

Cases of tres-
pass.

attach as against the claim of the owner or legal occupant of the land upon which logs or timber were cut, in cases of trespass, or when the logs and timber were cut and carried away without the consent of such owner or legal occupant.

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

Approved March 11, 1878.

CHAPTER 5.

AN ACT TO AMEND SECTION THIRTY-FOUR (34) OF CHAPTER FIFTY-THREE (53) OF THE STATUTES OF MINNESOTA.

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

Chapter 53
general stat-
utes amended.

SECTION 1. That section thirty-four (34) of chapter fifty-three (53) of the General Statutes of the State of Minnesota be amended so as to read as follows :

Payment of
debts against
estates.

If the assets which the executor or administrator has received and which can be appropriated to the payment of debts are not sufficient therefor, he shall after paying the necessary expenses of his funeral, last sickness and administration, pay the debts against the estate in the following order :

First. Debts having preference by the laws of the United States.

Second. Public rates and taxes.

Third. Judgments entered and perfected prior to the death of the deceased, and docketed at the time of his death in the county in which he resided : Provided, that the preference of such judgment shall only extend to assets of the estate derived from real property upon which such judgment was a lien during the lifetime of the deceased. And all judgments entered and docketed in this State, of which the executor or administrator shall have had actual notice within six months from the date of the death of the deceased.

Fourth. Debts due to other creditors.

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

Approved March 7, 1878.