

SEC. 9. The proceeds of such sale shall be distributed to the several funds for which the taxes were levied, except in cases where the property may be sold for less than the original amount of such taxes, when the cost of proceedings authorized by this act and the state tax shall be first satisfied, and the remainder, if any, shall be apportioned to the other funds pro rata, and in no case shall any piece or parcel be sold for any less sum than the amount of the state tax due thereon and the cost of proceedings authorized by this act.

Proceeds of sale.

SEC. 10. All pieces or parcels of land remaining unsold at such sale, thereafter be stricken from the tax lists, and shall be subsequently sold as provided by section one hundred and one (101) of the general tax law.

Unsold lands.

SEC. 11. Any tract or parcel of land on which extension of time for payment of the taxes has been granted under the provisions of section four (4) of this act, and on which an additional interest for another year's extension has not been paid, to secure extension for an additional year thirty (30) days before the annual delinquent sale in May, shall be sold by the county auditor in accordance with the provisions of this act, and shall be subject to all the provisions hereof, in every respect.

In case of non payment subsequent to extension.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

CHAPTER 291.

H. F. No. 440.

An act to fix the legal residence of insane persons, paupers, and other dependents.

Fixing legal residence of insane persons, and others.

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

SECTION 1. Legal Residence.—Every person who shall have resided at any place within the boundaries of the state of Minnesota for one (1) year continuously shall be deemed to have gained a legal residence and settlement in the state of Minnesota for the purposes of this act. But no person who shall have been absent from the state of Minnesota for more than one (1) year continuously shall be deemed to have a residence for the purposes of this act in the state of Minnesota unless it shall be shown that he has not in the meantime gained a residence in any other state or country.

Legal residence in state.

Provided, that if any person shall have been an inmate of any public or private hospital or charitable in-

stitution or of any almshouse, jail, prison, or other public institution, maintained from the public treasury, during any part of said year, the time spent in such institution shall not be reckoned in determining the question of legal residence; and

Provided further, that if such person shall have received poor relief from the public treasury of any county or municipality of this state, no month during which the said person has received such relief shall be reckoned in determining the question of legal residence.

And provided, further, that the fact of having been maintained in any public institution, or having received relief from the public treasury, shall not of itself create a presumption for the continuance of such public relief to any person who shall not have gained a legal residence within the state.

Residence in
counties,
cities, villages
and towns.

SEC. 2. Residence in Counties, Cities, Villages and Towns—Every person who shall have resided within the boundaries of the state of Minnesota for more than one (1) year continuously, but shall not have resided within the boundaries of any county for one (1) year continuously, shall have a legal residence, for the purposes of this act, in that county wherein he has resided for the longest period of time within the preceding year; and every person who shall have a legal residence in any county in the state of Minnesota but shall not have resided within the boundaries of any town, city or village therein for one year continuously, shall have a legal residence for the purposes of this act in that town, city or village wherein he shall have resided for the longest period of time within the year preceding;

Provided, that if any such person shall have been an inmate of any public or private hospital, or charitable institution or of any almshouse, jail, prison, or other public institution maintained from the public treasury during any part of the said year, the time spent in such public institution shall not be reckoned in determining the question of legal residence;

And provided, further, that if such person shall have received poor relief from the public treasury of any county or municipality in this state, no month during which the said person shall have received such relief shall be reckoned in determining the question of legal residence;

And provided, further, that the fact of having been maintained in any public institution, or having received relief from the public treasury, shall not of itself create a presumption for the continuance of such public relief to any person who shall not have gained a legal residence.

SEC. 3. Admission to State Institutions—No person who has not gained a legal residence in the state of Minnesota shall be admitted to either of the hospitals for insane, the school for the deaf, the school for the blind, the school for the feeble-minded, the state public school or the state soldiers' home.

Admission to state institutions.

Provided, that the state board of corrections and charities may authorize the reception of such non-resident person into such institutions in cases where the legal residence cannot be ascertained, or where the peculiar circumstances of the case constitute, in their judgment, a sufficient reason for the suspension of this rule.

SEC. 4. Non-resident Persons Applying for Admission to State Institutions—Whenever application shall be made to any probate judge for the admission of any person to either of the state hospitals, or to the state public school, or whenever application shall be made to the secretary of the state soldiers' home, or to the superintendent of the school for the deaf, the school for the blind, or the school for the feeble-minded, for the admission of any person to either of said institutions, it shall be the duty of said judge of probate, secretary, or said superintendent to require answers to be made and duly verified to the following questions:

Non-resident applying for admission to state institutions.

1. Where was the person born?

2. When did he become a resident of the state of Minnesota?

3. When did he become a resident of the county?

4. If not a legal resident, on what ground is the application based?

SEC. 5. Notification to the State Board of Corrections and Charities—If the said judge of probate, secretary or superintendent shall find that the said person whose commitment to the said institution is requested has not a legal residence within the state of Minnesota, or if the question of his legal residence is in doubt, it shall be his duty, without delay, to notify the state board of corrections and charities by mail or telegraph; and if he recommends that such person shall be received into said institution notwithstanding that he has not gained a legal residence, it shall be his duty to give the reasons for such recommendation.

Notification to board of corrections and charities.

SEC. 6. Investigation by the State Board of Corrections and Charities—It shall be the duty of the state board of corrections and charities, either by a committee, or by its members, or by its secretary, or by such agent as it may designate, to investigate the question of the legal residence of such persons as shall be reported to the said state board of corrections and charities as aforesaid, and such committee, secretary, or agent, shall

Investigation by board of corrections and charities.

have authority to send for persons and papers and to administer oaths or affirmations in conducting such investigations.

Non-resident paupers to be returned to their homes.

SEC. 7. Non-Resident Paupers to be Returned to Their Homes—If upon investigation, the said board, or their agent, shall find that the said person is not a legal resident of the state of Minnesota, but has a legal residence in some other state or country, they may return said person, or cause him to be returned to that state or country where he has a legal residence, or to that state or country from where he came to the state of Minnesota, and the actual necessary expense of returning such person shall be paid from the state treasury.

Non-resident paupers in county poor houses.

SEC. 8. Non-resident Paupers in County Poorhouses—Whenever any overseer of any county poorhouse or any county commissioner shall find in any poorhouse, hospital, or other public charitable institution, any pauper who is believed to have no legal residence in the state of Minnesota, and to have a legal residence in some other state or country, it shall be the duty of the said officer to notify the state board of corrections and charities, and it shall be the duty of the said state board of corrections and charities by its committee, secretary, or agent, as provided in section six (6), to investigate the question of the legal residence of such person, and if they shall find that the said person is not a legal resident of the state of Minnesota but has a legal residence in some other state or country, they may return, or cause the return of said pauper to that state or country where he has a legal residence, and the actual necessary expense of returning such pauper shall be paid from the state treasury; but if for any reason the said state board of corrections and charities shall deem it impracticable to return such pauper to his legal residence outside of the state of Minnesota, they shall certify that fact in writing, and the said pauper shall thereafter be a charge upon that county, or that town, city, or village in the state of Minnesota in which he has resided longest during the year next preceding.

Paupers with residence in other counties.

SEC. 9. Paupers Having a Legal Residence in Another County—Whenever any poor person shall have been sent from one county to another county within the state of Minnesota, in accordance with the provisions of section fourteen (14) of chapter fifteen (15) of the general statutes of eighteen hundred and seventy-eight (1878), or shall have been sent to any town, city, or village in accordance with the provisions of section five (5) of chapter one hundred and seventy (170) of the general laws of eighteen hundred and eighty-nine (1889), and the authorities of that county, town, city or village

to which said pauper shall have been sent shall question the claim of the legal residence of the said pauper in said county, town, city or village, then it shall be the duty of the proper authorities of the said county, town, city or village to make temporary provision for the said pauper, pending the settlement of the question of residence, and to lay a statement of the case before the state board of corrections and charities.

It shall be the duty of the said board of corrections and charities, by its committee, secretary, or agent, as aforesaid, to make due inquiry into the question of residence of the said pauper, and when they shall have determined the question they shall certify their finding and the said pauper shall thereupon become a charge upon that county, town, city or village in which he is found to have a legal residence; and the actual and necessary expenses of such investigation, including the expenses of the said committee, secretary, or agent, and the fees and mileage of witnesses, together with the proper and necessary cost incurred in the care of said pauper pending such investigation, and the expense of transporting him to the place of his legal residence shall be paid from the treasury of the county, town, city or village in which the said pauper is found to have a legal residence, on certificate of the said state board of corrections and charities.

Provided, that the decision of the said state board of corrections and charities as aforesaid shall be subject to appeal to the district court in and for the county in which the said pauper shall be found at the time when such appeal is taken; said appeal to be made within ten (10) days after the filing of the decision of the said state board of corrections and charities.

SEC. 10. Paupers Having a Legal Residence in Another Town, City or Village—Whenever any poor person shall have been sent from one town, city or village to another town, city or village within the same county in accordance with the provisions of section five (5) of chapter one hundred and seventy (170) of the general laws of eighteen hundred and eighty-nine (1889), and the authorities of the town, city or village to which said poor person shall have been sent shall question the claim of the legal residence of the said poor person in said town, city or village, then it shall be the duty of the proper authorities of the said town, city or village to make temporary provision for the said poor person, pending the question of the settlement of residence, and lay a statement of the case before the board of county commissioners of the said county.

Paupers with residence in other cities or towns.

It shall be the duty of the board of county commissioners themselves, or by a committee of their number,

to make due inquiry into the question of residence of the said poor person, and when they shall have determined the question they shall certify their finding under the seal of the said county, and the said pauper shall thereupon become a charge upon that town, city or village in which he is found to have a legal residence; and the actual and necessary expenses of such investigation and the fees and mileage of witnesses, together with the necessary and proper expense incurred in the care of said poor person pending such investigation, and the expense of transporting said poor person to the place of his legal residence shall be paid from the treasury of the town, city or village in which the said poor person is found to have a legal residence on the certificate of the said board of county commissioners.

Provided, that the decisions of the board of county commissioners shall be subject to appeal to the district court in and for the said county; said appeal to be made within ten (10) days after the filing of the decision of the said board.

Duties of
common
carriers.

SEC. 11. Duties of Common Carriers—It shall be unlawful for any railroad company or other common carrier to bring into the boundaries of the state of Minnesota any pauper or indigent person without means of support, or to transfer any such indigent person within the boundaries of the state of Minnesota, either at reduced rates of fare or by free transportation, unless the transportation ticket on which such indigent person is carried shall have attached thereto a certificate duly signed by some public officer or by a responsible agent of some charitable association, showing that the said indigent person is being sent to the place of his legal residence, or that he is being sent to the care of relatives, friends or other responsible parties, or that the said poor person is able to earn a living and is being sent to some place where he has a definite prospect of employment.

Common
carriers—pen-
alty for
violation.

SEC. 12. Penalties for Violation—Any railroad conductor or other agent of any railroad company or other common carrier who shall bring into the state of Minnesota any pauper or dependent indigent person at reduced rate of fare, or by free transportation, unless accompanied by a certificate as aforesaid, shall be guilty of a misdemeanor and shall be liable to a fine of not less than ten (10) dollars or more than one hundred (100) dollars for each offense.

Appropriation.

SEC. 13. Appropriations—There is hereby appropriated from any funds in the state treasury not otherwise appropriated the sum of one thousand (1,000) dollars for the year ending July thirty-first (31st), eighteen hundred and ninety-seven (1897), and the sum of three

thousand (3,000) dollars for the year ending July thirty-first (31st), eighteen hundred and ninety-eight (1898), and the sum of three thousand (3,000) dollars for the year ending July thirty-first (31st), eighteen hundred and ninety-nine (1899), for the use of the state board of corrections and charities in carrying out the provisions of this act; *provided*, that the said state board of corrections and charities shall not be required to proceed further under this act than appropriation will permit.

SEC. 14. Agreement with Other States—The state board of corrections and charities is hereby authorized and empowered to enter into agreement with the authorities of other states which shall adopt legislation consistent with this act for the arbitration of disputed questions between such states and the state of Minnesota respecting the residence of insane persons, paupers, and other dependents, and for the return of such persons to their proper residence.

Agreement
with other
states.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

CHAPTER 292.

H. F. No. 852.

An act relating to mortgages and conveyances of personal property and contracts creating or reserving a lien thereon.

Conveyance
of personal
property.

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

SECTION 1. Every mortgage of personal property shall be void as against the creditors of the mortgagor and subsequent purchasers and incumbrancers of the property in good faith, unless it appears that such mortgage was executed in good faith and not for the purpose of hindering, delaying or defrauding any creditor of the mortgagor, and unless, in addition thereto, the giving of such mortgage is accompanied by an immediate delivery and followed by an actual and continued change of possession of the things mortgaged, or in lieu of such delivery and change of possession the mortgage is filed as hereinafter provided.

Mortgage
void as
against cred-
itors of mort-
gagor and
subsequent
purchasers.

SEC. 2. Every such mortgage shall be filed in the office of the clerk or recorder of the town, city or village where the mortgaged property, or any part thereof, is situate at the time of the execution of the mortgage, and every such mortgage shall be absolutely void

Filing of
mortgage.