

# REVISED LAWS

# MINNESOTA

## 1905

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EDITED AND ANNOTATED BY  
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attend without payment of fees in advance, and failure to attend after being served with a subpoena shall subject any witness to be proceeded against in the same manner as provided by law in other cases where payment of fees is required to be paid in advance. The clerk of any court in which a witness has attended in behalf of the state in a civil action shall give such witness a certificate of attendance and travel, which shall entitle him to receive the amount from the county treasurer. (5593-5596)

21-458; 45-281, 47+810; 50-232, 234, 52+650; 90-348, 351, 97+101.

**2721. Turning fees into county treasury**—Unless otherwise provided by law, every county official in the state of Minnesota receiving a stated salary shall receive the same in full compensation for all services and expenses whatsoever, and shall, on the first Monday of each month, file with the county auditor a correct statement of all fees received by him, and turn the same into the county treasury.

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## CHAPTER 50

### WEIGHTS AND MEASURES

**2722. State treasurer to keep standards**—The state treasurer shall keep weights, measures, and scales which shall conform to the standards established by law, and shall test thereby all weights, measures, and scales presented to him by any county sealer, and, when he finds them accurate, shall stamp upon them, with a seal kept for that purpose, the letters "Min." (2195, 2196)

**2723. County sealers—Deputies—Fees**—Every county treasurer shall be the sealer of weights and measures for his county. He shall keep a full set of weights, measures, and scales, and in January, 1910, and in every fifth January thereafter, and whenever new ones are procured, shall cause the same to be tested and sealed by the state treasurer; and he shall test thereby all weights, measures, and scales presented to him, and, when he finds them accurate, shall stamp upon them, with a seal kept for that purpose, the letters "Min." He shall receive five cents for every weight, measure, or scale tested. He may appoint deputy sealers, whose appointments shall be filed with the register of deeds. (2197, 2198)

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**2724. Dry measure**—The standard measure of capacity for commodities sold by dry measure shall be the bushel containing 2150.4 cubic inches. The half bushel, peck, half peck, quarter peck, quart, and pint shall be derived by successively dividing that measure by two. ('03 c. 368 s. 1)

**2725. Liquid measure**—The standard measure of capacity for liquids, except beer and milk, shall be the wine gallon, containing 231 cubic inches; and 31.50 gallons shall constitute a barrel, and 63 gallons a hogshead. The standard measure of capacity for beer and milk shall be the gallon containing 282 cubic inches. ('03 c. 368 s. 2)

**2726. Lineal measure, etc.**—The standard measure of length, from which all other measures of extension, lineal, superficial, or solid, shall be derived, is the yard, of 3 feet, or 36 inches. ('03 c. 368 s. 3)

**2727. Hundredweight**—In contracts for the sale of goods or commodities, unless a contrary intention appears, the term "hundredweight" shall mean 100 pounds avoirdupois. (2202)

**2728. Standard weight of bushel, etc.**—In contracts for the sale of any of the following articles, unless a contrary intention appears, the term "bushel" shall mean the number of pounds avoirdupois herein stated:

Corn in ear, 70; beans, peas, wheat, clover seed, and Irish potatoes, 60; broomcorn seed and sorghum seed, 57; shelled corn and rye, 56; sweet potatoes, 55; onions and rutabagas, 52; buckwheat, hemp seed, rape seed, beets, and green apples, 50; barley, millet, and Hungarian grass seed, 48; carrots

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and timothy seed, 45; blueberries and parsnips, 42; currants and gooseberries, 40; cranberries, 36; oats, 32; dried apples and dried peaches, 28; charcoal, 20; bluegrass, orchard grass, and red-top seed, 14; plastering hair, unwashed, 8; plastering hair, washed, 4; coal, 80, but if sold by the ton the weight shall be 2,000 pounds; lime, 80, but if sold by the barrel the weight shall be 200 pounds; and a cord of wood shall mean 128 cubic feet.

Whoever, in buying, shall take any greater number of pounds or cubic feet to the bushel, ton, or cord, as the case may be, than is herein allowed, or in selling shall give any less number, shall be guilty of a misdemeanor. (2203, 2204; '97 c. 31)

**2729. Sealing**—Every person engaged in any business requiring the use of weights or measures shall cause those used by him to be tested and sealed by the county sealer. Every person who shall buy, sell, or dispose of any goods or commodities by an unsealed weight, measure, or scale kept by him, or shall knowingly use any such weight, measure, or scale which has been sealed, but is incorrect, shall be guilty of a misdemeanor; but no contract of sale shall thereby be rendered void. (2205; '95 c. 43)

67-232, 69+910. Under former statute (39-143, 39+299).

**2730. Testing upon request**—Upon written request of any person aggrieved, and payment of one dollar, and mileage at the rate of twenty cents per mile going and returning, the county sealer or his deputy shall test any weights, measures, or scales used in his county, whether already sealed or not. If such sealer or deputy shall give to the person complained of prior notice of such testing, he shall be guilty of a misdemeanor. (2205)

**2731. Neglect to procure standards**—Whenever a county treasurer is requested in writing to procure any standard of weight or measure required by law to be kept by him, he shall procure the same within twenty days thereafter, or forfeit to the county one hundred dollars, at the suit of any interested person. (2206, 2207)

**2732. Fines**—All fines collected under the provisions of this chapter shall be paid to the county treasurer for the benefit of the school fund of the county where the action is brought. (2205)

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## CHAPTER 51

### INTEREST AND NEGOTIABLE INSTRUMENTS

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#### INTEREST

**2733. Rate**—The interest for any legal indebtedness shall be at the rate of six dollars upon one hundred dollars for a year, unless a different rate is contracted for in writing; and no person shall directly or indirectly take or receive in money, goods, or things in action, or in any other way, any greater sum, or any greater value, for the loan or forbearance of money, goods, or things in action, than ten dollars on one hundred dollars for one year; and in the computation of interest upon any bond, note, or other instrument or agreement interest shall not be compounded, but any contract to pay interest, not usurious, upon interest overdue, shall not be construed to be usury. Contracts shall bear the same rate of interest after they become due as before, and any provision in any contract, note, or instrument providing for an increase of the rate of interest after maturity, or any increase therein after making and delivery, shall work a forfeiture of the entire interest; but this provision shall not apply to notes or contracts which bear no interest before maturity. (2212; '99 c. 122)

An oral contract for interest in excess of six per cent. is void as to the excess (63-258, 65+452; 72-536, 75+744). A contract in an instrument to pay interest on interest