action shall be tried against such receiver, assignee or manager in the same manner and subject to the same rules of procedure as against the person or corporation for whom he acts under the court in case no receiver, assignee or manager had been appointed.

Sec. 3. Any judgment recovered as aforesaid against such receiver, assignee or manager in any court shall be paid by said receiver as a part of the expenses of managing said property.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 11, 1893.

CHAPTER 55—S. F. 168.

AN ACT prohibiting cruelty to animals.

Approved March 20, 1893.

Makes it a misdemeanor to drive or work any animal when unfit for labor or by age has become useless, or to carry any live animal in a vehicle with the feet or legs tied together, or in any other cruel manner, or to abandon any maimed, sick or infirm or disabled animal to die in any public place, or to carry any live animal upon any vehicle, without providing suitable racks, cars, crates, or cages in which the same may lie down or stand up during the journey.

CHAPTER 56—H. F. 32.

AN ACT regulating the manner of proving books of account and entries therein and contents of letters by deposition. Approved April 17, 1893.

Relating to the proof by deposition of books mentioned in sections seventy-eight, seventy-nine and eighty of title ten of chapter seventy-three of the general statutes of 1878, the production of the books before the officer taking the deposition shall be held to be equivalent to producing the same on trial. Also where foundation is laid to prove the contents of a letter, and where a letter press copy of such letter properly verified is competent as such evidence, the production of such letter press copy before the officer shall be held to be equivalent to its production at the trial.

CHAPTER 57—H. F. 610.

AN ACT making the certificates of the officers or acting officers of departments of the United States government to facts appearing of record in their departments, prima facie evidence of such facts.

CHAPTER 58—H. F. 455.

AN ACT to provide that a personal service of notices must be made before the right to redeem land or real property from tax sales can be extinguished.

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

Section 1. That any person or corporation having any right, title or interest in or to any land or real property in this state may file or cause to be filed in the office of the county auditor of the county in which such land or real property is situated a statement in writing containing first, the name of the person or corporation having such right, title or interest; second, land or real property in which such right, title or interest is had, and third, the designation of some person who is a resident of such county or of some corporation which has an office or place of business within such county upon whom or upon which a personal service may be made of notices of the expiration of the period or redemption of land or real property from tax sales. Each such statement shall be signed by the person or corporation having such right, title or interest, or by any agent or attorney of such person or corporation, but need not specify the nature of such right, title or interest.

Sec. 2. Each such statement so filed in the office of any county auditor in this state shall be immediately numbered and filed in his office by such county auditor consecutively in the order in which it is received, and such county auditor shall, at the same time, enter consecutively in the order in which such statement is received, in a book to be kept by him for that purpose, first, the file number of such statement; second, the date when such statement is received and filed by him; third, the name of the person or corporation named in such statement as having some right, title or interest in land or real property, with the postoffice address of such person or corporation, if given in such statement, and fourth, the name of the person or corporation named in such statement as the one upon whom or upon which a personal service of notices may be made. And at the same time such county auditor shall enter the file number of such statement in his real estate transfer book or books under each piece or parcel of land described in such statement. For the duties required of the county auditor by this act the county treasurer shall be paid for the use of the county by the person presenting such statement to be filed a fee of five cents for each piece or parcel of land described in such statement. The county treasurer shall certify on each statement before it is filed his receipt of this fee. Each such statement shall cease to be valid and effectual for any such purpose as for the purposes of this act at the expiration of five years from the date of its filing, or when the person named therein as the one upon whom a personal service of notices may be made dies or ceases to be a resident of such county, or when the corporation named therein as the one upon which a personal service of notices may be made ceases to have an office or place of business within such county. Provided, however, that the person or corporation named in a statement filed under the provisions of this act as having such right, title or interest may file in the same office in which such statement is filed an instrument releasing any particular piece or parcel of land or real property described in such statement from the effect of such statement, such releasing instrument to be executed with the same formalities as are necessary to entitle conveyances of real estate to record. Such releasing instrument shall be by the said county auditor immediately attached to and filed with such statement affected thereby. Every person or corporation filing such releasing instrument shall before such releasing instrument is filed pay to the said county treasurer for the use of the county a fee of ten cents for each such releasing instrument. The county treasurer shall certify on each such releasing instrument before it is filed his receipt of this fee. From the time when such releasing instrument is so filed, such statement affected thereby shall cease to be valid and effectual as to such particular piece or parcel of land or real property so released, but shall nevertheless be and remain valid and effectual as such for any and all the purposes of this act as to each and every other piece or parcel of land or real property therein described.

Sec. 3. Whenever any land or real property in this state has been or shall be sold for taxes at any tax judgment sale or under or by virtue of the provisions of any law of this state relating to the sale of land or real property for taxes, every person or corporation holding a tax certificate shall, after the expiration of the time for the redemption of the land or real property therein described as provided by any law of this state now existing or hereafter to be enacted, present such tax certificate to the county auditor of the county in which such land or real property is situated, and thereupon such county auditor shall prepare, under his hand and official seal a separate notice to each person or corporation having any right, title or interest in or to the land or real property described in such tax certificate, or in or to any part of such land or real property, as indicated by any and all valid and effectual statements which have been or shall be filed in the office of such county auditor under the provisions of this act. Each such notice shall be addressed to the person or corporation named in his or its particular statement filed under the provisions of this act as having some right, title or interest in such land or real property, and such notice shall also give the postoffice address of such person or corporation if such postoffice address is given in such statement. Such notice shall also give the name of the person or corporation designated in such statement as the one upon whom or upon which a personal service of notices may be made. Such notice shall specify the description of such land or real property the amount for which the same was sold, the amount required to redeem such land or real property from such sale, exclusive of the costs to accrue upon such notices, and the time when the redemption period will expire. These notices such county auditor shall deliver to the party applying therefor, who shall deliver the same to the sheriff of the proper county for service, mailing and return. Such sheriff shall, with all reasonable expedition after the receipt by him of said notices, serve the same and make return thereof and of his fees therefor to the said county auditor, which return of service and fees shall be filed in the said county auditor's office. Each such notice shall be by said sheriff served personally and directly upon the person or corporation designated therein as the one upon whom or upon which a personal service of notices may be made. Such service shall be made in the manner prescribed for the service of a summons in a civil action in the district court, except that the service shall in all cases be personal and directly upon such person or corporation required to be served as above. Said sheriff shall, at or before the service of each such notice, mail a true and correct copy thereof, with letter postage fully prepaid, plainly addressed to the person or corporation named in such notice as having some right, title or interest in such land or real property, and plainly addressed to the said postoffice address of such person or corporation, if such postoffice address is given in such notice. Proof of the mailing of such copy and of his fees therefor shall be returned to said county auditor by said sheriff and filed in the said county auditor's office. The time for the redemption of any land or real property in this state from any such sale for taxes shall not expire as to any person or corporation concerned until sixty days after the service and mailing of all the notices and copies thereof as required by the provisions of this act or by the provisions of any other law of this state, nor until sixty days after the filing of the proofs thereof and of the sheriff's fees therefor in the office of the proper county auditor, as required by this act. For his services in serving such notices and in mailing such copies thereof, the sheriff shall be entitled to the same fees that are now or hereafter may be allowed him for the service of summons in a civil action in the district court. The fees of the sheriff for serving all such notices and for mailing all such copies thereof shall be paid, in the first instance, by the person or corporation holding the tax certificate, and shall be repaid by the party offering to redeem such land or real property, before any certificate of redemption shall issue. No transfer of the land or real property described in any tax certificate shall be made to the holder of such tax certificate on the books of the said county auditor, nor shall any such tax certificate be entitled to record, until sixty days shall have elapsed after the service of all such notices, the mailing of all copies thereof, and of the filings of the proofs thereof, and of the sheriff's fees therefor in the office of the said county auditor, as required by this act.

Sec. 4. When any land or real property in this state has been or shall be bid in for the state at any tax judgment sale or under or by virtue of the provisions of any law of this state relating to the sale of land or real property for taxes, and when the right of the state in such land or real property has been or shall be at any time thereafter assigned or conveyed in any manner, whether under and by virtue of section one hundred and one of chapter eleven of the general statutes of 1878, or under and by virtue of the provisions of any act amendatory thereof, or otherwise, the instrument of such assignment or conveyance shall, for all the purposes of this act, be deemed and considered to be a tax certificate, and each and all the provisions of this act relating to tax certificates shall apply to such instrument of assignment or conveyance and to each and all the holders thereof, and the same notices shall be prepared and served and copies thereof mailed in the same manner as required in the case of tax certificates by the provisions of this act. And the time for the redemption of any land or real property in this state from any such bidding in or sale for taxes shall not expire as to the state, nor as to any person or corporation to whom the right of the state has been or shall be in any manner or at any time assigned or conveyed, nor as to any person or corporation concerned, until sixty days after the service and mailing of all the notices and copies thereof as required in the case of tax certificates by the provisions of this act or by the provisions of any other law of this state, nor until sixty days after the filing of the proofs thereof and of the sheriff's fees therefor in the office of the proper county auditor, as required by this act. No transfer of any such land or real property shall be made on the books of the county auditor to the state nor to any person or corporation to whom the right of the state in or to such land or real property has been or shall be in any manner or at any time assigned or conveyed as above, and no assignment, conveyance, certificate, or other evidence of any right, title or interest in or to any such land or real property under or by virtue of any such bidding in or sale for taxes shall be entitled to record, until sixty days shall have elapsed after the service of all such notices, the mailing of all copies thereof, and the filing of the proofs thereof and of the sheriff's fees therefor in the office of the proper county auditor, as required by this act.

Sec. 5. The service and mailing of notices required by the provisions of this act shall not supersede or take the place of the notices required by any other law of this state to be served or published, but shall be additional thereto.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 19, 1893.

CHAPTER 59—H. F. 173.

AN ACT to prevent the abandonment and vacation of railways, and to provide for assessment and collection of damages in such cases. Approved April 1, 1893.

Provides that railroads desiring to abandon a part of its line must apply to the district court to determine whether the abandonment can be made in justice to the public.

CHAPTER 60—H. F. 274.

AN ACT requiring all passenger trains of any railroad company to stop at county seats, and making any violation thereof a misdemeanor. Approved March 31, 1893.

Provides that this act shall not apply to trains entering the state from any other state or to transcontinental trains.

CHAPTER 61—S. F. 62.

AN ACT requiring railroad corporations and companies operating railroads in this state to provide platforms for loading and unloading heavy machinery and implements, and providing a penalty for the failure to do so. Approved March 30, 1893.

Applying to villages of 250 or more inhabitants.

CHAPTER 62—S. F. 47.

AN ACT regulating the selection of swamp lands by certain railroad companies, and the conveyance of such selected lands by the state to such railroad companies. Approved March 24, 1893.

Requires railroad companies to whom swamp lands have been granted to make selections within two years, with a proviso that if there are no lands certified or patented to the state from which the selection can be made the companies can have one year from the date of the certificate of patent to the state in which to file. Upon failure of the companies to select the land commissioner may set apart such swamp lands belonging to the state nearest to the lines of roads sufficient to complete the grant.

CHAPTER 63—S. F. 266.

AN ACT to compel street railway companies to protect certain of their employes from the inclemencies of the weather. Approved April 6, 1893.

Provides that the front part of electric or cable cars shall be vestibuled to protect motor men and grip men from the inclemencies of the weather.

CHAPTER 64—H. F. 401.

AN ACT providing for the erection of public grain warehouses and grain elevators, on or near the right of way of railroads, and providing for condemnation proceedings in connection therewith. Approved April 8, 1893.

Provides that the right to construct the same may be obtained by condemnation proceedings when no agreement can be made between the railroad company and the parties interested.

CHAPTER 65—H. F. 56

AN ACT to provide for the construction of side tracks and switches upon the right of way of railroad companies, to elevators, warehouses, mills or manufactories, located on lands adjacent to the right of way of any railroad company in the state. Approved March 15, 1893.

The owners of any elevator, warehouse or mill of not less than 5,000 bushels capacity, located in the immediate vicinity of a regular way station, may demand the construction of a side track, and upon failure of parties to agree the railroad commissioners have authority to determine and carry out their order in the premises.

CHAPTER 66—H. F. 879.

AN ACT to regulate the sale and redemption of transportation tickets of common carriers, and to provide punishment for violation of the same.

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

Section 1. It shall be the duty of the owners of any railroad or steamboat for the transportation of passengers, to provide each agent who may be authorized to sell within the state, tickets or other evidence entitling the holder thereof to travel upon his or their railroad or steamboat, with a certificate setting forth the authority of such agent to make such sales, which certificate shall be duly attested by the corporate seal of any corporate owner of such railroad or steamboat, and shall, for the information of travelers, be kept posted in a conspicuous place in the office of such agent. After issue of such certificate, as aforesaid, such agent or superintendent or general officer of such owners shall, within ten days thereafter, exhibit the same to the secretary of state of Minnesota, and at the same time shall pay to said secretary of state a license fee of three dollars, whereupon said secretary of state shall issue to such agent so presenting said certificate, a license under the seal of the state of Minnesota, authorizing such agent to engage in the business of selling transportation tickets of said common carrier, and said license so issued to such agent by said secretary of state shall also be kept posted in a conspicuous place in the office of such agent for the information of travelers and of the public.

Sec. 2. It shall not be lawful for any person not in the possession of such certificate and license so posted as aforesaid, to sell, barter or transfer within this state for any consideration, the whole or any part of any ticket or other evidence of the holder's title or right to travel on said railroad or steamboat, whether such railroad or steamboat be situated, operated or owned within or without the limits of this state.

Sec. 3. Whoever shall violate the provisions of the second section of this act, shall be deemed guilty of a misdemeanor, and shall be punishable by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or either or both, in the discretion of the court in which such offender shall be convicted.

Sec. 4. It shall be the duty of every agent residing or acting within this state who shall be authorized to sell therein tickets or other evidence of the holders title to travel upon any railroad or steamboat, to exhibit to any person desiring to purchase a ticket, or to any officer of the law who may request him so to do, such certificate of his authority thus to sell, and such license.

Sec. 5. It shall be the duty of the owners of every railroad or steamboat situate or operated in whole or in part, within this state, to redeem immediately upon demand, the whole, or any coupon or coupons of any ticket theretofore sold by them, in any manner, which the purchaser, for any reason, has not used, at cost; in case of a ticket not used, and, in case of a coupon of a ticket partially used, at a rate which shall be pro rata per mile, and which shall be equal to the difference between the price paid for the whole distance and the distance for which used portion of said ticket was actually used; provided, that such ticket, or coupon or coupons shall be presented for such redemption to any agent authorized as aforesaid; and the sale by any person of such ticket, or of the unused portion of any such ticket or coupon or coupons, otherwise than by the presentation of the same for redemption, as hereinbefore provided, shall be deemed to be a violation of the provisions of this act, and any person guilty of such violation shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or either or both in the discretion of the court in which such offender shall be convicted, provided that this act shall not prohibit any person who has purchased from any agent authorized by this act, with a bona fide intention of traveling upon the same the distance between the points named on the said ticket, from selling the unused portion of the same to the company that sold the same; and it shall be the duty of said company to pay for such unused portion of such ticket the difference between the actual fare to points used and the amount paid for such ticket.

Sec. 6. Any person, persons, copartnership or corporation heretofore engaged in carrying on the business of ticket brokerage or "ticket scalping" so-called, now present at any time previous to the date on which this act takes effect, to any common carrier in this state, any unused passage ticket or unused part of the same, heretofore lawfully sold or issued by such common carrier for redemption, and said common carrier shall immediately redeem such ticket in the same manner and upon the same terms as provided for in section five of this act for the redemption of unused tickets in the hands of purchasers thereof. Provided, that no such common carrier shall be required to redeem any such ticket or part thereof the time for the use of which has, by its terms expired, or which has in any manner been altered, changed or forged.

Sec. 7. Any railroad company or steamboat company which shall by any of its authorized ticket selling agents within this state, refuse to redeem any coupon of a ticket, or any ticket as required by section five of this act, shall pay to the state of Minnesota a fine not exceeding five hundred dollars for each offense.

Sec. 8. Whenever any person in the employ of any railroad or steamboat company doing business in this state shall fraudulently neglect to cancel or return to the proper officer of the company or agent of such railroad or steamboat company, any coupon or any ticket or pass, with the intent to permit the same to be used in fraud of any railroad company or steamboat company, or if any person shall steal or embezzle any such coupon or other ticket or pass, or shall fraudulently stamp or print or sign any such ticket, coupon or pass, or shall fraudulently sell or put in circulation any such ticket, coupon or pass, said person shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for a period not exceeding five years.

Sec. 9. This act shall take effect and be in force from and after the expiration of ninety days after its approval.

Approved April 19, 1893.

CHAPTER 67—H. F. 237.

AN ACT relating to the change of place of trial of actions, commenced in any court of this state for wages, or money due for labor, or for the enforcement of liens for such labor.

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

Section 1. That in any action hereafter commenced or pending, in any court of this state, for wages, or money due for manual labor, or for the enforcement of any lien for such wages, or money, when such action is brought in the county in which such labor was performed, no change of the place of the trial thereof shall be had, without the express consent of the plaintiff in writing duly filed with said court.

Provided, this act shall not apply to change of venue from one justice of the peace to another, or from one municipal court to another in the same city.

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

Approved April 17, 1893.

CHAPTER 68—H. F. 9.

AN ACT to provide for fixing and establishing boundary lines of land by civil action.

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

Section 1. Any person owning land or any interest in land may bring an action in the district court against the owner or owners or persons interested in the adjoining land to have the boundary lines fixed and established.

Sec. 2. When the lines and boundaries of two or more tracts of land depend upon any common point, line or land mark, the owner or any person interested in any of such tracts may bring an action against the owners or persons interested in the other tracts to have all the boundaries fixed and established.

Sec. 3. Whenever it shall appear to the court in any action brought for the purposes aforesaid, that any owner, lien holder or person interested in any of the tracts involved ought, for a full settlement and adjudication of all the questions involved, to be made a party to the action, the court shall stay proceedings in the action and issue an order requiring such persons to come in and plead in the action within twenty days after service of the order, which order shall be served upon the persons named, in the same manner as is provided for the service of a summons in a civil action. Any person so served may file an answer within twenty days after such service, and if he fail to file such answer, shall be deemed in default. All pleadings in the action, or copies thereof, shall be filed before such order is made. The court may also in its discretion in like manner order the owners and persons interested in other tracts than those originally involved to appear and plead, in which case the order shall describe such additional tracts and state that the purpose of the action is to establish the boundary lines of such tracts.

Sec. 4. Actions brought under this act shall be governed by the rules governing civil actions except as otherwise provided in this act, but every allegation in every answer shall be deemed in issue without further pleading.

Sec. 5. The court in rendering judgment shall locate and define the boundary lines involved, by reference to some well known permanent land marks, and in case it shall be deemed best for the interest of the parties, the court may, after the entry of judgment, direct a competent surveyor of the county where the land is situated to establish a permanent stone or iron land mark in accordance with the judgment so entered from which future surveys of the land, the boundary line or lines of which have been established in such action shall be made. Any land marks so established shall have distinctly cut or marked thereon the words "Judicial Landmark." The said surveyor shall report to the court after executing its order and shall in such report accurately describe the land mark erected by him and define its location as nearly as practicable.

Sec. 6. The court shall make such order respecting costs and disbursements in the action as it shall deem just.

Sec. 7. The court shall try and determine any adverse claims in respect to any portion of the land involved which it may be necessary to determine for a complete settlement of the boundary lines involved.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved March 14, 1893.

CHAPTER 69—S. F. 95.

AN ACT to legalize certain conveyances heretofore executed by married women.

Approved March 11, 1893.

Legalizes conveyances by a wife as attorney in fact for her husband previous to the year 1869.

CHAPTER 70—H. F. 582.

AN ACT to legalize conveyances made by husband and wife by separate deed of the same real estate. Approved April 8, 1893.

This is a curative act for instruments now on record.

CHAPTER 71—S. F. 108.

AN ACT to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof. Approved March 15, 1893.

Intended to legalize all instruments now on record, whether properly admitted to record or otherwise, and making such record prima facie evidence in courts.

CHAPTER 72—H. F. 59.

AN ACT legalizing official certificates of sale and the record thereof, heretofore made under mortgage powers, executions, judgments, orders and decrees, and prescribing the force and effect of such certificates and records. Approved March 4, 1893.

A curative act explained in the title.

CHAPTER 73—H. F. 226.

AN ACT to legalize and make valid sales of real estate, made by executors or administrators, under license of the probate court, after three years from the date of the original order limiting the time for the settlement of the estate of decedents. Approved April 18, 1893.

A curative act.

CHAPTER 74—H. F. 86.

AN ACT to amend sections one and forty of chapter thirty-four of the general statutes of 1866. Approved April 19, 1893.

This relates to the organization of corporations empowered to take private property for public uses.

CHAPTER 75—H. F. 397.

AN ACT to amend chapter five of the general statutes of 1878, relating to state printing, and to create the office of state expert. Approved April 19, 1893.

Places the printing of the state in the hands of an expert to edit and arrange before being given out to the printer; gives authority to the printing commissioners to prune reports of state officers when deemed necessary; places important duties upon the expert printer; increases the edition of general laws to 12,000 copies, and the journals and executive documents each to 600 copies.

CHAPTER 76—H. F. 360.

AN ACT amending section thirty-six of title four of chapter six of the general statutes of 1878, relating to settlements between the state treasurer and state auditor. Approved April 17, 1893.

Provides that the state treasurer shall make a daily statement of receipts and disbursements each day, together with duplicate receipts for moneys received and the state warrants upon which disbursements have been made.

CHAPTER 77—S. F. 75.

AN ACT amending subdivision twenty of title one of chapter seven of the general statutes of 1878, relating to the salary of supreme court reporter. Approved April 17, 1893.

Increases the salary from $600 to $3,500.

CHAPTER 78—H. F. 675.

AN ACT to amend section seventy-five, title six, chapter thirty-two of the general statutes of 1878.

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

Section 1. Section seventy-five of title six, chapter thirty-two, general statutes of 1878 be and the same hereby is amended so as to read as follows:

Any person having a claim upon logs or timber as provided in this act, may assign the same in writing to any person, either before or after the making and filing of the statement therefor as provided in section sixty-four of this act, and the person to whom such claim may be assigned, his agent or attorney, may make and file for record the statement for a lien therefor as provided in said section sixty-four in case no such statement thereof shall been filed. And when such statement, as provided for in section sixty-four of this act, and the assignment provided for in this section, has been made and filed in the office of the surveyor general of the lumber district in which said logs are situated, said person to whom said assignment is made shall be subrogated to all the rights of the original claimant, and is hereby authorized to enforce the lien against said logs or timber, in his own name in the same manner and with the same effect, as the original claimant could have done had not such assignment been made. And any person holding the title to such logs or timber, or any lien by mortgage or otherwise thereon, as security for the payment of any sum as stumpage thereon, may, in like manner, purchase and take an assignment of any or all of such claims for labor, or may pay and discharge the same, and in either case may tack the same to his original claim, and hold the same as an additional incumbrance thereon, and may enforce the payment of the same, with interest in like manner as his original claim thereon; but in no case shall he be required to pay more than the reasonable and current value of such labor.

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

Approved April 17, 1893.

CHAPTER 79—H. F. 424.

AN ACT to amend section ten of chapter thirty-three of the general statutes of 1878, relating to bankers and banking. Approved March 22, 1893.

Graduates the amount of capital stock necessary to establish banks according to population.

CHAPTER 80—H. F. 516.

AN ACT to amend section five of title two of chapter thirty-two of the general statutes of 1878, relating to logs and lumber. Approved April 10, 1893.

Enlarges the boundaries of the Lake Superior lumber district, and designates the Seventh lumber district, including the Red river, the Red lake and Lake of the Woods, and tributaries, Rainy lake and Rainy Lake river and their tributaries.

CHAPTER 81—S. F. 71.

AN ACT to amend chapter seventeen of general laws of 1867 as amended by chapter fifty-four of the general laws of 1872, being section two hundred and twenty-six of chapter thirty-four of the general statutes of 1878, relating to religious corporations. Approved April 18, 1893.

Adds a proviso that religious corporations or societies shall not sell or incumber property otherwise than as provided by denominational rules and articles of association.

CHAPTER 82—S. F. 374.

AN ACT to amend section thirty-eight of chapter forty of the general statutes of 1878 relating to deeds, mortgages and conveyances. Approved April 14, 1893.

Provides that where an action has or may be brought where it is claimed that the mortgage is fraudulent or void, or that it has been satisfied in whole or in part, and where such mortgage is liable to be foreclosed and time for redemption may expire before the determination of such action, for the purpose of saving the right, in case the action fails the parties in interest may deposit the amount of redemption money with the sheriff, and a bond to pay interest, giving notice to the sheriff of the action pending, whereupon the sheriff shall retain such redemption money and bond until the action is determined. Such redemption is declared to be equivalent to voluntary redemption, nor shall any rights of plaintiffs be impaired. Notice of such deposit shall be brought to the attention of the judge by supplemental complaint, and the judge to determine the rights of parties to the moneys so deposited.

CHAPTER 83—S. F. 45.

AN ACT to amend section eleven of chapter forty-three of the general statutes of 1878, relating to uses and trusts.

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

Section 1. That section eleven of chapter forty-three of the general statutes of 1878, relating to uses and trusts, be and the same is hereby amended by adding at the end thereof the following words:

"Provided, however, that nothing in this chapter or in any law of this state contained shall be construed as preventing the creation of any trust in writing, to endure for period not longer than the life or lives of specified persons in being at the time of its creation, and for twenty-one years after the death of the survivor of such persons; such writing to fully set forth the nature and terms of the trust; but all such trusts are hereby authorized and allowed; provided, further, that any and all trusts which do not permit the free alienation of the legal estate by the trustee, so that, when so alienated, it shall be discharged from all trusts shall be deemed and construed as heretofore and shall not be authorized by the provisions of this act."

Sec. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 19, 1893.

CHAPTER 84—H. F. 8.

AN ACT to amend section eleven, chapter forty-three, general statutes of 1878, relating to uses and trusts. Approved February 25, 1893.

Authorizes any incorporated city or village to receive by gift, devise or bequest, and take charge of any money, stocks, bonds, personal, real or mixed estates, choses in action and property of any kind whatever for the benefit of a public library or cemetery association.

CHAPTER 85—H. F. 83.

AN ACT to amend section one of title one of chapter sixty-five of the general statutes of 1878, relating to jurisdiction of courts of justices of the peace.

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

That section one of title one of chapter sixty-five of the general statutes of 1878 be and the same is hereby amended so as to read as follows:

Sec. 1. Jurisdiction limited to county exceptions. The jurisdiction of justices of the peace is co-extensive with the limits of the county in which they reside, and this applies to every county in the state of Minnesota, anything appearing in any special law heretofore enacted to the contrary notwithstanding, except in the following cases:

First—Writs of attachment may be directed to the proper officer in any county for the purpose of causing an attachment of property therein.

Second—Garnishee process issued in an action before a justice of the peace may run into and be served on the garnishee, in any county in the state. Provided, that this act shall not repeal or affect the jurisdiction of any city justice or justice of the peace under the charter of any incorporated city or village situated in two or more counties.

Sec. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1893.

CHAPTER 86—H. F. 851.

AN ACT to amend section one hundred and thirty-three, title eight, chapter sixty-six of the general statutes of Minnesota of 1878, relating to claims and delivery of personal property. Approved April 17, 1893.

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

Section 1. That section one hundred and thirty-three, title eight of chapter sixty-six of the general statutes of Minnesota for 1878 be and the same is hereby amended by adding to the end thereof the words following, to-wit: If the subject of the action be personal property which has been severed from real estate, the title thereto may be proven by proving title to the real estate from which such property was severed, and for such purpose the title to the real estate may be tried in such action.

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

Approved April 17, 1893.

CHAPTER 87—H. F. 841.

AN ACT to amend section two hundred and eighty-six of chapter sixty-six of the statutes of 1878, relating to satisfaction of judgment. Approved April 17, 1893.

Provides for the payment of money into court when no person can be found authorized to satisfy the judgment, and the clerk to notify all parties of record that the money has been paid to him for distribution.

CHAPTER 88—H. F. 192.

AN ACT to amend section seven of chapter seventy-six of the general statutes of 1878, relating to the power of the district courts over corporations and the removal of officers thereof. Approved April 18, 1893.

Provides for the manner of conducting an election for new officers in case of removal, and for a temporary receiver to be appointed pending vacancy.

CHAPTER 89—H. F. 465.

AN ACT to amend section one of chapter one hundred and twenty-four of the general statutes of 1878, as amended, relating to holidays. Approved April 18, 1893.

Makes Labor day, the first Monday of September, a legal holiday.

CHAPTER 90—S. F. 462.

AN ACT to amend section two hundred and fifty-nine of the penal code, relating to the crime of incest.

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

Section 1. That section two hundred and fifty-nine of the penal code be and the same is hereby amended so as to read as follows:

Sec. 259. Incest—If any male and female persons who are nearer of kin to each other than first cousins, computing by the rules of the civil law, whether the half or the whole blood, have carnal sexual intercourse together, they shall each be guilty of the crime of incest and be punished by imprisonment in the state prison for not more than ten years. Provided that the provisions of this act shall not apply to any such offense committed prior to the passage of this act.

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

Approved March 22, 1893.

CHAPTER 91—S. F. 253.

AN ACT to amend section two hundred and seventy-seven of the penal code of the state of Minnesota, and to provide the punishment for the offenses named in said section. Approved April 1, 1893.

Provides a penalty for the selling or giving away or exhibiting in any manner obscene books, magazines, newspapers, etc.

CHAPTER 92—S. F. 247.

AN ACT to amend section two hundred and seventy-eight of the penal code of the state of Minnesota, and to provide the punishment for the offenses therein named. Approved April 1, 1893.

Provides a penalty for the advertising or offering for sale any article to cause abortion.

CHAPTER 93—S. F. 85.

AN ACT to amend title sixteen of the penal code of Minnesota, relating to cruelty to animals. Approved March 11, 1893.

Amends section two of chapter two hundred and nine, general laws of 1889, making the abandonment by any owner or custodian of a diseased, disabled or infirm animal, leaving it to die on the street or road or other public place, a misdemeanor.

CHAPTER 94—H. F. 143.

AN ACT to amend the penal code, relating to malicious mischief.

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

Section 1. That section four hundred and eighty-one of the penal code of the state of Minnesota be and the same is hereby amended by adding thereto, after the word "thereon," an additional paragraph, as follows:

"7. Unties, unfastens or liberates without authority, the horse or team of another; or leads, rides or drives away without authority, the horse or team of another from the place where it was left by the owner or person in charge thereof."

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

Approved April 17, 1893.

CHAPTER 95—H. F. NO. 515.

AN ACT to amend section five hundred and thirty of the penal code, and to regulate the punishment of boys under the age of sixteen who commit a crime.

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

Section 1. That section five hundred and thirty of the penal code be amended by striking out in the third line of said section the words "instead of being sentenced to fine and imprisonment" and inserting in lieu thereof the word "be," and by adding the words "sentenced to fine or," so that said section when amended shall read as follows:

Sec. 530. When a person under the age of sixteen is convicted of a crime, he shall be sentenced to a fine or be placed in charge of the board of managers of the state reform school, and be thereafter, until majority or shorter period, be kept by the court, subjected to the discipline and control of the board of managers of said reform school.

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

Approved April 18, 1893.

CHAPTER 96—S. F. NO. 86.

AN ACT to amend chapter three of title ten of the penal code of Minnesota.

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

Section 1. Chapter three of title ten of the penal code of the state of Minnesota, is hereby amended by adding thereto, the following additional sections, to-wit:

Sec. 250 b. Cruelty Toward Children.

A person who cruelly tortures, or cruelly or unlawfully punishes any child under the age of sixteen years, or who commits any act of cruelty toward any such child, is guilty of a misdemeanor.

Sec. 250 c. Hours of Factory Labor.

A person who compels a child under sixteen years of age to labor more than ten hours in any day in any factory, workshop or mercantile or manufacturing business, is guilty of a misdemeanor.

Sec. 250 d. Cruelty Defined. The word "torture," and the word "cruelty," as used in this chapter, includes every act, omission or neglect whereby unnecessary or unjustifiable pain, suffering or death is caused or permitted.

Sec. 250 e. Commitment of Child.

When upon the conviction of any person or persons, charged with the commission, against any child or children, of any of the offenses designated in this chapter, it shall appear to the court or magistrate, before whom such conviction is had, that the welfare of the child demands that the person so convicted should be deprived of the custody of such child or children thereafter, such court or magistrate may commit such child or children to the reform school, the state public school or to an orphan asylum, or charitable or other institution, or make such other disposition thereof as now is, or hereafter may be provided by law in the case of vagrant, truant, disorderly, neglected, pauper or destitute children.

Sec. 250 f. Disposition of Fines.

All fines, penalties and forfeitures imposed or collected for violation of, or under the provisions of this chapter, shall be paid to the humane society or to the association or associations for the prevention of cruelty to animals or children, organized in the county, city, town or village where such violation occurred, and if there be no local humane society or association for prevention of cruelty, they shall be paid to the Minnesota state society for prevention of cruelty.

Sec. 2. Section 250 of the penal code of Minnesota is hereby amended by adding thereto, after sub-section IV., as an additional sub-section, the following, to-wit: "or, 5. At any labor of any kind outside of the family of such child's residence, before seven o'clock in the morning or after six o'clock in the evening."

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1893.

CHAPTER 97—S. F. 578.

AN ACT to amend sections one and three of chapter fifteen of the general laws of 1872, relating to the appointment of the members of the state board of health and vital statistics, and the management of its business. Approved April 17, 1893.

Provides that the office of all present members shall terminate in January, 1894; and that the governor shall then appoint a full board of nine members, three for one year, three for two years and three for three years, and thereafter three members to be appointed every year as successors; requiring the board to hold quarterly meetings; and provides that the secretary shall be the executive officer of the board and in his absence from the state that the president shall exercise that authority and authorizes increased compensation to the secretary.

CHAPTER 98—H. F. 393.

AN ACT amending section one, chapter ninety-five of the general laws of 1878, authorizing county superintendents to hold institutes and teachers examinations in certain school houses. Approved April 17, 1893.

CHAPTER 99—H. F. 355.

AN ACT to amend section one of chapter one hundred of general laws of 1879. Approved April 18, 1893.

Increases the annual salary of the engineer of the capitol from $1,200 to $1,500 annually.

CHAPTER 100—H. F. 342.

AN ACT to amend section one of chapter one hundred and six of the general laws of 1879, relating to the establishment and maintenance of free public libraries and reading rooms. Approved April 1, 1893.

Provides that on a petition of fifty freeholders of any village the council may submit the establishment of a free library to the voters, and if a two-thirds majority vote therefor the council shall establish the same and provide by tax for its maintenance.

CHAPTER 101—S. F. 207.

AN ACT to amend section four of chapter one hundred and forty-four of the general laws of 1881, relating to higher education. Approved April 18, 1893.

Appropriates $7,000 annually for visitation of high schools.

CHAPTER 102—S. F. 408.

AN ACT amending section two of chapter one hundred and seventy-five of the general laws of 1885, as amended by chapter seventy-three of the general laws of 1887, relating to service fees for domestic animals. Approved April 14, 1893.

Extends the time of filing chattel mortgages for service fees from ninety days to ten months.

CHAPTER 103—S. F. 466.

AN ACT to amend chapter one hundred and fifty-one of the general laws of 1885, entitled an act concerning religious corporations. Approved April 11, 1893.

Provides that corporations whose membership extends beyond the state may hold annual meetings without the limits of the state, by proper publication thereof.

CHAPTER 104—H. F. 460.

AN ACT to amend chapter one hundred and eighty-six of general laws of 1885, entitled an act authorizing the formation of companies for mutual insurance against loss and damage by hail, tornadoes, cyclones and hurricanes. Approved April 17, 1893.

Relates to the filing of incorporation articles with the insurance commissioner, and his issue of a certificate; and describes the kind of property to be insured.

CHAPTER 105—H. F. 37.

AN ACT to amend section one of chapter one hundred and ninety-three of the general laws of 1885, entitled an act regulating the admission of evidence in civil actions.

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

Section 1. That section one of chapter one hundred and ninety-three of the general laws for the year A. D. 1885 be amended so as to read as follows:

A party to the record of any civil action or proceeding, or a person for whose immediate benefit such action or proceeding is prosecuted or defended or the directors, officers, superintendent or managing agent of any corporation which is a party to the record in such action or proceeding, may be examined upon the trial thereof as if under cross-examination at the instance of the adverse party or parties or any of them, and for that purpose may be compelled in the same manner and subject to the same rules for examination as any other witness to testify, but the party calling for such examination shall not be concluded thereby, but may rebut it by counter testimony.

Sec. 2. This act shall take effect and be