1940 Supplement

To

Mason's Minnesota Statutes 1927

(1927 to 1940)
(Superseding Mason's 1931, 1934, 1936 and 1938 Supplements)

Containing the text of the acts of the 1929, 1931, 1933, 1935, 1937 and 1939 General Sessions, and the 1933-34, 1935-36, 1936 and 1937 Special Sessions of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with digest of all common law decisions.

Edited by

William H. Mason
Assisted by
The Publisher's Editorial Staff

MASON PUBLISHING CO.
SAINT PAUL, MINNESOTA
1940
CHAPTER 36

Protection against Fire, and Regulation of Hotels and Restaurants

HOTELS, THEATERS AND OTHER BUILDINGS

3003. Defining hotels, restaurants, lodging houses, boarding houses, places of refreshment, and original container—religious and college buildings.—Every building or structure or enclosure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public, whether with or without meals and furnishing accommodations for periods of less than one week shall for the purpose of this act be deemed an hotel.

Every building or other structure or enclosure, or any part thereof and all buildings in connection, kept, used or maintained as, or advertised as, or held out to the public to be an enclosure where meals or lunches are served without sleeping accommodations, and furnishing accommodations for periods of less than one week, shall for the purpose of this act be deemed a restaurant, and the person or persons in charge thereof, whether as owner, lessee, manager, or agent, for the purpose of this act shall be deemed the proprietor of such restaurant, and whenever the word "restaurant" shall occur in this act, it shall be construed to mean such structure as described in this section.

Every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, and having five or more beds to let to the public, shall, for the purpose of this act, be deemed a lodging house.

Every building or structure or enclosure, or any part thereof, used as, maintained as, or advertised as, or held out to be an enclosure where meals or lunches are furnished to five or more regular boarders for periods of one week or more, shall for the purpose of this act be deemed a boarding house.

Every building or structure, or any part thereof, used or maintained as, or advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, and having five or more beds to let to the public, shall, for the purpose of this act, be deemed a place of refreshment. Provided, however, that a general merchandise store or grocery store retailing or selling ice cream, soft drinks or foods of any kind, if such store or storehouse be held and sold to the public in an original container and the purchaser thereof consumes the contents directly from the original container, shall not be deemed a place of refreshment within the meaning of this act. The term "original container," as used in this act, shall be construed to mean any carton, box, wrapper, package, can, jar, keg, glass, bottle, or other container in which the manufacturer, wholesaler, or distributor has placed and entirely enclosed said ice cream, drinks, or other refreshments, before delivery to the retailer and shall also be construed to include any straw, spoon, fork, or other eating and drinking utensil, placed in the container by the manufacturer, wholesaler, or distributor at his place of business and before delivery to the retailer. This act shall not be construed to apply to any building constructed and primarily used for religious worship, nor to any building used for the housing of college or university students in accordance with regulations promulgated by such university. (Ch. 499, c. 499, §1; Mar. 23, 1935, c. 77; Apr. 24, 1935, c. 274, §1; Jan. 18, 1935, Ex. Ses., c. 36, §1.)

Act Apr. 24, 1935, c. 274, §1, purports to amend the last two lines of this section. This act is misleading followed by a paragraph amending §5905. This seems to be the result of a clerical error in preparing the en-rolled bill. This defect is cured by the amendment of Jan. 18, 1936, cited.
closure, the lessee and manager of such hotel, restaurant, lodging house, board ing house or place of refreshment, together with a full description of the enclosure to be used or proposed to be used for such business, the location of the same, the name under which such business is to be conducted, and such information as may be required therein by the Hotel Inspector to issue such application for license, and such application shall be accompanied by a license fee of $3.50 and all such fees shall be turned into the State Treasury on the first day of January, April, July and October of each year. (19, c. 499, § 24; Apr. 24, 1936, c. 274; Jan. 18, 1936, Ex. Sess., c. 36, § 1.)

Section 4367 does not exempt war veterans from payment of fees for licenses, for hotels, restaurants, lodging houses, board ing houses, or places of refreshment. Op. Atty. Gen., May 25, 1932.

Operations of hotels, restaurants and places of refreshment within boundaries of Red Lake Reservation who do not confine their trade to Indian wards but who are either whites or Indians shall have licenses under this section. Op. Atty. Gen., May 19, 1931.


This section as contained in Laws 1935, c. 274, was intended as an amendment to the laws of 1934 of like title of given that effect. Op. Atty. Gen. (238d), May 16, 1935.

Any person conducting a lodging house previous to Aug. 13, 1933, within the limits of §5903, who was within the terms of Laws 1935, c. 214, had 60 days from April 21 to obtain a license. Op. Atty. Gen. (238k), Oct. 22, 1935.

Hotel in a fourth class city is not required to have any fire department, but if hotel regular license is applied for all restaurants have, but it may need various types of licenses as for milk and cigarette sales. Op. Atty. Gen. (238g), June 24, 1936.

Director of division of hotel inspection of Department of Public Health has right to issue order that all persons handling food and catering to public in a bakery and cafe keep his or her person clean and sanitary. Op. Atty. Gen. (218k), July 19, 1936.

5007. Plumbing, lighting, heating, etc.

A guest in a hotel, injured by stumbling down a short, unlighted stairway in hallway just outside door of his room, held entitled to recover as for negligence. Gustafson v. A., 1936G575, 261NW477. See Dun. Dig. §4513.

Violation of this section, if proximate cause of injury, establishes liability in absence of contributory negligence or assumption of risk. Jewell v. B., 1926G267, 271NW461. See Dun. Dig. §4512.

Trap door in laundry in restaurant held not a nuisance in design or construction, but landlord could be held responsible for creation of an unreason able dangerous condition. Lyman v. O., 1935M225, 280NW862. See Dun. Dig. §5002 (22).

Contributory negligence of hotel guest in going down unlighted steps at entrance held for jury. Id.

Board of health cannot compel restaurants or places of refreshment to provide toilets or hot and cold running water. Op. Atty. Gen. (238g), Nov. 5, 1935.

5008. Fire protection to be provided.


5009. Additional fire protection in larger hotels, etc.


5010. Iron stairways for exit, and other provisions.

Any person conducting a lodging house previous to Aug. 13, 1933, who was within the terms of §5903 within the limits of §5903, had 60 days from April 21 to obtain a license. Op. Atty. Gen. (238k), Oct. 22, 1935.


Lessees are responsible for compliance with order issued against theaters and public halls, but owners are liable for compliance with order issued against other buildings. Op. Atty. Gen. (238), May 6, 1937.

MOVING PICTURES

5010. License for operation of moving picture machines or exhibition of moving pictures for the purpose of—Fees—Issue of licenses—Transfer—Irritant exhibitions—Permits—Bonds—Fees—On and after the first day of September, 1917, it shall be unlawful for any person or place of business, the location of which in any building, theatre or hall, for the exhibition of moving pictures in any building, theatre or hall to which the public is admitted or in any other place of public entertainment or amusement within this state unless the owner, lessee, occupant or agent of said place has been licensed by the state fire marshal to use such place for such purpose. The application shall be made and presented at least 30 days prior to the date when the license is desired to go into effect, to the end that the fire marshal may make the necessary investigation and inspection before the license issues. The license fee shall be five dollars for the year and each application shall be accompanied by the license fee of five dollars. Any license under this section shall expire on the first day of September each year. The state fire marshal upon application therefor shall furnish to any person desiring a license an application blank accompanied by the license fee of five dollars. If it he a corporation, the names and addresses of the principal officers thereof, whether such applicant is an individual or a corporation, the names and addresses of the principal officers thereof, whether such applicant is the owner, lessee, occupant or agent of the building for which a license is desired, the location and a full description of the property and the building and the room within the building to be used or proposed to be used for the exhibition of moving pictures, and such other information as may be required to be contained therein by the state fire marshal. Every application shall be verified by the applicant for such license and such verified application shall prima facie prove of the facts therein stated.

Upon receipt of such application, the state fire marshal shall make such investigation as he shall deem necessary; and shall grant a license to such applicant for the exhibition of moving pictures, and such other information as may be required to be contained therein by the state fire marshal. Every application shall be verified by the applicant for such license and such verified application shall prima facie prove of the facts therein stated.

Upon receipt of such application, the state fire marshal shall make such investigation as he shall deem necessary and shall grant a license to such applicant for the exhibition of moving pictures, and such other information as may be required to be contained therein by the state fire marshal. Every application shall be verified by the applicant for such license and such verified application shall prima facie prove of the facts therein stated.

The third such revocation of license in any one year and on any one proprietor shall be made permanent for a period of one year from the date of the revocation. (19, c. 495, § 24; Apr. 24, 1936, c. 274.)

Where a license is granted to a proprietor after revocation of a revocation, the proprietor must in addition to the license fee of $3.50 pay the fine of $5.50 for the new license. Op. Atty. Gen. (238f), May 26, 1936.

Application should be served with a written notice specifying charges against him and setting a date for a hearing at which licensee may be heard. Id.
scientific purposes. No license shall be granted except after examination by the state fire marshal or his authorized agent, provided, however, that the state fire marshal may issue a temporary license upon the verified application herein provided for, which shall be good until revoked for cause or until a permanent license is granted in accordance with rules of the fire marshal. There shall be deducted from the fee for such permanent license a part thereof proportionate to the unexpired portion of the year for which the temporary license was granted.

Provided that all public exhibition of moving pictures in any place except a building shall be classified as itinerant moving picture exhibitions. No such person, firm or corporation shall give such public exhibition of moving pictures in any place except a building shall be classified as itinerant moving picture exhibitions. No such person, firm or corporation shall give such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be classified as itinerant moving picture exhibitions. No such person, firm or corporation shall give such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary.

State fire marshal is guilty of offense of resisting, delaying and obstructing the state fire marshal in the performance of his duties. No license shall be granted except a building shall be classified as itinerant moving picture exhibitions. No such person, firm or corporation shall give such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary. Any person, firm or corporation giving such public exhibition of moving pictures in any place except a building shall be subject to such rules, conditions and regulations in addition to those provided by law with reference to the safety of the public as the fire marshal may deem necessary.

Evidence held, to sustain finding that building was a fire hazard and dangerous to life and limb. State Fire Marshal v. Z., 201 Minn. 701, 277 N.W. 249. See Dun. Dig. 576C.

Act of fire marshal in compelling person suspected of arson to testify under subpoena held to violate the constitutional right of such person against self-incrimination. 109 S. 2d. 215, 211 N.W. 217.

5961. May order certain buildings repaired or torn down. City ordinance making it unlawful to alter or repair building damaged or deteriorated more than 50%. does not constitute an order to proceed to permanent license the duties of state fire marshal. Zalk & Josephs Realty Co. v. City of St. Paul, 191 Minn. 750, 253 N.W. 85. See Dun. Dig. 632B.
provided for in Section 5973 of Mason's Minnesota Statutes of 1927. Should any surplus remain of the amount received for salvage material after deducting the expenses incurred by the State Fire Marshal such surplus shall be paid to the county treasurer of the county where the property was situated to be distributed to them as provided by law. (Act Apr. 12, 1939, c. 200.)

§5906. Time and place of hearing.
Section is constitutional, State Fire Marshal v. S., 261M534, 277NW249. See Doo. Dig. 1639.

The furna of fact of state fire marshal merely creates a rule of evidence, and merely means that burden of going forward with evidence shifts. State Fire Marshal v. S., 261M534, 277NW249. See Doo. Dig. 3763c.

§5973. Fire insurance companies to pay cost of maintenance.—For the purpose of maintaining the department of state fire marshal and paying all the expenses incident thereto, every fire insurance company doing business in the State of Minnesota, excepting town insurance companies, farmers' mutual fire insurance companies and township mutual fire insurance companies, shall hereafter pay to the State Treasurer on or before March 1, 1914, and annually thereafter, a tax upon its fire premiums or assessments or both, as follows:

A sum equal to one-half of one per cent of the gross premiums and assessments, less return premiums, of all direct business received by it in this state, during the preceding calendar year, including premiums on policies covering fire risks only on automobiles, whether written under floater form or otherwise; provided, however, that this act shall in no way affect the tax due March 1, 1913, and the payment thereof. In the case of a mutual company, the dividends paid or credited to members in this state shall be construed to be return premiums. The money so received by the state treasurer shall be set aside as a special fund and is hereby appropriated for the maintenance of such office of state fire marshal and the expenses incident thereto. The state shall not be liable in any manner for the salary of said fire marshal, his chief assistant, deputies, clerks and other employees or for the maintenance of the office of fire marshal or any expenses incident thereto, and the same shall be payable only from the special fund provided for in this section. (As Am. Mar. 19, 1937, c. 77, §1.)


§5976. Records to be public, except in certain cases.
Unsworn statement drawn up by deputy fire marshal and signed by one not under subpoena was not privileged. State v. Poesker, 27NW604. See Doo. Dig. 1052c.

DRY CLEANING AND DRY DYEING BUILDINGS AND ESTABLISHMENTS

§5984. Dry cleaning and dyeing establishments license.—For the purpose of this act a dry cleaning or dry dyeing business is defined to be the business of cleaning, or dyeing cloth, clothing, feathers, or any sort of fabrics or textiles or cleaning or dyeing by processes known as dry cleaning and dry dyeing.

No person, firm or corporation shall advertise as conducting a dry cleaning or dry dyeing business or either until such person, firm or corporation shall have made application to the state fire marshal for permission to engage in such business and paid the fee as hereinafter provided. The term "flammable liquid" as used in this act is defined as any liquid which, under operating conditions, gives off vapor which, when mixed with air is combustible and explosive, or its equivalent, for purposes of 187 Fahren bill (60 degrees Centigrade) closed cup tester. The flash point shall be determined with the Ellrott, Abel, Abel Pensky, or the Tag closed cup testers, but the Tag closed cup tester (standardized by the United States Bureau of Standards) shall be authoritative in case of dispute. All tests shall be made in accordance with the methods adopted by the American Society for Testing Materials. (As Am. Apr. 14, 1937, c. 225, §1.)

Use of liquid for cleaning hats and limited quantities of wearing apparel is not prohibited by law. Use of the liquids referred to in this section, such being question of fact. Op. Att'y Gen., May 24, 1933.

One may be conducting a dry cleaning or dry dyeing business although not advertised as conducting such a business. Op. Att'y Gen. (1937), Feb. 22, 1937.

§5991. Buildings to be fire proof.—All buildings or establishments used or to be used for the purpose of the business of cleaning or dyeing cloth, clothing, feathers, or any sort of fabrics or textiles or cleaning or dyeing by processes known as dry cleaning and dry dyeing shall be of fire resisting design and construction and not to exceed three stories in height and shall be without basement, cellar or open space below the ground floor, the workroom where all dry cleaning is done to be located on the ground floor. Such building must also comply in all other respects with the provisions of this act. Fire resisting construction is defined to consist of the use of fire resisting material as follows: Brick, hollow tile, steel or concrete in reinforced concrete. Any building in which gasoline, naphtha, benzol, carbon bisulphide or light petroleum or coal tar products are used in connection with a dry cleaning or dry dyeing business must be at least fifteen (15) feet from any other building or lot, except as to buildings operating as a dry cleaning or dry dyeing business, unless separated therefrom by an unperforated fire wall. In no event shall more than two sides of such building have walls without openings. The roof of such buildings shall be of fire resisting construction. (As Am. Apr. 14, 1937, c. 225, §2.)

§5993. Construction.—All walls of such dry cleaning and dry dyeing buildings or establishments shall be of brick laid in cement mortar, or of reinforced concrete not less than twelve inches in thickness, or of stone, laid in cement mortar not less than sixteen inches in thickness, or of other noncombustible and fire resisting material constructed of a thickness of not less than twelve inches. The roof of such building shall be of fire resisting construction. Provided, however, that the construction specified in this section shall not apply to any building or establishment in which no flammable liquid, product or substance shall be present, handled or used. (As Am. Apr. 14, 1937, c. 225, §3.)

§5994. Same.—Ventilating apertures of size not less than sixty square inches in area shall be placed in walls of such dry cleaning and dry dyeing buildings at or near the level of the floor, and spaced not over six feet apart from center to center; such openings shall be covered with 2x2 wire mesh, number sixteen galvanized wire web or its equal, and shall be kept clear of all obstructions and such ventilating apertures shall be so arranged as to completely change the air volume every three minutes while the plant is in operation. Other ventilating systems may be substituted for the above, which will completely change the air every three minutes, while the plant is in operation provided same are approved before constructed by the state fire marshal. (As Am. Apr. 14, 1937, c. 225, §4.)

§5996. Same.—As a means of fire extinguishment in any such buildings, the same shall be equipped with a high pressure boiler of sufficient size and horse power, such boiler to be located in a fire proof building at least ten (10) feet from any building used for the business of dry cleaning or dry dyeing or dry dyeing to be connected with a two-inch steam supply pipe in the dry cleaning or dry dyeing room so installed as to give as nearly as possible an equal distribution of steam, and to be so placed that the steam when turned on will immediately fill the entire room; such steam pipes shall be provided with perforations or jets of one-quarter of one inch in diameter, equally spaced, so that there is one opening to each twenty-five square
feet of floor space; a standard globe valve shall be placed in the steam service line or lines connected to this perforated steam pipe outside of the building, and to be accessible for operation in case of fire. The steam supply for such pipes shall be continually available for service while the plant is in operation, and shall be sufficient to completely fill the room space in which the pipe is located, and to continue the flow of steam sufficient to keep the room space filled with steam for a period of at least thirty minutes.

This section shall not apply to any business or establishment where the dry cleaning or dry dyeing is accomplished by a non-flammable liquid, or liquids, having a flash point exceeding 187 degrees Fahrenheit or 86 degrees Centigrade, product or substance.

(As Am. Apr. 14, 1937, c. 225, §5.)

6001. Use of gasoline engines forbidden in certain cases.—No gas or gasoline engine, steam generator or heating device nor any electrical dynamo or motor except such motors as have been approved as explosion-proof by the State Fire Marshal shall be located, maintained or used inside of, nor within a distance of ten feet of any building used for the business of dry cleaning and dry dyeing as above defined except that an electrical motor may be placed within such ten feet, but without a solid fireproof wall.

Any dry cleaning or dry dyeing business located in any village or city of the fourth class may install and maintain two 2½-gallon fire extinguishers of anti-freezing liquid, to be approved by and installed as directed by the State Fire Marshal, in lieu of compliance with the provisions of Section 13 of this chapter providing for the extinguishment of fire in such business or establishment. (21, c. 459, §18; Laws 1927, c. 492; Apr. 20, 1931, c. 265.)

6004-1. Must have fire extinguishers.—Any dry cleaning or dry dyeing business located in any village or city of the fourth class may install and maintain two 2½ gallon fire extinguishers of anti-freezing liquid to be approved by and installed as directed by the State Fire Marshal, in lieu of compliance with the provisions of this chapter providing for the prevention of fire in such business or establishment. (Act Apr. 26, 1929, c. 402, §2.)

6012. Separate buildings for gas, etc.—No carbon bisulphide, gasoline, naphtha, benzol or light petroleum or coal tar product used in the dry cleaning and dry dyeing business shall be distilled or redistilled in connection with the said dry cleaning or dry dyeing business except in a building of fire-proof construction, which building must be located more than fifteen (15) feet from any other building or lot, except the buildings used in said dry cleaning and dry dyeing business, unless separated therefrom by an unpierced fire wall. But in no event shall more than two sides of such building have walls without openings. The roof of such building shall be of fire-resistant construction. (As Am. Apr. 14, 1937, c. 225, §6.)

6014. Abandoned buildings.—Should any building, business or establishment of dry cleaning or dry dyeing as herein defined, be discontinuance or not carried on in any building which does not conform to the provisions herein set forth, for a period of ninety (90) days, such business shall be considered as having been abandoned, and before the same can again be carried on in such building, the said building must be so constructed, repaired or rebuilt as to conform to the provisions of this act.

The period of ninety (90) days herein stated is not to be construed as such period when the plant is under construction or repair or operated in its regular capacity as a going business. Operation of the plant for short periods of time within the said period of ninety (90) days with the intent to evade the provisions of this section shall be considered as an attempt to interfere with the operation of this act. (As Am. Apr. 14, 1937, c. 225, §7.)

6017. Fire marshal to enforce act. It shall be the duty of the state fire marshal, his deputies and assistants, to enforce the provisions of this act, and he shall have the same power and authority in the enforcement of the provisions hereof as are given to the state fire marshal under the provisions of the state fire marshal law, sections 5129-5166 of the General Statutes of Minnesota, 1913.

They shall administer and enforce the laws relating to the construction, regulation, safety, and operation of dry cleaning and dry dyeing establishments; investigate, ascertain, declare and prescribe what reasonable standards for the adoption of improvements or other means or methods including the prescribing, modifying and enforcement of reasonable orders pertaining thereto, necessary to prevent fires and explosions and for the protection and safety of employees and the public in dry cleaning and dry dyeing establishments, not inconsistent with this act, and in particular, provisions of Mason's Minnesota Statutes for 1927, Section 6013, but such requirements and regulations shall also be required of alterations and changes undertaken by existing dry cleaning and dry dyeing establishments. (As Am. Apr. 14, 1937, c. 225, §8.)

6018. Disposition of fines.—All fees, penalties or forfeitures collected by the state fire marshal, his deputies or assistants under the provisions of this act, shall be paid into the state treasury and shall be disbursed. (As Am. Apr. 14, 1937, c. 225, §9.)


CHAPFERS 37-38

Agriculture and Rural Credits

DEPARTMENT OF AGRICULTURE


6029. Powers and duties. (b) Town assessor is entitled to $4.00 for each day's service including time spent in taking farm census. Op. Atty. Gen., July 5, 1933.


6026. Attorney general to advise Commissioner. Duty imposed on commissioner of agriculture, generally to enforce law against wholesale dealers in produce, as in case of one unlawfully doing business without a license involves exercising such police and so is not in class of ministerial official duties, nonperformance of which may result in liability to be proximately damaged by nonfeasance. Cook v. T., 274 NW165. See Dun. Dig. 6091.


1097