

**GENERAL STATUTES**  
*of*  
**MINNESOTA**  
**1923**

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COMPILED AND EDITED BY  
HUBERT HARVEY, OF THE ST. PAUL BAR

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contents from the original container except for immediate use. ('23 c. 112 § 21)

**5453. Must not discriminate**—Manufacturers and dealers shall sell hog cholera serum and virus to all permit holders without discrimination as to price or otherwise subject to the rules and regulations of the board. ('23 c. 112 § 22)

**5454. Violations and penalties**—It shall be unlawful for any person authorized under this act to manufacture, sell or distribute serum or virulent blood or virus, to grant any rebate, either directly or indirectly, to any person or to sell said products at any other than a uniform price to all persons, and any person violating the provisions of this section shall forfeit his license to manufacture or sell such products and the same shall not be renewed for a period of one year. ('23 c. 112 § 23)

**5455. Rebates prohibited**—Any regularly licensed veterinarian who shall receive or collect, directly or indirectly, any rebate or commission or compensation for the handling and sale or use of any hog cholera serum or virus other than his charges for services rendered in administering the same, unless said amount if requested is made known to the customer using the same in writing, shall be guilty of a misdemeanor. ('23 c. 112 § 24)

**5456. Soliciting applications prohibited**—It shall be unlawful for any person licensed as herein provided to manufacture, sell or distribute hog cholera serum or virus, directly or indirectly, or by his agents or employes or representatives to solicit or attempt to induce farmers or others to make application for examination as provided in section 16 or 17 hereof, or in any way to assist or be interested in procuring applicants for permits as herein provided. Any person violating the provisions of this section, shall forfeit his license granted under this act. Hogs treated by any person authorized to administer treatment by the provisions of this act shall be properly quarantined for a period of at least twenty-one (21) days, under the rules and regulations of the board. ('23 c. 112 § 25)

**5457. Penalties for violations**—Any person who shall violate any of the preceding provisions of this act, or any of the rules or regulations of the board legally promulgated, or who shall hinder or attempt to hinder the board or any duly authorized agent or official thereof in the discharge of his duty, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or in default of payment thereof, shall be imprisoned in the county jail for not less than thirty nor more than one hundred fifty days. ('23 c. 112 § 26)

**5458. Inconsistent acts repealed**—Chapter 100, Laws 1921, section 6 of chapter 87, Laws 1915, and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed. ('23 c. 112 § 27)

**5459. Sale of pure bred cattle**—All persons selling pure bred cattle or cattle represented to be pure blooded, for any purpose other than immediate slaughter, shall, before delivery, make a report to the state live stock sanitary board on blanks furnished by the board on application, stating the number of cattle sold, their age and sex and to whom sold, and before delivery thereof such cattle shall be tested with tuberculin and a certificate of health be given by said live stock sanitary board or some person duly authorized by the board to the seller and purchaser. Provided, such certificate may be given without such test in case the cattle so sold shall have been tested within one year under the direction of the live stock sanitary board and pursuant to the laws of this state; provided further, that no certificate shall be required for animals under one year of age. ('09 c. 392 § 1, amended '21 c. 180 § 1) [4721]

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**5460. Same—Penalty for violation**—Any person who shall sell or dispose of any pure bred cow or bull for any purpose other than immediate slaughter without furnishing a certificate as stated in section 1 (5459) of this act, shall be guilty of a misdemeanor. ('09 c. 392 § 2, amended '21 c. 180 § 2) [4722]

## CHAPTER 30A

### INSPECTION OF APIARIES

**5461. State inspector—Deputies**—There shall be appointed by the governor a practical apiarist to be the state inspector of apiaries, who shall hold office two years or until his successor qualifies, and who shall have power within the limitations set out in section 12 [5471] of this act to appoint deputy inspectors as they may be required in the interest of time, economy or in emergency for inspection and treatment of apiaries in different parts of the state. The term "inspector" when used in this act includes deputy inspector unless otherwise specified. Vacancies in the office of state inspector of apiaries shall be filled for the unexpired term in the manner above prescribed for original appointment. ('11 c. 311 § 1) [4723]

Section 15 repeals 1907 c. 160.

**5462. Duty of inspector**—It shall be the duty of the state inspector to aid the development of the bee and honey industry and to adopt proper measures for the prevention and suppression of contagious diseases and infectious diseases among bees. ('11 c. 311 § 2) [4724]

**5463. State inspector to inspect apiaries**—The state inspector shall have authority at his discretion to visit

and examine personally or by deputy any apiary for the purpose of ascertaining the existence, or the treatment or destruction of any disease among bees or brood; and for this or any other purpose within the scope of this act he may enter upon private property. When notified of the probable existence of contagious or infectious disease of bees or brood in any apiary he shall visit and examine said apiary personally or by deputy as he shall deem most expedient within thirty days from receipt of said notice. Wherever any contagious or infectious disease of bees or brood shall be found the inspector shall inspect all apiaries within a radius of three miles of said apiary of which he is able to learn by diligence. After inspecting any apiaries or appurtenances thereof of bees or brood in which contagious or infectious disease has been found he shall thoroughly disinfect every portion of his person and clothing and every tool and appliance used by him that may have been in contact with infected material, and shall cause every assistant with him to do likewise. No person shall refuse to assist in the inspection and in the necessary treatment or destruc-

tion of his infected brood, bees, honey or appurtenances, nor shall any person impede, hinder or obstruct an inspector in any of his duties. ('11 c. 311 § 3, amended '21 c. 517 § 1) [4725]

**5464. Diseased bees declared nuisance—Abatement**—All bees, brood and apiary appurtenances, infected with any contagious or infectious diseases which, after inspection by an inspector, who is hereby made sole judge of the character thereof, shall have been declared by him to be incurable according to his best judgment, and which appurtenances cannot be successfully disinfected, and is liable to spread disease, are hereby declared and adjudged to be public nuisances, and subject to abatement as such according to law. The inspector or deputy shall also cause said bees or brood or apiary appurtenances to be immediately destroyed by fire under his personal supervision, and the owner thereof and the person in charge of the same is hereby required to assist him in said work and to carry out such destruction according to his directions. ('11 c. 311 § 4) [4726]

**5465. Treatment of diseases**—Wherever in the judgment of the inspector or his deputy it shall be practicable to cure the diseases or any of them which shall be found in any apiary, by treatment, he may order the bees and apiary appurtenances affected therewith to be treated for twenty-one days or until cured. Whenever treatment shall be so ordered the owner and the person in charge of said bees or appurtenances shall carry out proper treatment as prescribed. The inspector shall also inspect such diseased apiaries a second time after twenty-one days when he shall cause all bees, brood and appurtenances and honey in which the disease shall be found not to have been cured to be destroyed as in section 4 [5464] hereof so far as may be necessary to prevent the spread of the disease; and wherever said property shall be so destroyed the owner thereof shall receive no compensation therefor. ('11 c. 311 § 5) [4727]

**5466. Bees to be transferred to hives**—The state inspector or his deputies at his discretion may order the owner or the person in charge of bees dwelling in log gums, boxes or other receptacles in which the combs are stationary, to transfer said bees to hives wherein the combs shall be movable. In default of such transfer said bees and all the articles in which they are contained are declared to be a public nuisance and shall be disposed of according to section 4726, General Statutes of Minnesota 1913. ('11 c. 311 § 6, amended '21 c. 517 § 2) [4728]

**5467. Bees or products not to be shipped without permit**—(a) No person shall sell, barter, offer for sale or barter, move, transport, deliver, ship or offer for shipment, any apiary, bees, comb, or used beekeeping appliances without a permit from the inspector of apiaries; or in lieu thereof, if shipped or transported from without the state, a certificate duly issued by the official state inspector showing that said apiary, bees, comb or appliances have been inspected and found not infected with any contagious or infectious disease of bees. Such permit, or copy of such certificate shall be affixed to the outside of every package, box, crate or bundle containing bees, comb or used beekeeping appliances. The inspector may refuse such permit whenever such refusal is necessary, in his judgment, to prevent the dissemination of any contagious or infectious disease of bees, or until after he finds by inspection that the said apiary, bees, comb or appliances are not infected with any such disease.

(b) No person shall accept for shipment, ship or transport, any such bees, comb or used beekeeping appliances unless such permit or certificate is affixed on the outside of the package, box, crate or bundle con-

taining the same; and the inspector or any of his deputies may forthwith seize and destroy any such shipment found at any time or place without such permit or certificate affixed as aforesaid.

(c) The use of any invalid or altered permit or certificate and the misuse of any valid permit or certificate are hereby prohibited.

(d) No person shall expose in any place to which bees have access, any bee product, hive or other apiary appliance in such manner that contagious or infectious diseases of bees could be disseminated therefrom.

(e) Any person who knows that any bees owned, possessed or controlled by him are infected with any contagious or infectious disease shall at once report such fact to the inspector of apiaries, stating all other facts known to him with reference to said contagion or infection.

(f) The words "person" and "owner" as used in this act include natural persons, firms, associations and corporations; and any person who, himself, or by his agent or employe or as agent or employe for another violates any provision of this act, or any regulation or order made in pursuance thereof shall be punished by a fine of not less than five dollars nor more than one hundred dollars. ('11 c. 311 § 7, amended '21 c. 517 § 3) [4729]

**5468. Queen bees, etc.**—Any person engaged in the rearing of queen bees shall have his queen-rearing apiary inspected at least three times each summer season; on the discovery of the existence of any contagious or infectious disease in the bees, brood or appurtenances of said apiary he shall cease to sell or give away any queen bees from said apiary until it shall have been declared free from disease by an inspector after inspection thereof. Candy used in mailing cages of queen bees shall be made from honey which has been boiled thirty minutes or more. Any person violating this section shall be guilty and liable as prescribed in section 7 [5467] of this act. ('11 c. 311 § 8) [4730]

**5469. Affidavits**—Whenever destruction or treatment of any bees or apiary appurtenances shall have been ordered the state inspector may require the owner or person in charge of said property to file an affidavit with him that the destruction or treatment has been carried out effectually. ('11 c. 311 § 10) [4732]

**5470. Meaning of "apiaries"**—Apiaries within the meaning of this act shall mean any place where one or more hives or colonies of bees are kept. ('11 c. 311 § 11) [4733]

**5471. Compensation of inspector and deputies**—The state inspector shall receive a salary of fifteen hundred dollars (\$1,500.00) per annum in equal monthly payments, and shall be allowed the expenses necessarily incurred by him in the discharge of his duties. Deputy inspectors shall each receive six dollars (\$6.00) per day for each day actually spent in the performance of his duties. The total expenses of the office, including salaries and compensation of all employes, shall not exceed the appropriation therefor. ('11 c. 311 § 12, amended '19 c. 100 § 1) [4734]

**5472. Annual report—Record**—The state inspector shall make an annual report to the governor stating the number of apiaries inspected, and the number where disease shall be found, the number of colonies treated, cured and destroyed, an itemized expense account of his deputies, and such other information as he may deem important to the state and of value to the art of apiculture. This report shall be printed by the state printer and copies thereof sent by the state inspector of apiaries to the members of the Minnesota beekeepers' association and to all in the state who may apply for it. He shall also keep a record of all

apieries and the location thereof in which contagious or infectious disease shall be found within the last year of his office and turn the same over to his successor. ('11 c. 311 § 13) [4735]

5473. **Oath and bond**—The state inspector of apieries shall take the usual oath of office and give bonds in the sum of two thousand dollars for the faithful discharge of his duties. ('11 c. 311 § 14) [4736]

## CHAPTER 31

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## INSPECTION OF STEAM VESSELS AND BOILERS

5474. **Appointment of district chief and deputy chief boiler inspectors and duties**—In the month of January in every odd-numbered year the governor shall appoint a board of boiler inspectors consisting of one resident of each senatorial district, except that where there is more than one senatorial district in any county, there shall be but one inspector in such county. Such inspectors shall be known as district boiler inspectors. The district boiler inspector shall inspect all steam boilers and pressure vessels in use in his respective district not subject to inspection under the laws of the United States and not hereinafter excepted, and the chief boiler inspector hereinafter provided for shall examine and grant license certificates to steam engineers entrusted with the management of steam boilers, except those in heating plants in private residences as hereinafter defined.

The governor shall also appoint one chief boiler inspector, who may, with the consent of the governor, appoint one deputy chief boiler inspector. The chief boiler inspector shall have his office in the capitol. The deputy chief boiler inspector may exercise the powers of the chief boiler inspector in case of the absence or inability of the latter to act.

The district inspectors shall make monthly reports to the chief boiler inspector of all business transacted, in such form as shall be prescribed by the chief boiler inspector. The chief boiler inspector and each district boiler inspector shall hold office for the term of two years; provided, however, that the term of the first appointees pursuant to this act shall expire February 1st, 1921, unless sooner removed by the governor. Appointments to fill vacancies shall be for the unexpired term. The district boiler inspector shall examine all applicants for second-class and special engineer licenses and certify the results of their examinations to the chief boiler inspector, whereupon such chief boiler inspector shall issue the required licenses in case the certification made by the district boiler inspector shows the applicant therefor entitled thereto.

The chief boiler inspector or his deputy shall at least once each year visit each district for the purpose of holding examinations therein of applicants for chief and first-class engineers' licenses and shall give to the public thirty (30) days' published notice in some paper published in the district of the time and place such examination shall be held.

All fees collected by the chief boiler inspector under the provisions of this act shall be paid into the state treasury in the manner provided by law for fees received by other state departments; except 50 per cent of license fees which shall be turned over to the district inspector of district in which examination was held.

The chief boiler inspector shall receive an annual salary of \$2,400 payable monthly from the fund hereinafter created in the same manner as the salaries of other state officers are paid and the deputy chief boiler inspector shall receive \$2,000 per annum, payable monthly from said fund in the same manner as the sal-

ary of the chief boiler inspector. The chief boiler inspector and his deputy shall be entitled to reimbursement out of said boiler inspectors' fund for their necessary traveling and other expenses while engaged in the performance of their official duties. The expense of maintaining the office of chief boiler inspector shall also be paid from said fund. The district inspectors shall receive as full compensation for their services all fees collected by them for the inspection of boilers, pressure vessels and hulls and fifty per cent (50%) of all fees collected by them for the examination of applicants for engineers' licenses and also fifty per cent (50%) of the annual renewal fees received from such engineers and fifty per cent (50%) of renewal fees shall be sent to the chief boiler inspector, who shall turn same over to the state treasury, as herein prescribed. (R. L. '05 § 2168; G. S. '13 § 4737, amended '19 c. 240 § 1)

Inspection of low-pressure boiler in private house under personal management (145-372, 177+497).

5475. **Who eligible**—Every boiler inspector shall be a man of good moral character, and qualified by experience in the construction of steam boilers, and shall have had at least ten years' actual experience in operating steam engines and boilers. He shall not be directly or indirectly interested in the manufacture or sale of boilers or steam machinery, or in any patented article required or generally used in the construction of engines or boilers. (2169) [4738]

77-355, 79+1038.

5476. **Deputy inspectors**—Each boiler inspector may appoint one or more deputies, who shall possess the same qualifications and have the same authority as are prescribed for inspectors in § 5475. Each such deputy, before entering upon the duties of his office, shall take and subscribe the oath required by law, and file the same with the secretary of state. (2170) [4739]

5477. **Meetings—Rules—Violations**—In February of each year said inspectors shall meet as a board, at the capitol in St. Paul, and establish regulations for the inspection of vessels and boilers, and for the performance of their other duties. They shall prescribe regulations for the inspection of the hulls, machinery, boilers, steam connections, fire apparatus, live-saving appliances, and equipments of all vessels propelled in whole or in part by steam and navigating the inland waters of the state, which shall conform as near as may be to the requirements of the United States in similar cases, and when approved by the governor such regulations shall have the force of law. They shall designate the number of passengers that each steam vessel may safely carry, and no such vessel shall carry a greater number than is allowed by the inspector's certificate. Any owner, master or other person violating any regulation prescribed by said board shall be guilty of a misdemeanor. (2171) [4740]

5478. **Neglect to secure inspection**—Every owner, lessee or other person having charge of steam boilers, or any boat propelled in whole or in part by steam, not subject to inspection under the laws of the United States, shall cause the same to be inspected at least