

CHAPTER 57.

H. F. No. 610.

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

Prima facie evidence.

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

SECTION 1. That the certificate of any officer or acting officer of any department of the United States government to any fact appearing of record in his department authenticated by the seal of his office, if he have seal, shall be prima facie evidence of the fact so certified and authenticated.

Certificates of United States officers.

SEC. 2. This act shall take effect and be in force from and after the passage of this act.

Approved April 18, 1893.

CHAPTER 58.

H. F. No. 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.

Tax sale redemptions.

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, a description of the 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 of 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.

Filing lists of lands with county auditor.

Designation of person to receive personal notice.

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,

Numbering and filing statements and record.

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 as such for any and all 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 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

Fees to be paid for filing and record.

Release of part of lands.

Fee for releasing.

Tax certificates after expiration to be presented to auditor.

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 a return thereof and of his fees therefor to the said county auditor, which return of service and fees shall be filed in 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

Personal notice
to registered
owners of lands.

Sheriff to serve
notices personally.

Also to mail a
copy before per-
sonal service.

Time of redemption extended for sixty days after service.

Sheriff's fees.

Property bid in by the state and afterwards conveyed.

Same notices to be given.

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 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, un-

til 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 thereof in the office of the proper county auditor, as required by this act in the case of tax certificates, 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.

Redemption for 60 days after notice.

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.

Mailing notices not to supersede personal notice.

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

Approved April 19, 1893.

CHAPTER 59.

H. F. No. 178.

An act to prevent the abandonment and vacation of railways, and to provide for assessment and collection of damages in such cases.

Railways.

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

SECTION 1. That it shall be unlawful for any railroad company organized under any law of this state and whose road has been constructed in whole or in part by public aid or local subscription given as a bonus for such construction, having once constructed and put in operation the whole or any portion of said road and located and opened for business stations and houses thereon, to hereafter take up, abandon or cease the operation of its said track, or any portion thereof, or to close up and abandon its said stations and station houses, or to withdraw the agents therefrom, except upon the order or decree of the district court of the county or counties through which said road proposed to be abandoned may run, and in which it is desired to take up and abandon such track

Abandonment of part of operated road.