

REVISED LAWS

MINNESOTA

1905

ENACTED APRIL 18, 1905 TO TAKE EFFECT MARCH 1, 1906

EDITED AND ANNOTATED BY
MARK B. DUNNELL

PUBLISHED UNDER CHAPTER 185, LAWS 1905

ST. PAUL
PUBLISHED BY THE STATE
1906

executed by the commissioner or any of his employees. No security for costs shall be required thereon, nor upon any prosecution under this chapter. All goods seized, whether with or without warrant, shall be safely kept by the officer so long as they may be needed as evidence; and, if found, upon the trial, to have been kept, offered or sold in violation of law, such goods shall be forfeited to the state, and shall be disposed of as directed by the court. ('03 c. 155 ss. 27, 28)

1778
07 - 124
07 - 384
07 - 424

1778. Price not collectible—No action shall be maintained for the purchase price or value of any goods the sale of which is prohibited by this chapter, or which are sold or intended to be sold in a manner forbidden hereby. Nor shall any person be liable for the price or value of food or board furnished in violation of any provision hereof. ('03 c. 155 s. 30)

1779
07 - 124
07 - 383
07 - 384
07 - 424
07 - 426

1779. Costs—Fines—Receipts—In all prosecutions under this chapter, the costs thereof shall be paid and collected as in other criminal cases; but all fines collected shall be paid into the state treasury, and be added, together with all fees and other receipts of the commissioner, to the appropriation made for the support of his office for the current year. ('03 c. 155 s. 33)

1780. Standing appropriation—The sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated annually for carrying out the purposes of this chapter and for the salaries and expenses of the state dairy and food commissioner, his assistant and employees. ('03 c. 155 s. 1)

CHAPTER 22

FORESTRY AND FIRE WARDENS

1781. State forestry commissioner—The state auditor shall appoint a forestry commissioner, to hold office during his pleasure, whose salary shall be twelve hundred dollars per annum, payable monthly out of the appropriations for forest preservation. He shall be a member of the forestry board, have immediate supervision of the several fire wardens, disseminate information concerning forestry, and enforce the laws relating thereto, and to the prevention of forest and prairie fires. ('03 c. 363 s. 2)

See 1905 c. 310

1782
09 - 182

1782. Fire wardens—Powers and duties—The supervisors of towns, mayors of cities, and presidents of village councils are hereby constituted fire wardens for their respective districts. Upon request of the commissioner, county auditors shall immediately furnish the names and addresses of the chairmen of town boards, the names of towns, and the numbers and ranges of the townships in each. The commissioner may appoint fire wardens for unorganized territory, and additional wardens, temporarily, wherever he may deem it necessary; and he may direct any warden to perform duties at a point outside of his district. The wardens shall enforce the provisions of this chapter. They shall patrol their districts in dry seasons, and, with the approval of the commissioner, may employ patrols to guard against carelessness in use of fire. They shall promptly investigate each prairie and forest fire within their respective districts, and report the cause thereof, the property destroyed and its value, the lives lost, if any, the means used to combat such fire, and any additional facts required by the commissioner. They shall make such other reports as he may require, and comply promptly with his instructions. Each warden shall co-operate with the warden in any adjoining district, and, in his absence, assume control therein. Each may arrest, without a warrant, any person found violating any provision of this chapter, and take him before a magistrate, and there make complaint; and, when a warden shall have information that such violation has been committed, he shall make similar complaint. Wardens shall go to the place of danger to control or prevent fires, and in emergencies may employ or compel assistance. Each warden shall receive for

actual service two dollars per day, and each employee or patrol one dollar and fifty cents per day. Unless directed by the commissioner, no warden shall be paid for more than fifteen, and no employee for more than ten, days in any one year; but a warden shall receive compensation for use of a team when plowing for the control of a fire. ('03 c. 363 ss. 6-8)

See 1905 c. 82

1783. Additional powers and duties—The commissioner shall investigate the state forests, and the causes and effects of fire therein; the quantity and character of the timber, and methods used to promote its regrowth, and other facts relating to forest interests. He shall report to the auditor annually touching his official acts, making such recommendations as he shall deem proper. He shall co-operate with any force of the United States which may be detailed to protect property from fire. He shall prepare an abstract of the penal laws relating to forest and prairie fires, together with proper regulations and suggestions for the prevention and control thereof, and before April 1 in each year shall forward printed copies to all fire wardens, railroad companies, and chairmen of county boards. The wardens shall post such abstract in numerous conspicuous places in their respective districts, and the commissioner may require any county board to cause at least three weeks' published notice thereof to be given. ('03 c. 363 ss. 3, 4)

1784. Emergency expenses—Standing appropriation—In any season of unusual drought, the commissioner may use such means as he shall deem necessary to prevent or suppress forest and prairie fires, the cost whereof, not exceeding five thousand dollars in any one year, shall be paid by the state. And whenever the local officials shall neglect to prosecute violators of any law relating to forest or prairie fires, the commissioner shall prosecute the same, and the cost of such prosecutions, not exceeding one thousand dollars in any year, shall be paid by the state. County attorneys shall assist therein. Six thousand dollars, or so much thereof as may be necessary, are hereby appropriated annually for the purposes of this section. ('03 c. 363 ss. 5, 7)

1784
128
182

1785. Compensation and expenses—How paid—Except as in this section otherwise provided, the compensation and expenses of wardens, patrols, and other employees shall be paid by the county in which their services are rendered. But when any warrant therefor has been issued, a copy thereof, together with the original account as allowed by the county board, shall be transmitted to the state auditor, who shall audit such account, and issue his warrant upon the state treasurer in favor of such county for two-thirds of the amount lawfully included therein, payable from the revenue fund. The like fees and expenses of wardens appointed by the forestry commissioner in unorganized territory, or for temporary service, shall be paid by the state upon vouchers approved by him. ('03 c. 363 s. 8)

1785
182

1786. Operating engines improperly—Every person operating a threshing or other portable engine shall keep effective spark arresters thereon while in use, and no person shall deposit coals or ashes therefrom without safely covering or extinguishing the same. Every violation of any provision of this section shall be deemed a misdemeanor. ('03 c. 363 s. 13)

1787. Other penal provisions—Every warden or patrol, and every person lawfully commanded to assist in enforcing any of the provisions of this chapter, who shall unjustifiably refuse or neglect to perform his duty; every person who shall kindle a fire on or near to forest or prairie land and leave it unquenched, or be a party thereto; every person who shall use other than combustible wads for fire-arms, or carry a naked torch, firebrand, or exposed light in or near to forest land; and every person who shall deface, destroy, or remove any abstract posted under this chapter, shall be guilty of a misdemeanor. Any person who maliciously sets on fire, or causes to be set on fire, any woods, prairie or other combustible material, whereby the property of another is destroyed and lives are sacrificed, shall be punished with a fine of not over five hundred dollars or be imprisoned in the state prison for a term not exceeding ten years, or both such fine and imprisonment. ('03 c. 363 ss. 9-11)

1787
182

1788. Disposal of fines—All fines collected for violations of this chapter shall be paid into the treasury of the county in which the conviction occurs and become a separate fund for defraying the cost of enforcing the provisions hereof in such county. ('03 c. 363 s. 16)

CHAPTER 23

REGULATION OF LABOR

BUREAU OF LABOR

1789. How constituted—Terms—Employees—The bureau of labor shall consist of a commissioner of labor, an assistant commissioner, and a factory inspector, and shall have its office in the capitol. The commissioner shall be appointed by the governor, by and with the advice and consent of the senate, for a term ending on the first Monday of January in the odd-numbered year next ensuing. The other two members shall be appointed for like terms by the commissioner, but all the members shall hold office until their respective successors qualify. The commissioner shall also appoint, and at pleasure remove, two deputies, two assistant factory inspectors, and such other employees as may be necessary, and for whose compensation provision is made by law. One of said deputies or assistant inspectors shall act as inspector of railroads. The factory inspector and his assistants must be persons possessed of practical experience and knowledge in and of the operation of factories, and the appointment of any not so qualified shall be void. The commissioner of labor shall be the head of the bureau, and may assign any other member or employee thereof to any duty imposed thereon by law. (469, 475)

1790. Terms defined—The words "factory" and "mill," as used in this chapter, shall mean any premises where water, steam, or other mechanical power is used in aid of any manufacturing or printing process there carried on. The term "workshop," as so used, shall mean any premises, room, or place, not a factory or mill as above defined, wherein manual labor is exercised by way of trade, or for purposes of gain in or incidental to a process of making, altering, repairing, cleaning, ornamenting, finishing, or adapting for sale any article or part thereof, and to or over which premises, room, or place the employer of such labor has the right of access or control; but the exercise of such labor in a private house or room by members of a family dwelling therein, or by persons a majority of whom are members of such family, shall not of itself constitute such house or room a workshop. The term "engineering work," as so used, shall mean any work of construction, operation, alteration, or repair of a railroad or street railway, of the works of any gas, telephone, telegraph, water, electric light, or mining company, or upon any sewer, bridge, tunnel, or building erected by a municipality. But nothing herein shall interfere with the powers conferred by law upon the board of railroad and warehouse commissioners. (2264)

1791. Duties and powers—Witnesses—The bureau shall enforce all laws regulating the employment of minors and women, for the protection of the health, lives, limbs, and rights of the working classes, and those prescribing the qualifications of persons in trades and crafts. It shall gather statistics relating to all branches of labor, to labor troubles and unions, to Sunday labor, to the industrial and social condition of the laboring classes, and to the condition of industries. In the discharge of its duties, the members and employees of the bureau may enter and inspect any factory, mill, workshop, hotel, restaurant, or engineering work at all reasonable times, and give such directions as may be necessary to enforce the laws. Any member of the bureau or any assistant factory inspector may issue subpoenas and take testimony. A witness shall

07 1789 - 456

07 1789-1797 - 356

09 1789-1824 - 497

07 1791 - 180

09 1791 - 289
09 - - 499

09 1791-1792 - 235