

within the State, when so desired, an accurate summary of all the interments during such period as may be designated.

SEC. 3. Any sexton or attendant, of a public cemetery or burial ground, or the actuary, or secretary whosoever duty it may be to keep such register, as the directors shall determine, who shall neglect or refuse to carefully keep such register of burials, and record all interments therein as hereinbefore provided, shall be subject to a fine for such offense, not exceeding ten (10) dollars, nor less than two (2) dollars, recoverable before any Justice of the Peace, or other proper officer, the proceeds to go to the school fund of the district.

SEC. 4. This Act shall take effect from and after its publication.

AMOS COGGSWELL,

Speaker of the House of Representatives.

IGNATIUS DONNELLY,

President of the Senate.

Approved, March tenth, one thousand eight hundred and sixty.

ALEX. RAMSEY

SECRETARY'S OFFICE, MINNESOTA, }

March 10th, 1860. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

J. H. BAKER, Secretary of State.

CHAPTER XC.

An Act to provide for the purchase of Fuel for the Legislature and State officers.

- SECTION**
1. Treasurer to fix amount of fuel for Legislature and officers.
 2. Treasurer to receive proposals for furnishing fuel.
 3. Proposals how made—contract awarded to lowest bidder.
 4. Contractor to give bonds in double amount of contract.
 5. Failure to give bond, contract awarded to next lowest bidder.
 6. Penalty for failure to comply with conditions of contract.
 7. Act to take effect from and after passage.

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

SECTION 1. That annually hereafter on or before the first Monday of August it shall be the duty of the Treasurer of

State to ascertain and fix the amount and kinds of fuel necessary for both branches of the Legislature and State officers at the seat of government for the period of one year. Treasurer to fix amount of fuel

SEC. 2. That whenever the amount and kinds of fuel shall be ascertained and fixed upon as aforesaid, it shall be the duty of the Treasurer of State, to give at least thirty (30) days notice in three newspapers printed in and of general circulation in this State setting forth that sealed proposals will be received at the office of the Treasurer of State until the first Monday of September following, for the furnishing of such fuel. Treasurer to give notice of proposals

SEC. 3. The said proposals shall be separate and distinct, specifying the kind, quality and price of the fuel proposed to be furnished, which proposals shall, on the second Monday of September be opened by said Treasurer of State, in presence of the Auditor and Secretary of State, and the contract be by them awarded to the lowest bidder; *Provided*, That if in the opinion of said Treasurer of State it will be advantageous to divide said contracts or either of them, and let a portion of the contract or either of them to one or more bidders, and the remaining portion of such contract or contracts to another bidder, he shall be permitted so to do. Contract to be awarded to lowest bidder

SEC. 4. That to secure the faithful performance of each and every contract so made for fuel, the said Treasurer of State shall take from the contractor or contractors, a bond or bonds payable to the State of Minnesota, with good and sufficient security to be approved by said Treasurer of State, in a penalty not less than double the amount to be paid such contractor or contractors by virtue of their contracts. Bond of contractors

SEC. 5. That if the person or persons to whom any contract may be awarded as aforesaid, shall fail to give bonds within ten days from the time of awarding said contracts, then in that case it shall be the duty of said Treasurer of State to award such contract or contracts to the next lowest bidder. Failure to give bond contract awarded to next lowest bidder

SEC. 6. That such bond shall be filed and retained in the office of the Treasurer of State, and for any failure to comply with any of the conditions therein contained may be prosecuted in the name of the State in any Court of competent jurisdiction, and the amount of damages when collected shall be paid into the State Treasury, and every person to whom contracts shall have been awarded and who shall neglect or refuse to enter upon the performance of such contracts required by this Act, shall forfeit and pay for every such neglect or refusal any sum not less than fifty (50) nor more than five hundred (500) dollars, to be recovered in the name and for the use of the State. Prosecution of bond-penalty for neglect to enter upon contract

SEC. 7 This Act shall take effect and be in force from and after its passage.

AMOS COGGSWELL.

Speaker of the House of Representatives.

E. HODGES,

President *pro tem.* of the Senate.

Approved, March twelfth, one thousand eight hundred and sixty.

ALEX. RAMSEY.

SECRETARY'S OFFICE, MINNESOTA, }

March 12th, 1860. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

J. H. BAKER, Secretary of State.

CHAPTER XCI.

An Act to provide for the attachment of Real Estate.

- SECTION 1. Real estate how attached.
2. Officer's return prima facie evidence of attachment
3. Register to keep record of attachments.
4. Fees of Register for receiving and filing copy.
5. Repeal of inconsistent acts.
6. Act to take effect from and after passage.

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

Real estate how attached.

SECTION 1. Real Estate, shall be attached on any writ of attachment by the officer leaving a certified copy of such writ, and of his return of such attachment thereon, at the office of the Register of Deeds of the county in which such real estate is situated, or if there is no Register of Deeds, with the Clerk of the District Court of the county, and serving a copy of the same upon the defendant in the action if he can be found in his county without any other act or ceremony.

Officer's return evidence of attachment

SEC. 2. The officer's return shall always be prima facie evidence that such copy has been so left, and such attachment made, and of the time thereof; but the Register of Deeds shall certify thereon the time when such copy was received and keep the same on file.

Register to keep index of all attachments

SEC. 3. It shall be the duty of the Register of Deeds to provide and keep a general index of all attachments made by leaving a copy of the writ of attachment at his office, in which he shall enter at the time of receiving the copy of the writ on which the attachment is made, the day of receiving the same,