

CHAPTER 22.

S. F. No. 42

An Act to define the liability of a husband or wife for the debts of the other, and to establish their joint and several liability for household supplies in certain cases.

Liability of husband and wife.

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

SECTION 1. No married woman shall be liable for any debts of her husband, nor shall any married man be liable for any debts or contracts of his wife entered into either before or during coverture, (except for necessities furnished to the wife after marriage, where he would be liable at common law.) Provided, that where husband and wife are living together they shall be jointly and severally liable for all necessary household articles and supplies furnished to and used by the family.

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 All acts and parts of acts inconsistent with this act are hereby repealed.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 March 2, 1901.

CHAPTER 23.

H. F. No. 1

An Act to locate the First State Fish Hatchery at the city of St. Paul, Minnesota, and to acquire a site therefor; and to empower the Board of Game and Fish Commissioners of the State of Minnesota to enlarge, equip and develop the same; and to acquire additional lands and premises therefor; and to appropriate money therefor.

First state fish hatchery.

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

SECTION 1. That the First State Fish Hatchery, for the propagation and cultivation of fish, as provided by the laws of this state, shall be located at the city of Saint Paul, in said state, and shall be known as the First State Fish Hatchery, and said hatchery is hereby located upon the following described land in the County of Ramsey and State of Minnesota, to wit: The south eleven hundred and twenty (1,120) feet of the east half of the northeast quarter of the northeast quarter of section four (4), township twenty-eight (28), range twenty-two (22), containing seventeen (17) acres more or less. Provided, that said described lands are first conveyed to the State of Minnesota in fee for the consideration of one dollar, as hereinafter mentioned.

Location.

Abstract
of title.

SEC. 2. As soon as practicable after the passage of this act, the Attorney General shall examine, or cause to be examined, a duly certified abstract of title of the property above described, and shall examine the deed of conveyance of such property to the State of Minnesota. If the title to said premises shall be ascertained by said Attorney General to be good marketable in the person proposing to convey the same to the said State of Minnesota, and the form of said deed shall be approved by said Attorney General, he shall so certify in writing to the State Auditor, and at the same time deposit said deed of conveyance with said Auditor. Upon filing said certificate of said Attorney General, and upon receipt of such deed of conveyance, the said Auditor shall thereupon execute and deliver unto the person so conveying such land his warrant upon the State Treasurer for the sum of one dollar (\$1.00), and no more. Upon the payment of said warrant said Auditor shall deposit said deed with the State Treasurer, who shall cause the same to be properly recorded.

SEC. 3. There is hereby appropriated from the funds in the State Treasury, not otherwise appropriated, the sum of one dollar (\$1.00) for the purpose of purchasing the said site hereinbefore described for the said First State Fish Hatchery, and to pay for the same.

Powers and
duties of
Game and
Fish Com.

SEC. 4. The said First State Fish Hatchery shall be subject to the management and control of the Board of Game and Fish Commissioners of the State of Minnesota, as now constituted and existing by virtue of the laws of this state.

SEC. 5. The said Board of Game and Fish Commissioners are hereby authorized, empowered and directed, in the name of and on behalf of the State of Minnesota, to acquire by gift, lease, purchase or condemnation, any real property, lands, premises, right of way, or easement, public or private, that may be necessary, convenient or proper for the enlargement, equipment and development of said hatchery and grounds, and for the purpose of securing and conducting to and from said hatchery water necessary or desirable for the use of said hatchery, in such manner as said board may deem best; and in case the owner of any real estate, lands or premises and the said Board of Game and Fish Commissioners cannot agree as to the value of the premises taken or to be taken for any such use, the value thereof and the price to be paid therefor shall be determined by the appraisal of three competent disinterested persons, resident in the county wherein said lands are located, commissioners to ascer-

tain and determine the amount to be paid by said board to the owners or persons interested, said commissioners to be appointed on application of said Board of Game and Fish Commissioners by one of the judges of the district court in and for the county in which said lands are situated, according to the provisions of title one (1) of chapter thirty-four (34) of the General Statutes of eighteen hundred and seventy-eight (1878), and amendments thereto, so far as reasonably applicable, which said law shall apply to and govern proceedings under this act.

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

Approved March 7, 1901.

CHAPTER 24.

H. F. No. 35.

An Act to amend section five thousand one hundred thirteen (5113) of the General Statutes of Minnesota for 1894, relating to appeals.

Amendment
Appeals
from Jus-
tice's court.

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

SECTION 1. That section five thousand one hundred thirteen (5113) of the General Statutes of 1894, be, and the same is hereby amended so as to read as follows:

Section 5113. Upon a compliance with the foregoing provisions the justice shall allow the appeal, and make such entry of his allowance in his docket; and all further proceedings on the judgment before the justice shall be suspended by the allowance of the appeal. And if the defendant has been committed to jail, the justice shall make a certificate setting forth that the defendant has perfected an appeal from said judgment, and cause the same to be served upon the sheriff of the county or keeper of the common jail, who shall thereupon immediately release the defendant from custody. The justice shall thereupon make a return of all the proceedings had before him and cause the complaint, warrant, recognizance, original notice of appeal, with proof of service thereof, and return, and all other papers relating to said cause, and filed with him, to be filed in the district court of the same county, on or before the first day of the general term thereof next to be holden in and for said county. And the complainant and witnesses may also be required to enter into recognizance, with or without sureties, in the discretion of the justice, to appear at said district court at the time last aforesaid, and abide the order of the court therein. Upon an appeal on questions of law