

CHAPTER 432—S. F. No. 971.

An Act to amend Sections 2114, 2115, 2117, and 2120, Revised Laws of 1905, relating to commission merchants.

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

Section 1. Commission merchant and bond to be given.—That Section 2114, Revised Laws of 1905, be and the same is hereby amended, so as to read as follows:

“Section 2114. For the purpose of this subdivision, a commission merchant is a person who may receive for sale, for account of the consignor, any agricultural products or farm produce. No person shall sell, or receive or solicit *shipments* of such commodities for sale, without first obtaining a license from the railroad and warehouse commission to carry on the business of a commission merchant and executing and filing with the secretary of state a bond to the state for the benefit of *such* consignors; if the license authorizes the sale of grain the bond shall be not less than four thousand dollars (\$4000). *If the license only authorizes the sale of products other than grain, the bond shall be not less than two thousand dollars (\$2,000).* In either case the railroad and warehouse commission may at any time require such an additional amount of bond as it may deem necessary to protect the consignor.

Sec. 2. To give locations where business is conducted, and separate bond for each place.—That Section 2115, Revised Laws of 1905, be and the same is hereby amended, so as to read as follows:

“Section 2115. The application for license shall be in writing, state the commodities for which license to sell is wanted, *also the cities or other locations in the state where applicant intends to do business,* and give the business address of the applicant and the estimated volume of business to be done monthly. If he desires a license which shall authorize him to sell grain, the bond shall be conditioned that he report to all persons consigning grain to him, and pay to them the proceeds of its sale, less *charges* and actual disbursements; otherwise the bond shall be conditioned for the faithful performance of his duties as commission merchant. *Separate licenses and bonds shall be required for each location at which business is to be conducted and said licenses shall be kept posted in the office of the persons so licensed.* All licenses shall expire May 31st of each year. The fee for each license shall be *two dollars (\$2.00).* Such license may be revoked by the commission for cause, upon notice and hearing.”

Sec. 3. Statement to be made by licensee to consignor.—Section 2117, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

"Section 2117. Whenever a licensee sells any grain he shall render a true statement in writing to the consignor within twenty-four (24) hours of the amount sold, price received, name and address of purchaser, and the day, hour, and minute of the sale, and shall forward vouchers for all charges and expenses. *Whenever consignments of commodities other than grain are sold, the licensee shall render a true statement in writing to the consignor under such reasonable rules as may be prescribed by the railroad and warehouse commission.*"

Sec. 4. **Penalty for violation.**—That Section 2120, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

"Section 2120. 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, or any of the rules of the commission therein provided for, 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 dollars (\$25.00) nor more than one hundred dollars (\$100.00), 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 interest of those making consignments *for sale*, to such person, persons, firm or corporation. Where a license has been cancelled, the railroad and warehouse commission may refuse to issue any license to such person, persons, firm or corporation for a term of one year."

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. 5. **Certain chapters repealed.**—Chapter 126 of the General Laws of 1905, and Chapter 228 of the General Laws of 1913, are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 22, 1913.