

1. By a person engaged in committing or attempting to commit a misdemeanor, affecting the person or property, either of the person killed, or of another; or

2. In the heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon;

3. By shooting another with a gun, or other firearm, when resulting from carelessness in mistaking the person shot for a deer or other animal."

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

Approved April 7, 1905.

CHAPTER 126.

S. F. No. 314.

An act to amend chapter 225, General Laws 1899. An act to regulate and license and define the business of commission merchants or persons selling agricultural produce and farm products on commission, and to require them to give a bond to the State of Minnesota for the benefit of their consignors, and prescribing a penalty for violating any of the provisions of this act.

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

SECTION 1. That section (7) of chapter 225, General Laws of 1899, be and the same is hereby amended so as to read as follows:

"Section 7. Any person, persons, firm or corporation engaged in selling any property as herein specified, who fails or neglects to comply with any of the provisions of this act, shall be guilty of a misdemeanor, and on conviction thereof in any court having competent jurisdiction shall be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred dollars (\$100), and the railroad and warehouse commission is hereby authorized either upon such conviction or upon its own findings after investigation, if the facts warrant it, to cancel the license of any person, persons, firm or corporation guilty of any violation of law or conduct prejudicial to the interests of those making consignments to such person, persons, firm or corporation to be sold on commission. Where a license has been canceled, the railroad and warehouse commission may refuse to issue any license to such person, persons, firm or corporation for a term of one year.

Violation.
Penalty.

Power of
railroad and
warehouse
commission.

Whenever requested to do so by any interested shipper, the railroad and warehouse commission shall have power to investigate any sale or transaction carried on by any person, persons, firm or corporation licensed under this act, and, for that purpose shall have the right to examine the books and accounts of any licensed commission merchant which in any manner relate to such sale or transaction. Any licensed commission merchant or any agent in charge of such books or accounts who shall fail or refuse to submit such books or accounts for the examination of said railroad and warehouse commission, shall be guilty of a misdemeanor.

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

Approved April 7, 1905.

S. F. No. 237.

CHAPTER 127.

An act to authorize the board of control to build a contagious ward at any insane hospital in certain cases.

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

Contagious
wards at
insane
hospitals.

SECTION 1. That when there is money heretofore appropriated for the erection of buildings at any state insane hospital, now unused and on hand, sufficient for the erection of a contagious ward at said state insane hospital, then, and in that case the board of control is hereby authorized and directed to erect a contagious ward at such state insane hospital and pay for the construction out of the said money heretofore appropriated, and now on hand.

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

Approved April 7, 1905.