

MASON'S MINNESOTA STATUTES

1927

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EMBRACING THE ORGANIC LAWS, THE CONSTITUTION, AND THE STAT-
UTES CONTAINED IN THE GENERAL STATUTES OF 1923, EXCEPT
THOSE WHICH HAVE BEEN REPEALED OR SUPERSEDED
BY THE SUBSEQUENT LEGISLATION OF 1925
AND 1927

AND ALSO EMBRACING LAWS OMITTED FROM THE GENERAL STATUTES
1923, AND THE LAWS OF THE 1925 AND 1927 SESSIONS OF THE
LEGISLATURE UNDER APPROPRIATE CLASSIFICATION.

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court unless the same shall have been tested and found free of tuberculosis, provided the provisions of this act shall not apply to herds of cattle so located as not to be within 25 miles of a regularly licensed veterinary. ('25, c. 193, § 1)

5460-2. Same—Manner of testing—Such tests shall be made according to the rules and regulations of the State Live Stock Sanitary Board and a certificate of such test approved by the Board shall be exhibited to the purchaser by the vendor at the time of sale. ('25, c. 193, § 2)

5460-3. Same—Penalty—Any person violating the provisions of this act shall be guilty of a misdemeanor, and any auctioneer knowingly making any sale of cattle in violation of this act shall upon conviction forfeit his license as an auctioneer. ('25, c. 193, § 3)

5460-4. Testing of cattle for exhibition at fairs—It is hereby declared unlawful for any person to exhibit any cattle at state or county fairs or any public exhibition or shows unless the same shall have been tested and found free from tuberculosis. ('25, c. 340, § 1)

5460-5. Same—Manner of testing—Such tests shall have been made according to the rules and regulations of the State Livestock Sanitary Board and a certificate of such test approved by the Board shall be furnished before any cattle are permitted to enter the exhibition grounds or buildings. ('25, c. 340, § 2)

5460-6. Same—Penalty—Any person violating the provisions of this act shall be guilty of a misdemeanor. ('25, c. 340, § 3)

CHAPTER 30A

INSPECTION OF APIARIES

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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.
Office of inspector of apiaries abolished, see § 53-26, herein.

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 destruction 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 containing 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 apiaries 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 apiaries 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]