

This section shall not apply to cases where the punishment for the offense to which the prisoner desires to plead guilty may exceed *ten* years imprisonment in the state's prison.

Provided, that no plea of guilty shall be received or entered under the provisions of this section, unless the person charged in the indictment or information be represented by competent counsel, and in case he shall have no counsel the court shall appoint competent counsel to appear for such accused, and the fees of such attorney shall be paid in the manner provided in Section 4789, and the court shall not accept such plea of guilty or pass sentence thereon unless it is fully satisfied that the accused has had his action properly considered and advised by competent counsel.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 13, 1913.

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#### CHAPTER 66—H. F. No. 231.

*An Act to regulate the sale of berries and small fruits, and the containers in which they are sold.*

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **Containers for small fruits to be of legal size.**—It shall be unlawful for any person to sell, offer for sale, or give away, any containers for the distribution of berries or small fruits in less quantities than one bushel, unless said containers are of the capacity of one quart, one pint, or one-half pint, or multiples of a quart standard dry measure, and all sales of raspberries, blackberries, blueberries, currants, gooseberries, strawberries, and similar berries, and all plums, cherries and similar small fruit, in less quantities than one bushel shall be by dry measure, or in containers as above specified. The possession of containers for berries or small fruit shall be presumptive evidence that they were to be used for distribution.

Sec. 2. **Not to be refilled.**—In no case shall said containers be refilled for use in the sale of berries or small fruits of any kind whatsoever.

Sec. 3. **Violation a misdemeanor.**—Any person violating the provisions of this law shall be guilty of a misdemeanor and punished by a penalty of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days.

Sec. 4. This act shall take effect and be in force from September 1, 1913.

Approved March 13, 1913.