

1944 Supplement  
To  
**Mason's Minnesota Statutes, 1927**  
and  
**Mason's 1940 Supplement**

Containing the text of the acts of the 1941 and 1943 Sessions of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with Law Review Articles and digest of all common law decisions.

Edited by  
the  
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(c) The term "warehouseman" when used in this act means and includes every corporation, company, association, joint stock company or association, firm, partnership or individual, their trustees, assignees or receivers appointed by any court whatsoever, controlling, operating or managing in any city or village in this state having a population of 5,000 or more persons according to the last federal census or within five miles of the boundary of such city or village in this state, directly or indirectly, any building or structure or any part thereof, or any buildings or structures, or any other property whatsoever and using the same for the storage or warehousing of goods, wares or merchandise for hire, but shall not include persons, corporations or other parties operating grain or cold storage warehouses.

(d) The term "corporation" when used in this act includes any corporation, company, association, joint stock company or association.

(e) The term "person" when used in this act includes any individual, firm, or copartnership.

(f) The term "service" when used in this act is used in its broadest sense and includes not only the use and occupancy of space for storage purposes, but also any labor expended and the use of any equipment, apparatus and appliances or of any drayage or other facilities, employed, furnished or used in connection with the storage of goods, wares and merchandise, subject to the provisions of this act.

(g) The term "rate" when used in this act includes every individual or joint rate, charge or other compensation of any warehouseman, either for storage or for any other service furnished in connection therewith, or any two or more such individual or joint rates, charges or other compensations of any warehouseman, or any schedule or tariff thereof, and any rule, regulations, charge, practice or contract relating thereto. (As amended Apr. 9, 1941, c. 139, §2.)

#### WAREHOUSES IN CITIES AND VILLAGES WITH POPULATION OF 5,000 OR MORE

**5189. Warehouseman to obtain license.**—Every person desiring to engage in the business of warehouseman before engaging therein shall be licensed annually by and shall be under the supervision and subject to the inspection of the commission. Written application, under oath in such form as shall be prescribed by the commission, shall be made to the commission for license, specifying the city in which it is proposed to carry on the business of warehousing, the location, size, character and equipment of the building or buildings or premises to be used by the same ware-

houseman, the kind of goods, wares and merchandise intended to be stored therein, the name of the person or corporation operating the same, and of each member of the firm or officer of the corporation, and any other facts necessary to satisfy the commission that the property proposed to be used is suitable for warehouse purposes, and that the warehouseman making the application is qualified to carry on the business of warehousing. Should the commission decide that the building or other property proposed to be used as a warehouse is suitable for the proposed purpose, and that the applicant or applicants are entitled to a license, notice of such decision shall be given the interested parties, and upon the applicant or applicants filing with the commission the necessary bond, as provided for in this act, the commission shall issue the license provided for, upon the payment of the license fee, as in this section provided. A warehouseman to whom a license is issued shall pay for such license a fee of \$100.00. Such license may be renewed from year to year, but shall never be valid for a period of more than one year, and always upon payment of the full license fee, as provided for in this section for such renewal; provided, that no license shall be issued for any portion of a year for less than the full amount of the license fee, as provided for in this section. Each license obtained under this act shall be publicly displayed in the main office of the place of business of the warehouseman to whom it is issued. Such license shall authorize the warehouseman to carry on the business of warehousing only in the one city named in said application, and in the buildings therein described. But the commission, without requiring an additional bond and license may issue permits from time to time to any warehouseman already duly licensed under the provisions of this act, to operate an additional warehouse or warehouses in the same city for which his original license was issued during the term thereof, upon his filing an application for such permit, and in such form as shall be prescribed by the commission.

License may be refused for good cause shown and revoked by the commission for violation of law or of any rule or regulation by it prescribed, upon notice and after hearing. (As amended Act Apr. 19, 1943, c. 495, §1.)

#### LIVE STOCK COMMISSION MERCHANTS

##### **5239. Defined—License—Bond.**

Livestock community sale bond executed by a partnership should be signed by all partners. Op. Atty. Gen., (293a-3), Dec. 28, 1939.

## CHAPTER 28A

### Department of Weights and Measures

#### WEIGHING AND GRADING OF SLAUGHTER LIVESTOCK

##### **5285-11. Definitions.**

(c).

It is necessary to have a license to sell horses to packing plants for slaughter. Op. Atty. Gen. (293b-13), May 25, 1943.

##### **5285-18. Buyers must be licensed after June 30, 1935.**

Livestock community sale bond executed by a partnership should be signed by all partners. Op. Atty. Gen., (293a-3), Dec. 28, 1939.

On granting of petition for reinstatement as an attorney at law court retained jurisdiction during a probationary period of three years. Gennow, 210M593, 299 NW683. See Dun. Dig. 682a.

It is necessary to have a license to sell horses to packing plants for slaughter. Op. Atty. Gen. (293b-13), May 25, 1943.

**5285-25. Overages to be turned over to state treasurer.**—All excess moneys arising from inability to make fractional change at tariff rates, in the weighing of animals, by the railroad and warehouse commission, which excess is retained by any person, firm, corporation, or association shall be paid on demand to the railroad and warehouse commission and forthwith deposited in the office of the state treasurer and credited to the live stock weighing fund therein; and that all such moneys heretofore similarly arising and retained, which have been heretofore paid to such commission and are now in the state treasury and not otherwise appropriated, are hereby appropriated and credited to such live stock weighing fund. (Act Mar. 15, 1943, c. 123, §1.)

[239.225]