

CHAPTER 483—S. F. No. 371.

An act to amend Sections 3, 4, 5, 7, 10, 13, 14 and 16 of Chapter 520, Session Laws of Minnesota 1919, relating to the division of oil inspection of the Dairy and Food Department and to petroleum and its by-products.

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

Section 1. Dairy and food commissioner to appoint chief oil inspector.—That section 3 of chapter 520, Session Laws of Minnesota 1919, be and the same hereby is amended so as to read as follows:

“Section 3. The dairy and food commissioner is hereby authorized to appoint with the consent of the governor, a chief oil inspector who shall be in charge of and shall administer the division of oil inspection and shall receive an annual salary of \$2800. The chief oil inspector shall be a skilled and suitable person with experience and knowledge of petroleum and its by-products and who is not interested in the manufacture of or dealing in such products. He shall hold office for four years unless sooner removed by the dairy and food commissioner, and in the performance of his duties, he shall at all times be subject to the control of and supervision by the dairy and food commissioner.

Sec. 2. To create inspection districts.—That section 4 of chapter 520, Session Laws of Minnesota 1919, be and the same hereby is amended so as to read as follows:

“Section 4. The dairy and food commissioner in conjunction with the chief oil inspector, is hereby authorized to create not to exceed sixty-seven inspection districts in the state. In the creation of said districts due consideration shall be given to important shipping centers. Said commissioner with the advice of the chief oil inspector is hereby authorized to appoint when necessary one deputy for each inspection district so established. He shall take such measures as he deems necessary to prevent duplication of effort by inspectors under his control and to effect economy in the administration of the inspection laws, and to that end he shall detail dairy and food inspectors to perform the duties of deputy oil inspectors as far as practicable. The deputy inspectors shall receive compensation on a graded scale based upon their qualifications and the volume of work they perform; such salaries not to be less than seventy-five dollars per month, nor to exceed *eighteen hundred* dollars per annum; and they shall be reimbursed for all expenses necessarily incurred by them in the performance of their official duties; such salaries to be determined by the dairy and food commissioner upon the advice of the chief oil inspector.”

Sec. 3. Appointment and removal of deputy inspectors.—That Section 5 of chapter 520 Session Laws of Minnesota 1919, be and the same is hereby amended so as to read as follows:

"Section 5. The provisions of sections 3635, 3636, 3637 and 3638, General Statutes of Minnesota 1913, are hereby extended and made applicable to the appointment and removal of deputy oil inspectors. Provided examinations of applicants for position of Deputy Oil Inspectors shall be held at such times and at such places in the State as may be designated by the Chief Oil Inspector notice thereof to be given in a legal newspaper in the inspection district in which such examination is to be held for a period of two weeks immediately prior to such examination. Provided further that in any inspection district not having an inspector or not having an inspector who was at the time of his appointment a resident of the district for which he was appointed, then upon written request of ten or more legal voters of said inspection district to said Chief Inspector, an examination pursuant to said sections aforesaid shall be held in said inspection district for the purpose of examining the applicants therein for deputy oil inspectors, and thereupon a deputy oil inspector for such inspection district shall be appointed for such inspection district to fill said vacancy or to take the place of the incumbent thereof who was a non-resident of said district at the time of his appointment thereto, such appointment to be made from the list of eligibles secured as a result of said examination. Provided, however, that in making appointment of such deputy oil inspectors, preference shall be given to applicants whose names appear upon the list of eligibles referred to in said section 3638 who are residents of the inspection district for which they make application for appointment.

Sec. 4. All coal oil products to be inspected—Certificate.—That section 7 of chapter 520 Session Laws of Minnesota 1919, be and the same is hereby amended so as to read as follows:

"Section 7. No person shall sell, or offer for sale for illuminating purposes, any coal oil or products thereof, unless the same has been inspected and branded as provided by this act.

All illuminating oils sold or offered for sale in this state shall conform to the following conditions:

1. It shall be water white.
2. It shall not contain glue or suspended matter.
3. It shall not contain water.
4. It shall not contain more than five per cent of residue after being distilled at a temperature of not more than 600 degrees Fahrenheit.
5. It shall not flash at a temperature below 100 degrees Fahrenheit, nor shall it burn at a temperature below 120 degrees Fahrenheit.

The instrument to be used in making illuminating oil test shall be the Tagliabue Open Cup and the gravity of said oils shall be determined by the Tagliabue Standard Registered Hydrometer Beaume Scale at a temperature of 60 degrees Fahrenheit.

There shall be printed or stencilled on each tank wagon, sale ticket, car, can, cask, barrel or tank covering delivery of oil the following:

"This is to certify that the oil covered by this sale has a gravity test of _____ (This blank shall be filled in with the actual gravity test) a distillation 'end point' not over 600 degrees Fahrenheit, and a fire test of not less than 120 degrees, and has been inspected and approved by the chief oil inspector.' _____"

(Name of person or corporation selling or furnishing same shall be signed, printed or stencilled on the above line).

Provided, however, that it shall be deemed a full compliance with this act if said label or tank wagon sale ticket shows a Beaume gravity not higher than the actual Beaume gravity of the goods sold as determined by the "Tagliabue Standard Registered Hydrometer Beaume Scale" at a temperature of 60 degrees Fahrenheit, and a distillation "end point" not higher than 600 degrees Fahrenheit.

Every person or corporation selling or delivering oil in bulk by means of portable tanks, shall, in lieu of the stamp or brand herein provided for, furnish and deliver to the purchaser a certificate as the above set forth."

Sec. 5. Inspection of gasoline, etc.—Certificate.—That Section 10 of Chapter 520, Session Laws of Minnesota, 1919, be and the same is hereby amended so as to read as follows:

"Section 10. For the purposes of this act all gasoline, benzine, naphtha, *benzol*, *tuluol* and other petroleum by-products under whatever name called, held or offered for sale, which may or can be used for illuminating, heating or power purposes shall be deemed to be subject to the inspection and control as herein provided for; and it shall be unlawful for any person, dealer or vender, to sell or offer for sale any gasoline, benzine or naphtha, that has a gravity less than 50 degrees Beaume, as determined by a registered hydrometer Beaume Scale, at a temperature of 60 degrees Fahrenheit, for any such purpose, that has not been so inspected and approved.

Motor gasoline shall also comply with the following specifications:

Quality—Gasoline to be high grade, refined and free from water and all impurities.

Inspection—Before being sold or offered for sale the gasoline shall be inspected. The samples immediately after drawing will be retained in a clean, absolutely tight closed vessel and a sample for tests taken from the mixture in this vessel directly in to the test vessel.

Test—One hundred cubic centimeters shall be taken as a test sample, and these rules shall be followed:

- (a) The initial boiling point must not be higher than 140 degrees Fahrenheit.
- (b) 20% of the sample must distill below 221 degrees F.
- (c) 50% must distill below 315 degrees F.
- (d) 90% must distill below 420 degrees F.
- (e) The end or dry point of distillation must not be higher than 450 degrees F.
- (f) After complete distillation the residue shall not be over 3%.
- (g) *Not less than 86% shall be recovered in distillation.*

All gasoline, benzine and naphtha shall be tested as to 'end point' and shall be branded 'Unsafe for Illuminating purposes', and every barrel, cask, or package which contains gasoline, naphtha or benzine shall be labeled or branded with the word "Gasoline", "Naphtha" or "Benzine" as the case may be, in large letters at least two inches in size and the 'end point' thereof shall be printed or stencilled on each barrel, can, cask, tank, or other vessel covering deliveries of such gasoline, naphtha, or benzine the following:

"This is to certify that the _____ (gasoline, naphtha or benzine, as the case may be, shall be inserted in this blank) covered by this sale has an 'end point' of _____ (The actual 'end point' test to be inserted in this blank) and has been inspected and approved by the chief oil inspector."

(Name of corporation or person selling or furnishing same shall be signed, printed or stencilled on the above line).

Provided, however, that any person or corporation selling or delivering gasoline, benzine or naphtha in bulk by tanks, shall, in lieu of the stamp or brand herein provided for, furnish and deliver to the purchaser a certificate as above set forth.

Provided, however, that it shall be deemed a full compliance with this act if the said label or tank wagon sale ticket shows a distillation 'end point' not higher than 450 degrees Fahrenheit.

All visible containers and all devices used for drawing gasoline from underground containers at filling stations garages and other places, where gasoline is sold or offered for sale, shall be stamped or labeled in a visible place with *one inch letters*: **STATE INSPECTED GASOLINE, PRICE PER GALLON — CENTS.**

"Gasoline sold as 'High Test' shall be a really superior product."

Sec. 6. To be inspected in original containers before unloading.—That section 13 of Chapter 520, Session Laws of Minnesota 1919, be and the same is hereby amended so as to read as follows:

"Section 13. Oil, gasoline, naphtha or benzine shipped in tanks or tank cars shall not be unloaded until it is duly inspected, provided such inspection is made within twenty-four hours after the

arrival and notice setting forth the number of the car and date of its arrival has been given to the inspector, *without delay and at the expense of the dealer*. Each fifty gallons or major fraction thereof, shall be considered a barrel in computing the inspection fees. If such oils, gasoline, benzine or naphtha be afterwards placed in barrels the person, firm or corporation so barreling same shall brand each barrel as hereinbefore provided. No person shall use as a receptacle for illuminating oils any barrels, tank, or other vessel previously used for that purpose and having said inspector's brand thereon, without first cancelling such previous brand; nor shall any person falsely brand, mark, or otherwise represent any such vessel as containing oil that has been inspected. Every violation of this section shall be deemed a misdemeanor. All barrels shall be painted blue, yellow or green; gasoline barrels red.

All cans used as gasoline containers shall be painted red.

Tank wagons with separate compartments for gasoline and kerosene shall have a red tag on the faucet from which gasoline is drawn.

No person under sixteen years of age shall be allowed to deliver gasoline from tank wagons or at filling stations.

Gasoline and kerosene must not be pumped through the same pipe line, nor through the same pump. All pipes through which gasoline is drawn shall be painted red.

Sec. 7. Fees for inspecting.—That Section 14 of Chapter 520, Session Laws 1919, be and the same is hereby amended so as to read as follows:

"Section 14. The fees for inspecting shall be uniform, fixed by the chief inspector and not to exceed five cents per barrel of fifty gallons.

Provided, that when oil, gasoline, benzine or naphtha is shipped outside of the state after inspection has been performed the firm shipping same shall be given credit by the inspector for such fees, but that notices of such outshipments, acknowledged and sworn before a notary public is given the chief inspector not later than the tenth day of the following month, or else no such credit shall be given.

Whenever the chief inspector finds it necessary to check up such outshipments, the firm claiming credit for same shall procure books, shipping bills, etc. for such outshipments and provide one of its clerks to perform the checking up with an employe of the oil inspection division."

Sec. 8. Violations—Penalties.—That Section 16 of Chapter 520, Session Laws of Minnesota 1919, be and the same is hereby amended so as to read as follows:

"Section 16. The provisions of Section 3632, General Statutes of Minnesota 1913, as amended by Chapter 271, Session Laws 1915, are hereby extended and made applicable to this act, provided, how-

ever, any person selling "blended" gasoline for "straight run" gasoline, shall be guilty of a gross misdemeanor and upon conviction shall be punished accordingly.

And provided further any oil company or any agent or representative thereof who fails to notify deputy inspectors of the arrival of tank cars as provided in section 13 of chapter 520 Session Laws of Minnesota, 1919, as amended hereby, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or in default of payment of such fine, by imprisonment for not more than ninety days."

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 23, 1921.

CHAPTER 484—S. F. No. 425.

An act to supplement, amend, revise and codify the laws relating to the publication of legal notices in newspapers in the State of Minnesota, establish a basis for the measurement of such legal notices and to prescribe the fees for the publication of the same.

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

Section 1. **Basis of measurement.**—*The basis of measurement of type used in the publications of notices and forms required by law to be published in a newspaper in this state shall be as follows:*

(1) *One inch in length shall contain seventy-two (72) points of type measurement.*

(2) *Nonpareil or six-point type shall be twelve (12) lines to the inch and the length of the lower case alphabet from A to Z inclusive set in compact form shall be nine and one-half (9½) ems Pica, or twelve-point type, a total of one hundred and fourteen (114) points in length. A folio of Nonpareil or six-point type as described herein shall be two hundred and sixty (260) square ems. A square em of Nonpareil is six points square.*

(3) *Brevier or eight-point type shall be nine (9) lines to the inch and the length of the lower case alphabet from A to Z, both inclusive, set in compact form shall be ten (10) ems Pica, a total of one hundred and twenty points (120). A folio of Brevier or eight-point type shall be two hundred eight (208) square ems. A square em of Brevier or eight point type as described herein shall be eight points square.*

(4) *Long Primer or ten-point type shall be seven and two-tenths (7.2) lines to the inch, and the length of the lower case alphabet from A to Z, both inclusive, shall be eleven and three-fourths (11¾) ems Pica, a total of one hundred and forty-one (141) points. A folio of Long Primer or ten-point type as de-*