

compensation as he may be entitled to receive under any law or laws of this state, the same to be paid by the state treasurer in the same manner as other salaries of state officers are paid.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 20, 1891.

CHAPTER 28.

[S. F. No. 386.]

AN ACT TO PROVIDE FOR LIEN FOR LIVERY AND BOARDING STABLE KEEPERS, AND THE ENFORCEMENT THEREOF.

Lien for livery and boarding stables.

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

SECTION 1. Every farmer, or any other person or keeper of a livery or boarding stable for horses, mules, cattle or stock, who, at the request of the owner or person having lawful possession thereof, shall keep, support or care for any horses, mules, cattle, stock, vehicles or other property used in connection with such horses, mules, cattle, stock or vehicles, shall have a lien on such property so kept, supported or cared for, for his just and reasonable charges therefor; and such person may hold and retain possession of the same until such just and reasonable charges are paid; *Provided*, That the person entitled to the lien herein provided for may file with the clerk of the town, city or village in which the person keeping said property resides, notice of his intention to claim and enforce his lien, which notice may be filed at any time during the keeping of said property, or within five (5) days after he has ceased to keep the same; and *Provided further*, That if any person claiming such lien on any animal mentioned in section one (1) hereof, suffers such animal to be taken out of his possession, he shall within five (5) days thereafter file in the office of the town, village or city clerk where he resides, a verified and itemized statement of his lien, which shall be thereafter a lien on such animals as hereinbefore stated.

Notice of lien to be filed with town or city clerk.

If such charges are not paid within thirty (30) days after the same shall become due, the person having such lien may proceed to sell the property by him so kept, supported or cared for, at public auction, at any place within the county where the same shall have been kept, supported or cared for, by giving public notice of such sale and the time and place thereof, and the amount claimed for such charges, at least ten (10) days before such sale, by advertisement in some newspaper, printed and published in such county, or

Sale of property held after thirty days.

if there is none, then by posting up such notice in three (3) of the most public places in such county. The proceeds of such sale shall be applied first to the discharge of such lien and the costs and expenses of keeping and selling such property, and the remainder, if any, shall be paid over to the owner thereof or person entitled thereto.

Priority of lien, except for service fees of domestic animals.

SEC. 2. The lien in this act provided for shall have priority over all other liens and incumbrances (excepting the lien provided for in Chapter one hundred and seventy-five (175) General Laws of eighteen hundred and eighty-five (1885), and all acts amendatory thereof), and liens by virtue of any mortgage, bill of sale or other instrument theretofore made and duly recorded in the office of the clerk of the proper town, city or village, and no person entitled to such lien shall be deemed to have waived or lost the same by reason of said property or any thereof being out of his possession, provided the same does not so remain out of his possession for a period exceeding ten (10) days at any one time; and such person shall have the right to retake and reduce such property to his possession at any time within the said ten (10) days, in whomsoever hands the same may be, and hold the same as above provided to satisfy said lien and his reasonable costs and expenses.

Penalty for conveying property without notice of lien.

SEC. 3. If any person having theretofore conveyed any of the property above mentioned by mortgage or lien, as provided by this act, shall, during the existence of the lien or title created by such mortgage, suffer the same to be sold, as herein provided, without personal notice to the mortgagee of the time and place of such sale, at least two (2) days before such sale, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not more than one hundred (100) dollars, or by imprisonment in the county jail not exceeding ninety (90) days.

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

Approved April 9, 1891.

CHAPTER 29.

[S. F. No. 367.]

To protect livery stable keepers, for damages to property.

AN ACT TO PUNISH BAILEES FROM LIVERY STABLE KEEPERS FOR FRAUDS AND INJURIES TO PROPERTY IN CERTAIN CASES.

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

SECTION 1. A person who obtains from the keeper, manager or proprietor of any livery stable keeper the possession or use of any horse or other draught animal or vehi-