

panies shall never be less than ten thousand dollars, which stocks, bonds or mortgages shall be retained by the insurance commissioner and be disposed of as directed by law.

Deposit of real estate mortgages not to exceed \$50,000.

May file certificate of deposit of security in other state.

*Provided, however,* that the deposit of mortgages on real estate shall not exceed the amount of fifty thousand dollars. As long as any policies of the depositing company remain in force, the insurance commissioner shall hold the said deposit as security for all holders of its policies. *Provided, any insurance company of any other state of the United States in which the provisions of law contained in this act shall be in force,* may file with the insurance commissioner of this state a certificate of the insurance commissioner of such other state that as such officer he holds in trust and on deposit, for the benefit of all the policy-holders of such company, the deposit above described, stating the items of the securities so held and that he is satisfied that such securities are worth one hundred thousand dollars. No deposit shall be required in this state while the said deposit so certified remains.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 17, 1899.

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## CHAPTER 235.

H. F. No. 259.

Mineral lands; taxation of.

*An act relating to the taxation of timber and mineral lands.*

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

Timber and mineral is real estate for taxation.

SECTION 1. That all timber now standing and growing on any tract of land in this state and all minerals not yet mined from any of the lands in this state are hereby declared to be real estate, for the purposes of taxation.

Tax to be lien on timber and minerals.

SEC. 2. That all taxes hereafter assessed against any tract of land referred to in section one (1) of this act shall be and remain a lien thereon, as now provided by law, and on any and upon all timber hereafter cut therefrom and upon any and all minerals hereafter mined therefrom until such taxes shall be paid and discharged. And no timber or minerals shall be removed from any tract of land until all the taxes assessed against such tract and due and payable shall have been fully paid and discharged.

SEC. 3. That where any taxes hereafter assessed against any tract of land referred to in section one (1) of this act become due and payable, and the state auditor has reason to believe that timber or minerals will be removed therefrom before the taxes which have been assessed against such tract and are due and payable shall have been paid, he shall direct the county attorney of the county in which such tract is situated to bring suit in the name of the state to enjoin any and all persons from removing any timber or minerals therefrom, as the case may be, until such taxes shall be paid. No bond or undertaking shall be required of the state or county in any such injunction suit. It shall be the duty of the attorney general, when requested by the state auditor, to assist the county attorney in prosecuting such suit in any court in which the same shall be pending.

Taking of timber and minerals may be enjoined until tax is paid.

SEC. 4. That any timber hereafter cut or any minerals hereafter mined from any tract of land in this state and removed therefrom, subject to the lien hereinbefore provided, or so much thereof as may be necessary, may be seized by the state auditor, or by any of his agents, or by the sheriff of any county, when appointed and authorized by the state auditor in writing, and sold in the manner provided for the sale of personal property in satisfaction of personal taxes. All moneys received from any such sale in excess of the amount necessary to satisfy the taxes delinquent and the costs and expenses incurred in making such seizure and sale shall be returned to the owner of the timber or minerals so seized and sold, if known, and, if unknown, the same shall be deposited in the county treasury subject to the right of the owner thereof.

Timber and minerals removed may be seized to pay taxes.

SEC. 5. Any person who shall remove or attempt to remove any timber or mineral from any tract of land subject to a lien for taxes, as in this act provided, before such taxes have been fully paid and discharged, shall be guilty of the crime of unlawful removal of timber, or the unlawful removal of minerals, as the case may be, and, upon conviction thereof, be punished by a fine of not more than one thousand (1,000) dollars, or by imprisonment of not more than one (1) year, or by both such fine and imprisonment.

Removal of timber and minerals without paying tax; penalty.

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

Approved April 17, 1899.