

in provided and shall be added to the maximums of the several accounts herein designated.

Sec. 19. The Director of Social Welfare, by direction of the Governor after consulting with the Legislative Advisory Committee, may transfer unobligated appropriation balances between the various accounts appropriated under Sections 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12, for current expense only.

Sec. 20: There is hereby cancelled into the general revenue fund all money in the possession of the director of social welfare found upon, or procured from the sale of personal property of former members of the camp for Homeless Men operated under the authority of said department.

Sec. 21. The director of social welfare is authorized to enter into contracts with the Department of Interior, Bureau of Indian Affairs, for the purpose of receiving federal grants for the welfare and relief of Minnesota Indians. Such contract and the plan of distribution of such funds shall be subject to approval of the Minnesota Public Relief Advisory Committee as authorized in Section 10 of this act.

Approved April 24, 1953.

CHAPTER 721—S. F. No. 1679

[Coded]

An act to provide for the recording of conveyances and liens relating to aircraft; to provide for the recordation of sheriff's deeds on public auction sales of abandoned or unclaimed aircraft and to provide for penalties for false statements relating to conveyances submitted for recordation; and repealing Sections 511.261, 511.262, and 511.263, Minnesota Statutes 1949.

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

Section 1. [511.264] **Aircraft, evidence of title ownership.** Every owner of aircraft residing in this state shall file evidence of title ownership with the State Commissioner of Aeronautics.

Sec. 2. [511.265] **Lien interest, evidence of.** The holder of any title, mortgage or conveyance intended to operate as a mortgage or any instrument which affects the interest in, or title to, any aircraft owned by residents of this state shall file evidence of such lien interest with the State Commissioner of Aeronautics and shall renew such filing in accordance with the general laws of this state respecting mortgages or convey-

ances and instruments having the force and effect of interest in or lien against chattels.

Sec. 3. [511.266] **Title ownership; copy filed.** A true copy of such title ownership or instrument affecting title to or interest in aircraft as may be filed with the United States Civil Aeronautics Administrator accompanied by an affidavit by the person presenting such document for filing that it is a true copy of such instrument recorded with the federal agency and that the consideration of such instrument was actual and adequate and that the same was given in good faith for the purposes set forth in such instrument shall be deemed sufficient evidence of title to or interest in the aircraft for recording purposes in this state. No officer shall receive such instrument or file the same in his office until such affidavit is made and annexed thereto. The affidavit shall be in a form approved by the Attorney General and the Commissioner of Aeronautics shall supply copies of such approved affidavit forms. Every person who shall knowingly make a false statement in any such affidavit, upon conviction thereof, shall be deemed guilty of the crime of perjury.

Sec. 4. [511.267] **Nonresident title owner.** When the title owner of aircraft having permanent situs in this state, or being operated from airports or landing fields of this state as a main point of such operation, is a non-resident, every instrument intended as a mortgage, lien, or encumbrance thereon, or a true copy thereof with affidavit attached thereto as provided in Section 3 hereof shall be filed with the State Commissioner of Aeronautics.

Sec. 5. [511.268] **Void as to creditors.** Every title, or instrument in title document, or lien document, which shall hereafter be made which shall not be accompanied by an immediate delivery and followed by an actual and continued change of possession of the aircraft, shall be absolutely void as against creditors of the seller or lien giver and as against subsequent bona fide purchasers or lien holders in good faith, unless the title, or interest in title, mortgage or lien document, has been recorded as provided in this Act.

Sec. 6. [511.269] **Recordation.** Recording of instrument affecting title to, or interest in, aircraft, made mandatory in Sections 1, 2, 3 and 4 of this Act, shall be deemed notice to all persons and compliance with the general laws of this state respecting title affecting chattels. Aircraft shall be deemed chattels for the purpose of recording instruments relating thereto, and shall be subject to all other provisions of the laws of this state respecting chattels, excepting that all aircraft shall be subject to the payment of licensing or prop-

erty taxes as otherwise provided in the laws of this state governing the registration and licensing of aircraft and the payment of airline flight property taxes.

Sec. 7. [511.271] **Records, kept by Commissioner of Aeronautics.** The Commissioner of Aeronautics shall keep suitable books and record at large, word for word, all instruments left with him for recording; keeping separate records of titles, mortgages, liens, and other instruments. He shall keep an alphabetical index where he shall record under the proper letter of the alphabet the name of each grantor and grantee in any instrument left for recording, or of a discharge of any mortgage indicating by entry in the margin of the record thereof, which entry shall show the book and page of record where the mortgage so discharged is recorded.

Sec. 8. [511.272] **Fees for recordation.** The Commissioner of Aeronautics may charge a fee of \$.50 for the recordation of each mortgage, lien, or other document affecting title and a fee of \$.50 for each abstract of title or registered property report, said fees to be deposited in the general revenue fund.

Sec. 9. [511.273] **Inspection of records.** The Commissioner of Aeronautics shall exhibit free of charge during the hours that his office is required by law to be open any of the records or papers in his official custody to the inspection of any person demanding the same either for examination, or for the purpose of making or completing an abstract or transcript therefrom; but no such person shall have the right to have or use such records for the purpose of making or completing abstracts or transcripts thereof so as to hinder or interfere with the Commissioner in the performance of his official duties.

Sec. 10. [511.274] **Abandoned aircraft.** Aircraft which shall have been, or remained, abandoned or unclaimed by any record owner or title holder, mortgage or lien holder, for a period of three months from the date of such abandonment, shall be removed or impounded by the state agency governing aeronautics, or their [its] duly appointed officer for such purposes, and held for a period of 45 days after personal notice by registered mail to the registered owner and lien holders as the records of the U. S. Civil Aeronautics Administrator shall show, after which period the said abandoned or unclaimed aircraft may be sold at public auction by the Sheriff of the County where the aircraft was located at the time of abandonment in the same manner and after the same notice required in sales of property seized on chattel mortgage. Any surplus received at said sale, shall, after all charges incidental to the

Sheriff's sale shall have been paid and satisfied, and all costs of sale have been deducted, be placed in an escrow fund of the state agency governing aeronautics, in trust for the recorded title or lien holders, for a period of three years, for distribution as may be ordered by a court of record of this state in an action to determine the rights and priorities of claimants thereto. At the expiration of such three year period the surplus, if any, not so distributed under court order, shall be deposited in the state funds earmarked for aeronautics. Sheriff's deed executed at such public auction shall be filed in the County where the public auction sale was effected, and a true copy thereof, with affidavit annexed thereto executed by the Sheriff stating the time, place, and circumstances of the sale thereof at public auction, shall be forwarded by said Sheriff by registered mail to the state agency governing aeronautics which shall register the instrument on their [its] record and forward it to the U. S. Civil Aeronautics Administrator for recording in their [his] register.

Sec. 11. **Severable provision.** If any provision of this Act or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Sec. 12. [511.275] **Limitation of application.** The provisions of this act shall not apply to any aircraft used or useful in any commercial flying and owned or operated by an air carrier pursuant to a certificate of public convenience and necessity issued by the federal government.

Sec. 13. Sections 511.261, 511.262, 511.263 of Minnesota Statutes 1949 are hereby repealed.

Sec. 14. The effective date of this act shall be January 1, 1954.

Approved April 24, 1953.

CHAPTER 722—S. F. No. 1705

[Coded]

An act relating to aid to certain school districts.

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

Section 1. [360.133] **School districts, aid to. Subdivision 1. Allocation from proceeds of income taxes.** When the properties of any school district in this state are detached