACT TO COMPEL EMPLOYERS OF FEMALES TO FURNISH SEATS FOR SUCH EMPLOYEES, AND TO PRESCRIBE PENALTIES FOR VIOLATION THEREOF.

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

Female  
employees, seats  
for.

SECTION 1. It shall be the duty of all employers of females in any mercantile, manufacturing, hotel or restaurant, business or occupation, and of every agent in charge of any such business or occupation, to provide and maintain in the room or place where such females are being employed, suitable seats for the use of such female employees, and to permit the use of such seats by such employees to such an extent as may be necessary for the preservation of their health.

Evidence of  
violations of  
act.

SEC. 2. The certificate or testimony of any regularly licensed and practicing physician to the effect that in his opinion any person or corporation in this state, or any agent of such person or corporation is not complying with the provisions of section one (1) of this act in respect to any specified employe or employees, shall be *prima facie* evidence of the violation by such person, corporation or agent of the provisions of this act, and it shall be the duty of the state labor commissioner whenever he is informed of the violation of any of the provisions of this act, to