

of dissolution of such township will be submitted for determination at such election. At such election, when so petitioned for, said question shall be voted upon by a separate ballot the terms of which shall be either "for dissolution" or "against dissolution," which ballot shall be deposited in a separate ballot box to be provided, and the result of such voting shall be duly canvassed, certified and returned in the same manner and at the same time as other facts and returns of said election. If a majority of the votes cast at said election shall be for dissolution, such township shall be dissolved; and, if a majority of the votes cast at said election shall be against dissolution, such township shall not be dissolved.

Whenever a township is dissolved under the provisions of this act, the county shall acquire title to any telephone company or any other business being conducted by such township and such business shall be operated by the board of county commissioners until such time as a sale thereof can be made, provided that the subscribers or patrons of such businesses shall have the first opportunity of purchase. If such dissolved township has any outstanding indebtedness chargeable to such business the county auditor of the county wherein such dissolved township is located shall levy a tax against the property situated in such dissolved township for the purpose of paying such indebtedness as it becomes due.

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

Approved April 24, 1937.

CHAPTER 420—H. F. No. 345

An act to amend Mason's Minnesota Statutes of 1927, Sections 6248-2, 6248-3 and 6248-9 relating to discriminations in the purchase of farm products.

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

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 6248-2, be amended so as to read as follows:

"6248-2. **Definitions.**—(a) The term "person" means an individual, firm, copartnership, corporation or association.

(b) The term "farm products" as used in this act shall mean and include butter, milk, cream, butterfat, cheese and other dairy products, honey, eggs, poultry and all livestock and products of livestock such as wool, mohair, hides and meats.

(c) *The term "bona fide competitor" means a duly licensed dealer in farm products maintaining a place of business in the same trade territory.*"

Section 2. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 6248-3, be amended so as to read as follows:

"6248-3. **Discrimination prohibited.**—Any person engaged in the business of buying any such farm products for manufacture or sale thereof, who shall discriminate between different sections, localities, communities, cities or villages, or *between persons in the same community*, of this state, by purchasing any such farm products at a higher price or rate in one locality or from one person than is paid for such farm products of the same kind, quality and grade by such person in another section, locality, community, city or village, or than is paid to another person of the same community, after making due allowance for the difference, if any, in the actual cost of transportation from the locality of purchase to the locality of manufacture or sale, or who shall fail to deduct full transportation costs from the purchase price paid; or who shall fail to deduct the actual costs of hauling when such products are gathered by wagon or truck; or who shall pay or offer to pay in trade or in exchange for goods, wares or merchandise a higher price for such farm products than the cash price paid or offered to be paid for such farm products, shall be deemed guilty of unfair discrimination, which is hereby prohibited and declared to be unlawful. Providing, however, that wherever the transportation costs actually charged for hauling cream shall be two cents or more per pound for butterfat therein contained, and 15 cents per 100 pounds for transportation of whole milk, such charge shall be deemed a compliance with the terms of this act. It shall not be unfair discrimination for any person to pay, in any section, locality, community, city, or village, a price equal to that actually paid on the same day by any bona fide competitor in such place for farm products of the same kind and grade, provided such price is paid in good faith effort to meet such competition, and the burden of proving such facts shall be upon the defendant."

Section 3. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 6248-9, be amended so as to read as follows:

"6248-9. **Construction of act.**—Nothing in this act shall be construed as repealing any other act or part of any other act, unless inconsistent herewith, but the remedies herein provided shall be cumulative to all other remedies provided by law. If any section, subdivision, sentence or clause in this act shall, for any reason, be held to be unconstitutional or void, such judgment shall not affect the validity of any other portion of this act."

Approved April 24, 1937.