

CHAPTER 239

WEIGHTS AND MEASURES

239.05 DEFINITIONS.

All live stock from without the state and which is acquired by a Minnesota unit for slaughter must first be received by the unit in order to come within the provisions of the statute and weighed in accordance. OAG Sept. 11, 1944 (293-B-26).

239.06 RULES AND REGULATIONS; POWER TO MAKE.

A city may by ordinance require the weighing of coal upon the municipal scales. State v Eck, 121 M 202, 141 NW 106.

239.18 LIVE STOCK BUYERS MUST BE LICENSED.

A license is required of a person who buys horses for the purpose of selling to a packing plant or slaughter house for slaughter. OAG May 25, 1943 (135-B-6-J).

239.23 OFFENSES; PENALTIES.

"In a prosecution for the violation of an ordinance of the city of Minneapolis, by which ordinance it is declared that one who knowingly sells commodities at short weight shall be punished by fine, it is held, that knowledge is an essential element of the offense so defined, and since the complaint contained no charge that the sale in question was underweight to the knowledge of defendant, and no evidence of such knowledge was offered on the trial, no violation of the ordinance was shown." State v Washed Sand & Gravel Co. 136 M 361, 162 NW 451.

239.38 SEALING.

The fact that scales were not tested or sealed as required by section 239.38, did not prevent the use of the weights in evidence upon an issue between the plaintiff and defendant as to the quantity shipped. N. W. Elevator v Gt. Northern, 121 M 321, 141 NW 298.

239.44 PENALTY FOR VIOLATION.

"In a prosecution for the violation of an ordinance of the city of Minneapolis, by which ordinance it is declared that one who knowingly sells commodities at short weight shall be punished by fine, it is held, that knowledge is an essential element of the offense so defined, and since the complaint contained no charge that the sale in question was underweight to the knowledge of defendant, and no evidence of such knowledge was offered on the trial, no violation of the ordinance was shown." State v Washed Sand & Gravel Co. 136 M 361, 162 NW 451.