

than \$35,000,000.00 and a population of not less than 29,000 and not more than 36,000 inhabitants according to the last preceding federal or state census, the county treasurer shall receive an annual salary of three thousand dollars; and such county treasurer shall prepare such duplicate current tax lists as the county board shall direct.

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

Approved March 28, 1929.

CHAPTER 109—S. F. No. 314

An act to amend Sections 3221 and 3230 of the General Statutes of Minnesota for 1923, relating to the destruction of intoxicating liquor and the duties of officers with reference to the seizure of such liquor, or any property or equipment used in connection therewith.

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

Section 1. **Destruction of liquor—Disposition of proceeds.**—That the Section 3221, General Statutes of Minnesota, 1923, be amended so that the same shall read as follows; viz :

“If the defendant in any criminal action be convicted, the liquor and every tablet, compound or substance, and all matter and material of any kind, and every formula, recipe, or direction, and every still, apparatus, implement, machine, device, contrivance or utensil found on the premises, any of which constitutes, or is designed or intended for use or used for or in, or in connection with the nuisance or with the commission of the offense charged and for which the defendant was convicted, shall be destroyed by the officer seizing the same, and the salvage from any article so destroyed, and all other articles seized constituting or designed or intended for use or used for or in, or in connection with the nuisance or with the commission of the offense charged for which the defendant was convicted, shall be forfeited, and shall be sold by the officer as upon execution, and all moneys paid into the county treasury of any county in this state on account of the sale of salvage and other articles under the provisions of this section shall be placed in the law enforcement fund of the county.”

Sec. 2. **Duties of officers—Seizure of liquor, etc.**—That the Section 3230, General Statutes of Minnesota, 1923, be amended so that the same shall read as follows; viz :

"Whenever any sheriff, deputy sheriff, constable, marshal, policeman or other peace officer shall discover any person in the act of transporting liquor within this state, in violation of the constitution, or law of this state, or of the United States, such officer shall seize any wagon, buggy, automobile, or any car or both, vessel or water or air craft, or vehicle or conveyance, or means of conveyance of any kind, wherein or whereby any such liquor is being so unlawfully transported, and if such officer shall find any intoxicating liquor being so transported in violation of the constitution or law of this state or of the United States, it shall be his duty to seize and hold the same and all thereof, subject to the order of the court wherein the cause is triable, and to seize and hold, subject to the order of said court, any such wagon, buggy, automobile, car, boat, vessel, water or air craft, vehicle or conveyance or means of conveyance of any kind, together with any animal or animals used for or in, or in connection with any such unlawful transportation, and to immediately arrest, and as soon as possible make proper complaint in any court having jurisdiction against any person or persons in charge of the liquor or property seized or any thereof, duly charging such unlawful transportation; and such officer shall also make and file with said court a separate complaint against such property other than liquor, describing the same and charging the use thereof in the unlawful transportation of intoxicating liquor, specifying substantially the time and place of such unlawful use. Such officer shall also make an inventory of such property and forthwith file the same with said court and serve a copy thereof on the defendant or person in charge of such property at the time of the seizure, if any. If the person so arrested shall be acquitted, the court shall dismiss the claim against such property and order the same returned to the person or persons legally entitled thereto. Upon conviction of any person so arrested *or upon adjudication by the court that the person charged with transporting such liquor is a fugitive from justice*, the court shall order all liquor so seized and the containers thereof destroyed and shall forthwith issue an order directed to any person known or believed to have any right or title or any interest in or lien upon any such property other than liquor, and the persons unknown claiming any such right, title, interest or lien, describing such property and stating that the same was seized and that a complaint against the same, charging the use thereof in the unlawful transportation of intoxicating liquor has been filed with the court, and requiring such persons to file with the clerk of said court their answer to said complaint setting forth any claim they may have to any right or title or interest in or lien upon any such property, within ten (10) days after the service of such order as herein provided, and notifying them in substance that if they fail to so file their answer within said time such property will be ordered sold upon execution and proceeds of such sale paid into the treasury of the county; and said court shall

cause said order to be served upon any such person known or believed to have any such right, title, interest or lien as in case of a summons in a civil action, and upon unknown persons by publication as provided by Sections 7737 and 7738 of the General Statutes of Minnesota for 1913 for a summons in a civil action. If no answer is filed as, and within the time herein prescribed, the court shall, upon affidavit by the clerk of said court, being filed in his office setting forth such fact, order such property sold as upon execution and proceeds of such sale after deducting the expense of keeping the property and fees and costs of sale, paid into the county treasury of the county where the seizure occurred; provided that the court for cause extend the time to answer for not to exceed ten (10) days. If answer is filed as and within the time herein provided, the court shall fix a time for hearing, which shall be not less than ten (10) nor more than thirty (30) days after such time for filing answer expires. At the time so fixed for hearing, unless continued for cause, the matter shall be heard and determined by the court without a jury as other civil actions. It shall be the duty of the county attorney of the county wherein the case is triable, to appear at such hearing in support of the complaint against said property and prosecute said action in behalf of the state. If the court shall find that said property or any part thereof was used for or in connection with the transportation of intoxicating liquor in violation of the constitution or law of this state or of the United States, he shall order the property so unlawfully used sold as upon execution unless the owner shall show to the satisfaction of the court that he had no notice or knowledge or reason to believe that said property was used or intended to be used in the unlawful transportation of intoxicating liquor. The officer making any such sale, after deducting the expense of keeping the property, the fee for seizure and the costs of the sale shall pay all liens according to their priority which are established at said hearing as being bona fide and as having been created without the lien on it having any notice or knowledge that any such property was being used for or in connection with the unlawful transportation of liquor, and shall pay the balance of the proceeds into the county treasury of the county where such sale is made. All liens against property sold under the provisions of this section shall be transferred from the property to the proceeds of the sale of the property. *One-half of all moneys paid into the county treasury of any county in this state on account of the seizure and sale of property under the provisions of this section shall be placed in the law enforcement fund of the county, and may be used for law enforcement purposes on order of the district court of the county in connection with the work of the county attorney of such county in securing evidence of law violations. Provided that before any seizure is made hereunder, the officer making the same shall disclose his authority as such officer."*

Sec. 3. **Effective May 1, 1929.**—This act shall take effect and be in force after May 1st, 1929.

Approved March 28, 1929.

CHAPTER 110—S. F. No. 708

An act to amend General Statutes 1923, Section 8090, subdivision 6, relating to purposes of express trusts.

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

Section 1. **Purposes of express trusts — Duration.**—That General Statutes 1923, section 8090, subdivision 6, be and the same is hereby amended to read as follows:

“6. For the beneficial interests of any person or persons, whether such trust embraces real or personal property or both, when the trust is fully expressed and clearly defined on the face of the instrument creating it, *and the power to sell and/or assign and/or transfer such beneficial interest shall in no manner be abridged or curtailed, where such beneficial interest in the first instance shall have been acquired by purchase*; Provided, that the trust shall not continue for a period longer than the life or lives of specified persons in being at the time of its creation, and for twenty-one years after the death of the survivor of them, and that the free alienation of the legal estate by the trustee is not suspended for a period exceeding the limit prescribed in Chapter 59.”

Approved March 28, 1929.

CHAPTER 111—S. F. No. 563

An act to regulate the Investment of the Funds of Domestic Life Insurance Companies other than investments in real estate, and repealing inconsistent acts.

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

Section 1. **Investment of domestic life insurance companies funds.**—The capital, surplus and other funds of every domestic life insurance company, whether incorporated by special act or under the general law (in addition to investments in real estate as otherwise permitted by law) may be invested only in one or more of the following kinds of securities or property: