

ted, "book of plat certificates," and said register of deeds shall thereupon note upon such plat or plats and the copy thereof, filed in his office as aforesaid, and referred to in such certificate, the fact of such filing and the book and page where such certificate is recorded and he shall receive from the person offering such certificate for record, the fees provided by law for similar services. And such certificate, or the record thereof, shall, together with such plat, be prima facie evidence, in all cases, as to the lands covered by said plat.

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

Approved April 21, 1903.

H. F. No. 739.

CHAPTER 403.

Warehouse
certificates
on packing
house
products.

An act to provide for the issuance of warehouse certificates on packing house products.

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

Form of
certificates.

SECTION 1. All persons, firms or corporations engaged in the slaughtering of cattle, sheep and hogs, and dealing in the various products therefrom, who own or control the buildings wherein such business is conducted or such commodities stored, may issue warehouse certificates for any of such commodities actually on hand and in store, the property of the person, firm or corporation issuing such certificates, and it may by such method sell, assign, transfer, pledge or incumber such commodity to the amount described in such certificate. Such certificates shall contain the name and address of the person, firm or corporation issuing them, and the name and address of the party to whom issued, the location of the warehouse, building or other place where the commodity therein described is stored, the date of the issuance of such certificate, the quantity of each commodity therein mentioned, the brands or marks of identification thereon, if any, and be signed by the person or firm issuing the same, unless issued by a corporation, in which case they shall be signed by such corporation by its secretary or business manager, if it has such manager other than its secretary.

SEC. 2. Before any such person, firm or corporation is authorized to issue such warehouse certificates, he or it

must file in the office of the register of deeds in the county wherein such warehouse or other building is situated, a written declaration giving the name and place of residence or location of such person, firm or corporation; that he or it designs keeping or controlling a warehouse or other place for the sale and storage of commodities mentioned in section 1 of this act, a correct description of the warehouse or other building to be kept or controlled and where the same is or is to be located, the name or names of any person other than the one making such declaration who has any interest in said warehouse or other building, or in the land upon which it is situated, such declaration to be signed and acknowledged by the party making the same before some officer authorized to take acknowledgments to instruments, and recorded in a book to be kept for such purpose; and a certified copy of such instrument shall also be filed in the office of the town clerk, village recorder or city recorder, in the town, village or city where such business is conducted, the same to be filed in the same manner as chattel mortgages are filed, and a record thereof shall be kept in the same book in which a record is kept of chattel mortgages, and the party making such declaration shall be treated as the vendor in indexing such declaration, and the public as vendee.

Interest in
warehouse.

Certified
copy.

SEC. 3. Each certificate issued by any person, firm or corporation shall have printed on the back thereof a statement that the party issuing it has complied with the requirements of the preceding section, giving the book, page and name of the county where the record of such declaration may be found, and the day of the filing in the office of the town clerk, village recorder or city recorder, as herein required, and when such certificate is so issued and delivered it shall have the effect of transferring to the holder thereof the title to the commodities therein described or enumerated, and shall be assignable by written indorsement thereon, signed by the lawful holder thereof, which shall transfer the title to the commodities therein enumerated, and be presumptive evidence of ownership in such holder. No record or other notice shall be necessary to protect the rights of the holder of the certificate as against subsequent purchasers of the property.

Statement
printed
on back.

SEC. 4. All certificates given under the provisions of this chapter shall be registered by the party issuing them in a book kept for that purpose, showing the date thereof, the number of each, the name of the party to whom issued,

Certificates
must show.

the quantities and kinds of commodities enumerated therein, and the brands or other distinguishing marks thereon, if any, which book shall be open to the inspection of any person holding any of the certificates that may be outstanding and in force, or his agent or attorney; and when any commodity enumerated in any such certificate is delivered to the holder thereof, or it in any other manner becomes inoperative, the fact and date of such delivery or other termination of such liability shall be entered on such register in connection with the original entry of the issuance thereof.

Property
actually in
warehouse.

SEC. 5. No person, firm or corporation shall issue any warehouse certificate for any of the commodities enumerated in this chapter unless such property is actually in the warehouse or other building mentioned therein as being the place where such commodity is stored, and it shall remain there until otherwise ordered by the lawful holder of such certificate, subject to the conditions of the contract between the warehouseman and the person to whom such certificate was issued, or his assignee, as to the time of its remaining in store; and no second certificate shall be issued for the same property, or any part thereof, while the first is outstanding and in force, nor shall any such commodities be by the warehouseman sold, incumbered, shipped, transferred or removed from the warehouse or other building where the same was stored at the time such certificate was issued, without the written consent of the holder thereof.

May
recover
damages.

SEC. 6. Any one injured by the violation of any of the provisions of this chapter may recover his actual damages sustained on account thereof, and if willfully done, in addition thereto, exemplary damages, in any sum not exceeding double the actual damages, which actual damages shall be found and returned by special verdict.

Penalty for
violation.

SEC. 7. Any person who shall willfully alter or destroy any register of certificates provided for in this chapter, or issue any receipt of certificates without entering and preserving in such book the registered memorandum; or who shall knowingly issue any certificate herein provided for when the commodity or commodities therein enumerated are not in fact in the building or buildings it is certified they are in, or who shall, with intent to defraud, issue a second or other certificate for any commodity for which, or for any part of which, a former valid certificate is outstanding and in force, or shall, while an-

other valid certificate for any part of the commodities mentioned in this chapter is outstanding and in force, sell, *incumber, ship, transfer or remove from the warehouse* or building where the same is stored, any such certified property, or knowingly permit the same to be done, without the written consent of the holder of such certificate, or if any person knowingly receives any such property or *helps to remove the same, he shall, upon conviction, be* punished by a fine not exceeding ten thousand dollars, or by imprisonment in the penitentiary not exceeding five years. Fine of
\$10,000.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.