

have the same power and authority to declare any such rate or charge, or any part thereof, unequal or unreasonable, and to make new rates and charges in lieu thereof, as such commission now exercises under chapter 28 of the Revised Laws of 1905. ,

Approved April 20, 1911.

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CHAPTER 320—S. F. No. 586.

*An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing or otherwise caring for the same; and providing for the filing of a statement of such lien, and the foreclosure of the same.*

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

**Lien for sale or work on motor vehicles.**—Section 1. Whoever performs or contributes any labor or skill, or furnishes or contributes any machinery, supplies, materials or storage in making, altering, repairing, storing, or otherwise caring for any motor-vehicle, whether pursuant to a contract with the owner of such motor-vehicle, or at the instance or request of any agent of such owner, shall have a lien upon such motor-vehicle for the price, or value, of the labor or skill performed, or machinery, supplies, materials or storage furnished or contributed. If the labor is performed, or machinery, supplies, materials or storage is furnished pursuant to a contract, for an agreed price, the lien shall be for the sum so agreed upon; otherwise, it shall be for the reasonable value thereof.

**Lien to cease at end of 60 days after furnishing last item.**—Sec. 2. The lien shall cease at the end of sixty days after the furnishing of the last item of such labor, machinery, supplies, materials, and sixty (60) days after the termination of such storage, unless within such period a statement of the claim therefor be filed for record with the township clerk, city clerk or village recorder, as the case may be, in the township, village or city in which the owner of such motor vehicle resides. Such statement shall, by or at the instance of the lien claimant, be verified by the oath of some person, shown by such verification to have knowledge of the facts stated, and shall set forth:

1: The name of the person claiming the lien, and notice of intention to claim and hold a lien;

2: The name of the owner, or reputed owner, of such motor-vehicle;

3: The license number of such motor-vehicle, if licensed under the laws of the State of Minnesota;

4: The amount claimed to be due, and that such amount is due for labor performed, or machinery, materials, supplies, or storage furnished to the owner of the motor-vehicle, or at the instance of an agent of such owner;

5: The dates when the first and last items of the labor, or other contributions, were made.

**Manner of foreclosure.**—Sec. 3. Such lien may be foreclosed by action within six (6) months after the statement is filed. The summons shall state that the complaint has been filed with the clerk of the court in which the action is commenced, and shall contain a notice that the action is brought to foreclose a lien, giving the amount thereof, and the license number of the motor-vehicle affected. If the lien claimant recover judgment, the court shall order the sheriff, or officer, to seize such motor-vehicle forthwith, and sell the same at public vendue, in the manner provided by law for the sale of personal property on execution. Out of the proceeds of such sale, there shall be paid,—first, the expenses thereof; the fees of the officer, and the court costs; second, to the claimant, the amount of his lien, with interest to date; the remainder shall be paid to the owner of the motor-vehicle sold, or other person entitled thereto.

**Service of notice.**—Sec. 4. At or before posting the notice of sale, the sheriff shall serve a copy of said notice of sale on the judgment debtor.

**Construction of term.**—Sec. 5. The term “motor-vehicle,” used herein, includes all vehicles of locomotion, except those propelled by muscular power, and except those which run on rails or tracks. The term “owner” shall include the conditional vendee or mortgagor in possession.

Sec. 6. This law shall take effect and be in force from and after its passage.

Approved April 20, 1911.

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CHAPTER 321—S. F. No. 601.

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*An Act amending chapter 333 of the General Laws of Minnesota for 1909, further providing for the supervision and control of miscellaneous financial institutions.*

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

**Investment companies to be under control of superintendent of banks.**—Section 1. That section 1 of chapter 333 of the General Laws of Minnesota for 1909 is hereby amended so as to read as follows:

Investment companies under control of superintendent of banks.