

CHAPTER 365—H. F. No. 473.

An Act defining motor vehicles; providing for the registration of the same; the licensing of the drivers thereof; regulating the use and speed of motor-vehicles; prescribing road rules; fixing the amount of registration and license fees; prescribing penalties for violations of the provisions of this Act; repealing inconsistent Acts and provisions, and making an appropriation of money to effectuate the purposes of the same.

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

Definitions.—Section 1. The term “motor-vehicle,” as used in this act, except where otherwise expressly provided, shall include all vehicles propelled by any other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrol wagons, ambulances, and such vehicles as run only upon rails or tracks.

The term “local authorities” shall include all officials of counties, cities, towns or villages.

The term “chauffeur” shall mean any person operating or driving a motor vehicle as an employee, or for hire.

The term “state,” as used in this act, except where otherwise provided, shall also include the territories and the federal districts of the United States.

The term “owner” shall also include any person, firm, association or corporation owning or renting a motor vehicle, or having the exclusive use thereof, under a lease or otherwise, for a period greater than thirty days.

The term “public highway” shall include any highway, town road, country road, state road, public street, avenue, alley, park, parkway or public place in any county, city, town or village, except any speedway which may have been or may be expressly set apart by law for the exclusive use of horses and light carriages.

Registration of motor-vehicles.—Sec. 2. Every owner of a motor-vehicle which shall be operated or driven upon the public highways of this state, for each motor-vehicle owned, except as herein otherwise provided, shall cause to be filed, by mail or otherwise, in the office of the secretary of state, a verified application for registration, duly sworn to before a notary public of the county in which said applicant resides, on a blank to be furnished by the secretary of state for that purpose, containing:

(1) A brief description of the motor-vehicle to be registered, including the name of the manufacturer, the factory number, horse power, character of the motive power, and model, if such number or model there be;

(2) The name, residence and business address of the owner of such motor-vehicle, and the name of the county in which he resides; *provided* that if such motor-vehicle is used solely for commercial purposes, the application shall so certify and also state the business in connection with which such vehicle is so used, or to be used.

Age of operator of motor-vehicles.—Sec. 3. No person shall operate or drive a motor-vehicle, licensed under the provisions of this law, who is under sixteen (16) years of age unless such person is accompanied at the time by a duly licensed chauffeur, or the owner of the motor-vehicle being operated, *provided*, that such owner, in such case, must be sixteen (16) years of age, or over.

Registration book.—Sec. 4. Upon receipt of an application for registration of a motor-vehicle, or vehicles, as provided in section 2 and in section 11 of this act, the secretary of state shall file such application in his office, and register such motor-vehicle, or vehicles, with the name and residence and business address of the owner, manufacturer or dealer, as the case may be, together with the facts stated in such application, in a book or index to be kept for that purpose, under the distinctive number assigned to such motor-vehicles by the secretary of state, which book or index shall be open to inspection during reasonable business hours.

Certificate of registration.—Sec. 5. Upon the filing of such application, and the payment of the fee provided in section 7, the secretary of state shall assign to such motor-vehicle a distinctive number, and without other fee, issue and deliver to the owner a set of two (2) tags of registration, upon each of which shall be displayed the distinctive number assigned in the form and size provided in section 10, which shall be evidence of payment of license fee of such registration.

In the event of the loss, mutilation or destruction of a certificate of registration, the owner of a registered motor-vehicle may obtain from the secretary of state a duplicate thereof upon filing with the secretary of state an affidavit showing such fact, and upon the payment of a fee of one dollar (\$1.00).

Re-registration triennially.—Sec. 6. Such registration shall be renewed triennially and upon the payment of the same fee as provided in this act for original registration, such renewal to take effect on the first day of January, every third year.

Registration fees.—Sec. 7. A fee of one and fifty one-hundredths dollars (\$1.50) shall be paid to the secretary of state upon the registration or re-registration of a motor-vehicle, in accordance with the provisions of this act.

Distinctive number must be carried on motor-vehicles.—Sec.

8. No person shall operate or drive a motor-vehicle on the public highways of this state after January first, 1912, unless such vehicle shall have been registered in accordance with this act, and shall have the tags of registration assigned to it by the secretary of state conspicuously displayed, one on the rear and one on the front or dash of such vehicle, securely fastened, so as to prevent the same from swinging, and it shall be the duty of the person driving the motor-vehicle to keep said tags free from grease, dust or other blurring material, so as to be plainly visible at all times.

No person shall display on such vehicle at the same time any number plate of more than one state.

Color of number plate to be changed triennially.—Sec. 9.

Such certificates shall be of a distinctly different color or shade each term of years, there being at all times a marked contrast between the color of the number plate and that of the numerals or letters thereon.

Form of certificate.—Sec. 10.

Such certificate of registration shall be substantially of the following size and form, namely: A plate or placard of metal or enameled or other suitable material eight and one-half inches in length and five inches in width for one, or two numerals; ten inches in length and five inches in width for three numerals; to facilitate the manufacturer an "O" may be prefixed at the discretion of the secretary of state; twelve inches in length and five inches in width for four numerals; on the left end of this plate, with letters running vertically from the top, there shall be the four letters, "Minn." Each letter of this shall be approximately one inch in length, and on the right end, arranged in the same manner, and of the same size, there shall be the four numerals of the term of years in which the license is issued; and on the body of such plate there shall be the distinctive numbers assigned to the vehicle in numerals four inches long, each stroke of which shall be at least one-half inch in width; *provided*, that motor cycles shall be assigned tags three inches in width and of a height to permit numerals to be placed vertically; across the top of this tag, with letters running horizontally, there shall be the four letters "Minn.," and across the bottom, arranged in the same manner, there shall be the four numerals of the year in which license is issued; except that the letters shall be in proportionate size to the small plate; *provided further*, that in case of a motor-vehicle registered under section 11 of this act, there shall be, in addition to the foregoing, the letter "M" preceding the numeral or numerals for the manufacturer of vehicles, and the letter "D" preceding the numeral or numerals for the dealer in vehicles. The letter in

this instance to be approximately three and one-half inches in length and four inches in width, and to be added to the length of the registration certificates heretofore specified.

Registration by manufacturers and dealers.—Sec. 11. Every person, firm, association or corporation manufacturing or dealing in motor-vehicles may, instead of registering each motor-vehicle so manufactured or dealt in, make a verified application, duly sworn to before a notary public of the county in which such person resides, or firm, association or corporation has its principal place of business, upon a blank to be furnished by the secretary of state, for a general distinctive number for all motor-vehicles owned or controlled by such manufacturer or dealer, such application to contain:

- (1) A brief description of each style or type of vehicle manufactured or dealt in by such manufacturer or dealer; and
- (2) The name, residence and business address of such manufacturer or dealer.

On the payment of a registration fee of ten dollars (\$10) such application shall be filed and registered in the office of the secretary of state in the manner provided in section 2 of this act.

There shall thereupon be assigned and issued to such manufacturer or dealer a general distinctive number and duplicate tags of registration in the manner provided by section 2, which shall be in the form of plates, as provided for in section 10, duplicates of which shall be carried or displayed by every motor-vehicle of such manufacturer or dealer so registered when the same is driven or operated on the public highways.

Such manufacturer or dealer may obtain as many duplicate sets of such tags of registration as may be desired upon payment to the secretary of state of one dollar (\$1.00) for each set of duplicates. Such registration shall be renewed annually upon the payment of the same fee as provided for original registration, such renewal to take effect on the first day of January of each year.

Nothing in this subdivision shall be construed to apply to the motor-vehicle operated by a manufacturer or dealer for private use, or for hire.

Exemption of non-resident owners.—Sec. 12. The provisions of the foregoing sections, in regard to registration, shall not apply to a motor-vehicle owned by a non-resident in this state, other than a foreign corporation doing business in this state, who is temporarily within the state while passing into or through this state from an adjoining state; *provided*, that such non-resident shall have displayed in a conspicuous way on the motor-vehicle he is operating, a number and tag, which shall make it and the place from which it comes easily identified; *provided*

further, that should such non-resident owner remain continuously within the state for a period of more than thirty (30) days, he shall be required to register his motor-vehicle in like manner as a resident owner.

Sec. 12 $\frac{1}{2}$. All registration certificates and tags required in accordance with the provisions of this act shall be secured by the secretary of state pursuant to notice and call for bids therefor, such notice to state the quality of material desired in such certificates and tags, the specifications thereof and the amount or number desired, and such notice shall be published for three successive days each in a daily newspaper published in St. Paul and Minneapolis, the first publication to be not less than twenty days prior to the time of opening bids. Each bid shall be accompanied by a certified check on a state or national bank of this state equal to ten per cent of the amount of the bid, payable to the state treasurer, the amount of such check to be forfeited to the state in case successful bidder fails to enter into contract and furnish bond within ten days after awarding contract. The lowest and best bid shall be accepted by the secretary of state, state auditor and state treasurer and they shall enter into a contract with the successful bidder in accordance with such notice and such plans and such bids. Such successful bidder shall within ten days file with the secretary of state a bond for the amount of such bid, payable to the state and to be approved as to form by the attorney general, sureties to be approved by the secretary of state and conditioned for the faithful fulfillment of the terms of such contract by such successful bidder.

Brakes, horns, lamps, et cetera.—Sec. 13. (1) Every motor-vehicle operated upon the public highways of this state shall be provided with adequate brakes sufficient to control the vehicle at all times, and a suitable, adequate bell, horn, or other device for signalling, and shall, during the period from one hour after sunset to one hour before sunrise, display at least two lighted lamps, visible from the front, and one on the rear of such vehicle, which shall also display a red light, visible from the rear. The white rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle. *The light of the front lamps shall be visible at least two hundred feet in the direction in which the motor is proceeding; and, provided further*, that all vehicles other than motor-vehicles shall carry, while traveling on any public highway of this state, between one hour after sunset and one hour before sunrise, a white light, visible from both front and rear. No such motor vehicle shall be permitted to remain standing upon any public street, highway, or other public way unattended in this state, at any time with the motor running.

Every such motor-vehicle using gasoline as motive power shall use a "muffler," so-called, and the same shall not be cut

out or disconnected within the limits of any city or village, within the state, or at the time of passing any horse or animal being led, ridden or driven.

(2) **Stopping on signal, and other regulations.**—A person operating or driving a motor-vehicle, shall, on signal by raising the hand, or by request, from a person riding, leading or driving a horse, or horses, or other draft animals, bring such motor-vehicle immediately to a stop, and, if traveling in the opposite direction, remain stationary so long as may be reasonable to allow such horse or animal to pass, and, if traveling in the same direction, use reasonable caution in thereafter passing such horse or animal; *provided*, that in case such horse or animal appears badly frightened, or the person operating such motor-vehicle is so signaled or requested to do, such person shall cause the motor of such vehicle to cease running so long as shall be reasonably necessary to prevent accident and insure the safety of others. In approaching or passing a car of a street railway, which has been stopped to allow passengers to alight or embark, the operator of every motor-vehicle shall slow down, and if it is necessary for the safety of the public, he shall bring said vehicle to a full stop not less than ten feet from said street car. Upon approaching a pedestrian, who is upon the traveled part of any highway, and not upon a sidewalk, and upon approaching an intersecting highway, or a curve or a corner in a highway where the operator's view is obstructed, every person operating a motor-vehicle shall slow down and give a timely signal with his bell, horn or other device for signalling; *provided*, however, that no person shall unreasonably obstruct or impede the right of travel upon the public highways of a driver of a motor-vehicle, or of a horse, and any one so doing shall be held amenable under this act.

Speeds and signals at cross roads.—Sec. 14. Every person operating or driving a motor-vehicle on the public highways of this state shall, when approaching a cross road outside the limits of a city or incorporated village, slow down the speed of same, and shall sound his bell, horn or other device for signalling in such a manner as to give notice and warning of his approach.

Road rules.—Sec. 15. Whenever a person riding, driving or leading a horse or other animal, or driving or operating a motor or other vehicle on any public highway, shall meet another person thus riding, driving or leading a horse or other animal or thus driving or operating a motor or other vehicle, if such persons are moving in opposite directions, each shall slacken his pace, if necessary, and reasonably turn to the right so as to give half of the travel road, if practicable, and a fair and equal opportunity to pass, to the other; or, if they are moving in the same direction, the person overtaking shall pass on the left side

of the person overtaken, and the person overtaken shall, as soon as practicable, turn to the right so as to give half of the traveled road to the other.

The operator of a motor-vehicle, upon meeting or overtaking any horse, or other draft animal, driven or in charge of a woman, child or aged person, shall not pass said animal at a rate of speed greater than four miles per hour; *provided*, that in case said animal exhibits any signs of fright, the operator shall bring his machine to a stop, and, upon request or raising of the hand of the person in charge of said animal, or in case said animal continues to exhibit signs of fright, or in case the person riding, driving or leading said animal cannot control the same, the said operator shall stop the motor of such vehicle, so long as shall be reasonably necessary to prevent damage to property, or life or limb of such person or animal.

Any person shall, at the intersection of public highways, keep to the right of the intersection of the centers of such highways when turning to the right, and pass to the right of such intersection when turning to the left.

In cities or villages, or any place where traffic is large, or on streets usually congested with traffic of horse drawn vehicles or street cars, slow moving vehicles must keep near the right curb, allowing those moving rapidly to keep nearer the center of the street.

All vehicles, however, must keep to the right of the center of the street.

Rate of speed.—*Sec. 16.* No person shall drive a motor-vehicle upon any public highway of this state at a speed greater than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger the life or limb or injure the property of any person. If the rate of speed of any motor-vehicle, operated on any public highway in this state, where the same passes through the closely built up portions of any incorporated city, town or village, or where the traffic is more or less congested, exceeds ten (10) miles an hour for a distance of one-eighth of a mile, or if the rate of speed of any motor-vehicle, operated on any public highway of this state, where the same passes through the residence portions of any city, town or village, exceeds fifteen (15) miles an hour for a distance of one-eighth of a mile, or of the rate of speed of any motor-vehicle operated on any public highway in this state, outside the closely built up business portions, and the residence portions of any incorporated city, town or village, exceeds twenty-five (25) miles an hour for a distance of one-quarter of a mile, such rates of speed shall be prima facie evidence that the person operating such motor-vehicle is running at a rate of speed greater than is reasonable and

proper, having regard to the traffic and use of the way, or so as to endanger the life or limb or injure the property of any person.

If the rate of speed of a motor-vehicle, operated on any public highway in this state, in going around a corner or curve in a highway, where the operator's view of the road traffic is obstructed, exceeds six (6) miles per hour, such rate of speed shall be prima facie evidence that the person operating such motor-vehicle is running at a rate of speed greater than is reasonable and proper, having regard to the traffic and the use of the way, or so as to endanger the life or limb or injure the property of any person.

If a licensed physician shall have his motor-vehicle stopped for exceeding the speed limit, while he is in the act of responding to an emergency call, the registration number of the vehicle, and the driver's license number may be inspected and noted, and the physician shall then be allowed to proceed in the vehicle to his destination, and subsequently such proceedings shall be taken as would have been proper had the person violating the provisions as to speed not been a physician.

Duty of driver in case of accident.—Sec. 17. Every driver of a motor-vehicle, after knowingly causing an accident, by collision or otherwise knowingly injuring any person, horse or vehicle, shall forthwith bring his motor-vehicle to a full stop, return to the scene of the accident, and give to any proper person demanding same, his name, number of his driver's license and registration number of his motor-vehicle, and the names and residences of each and every male occupant of said motor-vehicle, and upon failure to do so, shall be guilty of a gross misdemeanor.

Local regulations prohibited.—Sec. 18. No city, town, village or other municipality shall make or pass any ordinance, rule or regulation limiting or restricting the speed of motor-vehicles, and no ordinance, rule or regulation heretofore or hereafter made by any city, town, village or other municipality in respect to or limiting the use or speed of motor-vehicles shall have any force, effect or validity; *provided* however, that nothing in this act shall be construed as limiting or preventing local authorities from regulating motor-vehicles offered to the public for hire; and *provided further*, that local authorities may exclude motor-vehicles from any cemetery or ground used for the burial of the dead, and may, by general ordinance or regulation, exclude motor-vehicles, used solely for commercial purposes, from any park or part of a park system; and *provided further*, that the local authorities having jurisdiction over the public parks and boulevards connecting or pertaining to the same, shall not by the terms of this act, be prohibited from adopting and enforcing such

reasonable ordinances, rules or regulations concerning the speed at which motor-vehicles may be operated within and upon any such parks, parkways or boulevards; *provided* the rate of speed of motor-vehicles, fixed by such ordinances, rules or regulations, shall not be less than the rate fixed for other vehicles; and *provided* such authorities shall, by sign, conspicuously placed so as to be easily read by the operator of said motor-vehicle, indicate the rate of speed permitted.

Examination and licensing of chauffeurs.—Sec. 19. There is hereby created a board of automobile examiners, consisting of three members, who shall be men possessing a technical and practical knowledge of the construction, mechanism and operation of motor-vehicles, whose term of office shall be two (2) years, and who shall be appointed by the governor: *Provided* that the term of office of the members of the board, appointed during the year 1911, shall terminate December 31st, 1912. The said board shall have a seal, and shall keep its records and books in the office of the secretary of state; and it shall be the duty of the latter to provide all necessary blank form and record books, and clerical assistance, upon request of said board. The members of said board shall receive a compensation of five dollars (\$5.00) per day while in actual session, and all traveling expenses, and shall be paid by voucher, certified by the secretary of state, out of the appropriation provided for by section 23 of this act.

It shall be the duty of said board to conduct the examination of all applicants for "chauffeur's licenses" herein provided for, at such times and such places as shall be designated by the secretary of state; to pass upon the qualifications of such applicants, and to issue to those having a technical and practical knowledge of the construction, mechanism and operation of motor-vehicles, a license, to be known as a "chauffeur's license;" *provided*, that no such license shall be issued to any person under eighteen (18) years of age or who is an habitual and excessive user of intoxicating liquors, or to any person of defective eyesight, or other physical infirmity, which in the judgment of said board renders such person incompetent to manage and care for a motor-vehicle. Such licenses shall expire on December 31st of each year, and a new license shall be issued to the holder of the expired license upon the payment of two dollars (\$2.00); *provided further*, that upon the third conviction by any court of a violation of any of the provisions of this act, the secretary of state is hereby empowered and directed to revoke the license of any chauffeur so convicted, and said chauffeur shall not be entitled to receive a new license or to have an expired license renewed or re-issued to him within six (6) months after the revocation or expiration of his license, and then only upon and after he has been re-examined by the board, who shall, in their dis-

cretion, have the power to refuse to grant such license, if in their opinion the applicant is incompetent to manage and operate a motor-vehicle.

Application for license to operate a motor-vehicle as a chauffeur may be made by mail, or otherwise, to the secretary of state, or his duly authorized agent, upon blanks prepared under his authority. Such applications shall be accompanied by a photograph of the applicant in such forms and numbers as the secretary of state shall prescribe, said photographs to be taken within thirty (30) days prior to the filing of said application, and to be accompanied by the fee provided therein. Every such application shall be sworn to by the applicant and shall be accompanied by a fee of three dollars (\$3.00).

In case said applicant, upon examination by the board of examiners, shall have been found competent, and such fact has been certified to the secretary of state, such applicant shall thereupon be assigned some distinguishing number or mark, and the license issued shall be in such form as the secretary of state shall determine; it may contain special restrictions and limitations concerning the type of motor power, horse power, design and other features of the motor-vehicles which the licensee may operate; it shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address; a brief description of the licensee for the purpose of identification, and photograph of the licensee. Such distinctive number or mark shall be of a distinctly different color each year, and in any year shall be of the same color as that of the certificate of registration issued for that year. The secretary of state shall furnish to every chauffeur so licensed a suitable metal badge, with the distinguishing number or mark assigned to him thereon, without extra charge therefor. This badge shall thereafter be worn by such chauffeur, pinned upon the outside of his clothing, either upon his breast about midway between his shoulders, or upon the front of his hat or cap, at all times while he is operating or driving a motor-vehicle on public highways. Said license shall be valid only during the term of the license of the chauffeur to whom it is issued, as aforesaid. Every person licensed to operate motor-vehicles as aforesaid shall endorse his signature on the margin of the license, in the space provided for that purpose, immediately upon receipt of said license, and such license shall not be valid until so endorsed; and it shall also be the duty of said licensee to have said license at all times in his possession while operating a motor-vehicle in this state.

Upon the receipt of such an application, the secretary of state shall thereupon file the same in his office and register the applicant in a book or index which shall be kept in the same manner as the book or index for the registration of motor-vehicles,

and when the applicant shall have passed the examination provided for in the preceding section, the number or mark assigned to such applicant, together with the fact that such applicant has passed such examination, shall be noted in said book or index.

No chauffeur having been licensed as herein provided shall voluntarily permit any other person to possess or use his license or badge, nor shall any person, while operating or driving a motor-vehicle, use or possess any license or badge belonging to another person, or a fictitious license or badge. No person shall operate or drive a motor-vehicle as a chauffeur upon a public highway of this state after the first day of January, 1912, unless such person shall have complied in all respects with the requirements of this section; *provided*, however, that a non-resident chauffeur, who has registered under the provisions of law of the foreign country, state, territory or federal district of his residence, substantially equivalent to the provisions of this section, shall be exempt from license under this section; and *provided further*, that he shall wear the badge assigned to him in the foreign country, state, territory or federal district of his residence in the manner provided in this section; *provided further*, that in case said chauffeur remains in this state for sixty (60) days or more, he shall be required to comply with all of the provisions of section 19 hereof.

Bail.—Sec. 20. In case any person shall be taken into custody because of any violation of any of the provisions of this act, he shall forthwith be taken before any magistrate or justice of the peace in any city, village or county, and be entitled to an immediate hearing, and if such hearing cannot be had, be released on giving his personal undertaking to appear and answer for such violation at such time or place as shall then be indicated, secured by a deposit of a sum of money not exceeding twenty-five dollars (\$25.00), or in lieu thereof, in case the person taken into custody is the owner, by leaving the motor-vehicle, and in case the person taken into custody is not the owner, by leaving the motor-vehicle, with a written consent given at the time by the owner, who must be present with such judicial officer.

Intoxication of drivers forbidden.—Sec. 21. Whoever operates a motor-vehicle while in an intoxicated condition, shall be guilty of a misdemeanor.

Tampering with machines.—Sec. 22. No person shall tamper with or drive or operate or use a motor-vehicle without the permission of the owner, and no person shall, without authority of the person in charge, climb upon or into any automobile, whether while the same is in motion or at rest, or hurl stones or any other missiles at the same, or occupants thereof, or shall, while such motor-vehicle is at rest and unattended, sound the

horn or other signalling device, or attempt to manipulate any of the levers, starting crank, brakes or machinery thereof, or set such vehicle in motion, or otherwise damage or interfere with the same.

Fees to be paid into state treasury.—Sec. 23. At the end of each month the secretary of state shall pay into the state treasury, to the account of the general fund of the state, all moneys received by him under this act, and file with the state auditor a verified statement of the amount and sources thereof.

For the purchase of tags, books of registration and the salary of two additional clerks in the office of the secretary of state—one at a salary of fifteen hundred dollars (\$1500) per annum, and the other, who shall be employed from time to time as may be deemed necessary, at five hundred dollars (\$500) per annum, and for the other expenses provided for in this act—the sum of twenty thousand dollars (\$20,000); January 1st, 1912—ten thousand dollars (\$10,000.00) January 1st, 1913, and ten thousand dollars January 1st, 1914, or so much thereof as may be necessary, is appropriated out of the general fund of the state.

On or before the tenth of each month, the secretary of state shall file a statement and certify to the state auditor the items and amounts of all expenses necessarily incurred by him in the carrying out of this act, and such items and amounts, being duly audited, shall be paid by the state.

Suit for damages not abridged.—Sec. 24. Nothing in this act shall be construed to curtail or abridge the right of any person to prosecute a civil suit for damages by reason of injuries to persons or property resulting from the negligent use of the highways by a motor-vehicle, or its owner, or his employee or agent, and in all actions and proceedings against the registered owner of a motor-vehicle, for negligence in the operation of such vehicle, or for any violation of this act, the fact that such motor-vehicle has upon it the registration number assigned to such owner under this act, shall be prima facie evidence that such motor-vehicle belonged to such registered owner.

Taking and removing automobiles without consent of owner.—Sec. 25. Any person who enters any warehouse, garage or building of any kind and takes and removes therefrom, for his own use or that of others, any automobile or motor-vehicle, without the knowledge and consent, expressed or implied, of the owner thereof, shall be deemed guilty of a felony and upon conviction thereof shall be punished accordingly.

The fact that such automobile or motor-vehicle was voluntarily returned to its original place by the party taking the same before or after the owner discovers such removal, or the fact that the party taking the same was then and there in the em-

ploy of the owner of such property, shall not be deemed a defense in the prosecution of such offender.

Punishment for violations and certification of convictions to secretary of state.—Sec. 26. Any person violating any of the provisions of this act shall be guilty of a misdemeanor; *provided*, that if any licensed chauffeur is convicted or found guilty of violating any of the provisions of this act, it shall be the duty of the clerk of said court wherein said conviction is had, to make at once a certified report thereof to the secretary of state. Said report shall contain the name and address of the offender, the number of his license, a statement of the charge made against said chauffeur, a brief statement of the evidence and the verdict or decision of the jury or judge trying the same. If any conviction is reversed on appeal, the person convicted may serve on the secretary of state a certified copy of such reversal, whereupon the secretary of state shall enter the same in the proper book or index in connection with the record of such conviction.

Sec. 27. Chapters 259 and 265, Laws of Minnesota for 1909, sections 1263 and 1273 and 1277, inclusive, Revised Laws of Minnesota for 1905, and all other sections, acts or parts of acts inconsistent herewith are hereby expressly repealed.

Sec. 28. This act shall take effect and be in force from and after January 1st, 1912.

Approved April 20, 1911.

CHAPTER 366—H. F. No. 696.

An Act fixing and regulating the salaries, compensation, duties and help of register of deeds, in counties having, or which may hereafter have, a population of not less than 200,000, and less than 275,000 inhabitants.

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

Salary of register of deeds in certain counties.—Section 1. The salary of the register of deeds of each county of this state having, or which may hereafter have, a population of not less than 200,000 and less than 275,000 inhabitants, shall be four thousand five hundred (\$4,500) dollars, per annum.

Appointment of deputies and other officers.—Sec. 2. Such register of deeds shall appoint and employ one chief deputy who shall be paid a salary of two thousand dollars per annum, one second deputy who shall be paid a salary of twelve hundred dollars per annum, one chief comparer who shall be paid a salary of twelve hundred dollars per annum, one assistant comparer