

James C. Child
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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

COMPILED BY
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COMMISSIONERS.

PUBLISHED BY STATE AUTHORITY.

SAINT PAUL:
THE PIONEER PRINTING COMPANY.

1859.

CHAPTER 27.

WEIGHTS AND MEASURES.

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An Act to secure uniformity in Weights and Measures.

[Chapter 32, Revised Statutes.]

*amended
Chap 32, 1858*

What to be standard of weights and measures.

(1.) SEC. I. The weights and measures, together with the scales and beams, and those made in conformity therewith, which are now, or may hereafter be deposited in the treasury of this territory, shall be preserved by the treasurer, and be the public standards.

Treasurer of the territory shall be sealer.

(2.) SEC. II. The treasurer of the territory shall be the sealer of weights and measures, and he shall have and keep a seal, which shall be so formed as to impress the letters "Min." upon the weights and measures, scales and beams, to be sealed by him, with which he shall seal all such authorized public standards of weights and measures, and all the weights and measures, and scales and beams, to be provided by the several counties when examined by said treasurer, and found to be in conformity with the standard weights and measures, and scales and beams aforesaid.

His duties as such.

Board of commissioners to procure set of weights and measures.

(3.) SEC. III. The board of commissioners for each county, for which the same have not already been obtained, shall procure for the use, and at the expense of their county, a complete set of weights and measures, and scales and beams, in exact conformity with those required to be kept in the territorial treasury; except that the same may be made of such suitable materials as the commissioners may direct, which shall be tried and proved by the said treasurer, and be by him sealed and certified.

County treasurer to be sealer for county.

(4.) SEC. IV. When so sealed and certified, such weights and measures, scales and beams, shall be deposited with the county treasurer, who shall be the sealer of weights and measures for the county; and the said treasurer shall also provide and keep a seal similar to the seal required to be kept by the territorial treasurer, with which he shall seal the weights and measures, and scales and beams to be provided by the county commissioners.

His duties as such.

Standards to be proved every five years.

(5.) SEC. V. Once in every five years, from the first day of January, eighteen hundred and fifty, each county treasurer, for the time being, shall cause the standard in his keeping to be tried, proved, and sealed by the territorial standards, under the direction of the territorial treasurer.

If commissioners neglect to provide standards, when the clerk shall provide them.

(6.) SEC. VI. If the board of commissioners of any county which has not heretofore provided such standards shall neglect for six months after the first of January, eighteen hundred and fifty-two, to provide the same, and cause them to be tried and proved and sealed, as aforesaid, and delivered to the treasurer of the county, it shall be the duty of the treas-

urer to notify the clerk of the board of county commissioners of such neglect, and such clerk shall immediately provide such standards, and cause the same to be tried, proved, sealed, and deposited as aforesaid, at the expense of his county.

(7.) SEC. VII. The county treasurer shall be entitled to receive a fee of five cents for the first sealing of every weight, measure, scale or beam, and three cents for every subsequent sealing of the same. Fees of county treasurer.

(8.) SEC. VIII. If any sealer of weights and measures shall neglect to perform his duty as prescribed in this chapter, he shall forfeit for each neglect, the sum of five dollars. Penalty for sealer to neglect his duty.

(9.) SEC. IX. The vibrating steel-yards, which have heretofore been allowed and used in this territory, may continue to be used, but each beam, and the poises thereof shall be annually tried, proved and sealed by a sealer of weights and measures, like other beams and weights. Steel-yards to be annually proved.

(10.) SEC. X. When any commodity shall be sold by the hundred weight, it shall be understood to mean the net weight of one hundred pounds avoirdupois, and all contracts concerning goods or commodities sold by weight, shall be construed accordingly, unless such construction would be manifestly inconsistent with the special agreement of the parties contracting. One hundred pounds avoirdupois to be the hundred weight implied in contracts.

(11.) SEC. XI. Whenever wheat, rye, Indian corn, oats, barley, clover-seed, buckwheat, dried apples or dried peaches shall be sold by the bushel, and no special agreement as to the measure or weight thereof, shall be made by the parties, the measure thereof shall be ascertained by weight, and shall be computed as follows: sixty pounds for a bushel of wheat or clover seed; fifty-six pounds for a bushel of rye or Indian corn; thirty-two pounds for a bushel of oats; forty-eight pounds for a bushel of barley; forty-two pounds for a bushel of buckwheat, and twenty-eight pounds for a bushel of dried apples or dried peaches. Standard weight of commodities sold by the bushel.

(12.) SEC. XII. The half bushel and the parts thereof, shall be the standard measure for charcoal, fruits and other commodities, customarily sold by heaped measure, and in measuring such commodities, the half bushel or other smaller measure shall be heaped as high as may be without special effort or design. The half-bushel to be the standard for certain articles.

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© (a) See as to notarial seals, section 3 of chap. 27 of general laws of 1858, published under head of "notaries public."