

of any action, or for a like period after an abandonment of or failure to prosecute the same, and all other deposits of money arising from bail, bonds, recognizances, and payments of penalties thereon or otherwise, shall be paid over to the city on the first Monday of the month following.

Provided, that in the event that the party or parties who may be entitled to receive said balances of deposits or other moneys, or any portion thereof, may demand the same of said clerk at any time thereafter, and, upon giving a receipt therefor to the clerk he shall pay over the same, and said receipt shall be a sufficient voucher for the same in like manner as provided herein, in the case of receipts for witness fees. No fees shall be charged against either the city, county or state.

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

Approved April 26, 1907.

CHAPTER 466—H. F. No. 333.

1907 C 466
109-M - 513
124-NW 377

An Act to regulate procedure and practice in actions against connecting common carriers for loss or damage to shipments of personal property.

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

Damages.—Section 1. That whenever any personal property shall be transported by two or more connecting common carriers into or through this state and shall become injured or damaged during transportation, the consignor, consignee or owner thereof, or his assignee, in an action to recover damages for such injury, may join as parties defendant one or more of such connecting common carriers with the last or delivering common carrier.

Connecting lines.—Sec. 2. In any such action brought in any court of this state against the last or delivering carrier and any one or more connecting common carriers, it shall be sufficient for the plaintiff to allege in his complaint and prove upon the trial of such action, that such personal property was in good order and condition when delivered to the initial carrier, that the same was transported from the initial point of shipment to its destination by two or more connecting common carriers, including the defendants, that it was in

whole or in part injured or damaged on arrival at destination, and the general nature and amount of such injury or damage thereto, and such proof shall be prima facie evidence that such injury or damage was caused by the negligence of all the defendants and the amount of loss or damage caused to such property by the negligence of each and every one of the defendants shall be determined by the jury upon the trial of said action from all the evidence in the case, and a verdict rendered accordingly.

Approved April 26, 1907.

CHAPTER 467—H. F. No. 350.

An Act to prohibit the improper stamping of any merchandise made in gold or silver, and providing a penalty.

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

Label.—Section 1. Any person, firm, corporation or association, who or which make for sale any article of merchandise made on whole or in part of gold or any alloy of gold, having stamped, branded, engraved or printed thereon, or upon any card, tag or label attached thereto, or upon any box, package or wrapper, in which said article is encased or enclosed any mark, indicating or designed or intended to indicate, that the gold or alloy of gold, of such article is of a greater degree of fineness than the actual fineness or quality of such gold or alloy, unless the actual fineness of such gold or alloy, in the case of flat ware and watch cases be not less by more than three one-thousandths parts, and in the case of all other articles be not less by more than one-half karat than the fineness indicated by the marks stamped, branded, engraved or imprinted upon any part of such article or upon any cards, tags or labels attached thereto, or upon any box, package or wrapper in which such article is encased or enclosed according to the standards and subject to the qualifications hereinafter set forth, is guilty of a misdemeanor; *provided*, that in any test for the ascertainment of the fineness of the gold or its alloy in any such article, according to the foregoing standards, the part of the gold or its alloy taken for the test analysis or assay shall be such part or portion as does not contain or have attached thereto any solder or alloy of inferior fineness used for brazing or uniting the parts of