

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 330.02 AUCTIONEERS

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Since Iowa does not have a reciprocal law, such as Laws 1949, Chapter 516, a resident of that state cannot at this time obtain a license to function as an auctioneer in Minnesota. OAG June 25, 1949 (16-C).

An auctioneer who is a resident of the state of South Dakota may be licensed as an auctioneer in the state of Minnesota upon compliance with the Minnesota law. A reciprocal provision permits a Minnesota auctioneer to obtain a license in South Dakota. OAG Sept. 2, 1949 (16-C).

### 330.02 BOND

HISTORY. 1854 c 26 s 3; PS 1858 c 132 s 3; 1862 c 35; GS 1866 c 28 s 2; GS 1878 c 28 s 2; GS 1894 s 2296; RL 1905 s 2814; GS 1913 s 6084; GS 1923 s 7323; MS 1927 s 7323.

An auctioneer who is a resident of the state of South Dakota may be licensed as an auctioneer in the state of Minnesota upon compliance with the Minnesota law. A reciprocal provision permits a Minnesota auctioneer to obtain a license in South Dakota. OAG Sept. 2, 1949 (16-C).

### 330.03 ACCOUNT OF SALES

HISTORY. 1854 c 26 s 5; PS 1858 c 132 s 5; 1862 c 35; GS 1866 c 28 s 4; GS 1878 c 28 s 4; GS 1894 s 2298; RL 1905 s 2815; GS 1913 s 6085; GS 1923 s 7324; MS 1927 s 7324.

### 330.06 UNLICENSED SALES

The adult son of a licensed auctioneer cannot legally conduct nor carry on auction sales under the father's license. OAG Dec. 15, 1948 (16-B).

## CHAPTER 331

## NEWSPAPERS

### 331.01 NEWSPAPER

Publication of village ordinances must be in a legal newspaper in the county, if there is one. A new village code goes into operation on July 1, 1949, and a village should designate an official newspaper for the village which must be a legal newspaper and thereafter all ordinances should be published in the official newspaper. OAG May 18, 1949 (277-B-4).

### 331.02 LEGAL NEWSPAPER

HISTORY. 1889 c 47 s 1; 1893 c 33 s 1, 3, 4; GS 1894 s 7993, 7996; 1895 c 121; 1897 c 285; 1899 c 10; 1903 c 322; 1905 c 174 s 1; RL 1905 s 5515; 1907 c 3; 1911 c 379 s 1; GS 1913 s 9413, 9414; 1921 c 484 s 3; 1923 c 203; GS 1923 s 10935; 1927 c 28 s 1; MS 1927 s 10935; 1939 c 128 s 1; M Supp s 10935-1; 1947 c 239 s 1; 1951 c 385 s 1.

Where publisher places a bid with the company for legal advertising for the year "at legal rate" and his bid is accepted and during the year the legal rate is increased by statute, the statute does not affect the contract. OAG May 1, 1947 (277-E-1).

Under its charter the city of Wabasha may designate as its official newspaper one not published in the city providing it is a newspaper with general circulation in the city. OAG May 15, 1949 (314-B-2).

A newspaper published on Sunday is not a legal newspaper for the publication of legal notices. OAG Nov. 12, 1947 (314-B-18).

# MINNESOTA STATUTES 1953 ANNOTATIONS

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## AID TO LIQUIDATION OF DEBTS 332.01

### 331.07 MEASUREMENT OF TYPE

HISTORY. RS 1851 c 73 s 32; PS 1858 c 63 s 31; GS 1866 c 70 s 28; 1869 c 80 s 1; GS 1878 c 70 s 31; GS 1894 s 8551; RL 1905 s 2714; GS 1913 s 5780; 1921 c 484 s 1; MS 1927 s 10939.

### 331.08 FEES FOR PUBLICATION OF LEGAL NOTICES

HISTORY. 1921 c 484 s 2; MS 1927 s 10939-1; 1947 c 318 s 1; 1949 c 111 s 1.

Section 331.08 does not prohibit a publisher from charging a fee that is less than the legal fee for publication of legal notices, but it controls in the absence of specific agreement as to rate. OAG June 10, 1947 (277-A-5).

A charter provision fixing a maximum rate on official city printing and publications at less than the full legal rate prescribed by section 331.08 is valid and binding upon the city council in awarding the contract. Section 331.08 fixing the maximum fee does not prohibit publishers from charging a lesser fee. OAG March 19, 1949 (277-A-11).

Control of fees for publication of school board proceedings. OAG Aug. 21, 1947 (277-E).

331.12 to 331.16 Obsolete.

### 331.17 NEWSPAPERS TO CONTINUE TO BE OFFICIAL PUBLICATIONS UNDER CERTAIN CONDITIONS

Whether a paper being published is a legal newspaper in which publications may be made is a question of fact to be determined by the county board. If the board finds such publication complies with the provisions of section 331.17 it is a legal newspaper. OAG Jan. 26, 1948 (314-B-19).

## CHAPTER 332

## AID TO LIQUIDATION OF DEBTS

### 332.01 COLLECTION AGENCIES

HISTORY. 1913 c 532 s 1-4; GS 1913 s 5098-5101; GS 1923 s 5888-5891; MS 1927 s 5888-5891; 1941 c 407 s 1.

A corporation adopting a trade name for collecting its own accounts is not subject to the law relating to collection agencies. OAG March 24, 1952 (828).

If the person conducting a collection business is a part of the employer's business system, it is not collecting for "others" under the provisions of section 332.01, but if the collector has an independent identity from that of the employer, said person or corporation must provide the statutory bond. OAG Sept. 28, 1949 (828-B).

A nonprofit corporation, collecting accounts for its members, is not exempt from furnishing a collection agency bond. OAG Jan. 19, 1953 (828-B).

A foreign corporation carrying on collection business exclusively by mail need not file a bond required under section 332.01, nor qualify as a foreign corporation doing business in this state as required by M.S. 1949, Chapter 303. OAG May 22, 1951 (828-E).