

CHANGES

—IN THE—

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

SAINT PAUL:
WEST PUBLISHING COMPANY.
1883.

CHAPTER. CI.

OFFENCES AGAINST THE PUBLIC HEALTH.

§ 1. **Selling diseased provisions, how punished.** Whoever knowingly sells any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, or whoever having bought or come into the possession of any such diseased, corrupted, or unwholesome provisions, shall offer or furnish the same or any part thereof as food or drink to any person or persons without first fully informing such person or persons to whom such provisions are offered of the true condition of the same, shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding five hundred dollars, or by both such fine and imprisonment, in the discretion of the court. (*As amended 1879, c. 9, § 1.*)

§ 3. (Sec. 2.) **Adulteration of food, etc.—penalty.** Whoever fraudulently adulterates for the purpose of sale, or knowingly sells or offers for sale, any substance intended for food, or any wine, spirits, malt liquor, or other liquor intended for drinking, with any substance injurious to health, shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred dollars. (*As amended 1881, c. 19, § 1.*)

*§ 3a. **Oleomargarine—must be plainly marked—penalty for failure to mark.** Any person who shall knowingly sell or offer for sale, or procure the sale or offer for sale of any article or substance in semblance of butter not the legitimate product of the dairy, made exclusively of milk and cream, but into the composition of which the oil or fat of animals or melted butter, or any oil thereof, enters as a substitute for cream, in tubs, firkins, or other original packages, not distinctly, legibly, and durably branded, stamped, or marked in a conspicuous place with the word “oleomargarine” in letters not less than three-fourths of an inch in length and one-half of an inch in width, or in retail packages not plainly and conspicuously labelled with said word “oleomargarine.” shall be guilty of a misdemeanor and punished by a fine not less than twenty dollars nor more than one hundred dollars, or shall be confined in the county jail not less than ten nor more than ninety days, or by both such fine and imprisonment, in the discretion of the court. (1881, c. 133, § 1.)

*§ 3b. **Offering for sale prima facie evidence of knowledge of character.** The sale or offer for sale of the substance mentioned in the foregoing section in packages not branded, stamped, marked or labelled as therein required, shall be *prima facie* evidence of knowledge of the character of such substance on the part of the person so selling or offering for sale and his employer. (*Id.* § 2.)

*§ 3c. **Concerning manufactured honey.** It shall be unlawful for any person or persons, within the state of Minnesota, to offer for sale, sell, or cause to be sold any compounded or manufactured honey, unless the same is so marked, represented, and designated as such, and bearing a label upon each package either printed or written thereon the name of the person or persons having compounded or manufactured the same. (1879, c. 87, § 1.)

*§ 3d. **Penalty.** Any person violating the provisions of section one (§ 3a) of this act shall, for the first offence, be fined in any sum not less than ten nor more than one hundred dollars, and for each repeated offence shall be fined not less than fifty nor more than two hundred and fifty dollars, or be imprisoned in the county jail for a period not exceeding six months, or both, at the discretion of the court. (*Id.* § 2.)

*§ 3e. **Grain not to be colored.** No person shall subject, or procure to be subjected, any barley or other grain, to fumigation by sulphur or other material, or to any other chemical process affecting the color of such barley or grain. (1879, c. 73, § 1.)

*§ 3f. **Sale of colored grain forbidden.** No person shall sell or offer for sale any barley or other grain which shall have been subjected to fumigation or other process mentioned in the last section, knowing the same to have been so subjected. (*Id.* § 2.)

*§ 3g. **Penalty.** Any person violating the provisions of this act, shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or imprison-

ment not exceeding one year in the state prison, or both such fine and imprisonment, and shall be liable to treble the damages sustained by any person injured by such violation. (*Id.* § 3.)

See page 923.

*§ 13. **Permitting glandered animal to run at large—penalty.** Any person being the owner of any horse or other animal, or having the same in his care or under his control, having the disease known as the glanders, who shall knowingly permit such animal to run at large or be driven upon any of the highways of this state, or who shall sell or in any manner dispose of the same to any other person, or any hotel keeper or keeper of any public barn who shall knowingly permit any horse or other animal having such disease to be stabled in such public barn, shall be guilty of a misdemeanor, and upon conviction before any justice of the peace of any such offence shall be punished by a fine of not more than one hundred dollars or less than twenty-five dollars, or be imprisoned in the county jail not more than ninety days or less than ten days. (1868, c. 59, § 1, *as amended* 1879, c. 46, § 1.)

See page 924.

CHAPTER CIII.

DEMANDING FUGITIVES FROM JUSTICE.

Add to § 1, p. 927:

provided, however, that the governor when issuing his warrant shall deliver the same to the sheriff or some other public officer of any county in this state, and such officer, upon receipt of such warrant, shall have power to arrest and detain in his custody the person whose surrender is demanded; but no such person arrested upon such warrant shall be delivered to the agent designated therein, or to any other person, until the person so arrested and whose surrender is demanded shall be notified of the demand made for his surrender, and of the nature of the criminal charge made against him, and not until he has had an opportunity to apply for a writ of *habeas corpus*, if he claims such right, of the officer making the arrest. When such writ is applied for, notice thereof and of the time and place of the hearing thereon shall be given to the attorney general or other prosecuting officer of the judicial district in which the arrest is made. Any sheriff or other officer making such arrest, who shall deliver over to the agent named in such warrant, or to any other person, for extradition, the person so in his custody under such warrant, without having complied with the provisions of this act, shall upon conviction thereof be fined in any sum not exceeding one thousand dollars, or imprisoned in the common jail of the county not exceeding six months, or be subject to both fine and imprisonment at the discretion of the court. (*As amended* 1879, c. 44, § 1.)

CHAPTER CVI.

EXAMINATION OF OFFENDERS, COMMITMENT FOR TRIAL, AND TAKING BAIL.

*§ 34. **Surrender of principal by bail.** Whenever the surety or sureties for any person held to answer upon any charge or otherwise, or any of them, shall believe that the person or principal for whom they are such sureties is about to abscond, or that he will not appear as required by [the] recognizance or other instrument of bail, which they have executed with or for him, or that he will not otherwise perform the conditions thereof, such sureties or bail, or either of them, may arrest and take such principal, or cause him to be arrested and taken, as hereinafter stated, before the officer who admitted him to bail, or the judge of the court before which person