

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

Approved March 23, 1899.

CHAPTER 93.

S. F. No. 356.

An act providing for refunding the amount which shall be paid by purchasers of property sold pursuant to chapter 290 of the General Laws of Minnesota for the year 1897, and by assignees of the interest of the state acquired by sale pursuant to said law, with three (3) per cent interest, under certain circumstances.

Forfeited tax sale under C. 290, Laws 1897.

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

SECTION 1. That when any sale which shall be made or certificate which shall be issued pursuant to chapter 290 of the General Laws of Minnesota for the year 1897, is declared void by the judgment of a court of competent jurisdiction, such judgment shall state for what reason such sale or certificate is annulled, and in all cases where any sale or certificate shall be set aside, the money paid by the purchaser at the sale, or by the assignee of the state, upon taking the assignment certificate and also subsequent taxes, penalties and costs that may have been paid thereon by the purchaser, shall, with interest at the rate of three (3) per cent per annum from the day of such payment, be returned to the purchaser or assignee, or the party holding his right, out of the county treasury, on the order of the county auditor, *provided* the action in which such judgment is entered be brought within two (2) years from the date of such sale in cases where no period of redemption is provided for in said chapter 290, and that the action in which such judgment is entered be brought within three (3) years from the date of sale where a time of redemption is allowed in said chapter 290.

Money to be refunded purchaser when judgment declared void by court.

Action to test title to be brought within two years.

If the action in which such sale is declared void or certificate is set aside be not brought within the time herein limited, the purchaser or holder of the certificate shall in no event be entitled to a refundment of the money paid by him, except as provided in section 2 of this act.

SEC. 2. Whenever the holder of any tax certificate of sale issued under chapter 290 of the General Laws of the State of Minnesota for the year 1897, who is not in possession, by himself or others, of the real property described therein, or any part thereof, shall petition the board of county commissioners of the county where the land is situated, setting forth facts claimed to

Holder of certificate of land not in his possession may surrender same and receive money in certain cases.

invalidate said certificate within the meaning of any decision of the supreme court of this state, said commissioners shall inquire into the truth of the facts alleged in said petition, and, if they are satisfied that all the facts affecting the case are fully and fairly stated, they shall so certify to the state auditor, and the latter officer, if he is satisfied, upon consultation with the attorney general, that the facts stated render the certificate void within the principle of any decision of the supreme court, shall authorize the refunding of the amount paid for said certificate, with interest at the rate of three (3) per cent per annum, together with the amount of other subsequent taxes paid on said property by the holder of said certificate, with interest from the time of payment thereof at the same rate upon the surrender of said certificate, if the same has not been recorded, or upon the delivery of an assignment thereof to the state, duly executed, acknowledged and recorded as by law provided for the execution, acknowledgment and record of instruments conveying real property; and thereupon the county auditor shall draw an order for the sum so authorized to be refunded, on the treasurer of said county, to be countersigned and paid as other county orders. *Provided, however, that no money shall be refunded under this section unless the petition provided for herein is presented to the board of county commissioners within two (2) years from the date of sale of the property under said chapter, in cases where no time of redemption is allowed under said chapter, and within three (3) years in cases where a time of redemption is provided for under said chapter 290.*

Petition for
surrender to
be made
within two
years.

Funds to be
charged
with pro-
portion of
amount so
refunded.

Refundment
not to be
considered
cancellation
of tax or
judgment.

Auditor to
sell land
when judg-
ment is not
declared
void.

SEC. 3. In case of any refundment under this act the several funds—state, county, town, village, school and other—shall be charged with their several proportions of the amount so refunded in accordance with the amount received by them on account of such sale or assignment.

SEC. 4. Where the amount paid by any purchaser or holder of any certificate is refunded under the provisions of this act, such refundment shall not be construed as a payment or cancellation of any tax included in the judgment or refundment, but the same shall stand as originally extended against the property, and, with all accrued and accruing penalties, interest and costs, be included with the tax in the next application for judgment, when the judgment rendered under said chapter 290 shall be declared void.

When the sale provided for under said chapter is declared void and the judgment is not, the county auditor shall immediately after making the next annual tax sale, offer said property for sale pursuant to the original judg-

ment, and the same shall be sold with like effect as if sold at the time provided for in said act.

If the certificate or deed issued under the provisions of said act is declared void, and the sale is not declared void, the county auditor may make a new certificate or deed to any purchaser offering to pay the same as provided in said act.

When sale not declared void auditor to make new certificate.

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

Approved March 23, 1899.

CHAPTER 94.

S. F. No. 283.

An act to prevent fraud in the branding and sale of process and renovated butter.

Renovated butter, branding of.

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

SECTION 1. No person, firm, corporation, agent or employe shall manufacture, sell, offer or expose for sale, in this state, any butter that is produced by taking original packing stock butter, or other butter, or both, and melting the same so that the butter fat can be drawn off or extracted, then mixing the said butter fat with skimmed milk, or milk, or cream, or other milk product, and re-churning or reworking the said mixture, or that produced by any process that is commonly known as boiled, process or renovated butter, unless the same is branded or marked as provided in section 2 of this act.

Not to be offered for sale unless branded.

SEC. 2. No person, firm, corporation, agent or employe shall sell, offer or expose for sale, or deliver to purchaser, any boiled, process or renovated butter, as defined in section 1 of this act, unless the words "renovated butter" shall be plainly branded with Gothic or bold-faced letters at least three-fourths of an inch in length, on the top and sides of each tub, or box, or pail, or other kind of a case or package, or on the wrapper of prints or rolls in which it is put up. If such butter is exposed for sale uncovered, or not in a case or package, a placard containing the label so printed shall be attached to the mass of butter in such manner as to easily be seen and read by the purchaser.

Manner of branding.

The branding or marking of all packages shall be in the English language, and in a conspicuous place, so as to be easily seen and read by the purchaser.

Branding to be in English.

SEC. 3. The state dairy and food commissioners and his assistants, experts and chemists, by him appointed,