

Such statement shall specify the kind, grade, gross and net weight of and dockage upon all grain received or stored and all grain delivered or shipped, and shall particularly specify and account for all so-called overage that may have accrued during the year. Such statement and report shall be made upon blanks and forms furnished and prescribed by the railroad and warehouse commission.

Pooling or combinations unlawful.

SEC. 9. It shall be unlawful for any person, firm or corporation who shall operate any country grain elevator or country grain warehouse, under this act, to enter into any contract, agreement, understanding or combination with any other person, firm or corporation, who shall operate any other country grain elevator or country grain warehouse, under this act, for pooling of the earnings or business of other different and competing grain elevators or warehouses, so as to divide between them the aggregate or net proceeds of the earnings or business of such grain elevators or warehouses, or any portion thereof; and in case of any agreement for the pooling of the earnings or business aforesaid, each day of its continuance shall be deemed a separate offense.

Misdemeanors—penalties.

SEC. 10. Any person, firm or corporation who is guilty of any of the misdemeanors specified in this act, or who is guilty of violating any of the provisions of this act, shall, on conviction, be punished by a fine of not less than fifty dollars and not more than five hundred dollars, and in case a natural person is so convicted, he may be imprisoned until the fine is paid or until discharged by due course of law; and in case a corporation is so convicted, the fine may be collected by execution, as judgments are collected in civil actions, or the property of the corporation may be sequestered and charged with the same, in appropriate legal proceedings.

SEC. 11. This act shall take effect and be in force from and after August 1st, 1893.

Approved April 7, 1893.

S. F. No. 495.

CHAPTER 29.

Grain in cars.

An Act to provide for the care and protection of grain in cars at the several places designated by law as terminal points within the state of Minnesota.

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

Inspectors to note condition of cars.

SECTION 1. It shall be the duty of the chief inspector of grain, and of any deputies as officials serving under him, before opening the doors of any cars containing grain upon their arrival at any of the several places designated by law as terminal points in this state, for the purpose of inspecting the same, to first ascertain the condition of any such car or cars, and determine whether

any leakages have occurred while the said car or cars were in transit; also whether or not the end or side doors are properly secured and sealed, making a record of such facts in all cases and recording the same in a proper book to be kept for the purpose.

After such examination shall have been duly made and recorded, and the inspection of such grain has been made, it shall be the duty of the said officials of the state grain inspection department, above mentioned, to securely close and reseal such doors as have been opened by them, using a special seal of the said state grain inspection department for the purpose. A record of all original seals broken by said officials and the time when broken, also a record of all state seals substituted therefor and the time when such state seals were substituted, together with a full description of said seals with their numbers, shall be made by the said officials.

SEC. 2. It shall be the duty of all railroad companies operating any lines of railroad at the terminal points of this state to furnish ample and sufficient police protection at each and all of their several terminal yards and on their terminal tracks to securely protect all cars containing grain, while the same is in their possession, pending transfer and delivery of same, and it shall be the duty of such railroad companies to prohibit and restrain all unauthorized persons, whether under the guise of samplers, sweepers, or under any other pretext whatever, from entering or loitering in or about their respective railroad yards or tracks and from entering any cars of grain under their control, or removing grain therefrom, and shall employ and detail such number of watchmen as may be necessary for the purpose of carrying out the provisions of the within section.

Railroads to furnish police protection.

SEC. 3. It shall be the duty of all warehousemen operating and controlling grain elevators and warehouses at any terminal point within this state, and it shall further be the duty of all persons, firms or corporations engaged in the manufacture of flour or other grain products at such terminal points, to furnish ample and sufficient protection to all grain in cars which may be in their possession and to properly care for all cars of grain consigned to their respective elevators, warehouses, mills or manufactories after delivery of same has been made by the railroad companies, and in case of shipment of grain in cars from such elevators, warehouses, mills or manufactories the said persons shall fully protect and care for said cars of grain until delivery of same has been made to the railroad company.

Warehousemen at terminal points must protect cars received.

SEC. 4. Any person other than those charged by sections one, two and three of the within act with the care of the property described herein who shall tamper with or break any seals placed upon such cars of grain, shall be deemed guilty of a misdemeanor and shall be punished by a fine not less than ten dollars and not exceeding one

Breaking seals a misdemeanor.

hundred dollars, or by imprisonment in the county jail not less than ten days and not exceeding ninety days upon conviction.

Neglect to perform duties of this act.

SEC. 5. If any person or persons mentioned in sections one, two and three of the within act shall neglect or fail to carry out the duties prescribed for their government in said sections, he or they shall be liable to the owner for the full amount of actual loss or damage which said owner may suffer by reason thereof.

Shippers to affix tags to car loads of grain.

SEC. 6. It shall be the duty of every shipper of grain by railroad to the terminal points within this state to fasten upon the inside of the door of every car so shipped by him a card upon which shall be given the number and initials of such car, the date of shipment and the exact weight of the grain in such car as ascertained and determined by such shipper.

In case of failure on the part of any shipper to comply with the provisions of this section, the weight of the grain in such car as ascertained and determined by the state weighmaster at the terminal point shall be taken as prima facie evidence of the amount of grain in such car contained.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 6, 1893.

S. F. No. 290.

CHAPTER 30.

State elevator.

An Act to provide for the purchase of a site and for the erection of a state elevator or warehouse at Duluth in this state for public storage of grain, and the regulation thereof, to publish a market report, and to appropriate money for that purpose.

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

State elevator to be located at Duluth.

SECTION 1. That there is hereby ordered to be established a warehouse and elevator of the total capacity of 1,500,000 bushels of grain; said institution to be located in the county of St. Louis and on the shore of Duluth harbor, or St. Louis bay, where there is navigable water, or where docks can be established for the largest vessels in the carrying trade on Lake Superior, and at such point as shall offer terminal facilities with the various railroads centering at the head of Lake Superior.

Under control of railroad and warehouse commissioners.

SEC. 2. Said institution shall be under the control and management of the board of railway and warehouse commissioners, who shall locate the same and procure the necessary land, erect the necessary buildings thereon with the proper equipments and facilities to carry this act into effect, and build or procure all necessary spur tracks, terminal yards and other facilities to receive and ship grain. And they shall commence work so as to have said