

## CHAPTER 95.

S. F. No. 57.

*An act to amend subdivision six (6) of chapter [section] 4284 of the General Statutes of 1894 relating to express trusts.*

Amendment.  
Express  
trusts.

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

SECTION 1. That subdivision sixth, section 4284, of the General Statutes of the State of Minnesota of 1894 is hereby amended so as to read as follows:

Sixth—Any incorporated city or village in the State of Minnesota, now or hereafter organized, is authorized to receive by gift, grant, devise or bequest, and take charge of any money, stocks, bonds, personal, real or mixed estates, choses in action and property of any kind whatever, and to invest, reinvest, and loan the same for the benefit of any public library association, or for the purpose of establishing or maintaining a kindergarten or other school or institutions of learning in such city or village, and any public cemetery association located within ten miles of the corporate limits of any such city or village free from taxation, and administer the same in accordance with the will of the testator or the grant of the grantor of the estate.

The district court of the State of Minnesota shall have the power in respect to such trust, estate and trustees as are conferred on the said court by this chapter in respect to other trusts.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1901.

## CHAPTER 96.

S. F. No. 140.

*An act to subject the salary and wages of officers and employes of counties, cities, towns, villages, school districts and departments of either thereof, to garnishment, attachment and execution.*

Garnishment  
of wages.

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

SECTION 1. The salary or wages of any officers of, or any person employed by, any county, city, town, village, school district, or any department of either thereof, shall be liable to process of garnishment, attachment and execution in the same manner, to the same extent and with the same effect that the salary or wages of any other per-

Officers of  
county, city,  
town, village  
or school  
dist. liable.

son is or are now and may hereafter become, under any provisions of any law of the state, liable to such process. Provided, that when the salary or wages of any officer of such political subdivision, or department thereof, is or are sought to be attached or reached by such process, the garnishee summons, writ of attachment or writ of execution shall be served upon the auditor, treasurer or clerk of such political subdivision, or department thereof, and in all other cases such process shall be served upon the officer or head of the department or presiding officer of the body, in whose office or department, or by which body the person whose salary or wages sought to be garnished or levied upon, is employed, and the disclosure or certificate shall be made by the officer or person upon whom such service is made, or by some officer or person having knowledge of the facts, designated by him; and provided further, that no officer, head of department or presiding officer shall be required to appear or make any disclosures in any garnishment proceedings elsewhere than in the city, town, or village where he resides, or in which his office is located, or in which his duties are usually performed; but in all garnishment proceedings where the garnishee summons requires the garnishee to appear at a place other than in the city, town or village where he resides, or in which his office is located, or in which his duties are usually performed, the court, or justice of the peace shall, at the time specified in the garnishee summons for the appearance of the garnishee, or at some future time designated by the court, or justice of the peace, make an order appointing a referee to take the disclosure of the garnishee, and report the same, and all proceedings had before him in the matter, without unnecessary delay; and thereafter the disclosure by, or on behalf of the garnishee shall be made before the referee within the city, town or village where the said officer, head of department or presiding officer resides, or in which his office is located or in which his official duties are usually performed upon written notice to the garnishee and all other parties who have appeared in the proceedings, specifying the time and place, when and where such disclosure will be made; and such notice shall be served personally on the garnishee in the manner prescribed for service of the garnishee summons at least six days before the time designated for the disclosure, and shall be served on all other parties entitled to notice, in the manner provided by sections 5213 to 5217 inclusive, General Statutes 1894, for the services of notices, whether personally, at six days, or by mail at least twelve days before the time designated

Service of  
summons,  
etc.

Disclosures,  
where made.

Appointment  
of referee.

for the disclosure; and in proceedings referred to in this proviso, the garnishee may be defaulted for neglect to appear at the time specified in the notice for the disclosure, or within two hours thereafter, or at the time to which an adjournment may be had, but not otherwise or for any other cause; and

Default  
or neglect.

Provided further, that when any payment shall be made by any city, town or village, or any department of either thereof, by reason of any lawful judgment entered against it as garnishee, or by reason of the lawful levy of a writ of execution, a certified copy of such judgment or writ of execution, with a proper certificate of satisfaction to the extent of such payment endorsed thereon, shall be delivered to the treasurer of such city, town or village, or department of either thereof, making the payment, and the same shall be preserved by him, and shall constitute a voucher for such payment and a complete release to the extent of the payment from any further payment of such salary or wages by the officer or employe who otherwise would have been entitled thereto.

Certificate of  
satisfaction.

SEC. 2. This act shall not affect any indebtedness existing before the passage of this act.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

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

Approved March 28, 1901.

## CHAPTER 97.

S. F. No. 103.

*An act to amend section eight hundred and forty-three (843), General Statutes of eighteen hundred and ninety-four (1894), relating to coroners' inquests.*

Amendment  
coroners'  
inquests.

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

SECTION 1. That section eight hundred and forty-three (843) of the General Statutes of eighteen hundred and ninety-four (1894) be, and the same is hereby amended so as to read as follows:

Section 843. Coroners shall take inquests upon view of the dead body of such persons only as are supposed to have come to their death by violence, and not when the death is believed to have been and was evidently, occasioned by casualty; provided that before such inquest shall be taken the coroner shall request the county attorney to appear at such inquest and conduct the examination of witnesses.