

Repealing clause.

SEC. 141. Repealing Clause—Exceptions—All acts and parts of acts inconsistent with this act are hereby repealed, excepting, however, the fourteenth subdivision, relating to adjutant general's clerk, of section one of chapter one hundred and one, general laws of 1867; chapter one hundred and fourteen, general laws of 1874, and the several acts amendatory thereof; chapter one hundred and forty-nine, general laws of 1883; section ten, except the last sentence thereof, of chapter one hundred and sixteen, general laws of 1881; section three in article ten of chapter seventy-four, except all after the words "provisions of this act," where they occur in said section three, and section two of chapter seventy-five, general laws of 1883; section seven of chapter ninety-one, general laws of 1885; section nine of chapter ninety-five, chapter two hundred and thirteen, and subdivisions ten, eleven and fifteen in section one of chapter two hundred and twenty-two, general laws of 1887; section two, except the proviso thereof, of chapter one hundred and fifteen, and subdivision eight in section one of chapter two hundred and eighty-seven, general laws of 1889; chapters fifty-four and fifty-five, and subdivisions four and ten in section four of chapter one hundred and sixty-three, general laws of 1891; section eight of chapter seventy and section nine of chapter one hundred and ninety-seven, general laws of 1895; and the acts and parts of acts hereinbefore enumerated shall apply to this act and are hereby respectively declared to be and remain in full force and effect.

SEC. 142. When to Take Effect—This act shall take effect and be in force from and after its passage.

Approved April 14, 1897.

H. F. No. 814.

CHAPTER 119.

Prevention of sale of unhealthy or adulterated dairy products.

An act to amend chapter 247, general laws of 1889, an act to prevent deception in the sale of dairy products, and to preserve the public health; being supplementary to and in aid of chapter 149 of the laws of 1885, entitled "An act to prohibit and prevent the sale or manufacture of unhealthy or adulterated dairy products."

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

Amendment.

SECTION 1. That section one (1) of chapter two hundred and forty-seven (247) of the general laws of

eighteen hundred eighty-nine (1889), be and the same is hereby amended so as to read as follows:

"Section 1. No person or persons shall sell or exchange, or expose for sale or exchange, any unclean, unhealthy, adulterated or unwholesome milk, or shall offer for sale any article of food made from the same, or cream from the same.

Unwholesome milk or its products prohibited.

This provision shall not apply to pure skim milk, cheese made from milk which is pure, healthy, wholesome and unadulterated, except by skimming.

Penalty.

Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars, or by imprisonment of not less than one month or more than three (3) months.

SEC. 2. That section two (2) of said chapter two hundred and forty-seven (247) be and the same is hereby amended so as to read as follows:

"Sec. 2. No person shall keep cows for the production of milk for market or for sale or exchange, or for manufacturing the same, or cream from the same, into articles of food, in a crowded or unhealthy condition, or feed the cows on food that is unhealthy or that produces impure, unhealthy, diseased or unwholesome milk.

Keeping cows in unhealthy condition prohibited.

No person shall manufacture from impure, unhealthy, diseased or unwholesome milk, or of cream from the same, any article of food.

Whoever violates the provisions of this section is guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five (25) dollars nor more than fifty (50) dollars, or by imprisonment of not less than one (1) month or more than three (3) months.

Penalty.

SEC. 3. That section three (3) of said chapter two hundred and forty-seven (247) be and the same is hereby amended so as to read as follows:

Sec. 3. No person or persons shall sell, supply or bring to be manufactured, to any butter or cheese manufactory, any milk diluted with water, or any unclean, impure, unhealthy, adulterated or unwholesome milk, or milk from which any cream has been taken (except pure skim milk to skim cheese factories), or shall keep back any part of the milk commonly known as "stripings," or shall bring or supply milk to any butter or cheese manufactory that is sour (except pure skim milk to skim cheese factories). No butter or cheese manufactories, except those who buy all the milk they use, shall use for their own benefit or allow any of their employes or any other person to use, or the product thereof brought to said manufacturers, without the consent of the owners thereof.

Sale, supply or transportation of diluted or unhealthy milk to butter or cheese factory prohibited.

Butter and cheese mfr's to keep records for inspection.

Every butter or cheese manufacturer, except those who buy all the milk they use, shall keep a correct account of all the milk daily received, and of the number of pounds and packages of butter, the number and aggregate weight of cheese made each day, the number of packages of cheese and butter disposed of, which shall be open to inspection to any person who delivers milk to such manufacturer. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished for each offense by a fine of not less than ten (10) dollars or more than fifty (50) dollars, or by imprisonment of thirty (30) days.

SEC. 4. That section seven (7) of the said chapter two hundred and forty-seven (247), be and the same is hereby amended so as to read as follows:

False brands prohibited.

Sec. 7. No person shall offer, sell or expose for sale, butter or cheese branded or labeled with a false brand or label as to the quality of the article, or to the county or state in which the article is made.

"Minn. state full cream cheese."

The Minnesota state dairy and food commissioner is hereby authorized and directed to procure and issue to the cheese manufacturers of the state, and under such regulations as to the custody and use thereof as he may prescribe, a uniform stencil brand bearing a suitable device or motto and the words "Minnesota State Full Cream Cheese." Every brand issued shall be used upon the outside of the cheese, and also upon the package containing the same, and shall be a different number for each separate manufactory, and the commissioner shall keep a book in which shall be registered the name, location and number of each manufactory using the said brand, and the name or names of the persons at each manufactory authorized to use the same. It shall be unlawful to use or permit such stencil brand to be used upon any other than full cream cheese, or packages containing the same.

Adulteration.

Minnesota state full cream cheese, of which there be less than forty-five (45) percentum of fats to total solids, shall be deemed for the purpose of this act, to be adulterated. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and for each and every cheese or package so falsely branded shall be punished by a fine of not less than twenty-five dollars or more than fifty (50) dollars, or imprisonment of not less than fifteen (15) days or more than thirty (30) days.

SEC. 5. That section thirteen (13) of the said chapter two hundred and forty-seven (247), be and the same is hereby amended to read as follows:

Licenses for milk dealers.

Sec. 13. Every person who conveys milk in carriages,

carts or otherwise for the purpose of selling the same in any city or town of one thousand (1,000) inhabitants or more, in the state of Minnesota, shall annually on the first day of May, or within thirty (30) days thereafter, be licensed by the state dairy and food commissioner to sell milk within the limits of said city or town, and shall pay to the said state dairy and food eommisioner the sum of one (1) dollar each to the use of said dairy and food commission.

Licenses shall be used only in the names of the owners of carriages, carts and other vehicles, and shall, for the purpose of this act, be conclusive evidence of ownership.

No license shall be sold, assigned or transferred.

Each license shall record the name, residence, place of business, number of carriages, carts or other vehicles used, the name and residence of every driver, or other persons engaged in selling said milk, and the number of the license. Each licensee shall, before engaging in the sale of milk, cause his name, the number of his license and his place of business to be legibly placed on each outer side of all carriages, carts or other vehicles used by him in the conveyance and sale of milk, and he shall report to the state dairy and food commissioner any change of driver or other person employed by him, which may occur during the term of his license. Who-ever, without being first licensed under the provisions of this section, sells milk, or exposes it for sale from carriages, carts or other vehicles, or has it in his cus-tody or possession with intent to sell, and whoever vio-lates any of the provisions of this section shall be pun-ished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars, or by imprisonment in the coun-ty jail for not less than thirty (30) days.

License shall give information; regulations of same.

Penalty for not having license.

SEC. 6. That section twelve (12) of chapter two hundred and forty-seven (247) of the general laws of one thousand eight hundred and eighty-nine (1889), be and the same is hereby amended so as to read as fol-lows:

Sec. 12. In all prosecutions under this act relating to the sale and manufacture of unclean, impure, unhealthy, adulterated or unwholesome milk, if the milk be shown to contain more than eighty-seven (87) per centum of water fluids or less than thirteen (13) per centum milk solids, of which less than three and one-half (3½) per centum shall be fat, shall be declared adul-terated, and milk drawn from cows within fifteen (15) days before and four (4) days after parturition, or from animals fed on distillery waste or brewers' malt, or any unhealthy food whatever, shall be deemed, for the pur-

Adulteration of milk, how declared.

pose of this act, to be unclean, impure, unhealthy and unwholesome milk.

The penalties for any violation of this section are the same as those of section two (2) of this act.

This section shall not prevent the feeding of ensilage from silos.

No person shall sell or expose for sale in any store or place of business, or on any wagon or other vehicle used in transporting or selling, milk from which cream has been removed, or milk commonly called "skimmed milk," without first marking the can or package containing said milk with the words "skimmed milk," in large, plain, black letters, each letter being at least one (1) inch high and one-half ($\frac{1}{2}$) inch wide.

Said words to be on top or the side of said can or package, where they can be easily seen.

Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five (25) nor more than fifty (50) dollars for each and every offense. In default of payment, by imprisonment in the county jail of not less than thirty (30) days.

SEC. 7. That section seventeen (17) of chapter two hundred and forty-seven (247) of the general laws of eighteen hundred and eighty-nine (1889), be and the same is hereby repealed and in lieu thereof is substituted the following, which shall be known as section seventeen (17):

Sec. 17. All cheese which contains less than forty-five (45) per centum of fats to total solids is hereby declared to be "skim cheese," and it is hereby required and directed that the same shall be marked with a stencil or brand with the words "skim cheese," in plain black letters not less than one and one-half ($1\frac{1}{2}$) inches in length and of proportionate width, upon the circumference of the cheese, and upon the outer surface of the box or package containing the same; and any dealer or trader who, by himself or as the servant or agent of another person, has in his possession with intent to sell, offers or exposes for sale, or sells, any skim cheese as hereinbefore defined which is not stenciled or branded as hereinbefore required and directed, shall be deemed to be guilty of a misdemeanor and shall be subject to the penalties provided in this section.

Every dealer or trader who offers or exposes for sale or sells skim cheese as hereinbefore defined shall cause to be kept continuously posted in a conspicuous position upon the walls of the room wherein such skim cheese is offered or exposed for sale or sold, cards upon the face of which is distinctly and legibly printed in the English

Skimmed
milk to be
marked as
such.

Penalty.

Sec. 17, chap.
247, repealed.

Skimmed
cheese to be
marked as
such.

Dealers in
skimmed
cheese to post
notices in
places of
business.

language and in letters of sufficient size to be visible from all parts of the room, the words "skim cheese sold here."

Any person or firm violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, or to imprisonment for not less than thirty (30) nor more than ninety (90) days for each offense. Penalty.

Provided, that nothing contained in this section shall be deemed to conflict with section six (6) of said chapter two hundred and forty-seven (247).

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 14, 1897.

CHAPTER 120.

S. F. No. 659.

An act to prescribe the bounds of senatorial and representative districts, and to apportion anew the senators and representatives among the several districts.

Reapportionment, senatorial and representative districts.

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

SECTION 1. That for the next legislature and thereafter until a new apportionment shall have been made, the senate of this state shall be composed of sixty-three (63) members and the house of representatives shall be composed of one hundred and nineteen (119) members. Provides for 63 senators, 119 representatives.

SEC. 2. That the representation in the senate and house of representatives be apportioned throughout the state in sixty-three (63) senatorial and representative districts, to-wit:

FIRST DISTRICT.

Houston Co.,
1 senator, 1
representative.

The First (1st) district shall be composed of the county of Houston, and shall be entitled to elect one (1) senator and one (1) representative.

SECOND DISTRICT.

Winona Co.,
1 senator, 3
rep's.

The Second (2nd) district shall be composed of the