

THE
GENERAL STATUTES

OF THE
STATE OF MINNESOTA

As Amended by Subsequent Legislation, with which are Incorporated
All General Laws of the State in Force December 31, 1894

COMPILED AND EDITED BY
HENRY B. WENZELL, Assisted by EUGENE F. LANE

WITH ANNOTATIONS BY
FRANCIS B. TIFFANY and Others

AND A GENERAL INDEX BY THE EDITORIAL STAFF OF THE NATIONAL
REPORTER SYSTEM

COMPLETE IN TWO VOLUMES

VOL. 2

CONTAINING

Sections 4822 to 8054 of the General Statutes, and the General Index

ST. PAUL, MINN.
WEST PUBLISHING CO.

1894

GENERAL INDEX.

VOLUMES 1 and 2.

[Sections 1 to 4821, inclusive, are comprised in Volume 1; the residue in Volume 2.]

A.

	Sec.		Sec.
ABANDONMENT,		ABORTION—Cont'd,	
of child.....	6535, 6536	exhibiting or offering to sell articles for	
of homestead.....	5529	purpose of, furnishing information,	
of wife.....	5165, 6535, 6536	etc.....	6572
(see "Husband and Wife.")		ABSCONDING DEBTORS,	
ABATEMENT,		restraining from leaving state.....	4242
OF ACTION.		ABSCONDING PARENT OR HUSBAND,	
when abates.....	5171	liabilities.....	6535, 6536
what causes survive.....	5912	(see "Husband and Wife"; "Parent	
proceedings on death, marriage, etc.,		and Child.")	
of parties.....	5171	ABSTRACTS OF TITLE,	
transfer of interest of party.....	5171	purchase by county.....	764
alienation by defendant pending eject-		compensation for making.....	764
ment.....	5863	compensation of private person for	
effect of vacancy or change in office of		making.....	765
judge.....	4846	duty of register of deeds.....	773
against members or employes of legis-		right of abstractor to occupy county	
lature.....	5172	building.....	765
death of party to appeal.....	6153, 6154	— bond given to county.....	765
OF NUISANCE,		ABUSE OF CHILDREN.	
(see "Nuisance.")		(see "Cruelty to Children.")	
ABBREVIATIONS,		penalty.....	8014
in tax proceedings.....	1627	disposition of fines.....	8015
ABDUCTION,		ABUSIVE LANGUAGE,	
of female for prostitution, etc.....	6529	use of, penalty.....	6940
— no conviction on unsupported tes-		ABUTTING OWNERS,	
timony of female.....	6530	on highways, fixing boundaries.....	1813
of person outside of state, bringing into		ACADEMIES,	
state (par. 4).....	6298	(see "Colleges and Universities.")	
ABORTION,		ACCEPTANCE,	
definition.....	6545	of bill to be in writing.....	2233
pregnant woman attempting abortion,		ACCESSORIES,	
punishment.....	6546	in commission of felonies.....	6261-6268
competency of accomplice as witness..	6547	(see "Crimes and Punishments.")	
concealing birth of child.....	6548	in commission of crime.....	6309-6314
selling drugs, instruments, etc., felony	6549	(see "Crimes and Punishments.")	
punishment.....	6446	ACCIDENT,	
punishment where death ensues from		report to commissioner of labor.....	2256
attempt to produce miscarriage....	6447, 6450	ACCIDENT INSURANCE.....	3296-3316
		(see "Insurance Companies.")	

MINNESOTA STATUTES 1894

2124

ACCOMPLICE—ACKNOWLEDGMENT OF INSTRUMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ACCOMPLICE,		ACKNOWLEDGMENT OF INSTRUMENTS—Cont'd,	
testimony of	5767	of release of dower.....	5790
(see "Crimes and Punishments.")		of map made in condemnation proceedings	2623
ACCOUNT BOOKS,		of survey of plank road or turnpike..	3364
as evidence prima facie	5738	of town plats.....	2306
— ledger to be procured when....	5739	of undertaking	7989
entries by persons deceased admissible	5740	to entitle conveyance to record.....	4191
proof by deposition	5741	refusal of grantor to acknowledge deed, procedure	4172-4176
ACCOUNTS,		unacknowledged deed, filing copy pending proceedings in court to procure acknowledgment, effect..	4177, 4178
of county treasurer.....	740, 741	BEFORE WHOM TAKEN—POWER TO TAKE.	
of general and special partners.....	2351	in general	5639, 5644
of executors and administrators..	4632-4652	deeds before whom acknowledged....	4166
(see "Executors and Administrators.")		city recorder.....	1065
of guardian.....	4573, 4574	clerk of federal court.....	5638
(see "Guardian.")		commissioners in other states..	5646, 5647
trust company to account for investments	2850	deputy clerk of court.....	859
pleading and evidence.....	5246	notary public	2271
falsification of by public officers.....	6663	register of deeds.....	775
ACCUMULATIONS,		state park commissioner.....	4055
(see "Uses and Trusts.")		chattel mortgages, town clerk.....	4134
ACCUSED PERSONS,		village recorder.....	1264
rights of (see "Crimes and Punishments.")		CERTIFICATES.	
ACKNOWLEDGMENT OF DEBTS,		contents	4167
to toll statute of limitations.....	5154	affixing seal	5641
ACKNOWLEDGMENT OF INSTRUMENTS.		entitles deed to record.....	4179
by married women	5651	false certificates, forgery.....	6691
— separate examination	5651	CURATIVE ACTS—DEFECTS CURED.	
forms	5650	in general	5044
of assignment for benefit of creditors..	4227	acts of notary without seal	7581
of assignment of judgment.....	5430	acts of clerks in unorganized counties	7638
of certificate of association.....	2540	acts of notary valid without seal...	7555
of certificate of election of trustees...	3026	certificate not stating character of acknowledging officer, record of instrument, effect of record formally made	7532, 7533
of certificate of execution sale.....	5470	absence of seal, record of instrument	7537-7539
of certificate of limited partnership..	2334	defective certificate	7560
of certificate of organization of bank..	2491	failure to state separate examination of wife	7543
of certificate of organization of cemetery associations	3088	married woman not described as wife of other grantor	7573, 7574
of certificate of redemption from mortgage foreclosure	6043, 6065	separate acknowledgment of wife	7541, 7542
of certificate of sale under power in mortgage	6038	taken after expiration of officer's term	7561, 7562, 7572
of certificate of sale on foreclosure of mortgage by action.....	6065	— before banker or broker as notary	7527
of chattel mortgages.....	4131, 4133	— before deputy clerks of court....	7544
of contract relating to rolling stock..	2731, 2733		
of deeds	4160, 4166		
— taken in other states.....	4168		
— in foreign countries.....	4169		
of instruments, use as evidence.....	5727		

Accounting State Institutions
system of - 7975; 7986

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ACKNOWLEDGMENT OF INSTRUMENTS—ACTIONS.

2125

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ACKNOWLEDGMENT OF INSTRUMENTS—Cont'd,	
— before deputy register of deeds	7563
— before officers previously appointed, etc	7550
— territorial clerks of court, etc., curative act	7523
— before territorial judges of probate, record	7531
— before W. McTavish	7528
— out of state, record when	7576, 7577
ACROBATIC EXHIBITIONS,	
protection to performers, penalty for omitting	6612
ACTIONS,	
(see "Limitation of Actions.")	
abatement and revival	5171
action in equity	4834
bringing in additional parties defendant	5178-5181
by whom prosecuted	5156, 5158, 5159
crime to institute suit in name of another	6416
civil remedies not abrogated by Penal Code	6847
consolidation	5271
dismissal	4976
— for refusal to give security for costs	4965
effect of Penal Code	6844
form	5131, 5228
how commenced	5193
how instituted before justice	4964
immaterial errors	5269
intervention	5273
interpleader	5273
joinder of causes	5260
payments due in installments, action for each installment	4959
proceedings where some of defendants are not served	5207
release of joint obligors, action against remaining obligors	5168
rights and powers of wife on desertion by husband	5165
survival of causes of action	5912
style of parties	5132
ACTIONS AGAINST.	
boats and vessels	6085, 6107
(see "Boats and Vessels.")	
cotenant	5880
heirs, etc., for debt of decedent	5918, 5919, 5924, 5929, 5930, 5944
member or employes of legislature	5172, 5173

	Sec.
ACTIONS—Cont'd,	
persons doing business under firm name	5177
persons usurping or forfeiting office or franchise	5963
receivers or assignees, leave of court	5174
— venue and rules of procedure	5175
sealer for neglect to procure weights and measures	2207
unknown defendants	4964, 5268
ACTIONS BY.	
board of game and fish commissioners	2151
foreign executor or administrator	5917
married woman	5165, 5530
militia company to collect dues	1753
mortgagor to compel discharge of mortgage	4197
part owner of land to obtain right to develop mineral deposits, etc.	5830-5832
persons settling on government lands without authority	6128-6131
reversioners	5879
surety to compel satisfaction of debt secured	5272
BY AND AGAINST.	
banks	2499
— against banks to recover deposits	2561
co-operative associations	2908
corporations	5892
— foreign corporations	5890, 5891
— manufacturing companies	2816
limited partnership	2343
warden of state prison	7471
ACTIONS BY OR AGAINST COUNTIES, TOWNS, VILLAGES, ETC.	
counties	638, 642
— county, how named	643
— against counties for wrongful sale for taxes	1507
drainage commissioners	7742
drainage districts	7786
school-district trustees	3817-3823
school districts having no trustees	3824-3832
towns	1005
— in what name	1006
town supervisors on official bonds for penalties, etc.	980
village, service of process	1414
ACTIONS FOR.	
cruelty to animals	6806
damages caused by diseased sheep	6977
failure to redeliver grain stored	7648

MINNESOTA STATUTES 1894

2126

ACTIONS—ADULTERATION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ACTIONS—Cont'd,		ADJUTANT GENERAL,	
fines and forfeitures, by whom brought	5956	powers and duties	1702
penalty, amount recoverable	5957	custodian of records, etc.	1702
rent	5869	pension agent, etc.	1704
willful injury to property	6791	seal of office, papers certified under seal	1703
injuries to public buildings or articles therein	6789	to receive resignations of officers	1728
ACTIONS ON.		payment of annual allowance to militia	1739, 1740
bond of trustee of savings bank	2539	issue of arms to Sons of Veterans	1770
official bond, who may bring	5952		
— leave to bring	5953	EXPENSES OF OFFICE, SALARIES, CLERK HIRE, ETC.	
— several actions on same bond	5954	expenses of office, appropriation	7961 (par. 10), 7963 (par. 8), 7964 (par. 10)
recognizance	7159-7161	salary (par. 7)	530
ACTIONS TO.		— appropriation (par. 6)	7956
enforce mechanic's lien	6238	salary of clerk (par. 16)	530
foreclose mortgages	6057-6076	— appropriation (par. 11)	7961
recover money, etc., lost at play	6593	stenographer, salary, appropriation (par. 4)	7964
recover property distrained, pleading	5259		
vacate charters and prevent usurpation of franchise	5961-5973	ADMINISTRATION OF DECEDENT'S ESTATE.	
(see "Corporations.")		(see "Executors and Administrators.")	
vacate letters patent	5964	ADMIRALTY,	
ACTUARY,		actions against boats and vessels	6085-6107
(see "Cemeteries.")		(see "Boats and Vessels.")	
ADJOINING LANDOWNERS.		ADMISSIONS,	
(see "Boundaries"; "Fences.")		effect of pleading set-off or counterclaim	5238
lands adjacent to railroad, drains and crossings	2697	implied from failure to controvert allegations in pleading	5261
ADJOINING TOWNS,		ADOPTION,	
definition	3231	of homeless or neglected children	2932, 2933
ADJOURNMENT AND CONTINUANCE,		of pupils of state public school	3518
of action for forcible entry and detainer	6114	of illegitimate child, right of descent	4473
of action to enforce mechanics' liens	6238	petition for	8016
of bastardy proceedings in district court	2043	consent of parent, guardian, or next of kin, when necessary	8017
of condemnation proceedings	1107 (par. 4), 2607, 2626	consent of child	8018
of court, appointing adjourned and special terms	4850	notice of hearing of petition, publication	8019
— on nonattendance of judge	4844	proceedings on hearing, decree	8020
— pending deliberation of jury	5376	status of adopted child, right of inheritance	8021
— final adjournment discharges jury	5376	effect of decree	8022
of criminal prosecution	6280, 7321	distribution of estate of adopted child	8023
of grand jury to following term	7201	rights of child	8024
of probate court	4729	ADULTERATION,	
of proceedings against boat or vessel	6104, 6105	of food, drugs, liquors, etc.	6625, 7022-7025
of supreme court	4829, 4830	(see "Intoxicating Liquors.")	
by justices of the peace	4989, 4990, 4992, 5009, 5012, 5057, 5090	of cigarettes, penalty for	6951
for absence of evidence; affidavit, when refused	5366	of milk, impure milk defined	7003
of hearings by arbitrators	6215		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ADULTERATION—AFFIDAVIT.

2127

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ADULTERATION—Cont'd,	
of cider vinegar	7015-7021
(see "Vinegar.")	
of lard	7026-7037
(see "Lard.")	
of honey	7038-7044
(see "Honey.")	
ADULTERY,	
cohabitation of divorced persons....	4812
time of prosecution	6556
definition, punishment, who may initiate prosecution	6556
ground for divorce (see "Divorce.")	
ADVANCEMENTS,	
construction and valuation	4645-4652
(see "Descent and Distribution.")	
ADVERSE CLAIMS.	
(see "Quieting Title"; "Real Property.")	
under town-site act	4259-4262
(see "Town Sites.")	
service of process on nonresidents...	5816
actions relating to unoccupied lands...	5817
action by person in possession.....	5817
proceedings against unknown persons and parties	5818
right to costs	5819
action by claimants under common grantor to confirm his title.....	5820
right to test validity of tax titles....	5821, 5822
determination in action to determine boundaries	5829
practice relating to determination of rights of occupying claimants.....	5850
pleadings	5850
verdict or findings of court.....	5850
allowance of interest	5850
"improvements" defined	5853
presumption of good faith of occupant judgment against occupying claimant, conditions precedent to ejecting claimant	5851, 5852
— right of claimant to reimbursement for improvements	5849
— refunding purchase money.....	5851, 5852, 5856
— payment of value of land by occupant	5852
— right to remove crops.....	5854
application of act with regard to occupying claimants	5858
ADVERSE POSSESSION,	
conveyance of land adversely held...	4165
time of commencing action to recover land	5134

	Sec.
ADVERTISEMENT,	
(see "Publication.")	
for bids for public printing, etc.....	261
— for publication of legislative manual	291
for letting work on state capitol....	506
by insurance companies.....	3169
— penalty for false advertisements	3173
foreclosure of mortgages by.....	6028-6056
(see "Mortgages.")	
of lotteries, misdemeanor.....	6580
of offers to insure lottery tickets...	6584
of lotteries out of state.....	6587
of counterfeit money.....	6708
AFFIDAVIT,	
for registration of voter removed from another election district.....	69
filed by railroad and warehouse commissioner (par. d).....	387
that orders, etc., were received by county treasurer at par.....	751
of surveyor to be attached to corrected village plat.....	1220
given to obtain duplicate of bonds, orders, or warrant.....	2228
— duplicate state warrants.....	333
accompanying certificate of limited partnership	2336, 2337
of renewal of chattel mortgages. 4146, 4147	
for appeal from justices.....	5068
for delivery of personal property....	5275
of claimant of property attached....	5296
to vacate writ of attachment.....	5300
for continuance.....	5366
form of oath.....	5641
taken out of state, certificate of clerk of costs, etc., on foreclosure of mortgage under power.....	6051
to accompany summons against owners and masters of vessels.....	6096
verification of pleading.....	5245
— of claim against county.....	688
by proprietor of newspaper to obtain right to publish notices, etc.....	7994
filing	5220
TO SECURE WRITS.	
replevin	5043
attachment	5052, 5280
garnishment	5306
injunction	5345
IN PROCEEDINGS RELATING TO TAXES.	
on listing property for taxation.....	1527
verification of returns by assessor....	1549
in proceedings to collect taxes.....	1568, 1583, 1606

MINNESOTA STATUTES 1894

2128

AFFIDAVIT—AIDING OR ABETTING.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
AFFIDAVIT—Cont'd,			
RELATING TO PUBLICATION OF NOTICES.			
of notice of petition to change county seat	647		
of notice of application to court, filing, admissibility in evidence.....	5720, 5722		
of notice of sale of real estate....	5721, 5722		
of officer of historical society.....	5724		
of printer of newspaper, prima facie evidence	5723		
RELATING TO SERVICE OF PROCESS.			
for service by publication.....	5204		
proof of service of process.....	5208		
in actions against school districts without trustees.....	3826		
AFFIRMATION,			
(see "Oath.")			
meaning of term.....	255		
by witness.....	5663		
AFFRAY,			
not indictable, prosecution before justice, punishment.....	5120		
AGE,			
of apprentice, evidence of.....	4754		
when person arrives at.....	6534		
AGENTS,			
(see "Principal and Agent.")			
power of trust company to act (par. 5) of insurance companies.....	2849 3194		
— penalty for false statements in proof of loss	3194		
appointment to accept service of process	5816		
AGISTMENT,			
lien and enforcement thereof....	6248-6250		
— effect of parting with possession sale to satisfy lien, duty to notify mortgagee	6251		
AGREED CASE,			
submitting matter in dispute to court, power of court	6083		
judgment how entered, judgment roll	6084		
AGRICULTURAL COLLEGE,			
repeal of statute, c. 35, tit. 1, p. 939.			
acceptance of gifts from United States provisions with regard to bonds of... provisions for support of	4020 4021, 4022, 4023		
application of college fund....	4023, 4024		
investment of proceeds of college lands	4025		
establishment of	4027		
AGRICULTURAL EXPERIMENT STATION,			
at state university	3915		
gifts to aid in establishing.....	3916		
AGRICULTURAL SOCIETIES.			
exemption from taxation (par. 6).....	1512, 1513		
incorporation, general statutory provisions	2913-2928		
(see "Corporations.")			
annual appropriation	2973, 2974		
act extended to existing societies....	2981		
STATE SOCIETY.			
how composed, voting by proxy.....	2952		
sending delegates to	2952, 2980		
annual meeting	2954		
board of managers.....	2953		
board of auditors, how constituted... election of officers and term of office..	2955 2954, 2956		
duty of secretary, report to governor..	2957		
management by president, vice president, and board of managers, approval by board of auditors.....	2958		
badge of officers.....	2961		
location of general offices.....	2964		
to dispose of appropriation to encourage cultivation of timber and hedges	7854		
COUNTY SOCIETIES.			
formation, only one society in each county	2975		
powers in general.....	2976		
constitution and by-laws to be filed, annual reports	2978		
annual meetings	2979		
FAIRS AND FAIR GROUNDS.			
jurisdiction and control of, penalty for violating rules (par. 6).....	2976		
peace officers for annual fair.....	2959		
peace officer's ex officio.....	2960		
state fair grounds and fairs, conveyance by Ramsey county to state....	2962		
— annual exhibit to be held.....	2963		
— control of	2964		
— regulations, rules, etc., for management and control of.....	2965		
— expenditure of appropriation, etc..	2966		
— not to incumber fair grounds....	2967		
— lease of state fair grounds..	2968, 2969		
lease of lands by county to society, construction of buildings, etc.....	2977		
entry of animals; class, how determined; fraud	2972		
entry of horse under assumed name, etc., prohibited	2970		
— penalty for	2971		
AIDING OR ABETTING,			
a misdemeanor.....	6821		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

AIKEN COUNTY—ANDY JOHNSON COUNTY.

2129

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
AIKEN COUNTY,		AMENDMENT—Cont'd,	
change of name to Aitkin.....	537	of articles of corporations not for pecuniary profit	2917, 2918
AITKIN COUNTY,		of articles of town insurance companies	3232-3234
boundaries	536	of articles of millers' and manufacturers' insurance companies.....	3254
territory detached from Cass county (par. 2).....	536	of by-laws of farmers' mutual fire insurance company	3271
ALDERMEN,		of articles of farmers' mutual fire companies	3280
(see "Municipal Corporations.")		of by-laws of co-operative life, etc., insurance associations	3299
election and term of office.....	1050	of articles of association of hail, cyclone, etc., insurance companies ...	3359
compensation	1081	of by-laws of building and loan associations	2857
to act as officer of the peace.....	1082	of pleadings...4989, 5262, 5263, 5265, 5266:	
ALIENATION,		— in mandamus proceedings.....	5982
(see "Deeds"; "Mortgages"; "Powers"; "Uses and Trusts.")		of return of justice on appeal.....	5075
suspension of power (see "Powers").		of notice or other papers.....	5219
ALIENS,		of process, etc.....	5266
rights as to real estate...5874, 5875, 5878		— name of defendant	5268
rights of corporation having alien stockholder	5876	of judgments and proceedings.....	5267
rights of grantee.....	5878	in forcible entry and detainer.....	6124
challenge of jurors, evidence of citizenship	7378	made in order to perfect appeal....	6134
ALIMONY,		AMUSEMENT,	
(see "Divorce.")		(see "Theaters and Shows.")	
pending action for separate maintenance	4818	license and regulation in villages... 1299 (par. 1), 1299 (par. 45)	
ALLEYS,		ANAESTHETICS,	
establishment and regulation in villages (par. 11).....	1224	when administration of deemed assault (par. 2).....	6172
ALLODIUM,		ANCIENT ORDER OF DRUIDS,	
fee tail changed to.....	4364	exemption from general life-insurance laws	3294
ALTERNATIVE MANDAMUS... 5977-5987		ANCIENT ORDER OF HIBERNIANS,	
(see "Mandamus.")		formation	3007
AMENDMENT,		certificate of incorporation, contents, record	3008
of constitution, canvass of votes....	1	effect of filing certificate, powers....	3009
— copies of proposed amendment to be printed, distributed, and posted	20	surrender of charter, disposition of property	3010
— ballot when amendment submitted	33	ANCIENT ORDER OF UNITED WORKMEN,	
of articles of association.....	2738	incorporation of subordinate lodges..	2990
— of camp-meeting associations, etc.	2950, 2951	certificate of incorporation, contents, record	2991
— of chambers of commerce and boards of trade.....	2984	powers of corporation.....	2992
of articles of incorporation....2595, 2796, 2803, 2829, 3065, 3076, 3077, 3400		corporate seal.....	2993
— of building and loan association	2870, 2871	exemption from general life-insurance laws	3294
— of loan companies	2839	ANDY JOHNSON COUNTY,	
— of manufacturing company.....	2807	name changed to Wilkin.....	538
— of trust companies.....	2842		
— publication, filing, and record... 2804, 2839			
of charter of railroad company.....	2742		

MINNESOTA STATUTES 1894

2130

ANIMALS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ANIMALS,	
(see "Bounties"; "Cruelty to Animals.")	
estrays	2080-2089
(see "Estrays.")	
sale of estrays, proceeds to be used for	
schools	3768
definition	2187, 6809
collection for scientific purposes, certificate to scientific bodies, bond. . . .	2184
liability of railroad company for killing or injuring.....	2693, 2694, 6889
lien for keeping.....	6248-6250
— priority	6250
— enforcement	6249
— effect of parting with possession..	6250
— sale to satisfy lien, disposition of proceeds	6249
duty to notify mortgagee of sale for charges	6251
lien for service fees of stallions, etc..	6252
— perfecting and enforcement.....	6253
— release	6253
criminal liability of owner of dangerous animals.....	6452
liberating horses of another.....	6781
method of transporting.....	6792, 6793
regulations as to food and drink....	6793
liability of railroads for killing or injuring	2693, 2694, 6889
killing diseased or injured animals..	6794
criminal liability for poisoning.....	6796
fighting of animals or inflicting cruelty for amusement of spectators....	6797-6802
protecting from neglect.....	6804
neglected animals cared for by another than owner, liability of owner...	6804
rights of person taking care of neglected animals.....	6804
jurisdiction of violations of law relating to.....	6807
obtaining false certificate of registration	6905
false representations as to breed, penalty	6906
provisions as to Texas or Indian cattle	6979-6982
care and food of milk cows.....	6993
live-stock detectives.....	7952-7955
(see "Detectives.")	
REGULATIONS OF CITIES, VILLAGES, ETC.	
— POUNDS.	
regulations of dogs (par. 9).....	1085
impounding (par. 8).....	1085
— power of electors in town meeting	930

	Sec.
ANIMALS—Cont'd,	
— sale by pound master.....	1004
sale of animals impounded, disposition of proceeds (par. 8).....	1085
fees and duties of pound master....	1004
regulation of, in villages.....	1224 (par. 12), 1299 (par. 41)
restraining running at large in villages (par. 8).....	1299
RUNNING AT LARGE—IMPOUNDING.	
when to run at large, power of electors in town meeting.....	930
cattle running at large.....	2122
penalty for allowing.....	2125
lien on animals running at large....	2126
castration of stallions, etc., running at large	2126
impounding and sale of certain animals running at large.....	2127
— rights of owner.....	2128
neglect of duty concerning such animals	2129
TRESPASSING ANIMALS—DISTRAINT AND IMPOUNDING.	
trespassing animals, liability of owner to action at law.....	2122
dstraint of trespassing animals.2113, 2114	2113, 2115
— appraisal of damages..	2113, 2115
— compensation of appraisers.2113, 2116	2115
— costs of proceedings.....	2115
— liability of owner.....	2115
— liability of owner wrongfully retaking	2123
— tender of damages done by.....	2115
— powers and duties of appraisers	2116
— notice to owner.....	2119
action to recover property distrained, pleading	5259
impounding trespassing animals....	2117
— compensation of pound master..	2118
— duties of pound master.....	2118
sale of trespassing animals distrained or impounded.....	2118, 2119
— disposition of proceeds....	2120, 2121
— right of owner to proceeds.....	2121
— compensation of person making sale	2120
— compensation of county treasurer	2121
— redemption from.....	2119
INJURIES TO SHEEP BY DOGS.	
liability of owner of dog.....	6882
penalty for keeping dog, disposition of fine.....	6883
right to kill dog.....	6884

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ANIMALS—APPEAL.

2131

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

ANIMALS—Cont'd,	Sec.
DISEASED ANIMALS, AND PREVENTING SPREAD OF DISEASE.	
killing diseased animals	6794
prevention of contagious or infectious diseases among	1470
isolation of infected animals	1466
killing to prevent diseases among....	1467, 1479
— appraisalment and payment of value	1468, 1479, 1482, 1485
— right of owner to compensation..	1480
— sale of slaughtered animals..	1484, 1485
establishment of quarantine	1469
penalty for violating regulations of board of health.....	1472
duty to notify board of health concerning diseases	1473
power of state board of health	1483
regulations of state board of health..	1475, 1478
local board to give notice to state board	1477
appropriations for expenses incurred in preventing diseases	1488
criminal liability of owner or person in charge	6805
importation or running at large of diseased sheep	6976
— offender liable to damages	6977
permitting glandered animals to run at large, penalty	6978
CATTLE BRANDS.	
recording description of	772
false branding, destruction, or alteration of brand; penalty.....	6875
ANNUITY COMPANIES,	
(see "Trust Companies.")	
ANOKA COUNTY,	
boundaries	540
rights of aliens	575
ANSWER,	
(see "Pleading.")	
in proceedings to collect taxes..	1584, 1647
in action to recover property distrained	5259
in forcible entry and detainer.....	6125
APOTHECARIES,	
(see "Druggists.")	
APPEAL,	
extension of time for taking.....	5219
disregard of immaterial errors.....	5269
bill of exceptions or case.....	5399, 5400
costs in supreme court.....	5515-5517

APPEAL—Cont'd,	Sec.
— on appeal from justice.....	5511, 5512
— in drainage proceedings.....	7767
— in condemnation proceedings....	4088, 4099
depositions used on.....	5682
in criminal cases.....	7385-7397
(see "Criminal Law.")	
in proceedings to prevent breach of the peace	7100-7102
FROM BOARDS OF HEALTH, COUNTY BOARDS AND INSPECTORS.	
from orders of board of health.....	1492
from order of state board of health..	433, 1495
— how taken	434
from county board	644, 645
— by county attorney from fixing of salary	532
— from disallowance of claim of boards of health.....	7073
from county canvassing board, time of giving notice.....	172
from decision of inspector of oils....	454
from decision of inspector of grain..	7692
from revocation of license of engineer of steam boilers.....	480
FROM MUNICIPAL COURTS.	
motion for, in village courts.....	1377
from city justices.....	1074
from village court to supreme court..	1399
APPEALS FROM JUSTICES OF THE PEACE.	
from judgments of city justices.....	1074
from justice courts to village municipal court.....	1384
<i>appeals to district court.</i>	
jurisdiction of district court.....	4833
to district court in Second district...	4864
to district court in Fourth district...	4873
right of appeal.....	5067
requisites	5068
affidavit	5068
notice	5068
bond	5068
payment of fees.....	5068
allowance of appeal.....	5069
effect	5069
when district court becomes possessed of action.....	5070
filing of return or transcript.....	5070
return of evidence, when.....	5070
when tried on return of justice.....	5071
trial de novo.....	5070, 5071

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
APPEAL—Cont'd,		APPEAL—Cont'd,	
filing note of issue.....	5072	FROM DISTRICT COURT.	
noticing appeal for trial.....	5072	right of appeal.....	6132
effect of failure to enter appeal.....	5072	appealable judgments and orders....	6140
style of parties unchanged.....	5072	cases involving claims against coun-	
entry by appellant.....	5072	ties	645
compelling justice to allow appeal....	5074	title of action	6133
compelling justice to make or amend		how parties designated	6133
return	5073, 5075	how taken	6134
dismissal for want of bond or defects		time of taking.....	6138
therein	5076	notice	6134
when tried.....	5077	bond	6141
affirmance on failure to prosecute....	5078	— in one instrument or several....	6149
judgment and execution against sure-		— service on adversary.....	6149
ties on appeal bond.....	5078, 5079	— justification of sureties	6150
rights of sureties on appeal bond on		— exception to sufficiency of sure-	
paying execution.....	5080	ties	6150
after retirement of trial justice from		deposit in lieu of bond.....	6141
office	5081	failure to perfect appeal, amendments	6134
change of venue.....	5192	record	6135
allowance of costs.....	5511, 5512	who to pay expenses of transmitting	
in criminal cases.....	5112, 5113	record	6135
— costs, payment by defendant....	5114	papers to be furnished by appellant..	6139
— from judgment for costs entered		extent of review, review of intermedi-	
against complainant	5111	ate orders	6140
— failure of defendant to prosecute,		stay of proceedings.....	6142-6147
sentence	5115	— discretion of court to dispense	
— judgment against defendant and		with supersedeas bond	6147
sureties in district court.....	5116	— effect of ordinary appeal bond..	6151
FROM PROBATE COURT TO DISTRICT COURT.		— right of respondent to have stay	
jurisdiction of district court.....	4833	vacated	6148
orders from which appeal may be		supersedeas bond	6142-6144, 6146
taken	4665	decision of supreme court	6136
from decree directing conveyance by		dismissal in vacation.....	6137
executor, etc.	4627	grounds for dismissing.....	6139
who may take appeal.....	4666, 4667	effect of discontinuance or dismissal	6152
time of taking (par. 2).....	4668	disposition of perishable property....	6151
notice of appeal, service (par. 1)....	4668	death of respondent before submission	
return on appeal.....	4669	to supreme court, proceedings.....	6153
effect, power of district court.....	4670	— effect of failure to have substitu-	
notice of trial, service, entry on calen-		tion made	6153
dar	4671	death of party after submission to ap-	
trial in district court.....	4672	pellate court, substitution	6154
appeal from allowance or disallow-		IN PARTICULAR PROCEEDINGS.	
ance of claim, pleading, trial.....	4673	in election contest, bond, return, and	
trial without jury.....	4674	hearing	192
affirmance of judgment, when.....	4675	in controversy relating to order of	
reversal or modification of judgment,		railroad and warehouse commission	
remand, proceedings	4676	393 (par. c), 399	
prevailing party to recover costs, exe-		in prosecution for violation of village	
cution against claimant.....	4677	ordinance, bond	1254
affirmance of judgment on bond, exe-		from order of town supervisors laying	
cution, etc.	4678	out ditch, draining highways.....	1911
certifying judgment by district court..	4522	in proceedings to erect dam.....	2367

MINNESOTA STATUTES 1894

Vols. 1 & 2]

APPEAL.

2133

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

APPEAL—Cont'd,

Sec.

— from assessment of damages to	2362, 2364, 2365
in ejectment for land taken by rail- road	2662
from order relating to location of toll- gate	3371
from order of town supervisors relat- ing to repair of toll roads.....	3377
from disallowance of claim by as- signee or receiver in insolvency....	4247
from determination of judge as to ad- verse claims under town site act....	4261
in garnishment proceedings	5341
in supplementary proceedings.....	5489
in partition proceedings	5773
effect of reversal of order removing corporate officers	5895
in mandamus proceedings, appeal from district court.....	5987
in action against boats and vessels, who may take.....	6106
in forcible entry and detainer.....	6120-6122, 6126
— effect of formal defects.....	6123
from judgment on award of arbitra- tors	6226
in proceedings to obtain right to erect elevator on right of way.....	7727
in drainage proceedings	7765-7767, 7803, 7804, 7830, 7831, 7846
IN PROCEEDINGS RELATING TO HIGHWAYS AND STREETS.	
from order laying out roads, effect of failure	1862
from establishment of highway bound- aries by county surveyor.....	1817, 1818
from town supervisors in relation to town-line roads.....	1823
laying out road on line between town and city.....	1830
to justice of the peace in highway pro- ceedings	1857, 1858
— return of jury, payment of costs..	1859
to district court in highway proceed- ings	1860
in proceedings to vacate street.....	1110
from vacation of streets in villages...	1356
IN CONDEMNATION PROCEEDINGS AND PROCEEDINGS TO ASSESS FOR LOCAL IMPROVEMENTS.	
in condemnation proceedings.....	2667
from award in condemnation proceed- ings.....	1107 (par. 12), 2612, 2614, 2631

APPEAL—Cont'd,

Sec.

in proceedings to condemn land for village use, return.....	1243
from award of commissioners in pro- ceedings to acquire sites for school houses	3637
in condemnation proceedings by state.	4087
— costs	4088, 4099
in proceedings by state to take proper- ty for use of United States....	4096-4098
in proceedings to assess for local im- provements	1171, 1350
from assessment in proceedings to con- demn land for village use.....	1334
NOTICE.	
from justice.....	5068
from probate court.....	4668
from district court.....	6134
from county canvassing board.....	172
from orders of local board of health..	1492
from commissioner's award in con- demnation proceedings	2612, 2631
in highway proceedings.....	1860
— notice to town supervisors.....	1817
in drainage proceedings	7803, 7830
BOND.	
undertaking in lieu of bond	7989
on appeal from justice	5068
— judgment and execution against sureties on	5078, 5079
— rights of sureties on paying judg- ment	5080
— from district court	6141, 6149
— justification by sureties	6150
— service of bonds on adversary...	6149
supersedeas bond	6142, 6144, 6146
appeal in election contest	192
in prosecution for violation of village ordinance	1254
from orders of local board of health..	1492
in highway proceedings	1817, 1860
proceedings relating to drainage of highways	1911
in drainage proceedings....	7765, 7803, 7830
appeal in proceedings to erect dams..	2364
necessity on appeal by state or munic- ipality	7989
— by attorney general	362
— by executors, etc.....	7989
bond not required of trust company (par. 10)	2849
EFFECT—STAY OF PROCEEDINGS.	
appeal from justice	5069
— from probate court	4670

MINNESOTA STATUTES 1894

2134

APPEAL—APPROPRIATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
APPEAL—Cont'd,		APPRENTICE—Cont'd,	
appeal from district court, stay of proceedings	6142-6148, 6851	protection of.....	4757
effect on lien of judgment.....	5426	proceedings to redress grievances....	4758-4760
appeal from assessment of damages in proceedings to erect dam	2363	action against master on indenture..	4761
in controversy relating to order of railroad and warehouse commission	393 (par. c), 399	— damages to go to minor.....	4762
from orders of board of health..	1492, 1495	— judgment	4763
from commissioners' award in condemnation proceedings	2613, 2631	discharge before termination of contract	4759, 4763
in forcible entry and detainer..	6121, 6122	— and binding out anew.....	4763, 4765
in ejectment	5845	cancellation of indenture, refunding of moneys paid.....	4764
from order removing corporate officer	5895	— putting parties in statu quo....	4764
APPEARANCE,		effect of death of master.....	4765
what constitutes	5212	rights of parent.....	4767
effect	5212	application of statute to mistresses..	4766
— of voluntary appearance.....	5209	right of master to use force (par. 4)..	6477
— institution of action in justice court by	4964	effect of Penal Code.....	6849
by attorney without authority.....	6185	APPROPRIATIONS,	
— production of authority	6186	by cities.....	1087
APPRAISEMENT,		by county board for incidental expenses	644
(see "Appraisers.")		by village council for fairs, etc., legalization	1227
in proceedings to open highways, etc.	1167	— to be by majority vote.....	1302
of county buildings on creation of new county, qualification of appraisers, oath, certificate	634	for burial of soldiers.....	8045
of estates of decedents	4490, 4492	for distribution of books, reports, etc., by state horticultural society.....	7970
of estate of ward.....	4558	for drainage purposes in Red River valley	7848, 7851, 7852
of public lands	3976	for editorial labor on legislative manual	297
of school lands	4002	for experimental tree station.....	3920
APPRAISERS,		for expenses incurred in preventing diseases among animals.....	1488
(see "Appraisalment.")		for expressage and postage of books sent by state.....	7959
accepting bribes	6351	for farmers' institutes.....	3877-3879
bribery of	6348	for insane hospital	3450
intimidating, punishment	6399	for institute for the deaf, dumb, and blind	7971
fees	5573	for private hospital	682, 683
APPRENTICE,		for site and building of capitol.....	501
binding out inmates of reform school	3523	for soldiers' home	3626
— poor minors	1966	for state agricultural society.....	2973
— poor minors under town system..	1976c	for agricultural societies other than state societies	2974
who may be bound out.....	4750	for state board of corrections and charities	461
who may bind persons.....	4751, 4752	for state correctional and charitable institutions	7972
— power of orphan asylum.....	2931	for state institutions.....	3974, 7985, 7986
when consent necessary.....	4752	for state library.....	372
manner of binding.....	4752, 4753	for state prison.....	7472, 7506
indenture, requisites.....	4752	of amount of current school funds, apportionment among counties....	3762
— where deposited.....	4754		
duties of public officers.....	4754		
evidence of age.....	4754		
provisions for education of.....	4755		
consideration for apprenticeship to go to minor.....	4756		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

APPROPRIATIONS—ARMS AND EQUIPMENTS.

2135

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
APPROPRIATIONS—Cont'd,		ARBITRATION—Cont'd,	
to carry into effect, act relating to funding commission	518	claims concerning land which may be submitted	6211
to carry out act regulating warehouse inspection, weighing and handling of grain	7713	— to estate in fee or for life not to be submitted.....	6211
to encourage cultivation of timber and hedges	7853	form of agreement.....	6212
to furnish seed grain to farmers.....	7733	of specific demand, of all demands...	6213
to insure property of state institution	3640	irrevocable without consent.....	6214
to pay interest on warrants issued against revenue fund	520	to chambers of commerce and board of trade.....	2983
to pay loans obtained by reform school	3578	to determine adverse claims under town-site act.....	4259
FOR STATE OFFICERS, SALARIES AND EXPENSES.		PROCEDURE.	
for salaries	7956, 7965-7968	oath of arbitrators.....	5634, 6216
for contingent and incidental expenses 7961, 7963, 7964		failure to appear, hearing, determination	6214
for salaries of deputy clerk of clerk of supreme court	375	appointment of time and place of hearing, adjournment.....	6215
for salary of clerk of secretary of state	317	costs, how regulated.....	6227
for salary of commissioner of statistics	409	testimony under oath, power to administer oath	6228
for salary of state land agent.....	468	AWARD.	
for bureau of labor.....	478	time of making.....	6217
for state dairy commissioner.....	6999	to be in writing, subscription and attestation	6218
for expenses of public examiner's office	423	to be filed with clerk of court.....	6219
for expenses of state board of health..	443	disposal by court, acceptance or rejection, recommitment	6220
FOR EDUCATION AND SCHOOLS.		vacating, grounds	6221
for high schools.....	3868, 3875, 3876	modification or correction	6222
for state normal schools....	3854-3862, 3864	return at term, appearance of parties — notice to parties before giving an award	6223
— penalty for exceeding.....	3852	judgment on, taxation of costs, fees and expenses of arbitrators.....	6224
for state public school.....	3517	record of judgment.....	6225
for state university.....	3925-3927	— how filed and docketed, effect, appeals, etc.	6226
— school of mines.....	7973	of committee of chamber of commerce and board of trade (par. 2).....	2983
for training schools.....	3726	ARCHITECT,	
for geological and natural history survey	3933, 3955	to assist board of state capitol commissioners (par. 10)	502
to pay expenses of state geologist....	3933	plans for new capitol, rules governing competition	502
to procure copies of Webster's dictionary for distribution by superintendent of public instruction.....	3737	ARGUMENT OF COUNSEL,	
ARBITRATION,		in criminal cases	7332
common-law arbitration not precluded	6228	ARMORY,	
bribing arbitrator.....	6348	rules and regulations	1767
arbitrator promising verdict or receiving communications, etc.....	6350	board to erect and rent in cities, etc.	1763
arbitrator accepting bribes.....	6351	expenses of erecting, renting, repairing, etc., to be a municipal charge;	
intimidating arbitrators, punishment..	6399	duties of armory board	1764
SUBMISSION.		ARMS AND EQUIPMENTS,	
what may be submitted.....	6210	(see "National Guard.")	

MINNESOTA STATUTES 1894

2136

ARMY—ARSON.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ARMY,		ARREST—Cont'd.	
(see "Soldiers.")		on warrants issued by city justices,	
ARMY DEPOT,		who to make.....	1071
acquisition by United States of lands		persons arrested to be informed of	
for	4112, 4113	ground thereof.....	6272
ARRAIGNMENT,		refusal of officer to furnish copy of	
(see "Crimes and Punishments.")		warrant, etc., penalty.....	6021
when made, before what court.....	7264	refusal to make, punishment.....	6395
presence of defendant, when required	7265	refusal to aid officer in making, pun-	
— defendant to be brought into		ishment	6394
court by officer having custody...	7266	time of making.....	7113
— bench warrant to issue, when..	7267	what constitutes.....	7110
bench warrant, how issued.....	7268		
— form in felony	7269	BY WHOM MADE—AUTHORITY.	
— form in misdemeanors	7270	by whom made.....	7111
— court to fix amount of bail.....	7271	power to make.....	1070
— how certified	7272	officer to disclose authority....	7116, 7123
arrest on bench warrant, proceedings		by agents of society for prevention of	
before magistrate.....	7273	cruelty	3016
— proceedings where bail is taken	7274	by city police outside of county, com-	
commitment unless increased bail be		pensation	1071
given	7275	by conductors, etc., of disorderly per-	
increased bail to be given, bench war-		sons	6945
rant to issue to enforce order.....	7276	— of car swindlers.....	6596
defendant to be informed of right to		by coroner.....	852
counsel	7277	by village peace officers.....	1270
how made.....	7278		
defendant to be asked his true name	7279	MANNER OF MAKING.	
another name given by defendant, pro-		in general.....	7114
ceedings thereon.....	7280	means used to effect.....	7117
time to plead.....	7281	right of officer to break doors or win-	
demurrer to indictment, plea, motion		dows.....	7118, 7119, 7121
to set aside.....	7282	unnecessary restraint forbidden.....	7115
in justices' courts.....	5099	use of force (par. 2).....	6477
ARREST,			
(see "Bail"; "Crimes and Punish-		WITHOUT WARRANT.	
ments.")		in general.....	7120-7125
delay in taking arrested person be-		necessity of warrant.....	1189
fore magistrate, punishment.....	6391	offenses committed in presence of	
duty to assist officer in making.....	7112	magistrate	7125
making without authority, punish-		of a disorderly person at election....	85
ment	6392	by bystander.....	7124
of dead body for debt.....	6567	by private person.....	7126-7131
of defendant violating bail bond...	7162	— right to break doors or windows..	
of fugitive from another state.....	7086	7128, 7131	
of judgment debtor.....	5487	— escape and recapture.....	7130, 7131
of members of legislature, contempt..	227	summary arrests at fires.....	1177
of militiamen, not liable to, excep-		ARSENAL,	
tion	1750	rules and regulations.....	1767
of persons charged with contempt...		ARSON,	
6158, 6161		inquiry into supposed incendiarism...	
of person charged with incendiarism	6870	6864-6871	
of persons violating game and fish law	2144, 2176	(see "Fires.")	
of witness to enforce attendance....	5000, 5001	in first degree, definition.....	6668
		in second degree.....	6669
		in third degree.....	6670
		punishment	6671

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ARSON—ASSIGNMENT FOR BENEFIT OF CREDITORS.

2137

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ARSON—Cont'd,	
contiguous buildings.....	6672
“nighttime” and “dwelling house” defined	6673
“building” defined.....	6674
“inhabited building” defined.....	6675
ownership of building.....	6676
indictment (Nos. 3-5).....	7239
measures taken to secure appearance of witness.....	7154
ASSAULT,	
attachment not allowed.....	5289
indictment for felonious assault, conviction of assault.....	6270
in first degree.....	6471
— punishment	6474
in second degree.....	6472
— punishment	6475
in third degree.....	6473
— punishment	6476
when use of force or violence not unlawful	6477
indecent assault.....	6534
jurisdiction of city justices.....	1074
limitation of action.....	5138
not indictable, prosecution before justice, punishment.....	5120
ASSEMBLY,	
(see “Unlawful Assembly.”)	
ASSESSMENT DISTRICTS,	
right of village to become.....	1209
ASSESSMENTS,	
(see “Assessors”; “Taxation.”)	
against railroad company for village improvements, how collected.....	1342
for drainage purposes, lien.....	7788
for local improvements in cities..	1116-1162
(see “Municipal Corporation.”)	
for local improvements in villages....	1248, 1249, 1337-1353
(see “Villages.”)	
of benefits arising from drain..	7758, 7797
of damages for taking property for village use.....	1245
of damages on entering judgment by default	5221
— judgment on pleadings.....	5242
to pay judgment against village.....	1257
ASSESSORS,	
term of office.....	691
appointment in unorganized counties	691
to take oath and give bond....	1538, 5634
appointment of deputy assessors....	1539
liability on official bond.....	1638
neglect of duty, punishment.....	1638

	Sec.
ASSESSORS—Cont'd,	
duty to collect statistics.....	406
— compensation for collecting.....	406
duty to enroll persons liable to military duty	1699
duty to examine and report on tree planting	7861
of town, appointment by county auditor	964
— election	928
— compensation	1003
— successor to demand books and papers	1023, 1024
of city	1073
of village, election and duties...1218,	1289
accepting bribes	6351
intimidating, punishment	6399
ASSIGNEE,	
(see “Assignment”; “Assignment for Benefit of Creditors.”)	
ASSIGNMENT,	
(see “Assignment for Benefit of Creditors.”)	
by parties to action, abatement of action	5171
of certificate of purchase on sale for assessments	1143
of certificate of sale to satisfy assessments	1153
of chose in action.....	5156
of claim for lien on logs, filing, action by assignee	2450
— rights of assignee.....	2463
of interest in public lands.....	3987
of interest of state in lands bid in at tax sale	1601
of judgment	5430-5432
of trust interests by beneficiary.....	4292
actions against assignee, rules of procedure	5175
actions by assignee, defenses.....	5157
set-offs on assignment.....	4993, 4994
ASSIGNMENT FOR BENEFIT OF CREDITORS,	
(see “Assignment.”)	
under insolvency act of 1881 (see “Insolvency”).	
supervision by district judge, power	4235
preferences, penalty therefor.....	4242
conveyances to prefer creditors in anticipation of insolvency.....	4243
REQUISITES.	
execution in writing, acknowledgment, filing	4227
recording, act not retrospective.....	4229

MINNESOTA STATUTES 1894

2138

ASSIGNMENT FOR BENEFIT OF CREDITORS—ATTACHMENT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ASSIGNMENT FOR BENEFIT OF CREDITORS—Cont'd,		ATTACHMENT—Cont'd,	
clerk of court to indorse time of filing and keep record.....	4237	payment of taxes by creditor.....	5444
deed and order or decree not valid as conveyance unless recorded	4228	concealment of property, liability to party injured	5298
inventory of creditors, debts, etc., filed by assignor	4230	judgment against defendant, how satisfied	5298
notice of assignment, publication and mailing	4232	right of appeal	6140
THE ASSIGNEE.		protection of employes of debtor.....	6255
qualifications of assignees.....	4227	sheriff to collect debts, etc., due defendant	5295
bond of assignee, filing and approval, additional bond.....	4231	WHEN ISSUED.	
— trust company as assignee, not to give bond.....	2849	in general	5287
— premium paid to company acting as surety, chargeable to trust fund	5948	who may allow writ.....	5288
assignee represents creditors, right to avoid fraudulent conveyances....	4233	not allowed in libel, slander, seduction, breach of promise, false imprisonment, or assault	5289
removal of assignee, appointment of another	4235	in village municipal court.....	1379
discharge of assignee, notice and application, publication	4235	in proceedings to collect taxes.....	1569
action by grantor on bond of assignee	4236	collection of taxes from rents of land against insolvent bank.....	1606
actions against assignee, leave of court	5174	to enforce order of railroad and warehouse commission	393 (par. c), 399
— rules of procedure.....	5175	to enforce attendance of juror.....	5603
— venue	5175	— of witness	5000, 5001
payment of judgment against assignee	5176	against delinquent witness.....	5656
PROOF AND PAYMENT OF CLAIMS.		against nonresident, venue.....	5186
proofs of claims, verification.....	4234	— jurisdiction acquired	5210
order of payment, preferred claims, secured claims	4234	against foreign corporations, jurisdiction	5211
preference of debts of United States and state of Minnesota, wages of servants	4234	to compel obedience to a writ of habeas corpus	600±
payment of dividends, assignee to file list of creditors.....	4238	against interest of purchaser under mortgage foreclosure	6045, 6065
ASSISTANT,		to enforce duty of magistrate in criminal case	7156
see title of principal officer.		AFFIDAVIT.	
ASSOCIATIONS,		specification of grounds.....	5289
(see "Corporations"; "Religious Societies.")		BONDS.	
for particular associations see appropriate titles.		bond by plaintiff, conditions.....	5290
ASYLUMS, (see "Hospital for the Insane"; "Institute for Defectives"; "Orphan Asylums.")		bond not required of trust company (par. 10)	2849
protection against fires.....	8006-8009	PROPERTY SUBJECT TO.	
ATTACHMENT,		in general	5292
(see "Execution"; "Garnishment"; "Logs and Logging.")		property exempt from.....	5459
		— liabilities against which no exemptions can be claimed.....	5460
		— earnings of debtor's children....	5461
		— damages accruing from wrongful levy on exempt property.....	5462
		— arms and uniforms of militiamen	1749
		exemptions accorded to nonresidents..	5459
		of interest acquired by purchaser at execution sale	5476
		of dead body for debt.....	6567

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ATTACHMENT—ATTORNEY AND COUNSELOR.

2139

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ATTACHMENT ¹ —Cont'd,		ATTACHMENT—Cont'd,	
FORM OF WRIT.		laborer's lien, affidavit	2428
several writs to sheriffs of different		— in first district, affidavit	2436
counties	5291	— contents of writ	2437
EXECUTION—LEVY.		— amount in controversy	2438
manner of making	5293	in justice's court	2440
inventory of property and return....		form of attachment	2441
	5293-5297	how enforced, not to delay driving,	
on real estate by leaving copy with		exception in first and second dis-	
register of deeds.....	5293 (par. 1),	tricts	2454
on debt or corporate stock, certificate		payment and collection of boomage	
of number of shares to be furnished		and scalage by sheriff	2459
sheriff	5294	ATTAINDER,	
LIEN.		abolished	6838
on real estate, land released.....	5302	ATTEMPTS,	
— release of part of property.....	5303	to commit crimes	6315
— release, record	5304	to escape from state's prison	6362
on personal property, release, record		to induce duel or challenge	6491
of release	5305	ATTESTATION,	
RETURN.		of deeds	4166
by sheriff	5301	of wills	4426
SALE OF PROPERTY.		ATTORNEY AND COUNSELOR,	
sheriff to sell perishable property....	5295	(see "Power of Attorney.")	
CLAIM BY THIRD PERSON.		partnership with justice	4957
affidavit, indemnity by plaintiff.....	5296	not entitled to witness fees	5590
plaintiff to be impleaded with sheriff		privileged communications between	
in action against him—execution,		attorney and client (par. 2)	5662
how satisfied	5297	duties of attorneys, professional ethics	6180
DISSOLUTION AND VACATION.		when forbidden to defend prosecution.	6810
on assignment for benefit of creditors	4240	right to defend themselves.....	6811
on defendant giving bond.....	5299	private consultation with prisoners..	6187
motion to vacate, affidavits and coun-		— notice to attorneys by person hav-	
ter affidavits	5300	ing custody	6188
IN JUSTICE'S COURT.		— violation of act by officers, pen-	
jurisdiction of justice	4955	alty	6189
proceedings in justice's court.....		right of defendant, on being arraign-	
	5051-5056, 5063	ed, to have counsel.....	7277
affidavit	5052	EXAMINATION AND ADMISSION TO PRACTICE.	
return	5053	state board of examiners, appoint-	
bond	5054	ment	6172
publication of summons.....	5055, 5056	— term of office	6173
service of summons by publication... 5058		— holding examinations, when and	
forthcoming bond by defendant	5059	where	6174
forthcoming bond by third person....	5060	— officers, powers, records	6174
sale of property attached	5061	— report to supreme court, order of	
compensation of levying officer	5062	court	6175
dissolution by giving bond	5064	— per diem and expenses.....	6177
effect of dissolving	5065	examination fees, compensation of	
execution	5066	secretary of state board.....	6176
form of writ.....	5092	graduates of law department of uni-	
TO ENFORCE LIENS ON LOGS AND LUMBER.		versity	6178
in general	2453	appearance as attorney, when not ad-	
		mitted, penalty, not to apply to non-	
		resident attorneys	6179

MINNESOTA STATUTES 1894

2140

ATTORNEY AND COUNSELOR—ATTORNEY GENERAL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ATTORNEY AND COUNSELOR—C't'd.		ATTORNEY AND COUNSELOR—C't'd.	
person not admitted not to appear as attorney	6183	proceedings, how instituted	6198
form of oath	5641	accusation, to be in writing	6199
		— verification	6200
JUDGES AND OFFICERS DISQUALIFIED TO PRACTICE.		order to appear and answer, service of copy of accusation	6201
municipal judge may practice in other courts	1407	appearance and answer, proceedings on default	6202
judge of probate or clerk not to practice	4420	answer, contents	6203
law partner of judge not to practice	4421	objection to accusation, denial, proof ..	6204
clerk of probate court not to practice ..	4422	answer when objections to sufficiency are overruled	6205
judge disqualified to practice law ..	4840	denial of accusation, trial	6206
		plea of guilty, or refusal to answer, judgment	6206
APPOINTMENT AND EMPLOYMENT.		judgment, settlement of case, filing by clerk	6207
appearance without authority, proceedings	6185	judgment roll, what constitutes	6208
required to produce authority to appear	6186	suspension, by what courts, copy of order to be sent to supreme court, proceedings thereon	6209
appointment of counsel for indigent defendants	6283	ATTORNEY GENERAL,	
employment by village council (par. 6) ..	1224	where office kept	354
election of village attorney	1290	assistant, salary (pars. 15, 16)	530
		clerk, salary, appropriation (par. 22) ..	7956
CHANGE OF ATTORNEY.		clerk hire, appropriation (par. 3)	7963
when and how made	6190	stenographer, salary, appropriation (par. 2)	7963
notice to be given to adverse party ..	6191	salary (par. 6)	530
death, etc., notice to appoint successor — notice to appoint successor where client is nonresident	6192 6193	— appropriation (par. 5)	7956
		expenses of office, appropriation (par. 5)	7961, 7963 (par. 6)
AUTHORITY.		expenses for postage defrayed by state	354
to bind client by stipulations	6184		
to receive money and discharge judgment (par. 2)	6184	DUTIES AND POWERS.	
over judgment, right of client to employ new attorney and issue execution (par. 2)	6184	to furnish synopsis of proposed constitutional amendments	310
service of notice on	2610, 2628	appearance for state in supreme court ..	355
		when to appear in district court	356
LIEN.		member of board of auditors	344, 525
not to be affected by assignment of judgment	5482	— board of equalization	1555
to what attaches	6194	legal adviser of state officials	360
		— of state capitol commissioners ..	508
MISCONDUCT AND SUMMARY POWER OF COURT.		— of state auditor in matters relating to taxation	1652
misconduct, punishment	6409	duties where application is made to pre-empt school lands	358
penalty for deceit or collusion	6181	to prepare forms of contracts	361
penalty for permitting name to be used by others	6182	appeal by, necessity of giving bond ..	362
refusal to pay over moneys, etc., order of court, contempt	6195	to keep register of actions prosecuted or defended, and of opinions given ..	363
— proceedings when attorney claims lien	6196	annual report to governor	364
		report to, by county attorney	809
REMOVAL AND SUSPENSION.		duties in conjunction with public examiner	424
when, and for what cause	6197		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ATTORNEY GENERAL.

2141

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ATTORNEY GENERAL—Cont'd,	
— to enforce compliance with instructions of examiner.....	412
may request assistance of county attorney	803
to prepare blank forms for official bonds	874
to approve bonds of county officers...	878
duties with regard to bonds of county officers	879
right to copy of state reports.....	2280
— supreme court report.....	2288
duties and investigations by trustees of insane asylum.....	3497
duties in proceedings by state to condemn land.....	3557
in condemnation proceedings by state	3558, 4052, 4086, 4087
in relation to purchase of site of soldiers' home.....	3619
opinions on construction of laws relating to school.....	3714
to approve applications for loan from permanent school fund.....	3775
when to verify pleadings.....	5245
to publish transcript of judgments of United States, and distribute same	5429
duties in extradition proceedings....	7084, 7085
powers with regard to unexpended appropriations of state institutions	7985
<i>with relation to corporations.</i>	
approval of articles of incorporation	3396, 3397
supervisory power over corporations	3436
to enforce forfeiture of franchises...	359
to institute proceedings to forfeit franchise	1649
to restrain unlawful exercise of corporate powers.....	5893
to forfeit charter of corporation....	5899
action to annul incorporation obtained by fraud.....	5961
to vacate corporate charter, when to bring, indemnity for costs.....	5962
to bring action for usurping or forfeiting franchise.....	5963
to bring actions to vacate charters, complainant to be joined as party with state.....	5965
to proceed against trust companies violating law.....	2854
to institute proceedings against foreign building and loan association violating law.....	2863, 2874

	Sec.
ATTORNEY GENERAL—Cont'd,	
to notify foreign association violating law to cease to do business.....	2374
duties with regard to incorporation of religious societies.....	3004
recovery of penalty from foreign corporations	3421
suit to recover penalty from foreign corporations	3426
<i>duties with regard to banks.</i>	
proceedings to dissolve insolvent banks	2511
enforcing forfeiture of franchises....	2525
proceedings against banking companies	5901
with regard to savings banks.....	2580
— organization of savings bank....	2543, 2544
— investments of savings banks..	2565
<i>with regard to insurance companies.</i>	
in general, 5901.	
to approve charters, etc., of insurance companies	3164
to approve articles of farmers' mutual fire insurance companies....	3268
to proceed against unsafe co-operative life, etc., associations.....	3307
<i>with regard to railroads.</i>	
ex officio attorney of railroad and warehouse commission.. 387 (par. h),	7701
to be notified of carrier's refusal to obey orders of railroad and warehouse commission (par. c).....	392
to bring suits on behalf of persons injured by carrier's violation of law (par. a).....	393
where company unlawfully abandons road	2758
to enforce penalty for abandonment of road	2758
recovery of penalties from railroad company	2762
to prosecute violations of act regulating grain receipts by carriers, etc..	7655
<i>with regard to public lands.</i>	
to prosecute actions against persons claiming school lands.....	357
in general.....	3995
collection of moneys due state for stumpage	4016
enforcing forfeiture of lands illegally held	5878
to bring action to vacate letters patent	5964
— complainant to be joined with state	5965

MINNESOTA STATUTES 1894

2142

ATTORNEY GENERAL—BAIL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ATTORNEY GENERAL—Cont'd,		AUCTION AND AUCTIONEER—C't'd,	
ACTIONS AND PROSECUTIONS TO BE IN-STITUTED BY.		duration of license.....	2302
on official bonds.....	357	bond of auctioneers.....	2296
against delinquent revenue officers...	359	selling goods of minors or servants...	2297
prosecution of officers or employés of insane asylum.....	3497	liability of occupant of premises where conducted	2300
action to recover penalty, limitation..	5140	scope of statute relating to.....	2301
action for partition.....	5814	records kept by.....	2998
violations of law regulating ware-houses	7701	AUDITOR,	
ATTORNEY IN FACT,		(see "County Auditor"; "State Au-ditor.")	
power of trust company to act (par 5)..	2849	board of (see "Board of Auditors").	
ATTORNEYS' FEES,		AUTOPSY,	
allowance to garnishee.....	5334	where made	686
on foreclosure of mortgage, schedule of amounts, etc.....	6074-6076	AUTREFOIS ACQUIT OR CONVICT,	
AUCTION AND AUCTIONEER,		bar to subsequent prosecution...6276, 6277	
license and regulation by cities.....	1085	bar to indictment for other degree or attempt	6317
— by villages.....1224 (par. 15),	1299	plea of	7302, 7304, 7309-7311
— by county.....	2295	AWARD	6210-6228
selling without license.....	2299	(see "Arbitration and Award.")	
		in condemnation proceedings.....	4086

B.

BAGGAGE,		BAIL—Cont'd,	
failure of owner to claim, disposition of	2107	increase in felony cases, commitment unless given	7275
willful or careless injury by carriers, etc., penalty	6895	effect of dismissal of prosecution....	6281
BAIL,		forfeiture	7162
right of accused to be released on		arrest of defendant for violating bail bond	7162
7135, 7140, 7148,	7149	proceedings on breach.....	7157
deposit in lieu of.....	7149	actions on recognizance, venue.....	5187
of accused on continuance of prosecu-tion	6280	what matters will defeat actions on..	7160
of witnesses on change of venue in criminal cases	7316	judgment in action on.....	7159
proceedings on application for bail..	7163	remission of penalty.....	7159
proceedings where accused is commit-ted to	7136	disposition of penalty for breach....	7161
proceedings where bail is refused....	7137	discharge of surety on making pay-ment	7158
justification by bail	7164	of person apprehended for intention to engage in prize fight.....6557, 6658	
surrender of principal by bail.....	7165, 7166, 7167	of fugitives from justice.....7087, 7088	
— fees of sheriff	7168	of persons carrying weapons.....	7107
taken for appearance of accused after preliminary examination	7140	to keep the peace, etc., proceedings on breach	7405
— proceedings on breach.....	7141	of prisoner on habeas corpus.....	6012
amount to be fixed on issuing bench warrant	7271	of person arrested for contempt.....	6160, 6162
proceedings where defendant is ar-ested on bench warrant.....7273, 7274		by accused in justices' courts.....	5098
		on appeal and error	7392
		on appeal in criminal cases in justices' courts	5112

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BAILIFFS—BALLOTS.

2143

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BAILIFFS,		BALLOT JUDGE—Cont'd,	
of village municipal court, appointment, bond and compensation....	1403	in smaller cities and towns.....	145
— fees, accounting	1404	duties	146
— deputy clerk	1405	to attach statement to ballots, register	148
BAILMENT,		qualifications and pay	151
(see "Grain"; "Liens"; "Pledge"; "Unclaimed Property"; "Warehousesmen.")		authorized only at general elections	152
selling or pawning borrowed property a misdemeanor.....	6752, 6753	BALLOT REGISTER,	
lien for repairs, etc.....	6247	statement attached thereto.....	148
grain delivered for storage, a bailment, and not a sale.....	7645	BALLOTS,	
BAKERIES,		(see "Elections.")	
regulations concerning	2251	preparation for women on election of county superintendent of schools... ..	4
BAKING POWDER,		printed ballot only method of voting	24
alum as one of ingredients, label to show	7010	furnishing and distributing.....	25-27
— penalty for failure to affix....	7011	sample ballots to be printed and filed with secretary of state.....	25-27
possession of unlabeled article, seizure of property	7012	blue ballots, how furnished and distributed	27
jurisdiction of courts to enforce penalties	7013	blue ballot, what to contain.....	27
cost of prosecution, disposition of fines	7014	number to be furnished each polling place	28
seizure by commissioners, carrier's employes to aid in discovery, penalty for failure to aid.....	7024	how printed	29
appropriations for enforcing law....	7962	description of white ballot.....	30
BALL AND CHAIN,		other ballots prepared as white ballots, exceptions	31
use prohibited	7414	indorsement on back.....	32
BALLOT BOXES,		constitutional amendments, etc., submitted	33
separate boxes to be provided for women at election of county superintendent of schools.....	5	what names shall appear on ballot... ..	34
number and requisites	82	penalty for misprint or unauthorized removal	35
separate boxes for women.....	82	death, removal, or resignation of candidate after printing ballots, how vacancy filled; use of pasters.....	46
opening and locking before opening of polls	90	error or omission, how corrected....	48
to be in public view.....	97	failure to correct error or omission... ..	48
locking and sealing after canvass... ..	153	fees for placing names on ballots and division of fees among counties.....	50
delivery after canvass, placing additional seals thereon.....	154	delivery to judges before election... ..	86
delivery after canvass, record, limit of time	161	delivery to judges of election by special messenger.....	87
BALLOT CARDS.....	147	substitute ballots.....	88
(see "Elections.")		unofficial ballots.....	89
BALLOT CLERK,		initials of judges thereon.....	94
in cities of over 12,000.....	144	penalty for removing from polling room	95
in smaller cities and towns.....	145	distribution, unofficial ballot not to be voted	95
duties	146	time for preparing.....	98
qualifications and pay.....	151	handing to voters.....	104
authorized only at general elections..	152	sample ballots.....	104
BALLOT JUDGE,		marking and folding, rules therefor..	105
in cities of over 12,000.....	144	reception and deposit.....	106

MINNESOTA STATUTES 1894

2144

BALLOTS—BANKS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BALLOTS—Cont'd,		BANKS—Cont'd,	
spoiling ballots, number, preservation, and accounting for.....	107	capital to be paid before commencing business	2490
marker, where elector is unable to read or disabled.....	108	minimum capital of banking corporation	2400
marking and depositing where elector is unable to enter polling place.....	109	necessity of having permission of auditor to do business	2491
marked ballots not to be shown.....	110	certificate of authority to commence business	2491
penalty for attempting to cast more than one.....	116	publication of certificate of authority..	2491
how torn off, unused ballots, preservation and return.....	123	publication of organization certificate.	2491
counting ballots, rules to determine intent of voters	141	certificate as evidence	2492
canvass of defective ballots.....	142	when incorporation effected	2491
compensation for carrying.....	162	officers of banking corporations	2493
expense of blue ballots, allowance by county	162	removal of officers	2493
inspection by contestants.....	193	corporate name	2524
form for change of county boundaries	624	reorganization as national banks ...	2590
to elect officers at town meeting.....	940	— execution of trusts	2590
at town meeting, to regulate running at large of cattle, etc.....	941		
— names to be on one ballot, folding to conceal contents.....	942	POWERS.	
— deposit by judge.....	944	power of banking corporations.....	
to determine reincorporation of certain villages.....	1198	2491, 2493,	2514
in election to determine incorporation of villages.....	1204	power to issue circulating medium ...	2493
containing names of jurymen, how kept	5369	contracts to be signed by president and cashier	2499
BANKRUPTCY,		actions by	2499
(see "Assignment for Benefit of Creditors"; "Insolvency.")		power to acquire or convey real estate	2500
of limited partnership, special partner not to claim as creditor	2349	conveyances of land to.....	2500
BANKS,		conveyances of land by.....	2500
(see "Clearing-House Associations"; "Public Examiners.")		may receive interest in advance.....	2514
what companies subject to banking laws	2591	rate of interest on loans.....	2514
deposit of state funds (par. 2).....	344	limit as to amount of loans.....	2528
paying interest on deposit of state funds (par. 3)	344	bad debts.....	2528
powers and duties of public examiner.	413, 414	entries made by directors concerning past due debts.....	2528
depository of county funds	729	acquiring title to its own stock.....	2529
depository of county funds, bonds ...	730	available funds.....	2530
bond to secure state deposits (par. 2)..	344	when loans and dividends forbidden.	2530
ORGANIZATION.		TAXATION.	
right to incorporate	2490	property subject to taxation.....	1508
certificate of payment of capital stock	2400	taxation of, deduction of debts from credits	1526
		listing of property for taxation.....	1531
		taxation of bank stock.....	1532
		— valuation of, for taxation.....	1532
		place of taxing bank stock.....	1532
		taxation of stock of national banks..	1532
		duty to keep and furnish list of stockholders	1533
		enforcement of taxes on bank stock..	1534
		when officer liable for taxes on bank stock	1534
		SHARES AND SHAREHOLDERS.	
		bank shares to be personal property..	2494
		increase of capital stock.....	2498

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BANKS.

2145

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
BANKS—Cont'd,	
reduction of capital stock.....	2498
liability of shareholders.....	2501
keeping list of shareholders.....	2501
impairment of capital stock, dividends forbidden	2511
transfers delaying creditors.....	2511
dividends	2528
effect of unlawfully declaring div- idends	2511
equal distribution of assets among creditors	2511
REPORTS AND PUBLICATIONS.	
report to state auditor.....	2515
publication of report to auditor.....	2515
statement of unclaimed deposits, inter- est, and dividends.....	2516, 2517
report by legislative committee.....	2519
PUBLIC EXAMINER.	
powers and duties in regard to banks..	413, 414
extending time to bank within which to begin business.....	2550
penalty for obstructing in his duties..	419
fees paid to state treasury.....	2531
STATE AUDITOR.	
bond given by state auditor.....	2521
not to be interested in.....	2521
fees	2522, 2523
OFFENSES UNDER BANKING LAW.	
making false entries and statements..	2520
receiving deposits in insolvent banks..	6763
— criminal liability of officers.....	6763
CURRENCY.	
preparation of bank notes.....	2481
— who to pay expenses.....	2481
denomination of bank notes.....	2482
signing, numbering, and registering bank notes.....	2483
right to issue circulating medium....	2484, 2504
provisions relating to the securing of bank notes.....	2484
pledge of stocks to state to secure bank notes.....	2484, 2507
— indorsement on securities.....	2485
— disposal of interest and dividends	2486, 2489
— for what purpose stocks used....	2487
— right to withdraw.....	2484, 2489, 2504, 2505, 2507
— exchange of stocks for other se- curities	2489, 2507
duty to deposit securities with state..	2493

GEN. ST. '94—135

	Sec.
BANKS—Cont'd,	
bank notes, recital.....	2488
failure of bank to redeem its notes, liability of state.....	2495
— proceedings to realize from se- curities pledged.....	2495
— protest	2495
damages for failure to redeem notes	2496
reorganization as national bank, sur- render of securities.....	2526, 2527
amount of bank notes issued by....	2497
interest on bank notes.....	2503
bank notes payable on demand.....	2503
place of issuing and paying bank notes	2503
retiring bank notes from circulation	2504
redemption of bank notes.....	2505
destruction of bank notes after re- demption	2508
redemption of bank notes on forfei- ture of franchises.....	2525
reorganization as national bank, pro- visions for redeeming bank notes..	2526, 2527
supplying place of mutilated bank notes	2509
bank notes legal tender, when.....	2510
penalty for issuing illegal currency..	2513
DISSOLUTION.	
how dissolved.....	2494, 2512
dissolution at instance of stockhold- ers	3430
rights of creditors.....	2494
transfer of bank shares.....	2494
winding up business.....	2504
destruction of certain articles of closed banks.....	2518
forfeiture of franchises.....	2525
INSOLVENCY.	
effect of insolvency.....	2498, 2511
right to do business suspended by... 2498	2498
voluntary liquidation.....	2498
preference of bill holders.....	2502
proceedings for dissolution.....	2512
officers making up deficiency.....	2512
receiver	2512
powers of superintendent of banks... 2512	2512
enjoining banking corporation from exercising corporate rights... 5900, 5901	5901
proceedings against insolvent corpora- tions, parties defendant.....	5903
— bringing in stockholders and di- rectors after judgment.....	5904
— forfeiture of charter.....	5901
— appointment of receiver.....	5902

MINNESOTA STATUTES 1894

2146

BANKS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

BANKS—Cont'd,

Sec.

SAVINGS BANKS.

to have seal.....	2637
curative statutes	2536
by-laws	2553
valuation of assets.....	2570
right to do business as savings banks	2583
penalty for improperly doing business..	2583
construction of act relating to.....	2589
application of act to existing institu- tions	2586, 2589
insolvency, application of assets:....	2582
proceedings where bank has violated law	2580
<i>organization.</i>	
declared to be corporations.....	2537
right to organize	2538, 2544
bond of trustees.....	2539
liability on bond of trustees.....	2539
certificate of association.....	2539, 2540
notice of proposed organization.....	2541
indorsement of state auditor on cer- tificate of association.....	2542
duties of state auditor with regard to certificate	2543
duties of attorney general and public examiner	2543
duties of state officers with regard to organization	2544
certificate of authority to commence business	2545
refusal to issue certificate, notice to register of deeds.....	2547
when incorporation effected.....	2548
conditions precedent to receiving de- posits	2549
time limited for commencing business	2550
extension of time for commencing business	2550
change of name.....	2585
<i>powers.</i>	
powers	2537
compensation of officers.....	2556
dividends	2558
powers concerning real estate	2563
available funds, may be loaned when	2564
deposit of available funds.....	2564
deposit with other banks or trust com- panies	2565
loans upon real estate, insurance....	2566
prohibited dealings	2567
officers prohibited from certain things	2557, 2567
effect of misnomer in contract.....	2588

BANKS—Cont'd,

Sec.

trustees.

first trustees	2551
powers	2536 (note 2), 2553, 2557
trustees prohibited from certain things	2557, 2567
board of trustees	2552
filling vacancy in board of trustees..	2552
officers of board of trustees.....	2552
quorum of board of trustees.....	2554
power of less than quorum.....	2554
meetings of board of trustees.....	2554
trustee vacating office through neg- lect, re-election	2554
conduct of trustee operating to create vacancy	2555
power of trustees with regard to bank officers	2556
compensation	2557
personal liability of trustees	2568
compensation of trustees.....	2571
examination into affairs by trustees	2581
reducing or increasing number of trustees	2584

reports.

reports by	2577
— supervision by local officers.....	2577
report to public examiner..	2572-2574, 2581
— verification	2575
— extending time for making report	2576
— penalty for failure to report.....	2576
report to legislature concerning.....	2578

inspection and examination.

powers and duties of public examiner in supervising	2579
--	------

deposits.

receipt and investment of deposits...	2558
right to return deposit.....	2559
repayment of deposits.....	2559
may refuse to receive deposits.....	2559
deposit by minors, married women, and trustees	2560
action against savings banks for de- posits	2561
— interpleader	2561
— parties	2561
— payment into court.....	2561
— limitation	2561
deposit with savings bank by wife, action by husband	2561
evidence of deposits.....	2587
investment of deposits...	2562, 2564, 2586
failure to invest deposits.....	2565

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BANKS—BENTON COUNTY.

2147

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BANKS—Cont'd,		BATHS,	
dividends and rate of interest paid...	2568, 2569	regulation of (par. 7).....	1085
surplus	2568, 2570	BATTALION,	
BARBER SHOP,		how constituted	1717
equal rights to accommodations..	8002, 8003	BAWDY HOUSE,	
keeping open on Sunday.....	6513	(see "Disorderly House.")	
BARRATRY,		suppression in villages (par. 3).....	1299
a misdemeanor	6402	keeping or letting premises for pur-	
what constitutes	6401, 6403, 6404	poses of, misdemeanor	6575
BASTARDY,		BEACONS,	
complaint before justice, issue of war-		injuries to, criminal liability.....	6780
rant	2039	established by United States, crimi-	
change of venue as in criminal ex-		nal liability for mooring to.....	6778
aminations	2040	— criminal liability for injuring or	
action, how entered; proceedings and		removing	6778
return of warrant.....	2040	BEASTS DOING DAMAGE,	
compromise with female, approval of		(see "Animals.")	
county commissioners, entry by jus-		BECKER COUNTY,	
tice of the peace.....	2041	boundaries	541
bond to indemnify county, discharge		BEGGARS,	
of defendant	2041	restraining and punishing (par. 31)...	1299
recognizance in justice's court.....	2042	power of common council (par. 31)...	1085
recognizance, discharge of surety,		BELTRAMI COUNTY,	
new recognizance	2043	boundaries	542
proceedings in district court, renewal		BENCH WARRANT,	
of recognizance on continuance....	2043	on presentment, how issued.....	7226, 7227
— examination before justice to be		— form	7228
read to jury.....	2044	— how served.....	7229
— judgment for maintenance of		to procure appearance of defendant to	
child	2045	be arraigned.....	7267
conviction of defendant, giving bond,		— how issued.....	7268
commitment	2045	— form in felony.....	7269
imprisonment of defendant, petition		— form in misdemeanor.....	7270
for discharge, hearing.....	2046	issuance, court to fix amount of bail..	7271
— hearing of petition.....	2047	how certified.....	7272
discharge, when granted; discretion		proceedings before magistrate in giv-	
of court	2048	ing bail.....	7273
discharge, oath of defendant as to		issue to enforce order for increase of	
property	2048	ball or commitment.....	7276
action against discharged defendant		BENEFITS,	
— county commissioners may prose-		(see "Drainage"; "Highways"; "Mu-	
cute on failure of complainant....	2050	nicipal Corporations.")	
complaint by county commissioners		BENEVOLENT SOCIETIES,	
— procedure, warrant against reput-		see specific societies.	
ed defendant	2052	incorporation, general statutory pro-	
compromise, duty of county commis-		visions	2913-2928
sioner	2053	(see "Corporations.")	
illegitimate child when considered		exemption from general life insurance	
heir	4473	laws	3294
descent of estate of child.....	4474	police and fire department relief asso-	
effect of subsequent marriage of par-		ciation not subject to garnishment..	5313
ents	4784	BENTON COUNTY,	
adoption of bastard, consent of moth-		boundaries	543
er, only, required.....	8017		

MINNESOTA STATUTES 1894

2148

BENZINE—BOARD OF AUDITORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BENZINE,		BIRDS—Cont'd,	
regulations concerning sale of.....	453	harmless birds not to be killed or taken	2154
duty of inspector of illuminating oils	454	penalty for violation.....	2154
BESTIALITY,		nest and eggs, penalty for interfering.	2155
definition, punishment.....	6554	collection for scientific purposes, certificate to scientific bodies, bond....	2184
penetration sufficient.....	6555	punishment for destroying certain birds or their nests and eggs.....	6795
BETTING	6588-6599	bounties for killing blackbirds...7880-7882	
(see "Gaming.")		BIRTHS AND DEATHS,	
on prize fight.....	6654, 6948, 6954	reports of (see "Health").	
BIBLES,		registry of	436, 1085 (par. 12)
furnishing to prisoners.....	7434	registration in villages (par. 12)....	1299
furnishing to convicts.....	7475	notice of.....	437
BIDS,		certificate of facts relating to.....	438
for public printing, requisites.....	261	BLACKMAIL,	
— notice of acceptance.....	269	by threatening to publish libel....	6506
for publication of legislative manual..	291	punishment	6739
to sell site for state capitol.....	504	venue of prosecution for sending letter	6822
for material and work on state capitol	506	when sending of letter deemed complete	6822
to act as county depositor.....	729	BLANKS,	
for sale of village bonds, notice.....	1236	(see "Forms.")	
— power to accept or reject.....	1237	election blanks (see "Elections").	
for village printing.....	1308	preparation of blank forms for official bonds	874
for constructing local improvements in villages, duties of contractor, bond..	1340	sent to county treasurer by land commissioner	3999
to do work for villages.....	1421	BLIND, INSTITUTE FOR.....	3437-3446
for construction of free turnpikes....	1900	(see "Institute for Defectives.")	
BIENNIAL SESSIONS,		BLINDNESS,	
of legislature.....	217	in infants to be reported.....	8010
BIGAMY,		of children, duty of health officers..	8011
definition, punishment.....	6550	of infants, penalty for neglect.....	8012
— exceptions.....	6551	"BLIND PIG,"	
punishment of accomplice.....	6552	evading liquor laws.....	2033-2035
indictment, form (No. 25).....	7239	BLUE EARTH COUNTY,	
BIG STONE COUNTY,		boundaries	545
boundaries	544	partition fences	2076
BILLIARD TABLES,		BOARDING HOUSE KEEPERS,	
license and regulation in villages (par. 1)	1299	provisions for safe-keeping of property of boarders	7997
BILL OF EXCEPTIONS,		punishment of boarders for fraud....	7999
(see "Exceptions, Bill of.")		sale of goods of boarder to pay board	8001
BILL OF PARTICULARS,		protection against fires	8006-8009
when furnished.....	5246	BOARD OF AUDITORS,	
BILLS,		composition of	344
before legislature, how printed.....	263	powers and duties	344
BILLS AND NOTES,		duties with reference to state bonds which have been redeemed.....	344a
(see "Negotiable Instruments.")		requiring additional bond from banks to secure deposit of state funds (par. 2)	344
BILLS OF LADING,			
negotiable	7649		
punishment for making false bill....	6756		
fraud in issuing, punishment.....	6767		
BINDING,			
(see "Public Printing.")			
BIRDS,			
blackbirds, sparrows, etc., may be killed excepting domestic pets.....	2154		

MINNESOTA STATUTES 1894

Vols. 1 & 2] BOARD OF AUDITORS—BOARD OF GAME AND FISH COM'RS. 2149

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BOARD OF AUDITORS—Cont'd,		BOARD OF EQUALIZATION—Cont'd,	
to approve official bonds, who mem-		— raising value of personal proper-	
bers of board	525	ty (par. 3).....	1552
to require new official bond, when..	528	— reducing value of personal prop-	
of counties, duties	728	erty (par. 4).....	1552
— designation of county depository	729	— aggregate values not to be re-	
— duties with reference to deposit-		duced (par. 5).....	1552
ories of county funds.....	731, 732	— record of proceedings (par. 5)...	1552
— compensation	737	— copy of proceedings to be sent to	
— penalty for neglect of duty.....	738	state auditor (par. 5).....	1552
in village, report, filing and publish-		— publication of proceedings (par.	
ing	1262	5)	1552
BOARD OF CORRECTIONS AND		— duration of session (par. 5).....	1552
CHARITIES,		— absence of county auditor (par.	
(see "State Board of Corrections and		5)	1552
Charities.")		— power after final adjournment	
BOARD OF DIRECTORS,		(par. 5).....	1552
of manufacturing corporations (see		— compensation	1553
"Corporations").		duties devolving on county auditor be-	
BOARD OF EDUCATION,		cause of changes by board of equal-	
of independent school districts..	3795-3810	ization	1554
(see "Schools.")		abstract of assessment list to be sent	
BOARD OF ELECTION,		to state auditor	1554
compensation	163	town board of equalization, notice of	
BOARD OF EQUALIZATION,		— compensation of	1547
(see "Taxation.")		— time and place of meeting.....	1547
state board of equalization, composi-		— powers and duties	1547
tion of.....	1555	— what complaints referred to....	1547
— appointment and term of office..	1555	— notice of meeting	1548
— filling vacancy in.....	1555	what complaints referred to county	
— officers of.....	1555	board	1547
— adjournment by.....	1555	assessor to attend meeting of town	
— may employ clerks.....	1555	board of review	1548
— compensation	1555	in villages, village council to act as	
— time and place of meeting.....	1555	board of equalization	1320
— to take oath.....	1555	of assessments in villages	1320
— powers and duties.....	1555	in villages	1320
— rules governing action, equaliza-		compensation	1553
tion	1555	BOARD OF EXAMINERS IN LAW..	
— record and publication of pro-		6172-6177	
ceedings	1556	(see "Attorneys and Counselors.")	
— abstract of proceedings sent to		BOARD OF FUEL COMMISSIONERS,	
county auditor.....	1556	composition of	3641
duties of county auditor on receiving		duties	3641-3643
report of state board of equalization		BOARD OF GAME AND FISH COM-	
changes made by county auditor after		MISSIONERS,	
equalization, duty to eliminate frac-		right to fines for catching fish out	
tions	1556	of season.....	2146
county board of equalization, compo-		disposal of fines, etc., for violation of	
sition of.....	1552	game and fish laws.....	2190
— time and place of meeting.....	1552	how constituted, terms of office.....	2149
— to take oath.....	1552	one member to be appointed executive	
— powers and duties.....	1552	agent, compensation	2140
— when to raise values (par. 1)....	1552	appointment of members by govern-	
— when to reduce values (par. 2)...	1552	or	2149, 2150

MINNESOTA STATUTES 1894

2150 BOARD OF GAME AND FISH COMMISSIONERS—BOATS AND VESSELS. [Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BOARD OF GAME AND FISH COMMISSIONERS—Cont'd,		BOATS AND VESSELS,	
duties of board	2151	place of taxing	1517
collecting statistics, making report to governor	2151	act relating to sale of chattels without delivery not to apply to bottomry, respondentia, or hypothecation of vessel at sea	4221
control of fish hatchery	2151	for what liable	6085
employment of superintendent of fisheries, appointment of game wardens	2151	lien for construction or repair	6229
actions by, how entitled	2151	regulations as to ticket agents and sale of tickets	2785-2792
enforcement of game laws	2151	penalty for defrauding by improperly disposing of tickets	2792
property used by, exempt from taxation	2152	overloading passenger vessel	6605
to enforce law, arrest	2176	— criminal liability of owner	6453
seizure of game and fish killed contrary to law	2177	criminal negligence or recklessness of person in charge of steamboats	6454
to sell contraband game or fish, deposit of proceeds	2178	unauthorized pressure of steam	6606
may ship game and fish to boards of other states	2179	unsafe amount of steam on passenger vessel	6607
seizure of devices for taking game and fish contrary to law	2180	intoxication of persons running boats	6636
jurisdiction to include all territory and waters of state	2181	willful destruction of, or injury to, vessels or cargo	6754
to grant certificates to scientific bodies to collect nests, eggs, birds, fish, etc.	2184	making false manifests, invoices, bills of lading, etc.	6756
to compel construction of fish ways by persons obstructing stream, certificate	2185	issuing fictitious bill of lading, etc., criminal liability	6767
appointment of officers, preference to Union veterans	2194	misleading pilot by false signals, etc.	6775
BOARD OF HEALTH, (see "Health.")		disorderly conduct on	6944
BOARD OF INSPECTORS, of steam vessels and steam boilers .. 480-494 (see "Steam Vessels"; "Steam Boilers.")		crimes committed thereon, venue of prosecution	7256, 7257
BOARD OF REVIEW	1320	ACTIONS AGAINST.	
(see "Board of Equalization.")		actions against in district court, venue	6086
BOARD OF STATE CAPITOL COMMISSIONERS, (see "Capitol.")		complaint, requisites	6087
BOARD OF SURVEY, appointment by adjutant general, sale of condemned arms and stores	1709	issue of warrant by clerk, return day, contents of warrant	6088
disposition of proceedings	1710	return of warrant	6089
vouchers to be certified and approved	1711	who may appear and answer	6090
blanks to be prepared by adjutant general	1712	discharge of boat on giving bond	6091
BOARD OF TRADE	2983-2984	sale of boat, court may order when	6092
(see "Chambers of Commerce and Board of Trade.")		bond for discharge, execution against obligors in bond	6093
BOATS, lien for service	6252, 6253	proceedings in personam after judgment	6094
		summoning owners, etc., requisites of summons	6095
		— affidavit to accompany summons	6096
		— answer of parties summoned	6097
		— pleadings and trial	6098
		jurisdiction of justice of the peace, amount in controversy	6099
		proceedings before justice of the peace, how governed	6100
		— warrant, hearing release on bond	6101
		warrants, how served and returned	6102

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BOATS AND VESSELS—BONDS.

2151

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BOATS AND VESSELS—Cont'd,		BONDS—Cont'd,	
order of sale, power of officer to sell		of secretary of railroad and ware-	
part	6103	house commission	397
continuance, when granted, effect....	6104	of public examiner	410
— plaintiff not entitled to.....	6105	of assistant public examiner.....	2532
appeals, who may take.....	6106	of inspector of illuminating oils.....	448
limitation of actions.....	6107	of deputy inspector of oils.....	449
BODY STEALING,		of state land agent.....	467
what constitutes, punishment.....	6564	of state capitol commissioners.....	497
receiving stolen body	6565	of treasurer of state institutions....	7977
opening grave with intent.....	6566	— approval by board of auditors..	525
for purpose of dissection.....	8034	— sufficiency, renewal.....	529
BOHEMIAN OATS,		of treasurer of institute for defectives	3444
contracts	7639	of treasurer of school-building com-	
BOILERS,		missioners	3505
(see "Steam Boilers.")		of treasurer of normal schools.....	3846
BONA FIDE PURCHASERS,		of insurance commissioner	3144
rights in usurious negotiable instru-		of game wardens	2151
ments	2214	of notary	2269
from fraudulent grantor.....	4225	of surveyor general of logs.....	2394
not to be prejudiced by implied or re-		— filing and action thereon.....	2395
sulting trust.....	4283	of officers of board of regents.....	3406
right to open or modify judgment...	5267	given by officers of state reformatory	3588
BONDS,		of trustees of soldiers' home.....	3624
(see "Appeal"; "Bail"; "Executors		of chief inspector of grain.....	7680
and Administrators"; "Guardian";		of deputy inspectors of grain.....	7682
"Officers.")		of inspectors of grain, filing and ac-	
OFFICIAL BONDS.		tion thereon.....	7683
preparation of blank forms for official		of officers of state prison.....	7456
bonds	874	of superintendent of state institutions	7978
duty to use blank forms for official		<i>of county officers.</i>	
bonds	876	sent to secretary of state.....	877
security to whom, state as obligee....	5951	when new bond required.....	879
corporation may be surety.....	5947	removal from office of secretary of	
corporation as surety, payment of pre-		state	880
mium, charging to trust fund.....	5948	when new one required.....	882
— release from liability.....	5949	new bond given at request of surety	883
— estoppel to deny corporate power	5950	notifying county officers of necessity	
<i>of state officers.</i>		of giving new bond.....	884
approval by board of auditors.....	525	effect of failure of officer to furnish	
of treasurers of public institutions to		new bond when required.....	750, 885
be filed and recorded.....	526	effect of giving new bond.....	886
approval of attorney general indorsed		liability for violating duty required	
thereon	527	under intoxicating liquor law.....	1995
nonapproval, new bond	527	of commissioners of unorganized coun-	
new bond, when required.....	528	ties	705
of state auditor	319, 2521	of county auditor.....	708, 712
of deputy state auditor.....	329	of deputy county auditor.....	715
of state treasurer	340	of county treasurer.....	723, 3997
of deputy state treasurer	1672	— new bond, when required.....	749
of state librarian	366	taken by county treasurer from dep-	
of clerk of the supreme court.....	374	uty	1564
of supreme court reporter.....	2278	of register of deeds.....	761
of railroad and warehouse commis-		of sheriff.....	783
sioner (par. e)	387	of county attorney.....	801, 816

MINNESOTA STATUTES 1894

2152

BONDS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

BONDS—Cont'd,	Sec.
of judge of probate.....	818
of clerk of judge of probate.....	822
of county surveyor.....	829
of coroner.....	838
of deputy coroner.....	854
of clerk of court.....	856
— requiring additional bond.....	856
of assessors.....	1538
of deputy assessors.....	1539
<i>of city, town, and village officers.</i>	
of city officers.....	1061
— liability on bond.....	1148
of street commissioner.....	1072
of clerk of municipal court.....	1366
of deputy clerk of municipal court..	1367
of town officers, failure to give, effect	952, 958
of town treasurer.....	954
— approval and filing.....	955
— as to expenditure of county road and bridge fund appropriated for town.....	1849
of justices of the peace.....	694, 1259
— approval and filing.....	957
of constables.....	694, 1259
— approval and filing.....	956
of village officers.....	1219, 1284
of village treasurer.....	1219, 1288
of village recorder.....	1264
of bailiffs of village municipal court..	1403
<i>of executors, administrators, and guardians.</i>	
of executor, conditions.....	4458
— exempted by testator, conditions	4459
— who is residuary or sole legatee	4460
— separate or joint bonds.....	4465
of administrator.....	4482
— with will annexed.....	4464
of special administrator.....	4485
of guardian.....	4544, 5811, 5812
— of insane, etc.....	4552
— of nonresident.....	4561
to pay debts, legacies, etc., of decedent.....	4579
by executors and administrators or guardians on license to sell or mortgage land.....	4597, 4598
of executor and administrator, license to mortgage real estate.....	4621
of agent for nonresident heirs.....	4663
of heir on partial distribution of estate.....	4664
probate bonds to run to judge of probate, by whom prosecuted.....	4680

BONDS—Cont'd,	Sec.
— additional and new bonds, when required.....	4700
— copies as evidence.....	4701, 4702
— certificate authorizing prosecution.....	4702
not required of orphan asylum appointed guardian.....	2929
<i>actions on official bonds.</i>	
who may sue on official bond....	822, 5052
leave to bring action thereon.....	5953
several actions on same bond.....	5954
collection of execution from property of principal first, and then from surety.....	5955
action on bond of county attorney... given to county treasurers, who to prosecute breach.....	815, 754
of county auditor, action on.....	710
of constable, who may sue for breach of justices of the peace, who may sue for breach.....	956, 957
of town clerk, approval and filing, who may sue for breach.....	984
of overseer of the poor, action thereon	1958
of trustees of savings bank, who may sue on.....	2539
OTHER STATUTORY BONDS.	
of treasurer of independent school district.....	3804
of treasurer of drainage district....	7744
of court commissioners.....	825, 828
of bidder for public printing.....	261
of contractor to do county printing... required before issuing duplicate state warrants.....	1628, 334
given by bank to secure deposit of state funds (par. 2).....	344
accompanying proposals for purchase of site of new capitol.....	504
of depository of county funds.....	730
— expiration, who ineligible as sureties.....	730-732
taken from private abstractor on occupying county building.....	765
of contractor for village improvements.....	1340
given in order to use public library..	1425
on obtaining license to keep employment bureau.....	1456, 1457
— liability on.....	1458
for safe-keeping and return of arms issued to militia.....	1708
for arms issued to sons of veterans..	1770, 1773

MINNESOTA STATUTES 1894

Vols. 1 & 2].

BONDS.

2153

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
BONDS—Cont'd,	
of licensee of ferry.....	1931
of liquor seller	1991
— liability for breach.....	1992
— county attorney to prosecute breach	1994
of applicant for liquor license, sureties	2026
of warehousemen and storage companies	2111
of scientific societies making collections	2184
of auctioneer	2296
to release lien on logs and lumber... ..	2455
of licensee of sluice dams.....	2478
taken from trustees of savings banks..	2539
power of railroad to execute... ..	2722, 2723
given by railroad contractors to railroad companies.....	2764
of officers of trust companies.....	2848
not required of trust company acting as assignee, receiver, etc. (pars. 4, 9, 10)	2849
of officers of building and loan associations	2875
of treasurer of cemetery association..	3092
of trustee of fund of cemetery association	3112, 3125
of insurance agent placing excess lines of insurance.....	3162
of relative of insane person.....	3483
accompanying bid for right to erect public building.....	3612
of public contractor.....	3613
of purchaser of timber on state lands..	4013
of assignee for benefit of creditors... ..	4231
— action by creditor.....	4236
for proper care and safe-keeping of insane person.....	4688
to be given on recovery of lost instrument	5737
of public warehousemen.....	7661
given by part owners of land to obtain right to develop mineral deposits, etc.	5832
given by receiver of corporation.....	5895
to keep ferry, violation of condition..	6633
IN ACTIONS, PROCEEDINGS, ETC.	
filing of statutory bonds.....	5220
of defendant accused of bastardy to indemnify county	2041
of defendant convicted of bastardy, effect of failure to give.....	2045
of petitioner for writ of habeas corpus	6023

	Sec.
BONDS—Cont'd;	
by plaintiff in proceedings to enforce lien on logs not required.....	2455
for second trial of action for forcible entry and detainer brought in municipal court in district court.....	1385
of trustees appointed in divorce proceedings	4806
of plaintiff where summons is not personally served	5024
filed in order to have judgment opened	5025
in claim and delivery.....	5044
— justification of sureties.....	5277-5279, 5281, 5282
— indorsement of approval of sureties	5283
by plaintiff in claim and delivery of personalty	5276, 5277
by defendant in claim and delivery to retain property	5278
for attachment	5054, 5290
— forthcoming bond.....	5059, 5060
for discharge of attachment... ..	5064, 5290
discharge of boat attached on giving bond	6091
for discharge of vessel attached, execution against obligors.....	6093
for release of vessel in action before justice of the peace.....	6101
to indemnify sheriff against claim of third person to property attached..	5296
by defendant in garnishment, discharge of garnishee.....	5342
by party applying for injunction....	5347
for restitution on judgment by default where service was not personal (par. 3)	5354
by guardian ad litem.....	5160
to secure change of venue.....	5190
to secure adjournment of action for forcible entry and detainer.....	6114
to obtain writ of restitution.....	6119
to secure stay of execution..5480, 5482,	5483
given by debtor in supplementary proceedings	5487
for costs, when required, additional bond	5518
— failure to file, effect.....	5519
— action thereon.....	5520
of election contestant for inspection of ballots.....	193
accompanying petition for establishment of drain.....	7794
accompanying petition for formation of subdrainage district.....	7747

MINNESOTA STATUTES 1894

2154

BONDS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
BONDS—Cont'd,	
taken from one contracting to construct drain.....	7805
to pay for construction of drains....	7809
in lieu of recognizance.....	7988
undertakings in lieu of.....	7989
<i>in appellate proceedings.</i>	
on appeal.....	6141
supersedeas bond.....	6142-6144, 6146
stay of proceedings.....	1589
on appeal in election contest.....	192
on appeal in prosecution for violation of village ordinance.....	1254
on appeal from orders of board of health.....	1492
on appeal from order laying out ditch draining highway.....	1911
on appeal from assessment of damages in proceedings to erect dam... — erection not delayed on filing bond.....	2364 2363
on appeal in condemnation proceedings.....	4098
on appeal from probate to district court.....	4668
on appeal from justice.....	5068
judgment against sureties on appeal bond.....	5078
on appeal in forcible entry and detainer.....	6120
execution against sureties on appeal bond.....	5079
on appeal in drainage proceedings...	7765
 BONDS OF STATES, COUNTIES, CITIES, ETC.	
Minnesota school fund, bond.....	3774
investing school funds in state or government bonds.....	4005
purchased by state.....	4006, 4007, 4021
purchased by state for state institutions.....	4030
of corporations, when negotiable....	2220
power of railroad company to execute power of railroad company to issue..	2722 2723
<i>state bonds.</i>	
destruction on redemption (par. a) ...	344
in internal improvement land fund, transfer to school fund.....	510
state railroad adjustment bonds, cancellation, record.....	512, 513
state funding bonds.....	514
— how executed.....	515
— fund tax.....	516
— form of.....	518

	Sec.
BONDS—Cont'd,	
revenue bonds.....	522-524
building bonds.....	522-524
<i>municipal bonds.</i>	
legalized.....	7632, 7633
refunding bonds.....	2221
issue by municipalities.....	2222-2224
of state or municipalities, duplicates.. —————	2225-2227, 2229
— bond and affidavit given to obtain duplicate.....	2228
liability of state on municipal bonds..	1695
drainage bonds.....	7780, 7781
of newly-created counties, issuance ...	635
soldier's bounty bonds issued by counties, cities, etc., legalized.....	7634-7636
of counties for construction of steam traction motor.....	1941
— character and limit of amount..	1942
— tax to pay interest and principal.	1943
— issued for erection of county jail.....	7442, 7443
— of counties for poor farm, limitations.....	1988
— annual tax for payment.....	1989
bonds of city, power of common council to issue.....	1090
— power of cities to issue.....	1091, 1094-1096, 1435
— regulation as to execution, provisions and sale of.....	1093
— bonds unlawfully issued, effect..	1095
of town, authority to issue.....	1031
— conditions of issue.....	1032
— interest and sinking fund.....	1033
— refunding bonds to be authorized by town meeting, majority vote... — authority to issue refunding bonds.....	1035 1034
— refunding bonds, limit of issue and use.....	1036
— refunding bonds, limitations as to negotiation, interest, and time of payment.....	1037
— register.....	1038
— refunding bonds, duty of supervisor.....	1039
— legalizing act.....	1040
— money recovered from holders of illegal bonds to form special funds.	1041
— taxes paid on illegal town bonds to be refunded.....	1042
— money collected from holders of illegal town bonds, how disposed of	1043
issuance by village.....	1321

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BONDS—BOUNTIES.

2155

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BONDS—Cont'd,		BOOMS—Cont'd,	
— for improvements.....	1232	— fees and lien, exception.....	2471
— conditions of issue, limitation of amount and time of payment.....	1235	injuries to, criminal liability.....	6780
— bids for sale, notice.....	1236	BOOTHs,	
— bids for sale, power to accept or reject	1237	polling booths, number and requisites	82
— disposition of proceeds of sale... ..	1238	separate space for judges of election,	
— for unpaid assessments for local improvements	1344	entrance to and exit.....	83
— for local improvements, conclusive proof of proceedings.....	1346	gate keepers of polling booths.....	92
— improvement bonds, sale at not less than par.....	1351	persons not allowed within polling booth, exceptions.....	96
— form of improvement bond.....	1352	access to polling booth, who allowed about entrance.....	99
<i>municipal aid bonds,</i>		BOROUGH,	
registry of municipal aid bonds.1692,	1693	effect of including in boundaries of city	1045
<i>of schools and school districts.</i>		BOTANY,	
of school districts.....	3688-3692	natural history survey.....	3934, 3935
of independent school districts..	3815, 3816	BOUNDARIES,	
of school districts having no trustees, proceedings for collection.....	3830	of counties.....	535-620
BOOKS,		— petition for change.....	622, 623
(see "Obscene Publications, Pictures, etc.")		of unorganized counties changed....	620
of county treasurer, how kept, balances (par. 3).....	728	re-establishment of monuments by county commissioners.....	697
record books of surveyor general....	2403	evidence of government survey.....	699
production of (see "Production of Books and Papers").		rules for subdividing sections.....	834
BOOM AND LOG COMPANIES,		supplying place of lost monuments... ..	836
injunction against.....	2633	of towns to remain as now established	920
powers	2633	of highways, duty of county surveyor to fix.....	1812
consolidation	2633	— to be fixed by county surveyor on application of abutter.....	1813
right to acquire stock in other similar corporations	2633	— establishment by county surveyor, notice of time and place of making survey.....	1814
manner of constructing dams.....	2633	actions to determine	5823-5829
charges for handling and driving logs	2633	— bringing in additional parties..	5825
— enforcement of lien.....	2633	— rules of procedure	5826
retrospective effect of act.....	2634	— judgment	5827
BOOMS,		— establishment of landmarks.....	5827
log booms, erection of sluiceway....	2386	— costs	5828
obstructing passage of logs declared a nuisance	2387	— determination of adverse claims	5829
scale bill of logs to be furnished owners	2400	wrongful removal of or injury to monuments, criminal liability	6780
operation of side booms, removal of intermingled logs or appraisalment thereof	2422	BOUNTIES,	
injury to booms, etc., penalty.....	2423	for cultivation of timber and hedges	7853-7868
not to be interfered with by law regulating lien of log owner driving other logs	2468	(see "Timber and Hedges.")	
assorting railroad ties and cedar poles, delivery to owners.....	2469	adjutant general to act as claim agent	1704
		taking up old bounty bonds, and issuing new ones.....	2221
		soldiers' bounty bonds issued by counties, cities, etc., legalized.....	7634-7636
		for arrest of horse thieves.....	7869
		— proceedings to obtain	7870
		— costs and expenses to be paid by applicant	7871

MINNESOTA STATUTES 1894

2156

BOUNTIES—BRIDGES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BOUNTIES—Cont'd,		BREACH OF THE PEACE—Cont'd,	
for killing wolves, amount of bounty,		— taking recognizance from wit-	
how paid	7872	nesses	7101
— applicant to make proof, certifi-		— decision on appeal.....	7102
cate	7873	— costs	7102
— oath of applicant.....	7874	— effect of failure to prosecute ap-	
— warrant of county auditor, pay-		peal	7103
ment by county treasurer.....	7875	— discharge of accused on giving	
— payment by state, no reward un-		recognizance	7104
less county pays its share... 7876, 7877		— transmitting recognizance to dis-	
— county auditor to destroy scalp,		trict court	7105
entry in records, transmission to		recognizance to keep the peace....	
state auditor	7876	7106, 7107, 7109	
— fraudulent claims, penalty.....	7878	— remission of penalty.....	7108
for killing gophers, payment.....	7879	— surrender of principal by surety	7109
— amount	7880	— by person convicted of crime..	
for killing black birds.....	7880	7404, 7405	
— local bounties authorized.....	7882	by militiamen, liable to arrest.....	1750
for killing gophers and blackbirds,		discharging firearms in public places	6661
certificate and warrant, acceptance		use of language calculated to pro-	
of act by county.....	7881	voke	6940
ROLLING ALLEYS,		BREAD,	
license and regulation in villages		regulations by cities (par. 13).....	1085
(par. 1)	1299	regulating size and weight (par. 13)..	1299
BRANDS,		BREWERIES,	
counterfeiting and imitating (see		regulation by cities (par. 5).....	1085
“Trade Marks”).		BRIBERY,	
BREACH OF MARRIAGE PROMISE,		of elector	120
jurisdiction of justice.....	4960	giving or offering bribes to public offi-	
attachment not allowed	5289	cers	6326
BREACH OF THE PEACE,		asking or receiving bribes by public	
crimes against public peace.... 6644-6662		officers	6327
(see “Disturbance of Assemblage”;		of member of legislature, punish-	
“Disturbance of Public Worship”;		ment as contempt.....	227
“Disturbance of Schools”; “Ob-		offering bribes to members of legis-	
structing Justice”; “Prize Fight-		lature	6343
ing”; “Riot”; “Unlawful Assem-		receiving bribes by members of legis-	
bly.”)		lature	6344
jurisdiction of justices	5093	accepting bribe by judicial officer....	6340
prevention and punishment by jus-		jurors, referees, etc., accepting bribes	6351
tice of the peace	5121	of jurors, definition of jurors.....	6357
— calling persons to his assistance,		offered to influence or prevent testi-	
penalty for failure to aid.....	5121	mony	6335, 6386
power to prevent.....	7091	offered to influence sheriff to permit	
— hearing and examination.. 7094, 7095		escape of prisoner.....	6388
— discharge of accused on giving		of public officer, offender competent,	
recognizance	7096	witness not liable to prosecution... 6356	
— requiring recognizance to keep		BRICK COMPANIES.....	2827-2837
peace	7096	(see “Corporations.”)	
— committing accused on refusing		BRIDGE COMPANIES,	
to give recognizance	7097	incorporation, powers, etc.....	3390
— discharge of accused.....	7098	place of taxing personal property of..	1519
— liability of complainant for costs	7098	BRIDGES,	
proceedings to prevent, payment of		(see “Highways.”)	
costs	7099	in unorganized counties, taxation for	704
— appeal	7100		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BRIDGES—BUILDING AND LOAN ASSOCIATIONS.

2157

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BRIDGES—Cont'd,		BUILDING AND LOAN ASSOCIA-	
repair and construction, power of elec-		TIONS—Cont'd,	
tensors in town meeting.....	930	by laws, adoption, filed with public ex-	
power of cities to issue bonds for con-		aminer, amendment.....	2857
struction of (par. 2).....	1094	directors, division into classes, terms	
in villages, control thereof.....	1250	of office.....	2857
taxation for.....	1558	not more than three officers in direc-	
care and superintendence by town su-		tory	2885
pervisors	1775	deposit of securities with state treas-	
report thereon by town supervisors to		urer or trust company, character of	
town meeting.....	1776	securities, substitution.....	2860
expenditure of county road and bridge		— transfer of securities to another	
fund	1847, 1848	state	2860
width of bridge or culvert.....	1851	— collection of interest and divi-	
— penalty for neglect.....	1852	dends on securities.....	2861
penalty for fast driving.....	1870	surrender of securities, when paid, or	
fast driving, complaint before justice,		for foreclosure.....	2861
procedure	1871	amount of capital stock, par value, is-	
— judgment for fines and costs, com-		sue of paid-up certificates.....	2869
mitment, execution.....	1872	increase of capital, amendment of ar-	
signboard warning against fast driv-		ticles	2870
ing	1873	amendment of articles, notice.....	2894
penalty for running toll.....	1874	— filing, publication.....	2870, 2871
construction of side roads and ford		penalty for selling stock without com-	
crossings	1915	plying with law.....	2878
driving cattle, regulating number....	1916	stock, preferred stock prohibited,	
— penalty for driving excessive		classes of stock, stock certificates,	
number	1917	approval by public examiner.....	2880
on Minnesota river, who may con-		— series of stock.....	2899
struct, conditions.....	1918	powers in general.....	2794
— rates of toll.....	1920	power to purchase and convey real es-	
— restricting change of rates by leg-		tate	2794
islature	1921	premium for loans not to be deemed	
railroad bridges, liability of town or		interest	2794
county for repairs.....	2691	excess of premiums not to be deemed	
— charges for use by public.....	2691	usury	2794
lien for construction, repair, etc....	6229	loans not to be made except to mem-	
injuries to, punishment.....	6780	bers	2794
malicious injury to.....	6874	provision with regard to interest....	2218
walking or riding on railroad bridge		premiums for loans not deemed inter-	
forbidden	6890	est or usury.....	2879
BRIGADE,		buying and selling real estate prohib-	
formation, election of brigadier gen-		ited except on foreclosure, or in sat-	
eral, appointment of staff officer....	1718	isfaction of loan.....	2897
BROKERS,		loans to members, how secured.....	2858
listing of property for taxation.....	1531	power to purchase or lease land for	
BROWN COUNTY,		transaction of business.....	2859
boundaries	546	power to buy real estate on which it	
BUILDING AND LOAN ASSOCIATIONS,		it has mortgage or lien, and convey	
definition of term.....	2876	same	2859
formation, method, purpose.....	2855	doing business in another state, impos-	
— filing declaration with secretary		ing taxes, fines, penalties, etc., retal-	
of state, copy with register of deeds,		atory legislation.....	2867
publication	2855	bonds of fidelity insurance required	
name	2856	of officers, penalty for failure.....	2875

MINNESOTA STATUTES 1894

2158

BUILDING AND LOAN ASSOCIATIONS—BURDOCKS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BUILDING AND LOAN ASSOCIATIONS—Cont'd,		BUILDING AND LOAN ASSOCIATIONS—Cont'd,	
withdrawals of shares, fines, etc., delinquent shares, rate of interest allowed	2881	application of act, not to apply to associations doing a general business	2901
— on death of stockholder by heirs or personal representative, notice..	2882	payment of fees on filing articles of incorporation	3391
by-laws to regulate applications and bids for loans.....	2883	foreign, conditions of doing business in state.....	2863
loans to members.....	2883	— filing copy of charter.....	2863
payment of expenses.....	2884	— filing certificate showing securities deposited.....	2863
sale of stock by local companies outside of locality, penalty.....	2887	— filing agreement to accept service of process on public examiner..	2863
associations desiring to confine business to local business, notice to public examiner.....	2887	— filing agreement not to remove cause to federal courts, and to pay judgment	2863
taxation	1530, 2888	— payment of fees to public examiner	2863
— act regulating, not to apply to associations doing local business.....	2887	— right to do business, certificates of deposit, public examiner.....	2862
— of stockholder.....	2889	— service of process on public examiner, mailing duplicate copy by examiner	2864-2866
— duty of foreign company to furnish list of state stockholders to county auditor.....	2890	— retaliatory legislation	2867
consolidation	2891	— effect of violation of act, notice by public examiner, duty of attorney general	2868
deposit of securities with state treasurer, fees.....	2892	— violation of law, admonition by public examiner, complaint to attorney general, notice not to do business	2874
securities, etc., heretofore deposited with state auditor to be transferred to state treasurer.....	2892	— sale of stock when not authorized to do business, penalty.....	2877
annual and semiannual reports to public examiner, contents, publication, certificate to be issued by public examiner.....	2872	BUILDINGS,	
examination, fees of examiner.....	2873	protection against fire.....	8005-8009
foreign, annual and semiannual reports to public examiner, certificate of public examiner.....	2872	(see "Fires.")	
violation of law, complaint by public examiner to attorney general, power of attorney general.....	2874	BULL,	
disposal of fees by public examiner and state treasurer.....	2893	lien for service fees.....	6252, 6253
execution of papers by public examiner and state treasurer.....	2893	BUOYS,	
annual or special meeting, notice, voting, proxies.....	2894	established by United States, criminal liability for mooring to.....	6778
supervision by public examiner.....	2895	— criminal liability for removing or injuring	6778
application for public examiner's certificate, report to examiner.....	2896	injuries to, criminal liability.....	6780
annual certificate of public examiner, posting, license fee.....	2896	BURDEN OF PROOF,	
compensation of public examiner....	2902	of jurisdiction	5249
withdrawal of shares on notice.....	2900	of performance of conditions precedent	5250
existing companies subject to act regulating	2836	of corporate existence.....	5254
		of partnership	5255
		in action for libel or slander.....	5257
		BURDOCKS,	
		(see "Canada Thistles, Burdocks, and Wild Mustard.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

BUREAU OF LABOR—BY-LAWS.

2159

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
BUREAU OF LABOR,		BURGLARY—Cont'd,	
(see "Labor.")		separate punishment for burglary and	
compensation of	469	crime committed in building	6687
powers and duties	470	how punished	6688
to make biennial report to legislature	470	making or possessing burglar's tools,	
duty of employers to make reports to	471	etc.	6689
information supplied by employers		indictment, form (Nos. 17, 18)	7239
deemed confidential	471	BURIAL,	
power of officers to issue subpoenas		(see "Dissection.")	
and administer oath	472	when coroner to provide for	853
punishment for witness' refusal to		regulations by cities (par. 12)	1085
obey subpoena	472	regulation in villages (par. 12)	1299
fees of witnesses testifying before...	472	of pauper at expense of county	1967
powers and duties of officers	473	record of	3093
refusal of employer to allow officer to		right to direct disposal of one's body	6558
enter premises, punishment	473	removal for burial in other states ...	6560
reports to, and documents collected		duty of burial, right to dissect body..	6559
by, deemed public documents	474	dissection, when allowed	6561
destruction of documents collected...	474	unlawful dissection, misdemeanor...	6562
power of commissioner of labor to in-		delivery of corpses for dissection...	8031
cur expenses	475	of remains after dissection.....	6563, 8032
commissioner of labor to appoint depu-		body stealing	6564
ties and assistant factory inspectors	475	receiving stolen body.....	6565
compensation of assistant employed		opening grave	6566
by commissioner of labor	475	arresting or attaching dead body....	6567
distribution of reports	476	disturbing funeral	6568
printing biennial reports	476	time for burials	7071
expenses of stationery paid by state	476	of deceased soldiers	8042-8045
qualifications required of factory in-		(see "Soldiers.")	
spectors	477	of soldiers and sailors, appropriation	
compensation	477	(par. 13)	7964
appropriations for	478	BURIAL GROUNDS,	
act providing for repeal of inconsistent		(see "Cemeteries.")	
acts	479	BURNING,	
duties in enforcement of labor laws ..	2245	(see "Arson"; "Fires.")	
requiring employer to build fire es-		BUSHEL,	
capes	2253	standard weight	2203
report of accidents to labor commis-		BUTCHER SHOPS,	
sioner	2256	license and regulation in villages	
powers and duties in enforcing labor		(par. 1)	1299
laws	2258-2260	BUTTER,	
orders and notices	2260	manufacturing, selling imitations	
injunction against order of factory in-		without brand, misdemeanor.....	6641
spectator	2261	imitations thereof	6983, 6984
BURGLARY,		(see "Oleomargarine.")	
first degree	6677	BY-LAWS,	
second degree	6678	of towns, when to take effect.....	926
third degree	6679	— to be posted	988
"break," how defined	6680	establishment by manufacturing com-	
"nighttime" defined	6681	pany	2816
"entered" defined	6682	of corporations	3412
"dwelling house" defined	6683	— adoption and alteration, use as	
separate dwelling houses, what are...	6684	evidence	2831
"building" defined	6685	of building and loan associations....	2857
unlawfully entering building not		of co-operative associations.....	2906
amounting to burglary	6686	of camp-meeting associations.....	2947

MINNESOTA STATUTES 1894

2160

CALENDAR—CANVASS OF VOTES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

C.

	Sec.		Sec.
CALENDAR,		CANALS AND CANAL COMPANIES—	
criminal calendar	7347-7350	Cont'd,	
(see "Criminal Calendar.")		subscriptions to capital stock	2737
term calendar of village municipal		power to hold land	5877
courts	1375	CANVASSERS,	
order of trial of issues	5363	license and regulation in villages (par.	
CAMP-MEETING ASSOCIATIONS,		19)	1299
purpose of incorporation	2940	CANVASS OF ELECTION RE-	
articles, contents	2941	TURNS,	
articles in duplicate, record	2943	(see "Canvass of Votes"; "Elec-	
amendment of articles, certificate, rec-		ords.")	
ord	2950	county canvassing board	169
— adoption prior to this act	2951	— quorum, separate statements ..	170
corporate powers	2943	— duplicate copies of statement,	
capital stock, subscription, enforce-		how forwarded, indorsement	171
ment of payment	2942	— declaration of election, notice of	
— value of shares, increase	2944	appeal	172
distribution of profits	2945	statement of votes for members of	
property exempt from taxation	2946	legislature in county not a sena-	
board of directors, powers, by-laws		torial or representative district ...	174
and regulations	2947	in senatorial district	175
prohibiting disorderly conduct or		— correction of statements	176
trespasses, imposing fines and pen-		compensation of canvassing board ...	177
alties	2947	state canvassing board, date of meet-	
peace officers, compensation, powers		ing, compensation	178
streets and roads not to be opened		— statement of votes	179
through grounds without consent ..	2949	— statement of votes for members	
trading within two miles prohibited,		of congress and presidential electors	180
exception	6968	— to canvass returns of election to	
— punishment	6969	change county boundaries	628
misconduct, etc., near meeting, pen-		CANVASS OF VOTES,	
alty	6970	(see "Canvass of Election Returns";	
limitation of prosecutions	6971	"Elections.")	
CANADA THISTLES, BURDOCKS,		to be public and continuous	128
AND WILD MUSTARD,		order of canvassing different ballots ..	129
common nuisance	6896	ballots folded together, excess of bal-	
penalty for allowing to grow	6897	lots	130
penalty for neglect to destroy, duties		excess of ballots not to produce excess	
of town supervisors, defrayment of		of votes	131
expenses	6898	ballots in wrong box, when counted ..	132
prosecutions before justice of the		ballots not counted returned separately	133
peace, duty of every person to de-		counting and numbering ballots, en-	
stroy thistles	6899	try in tally books	134
fines to go to town treasurer	6900	tally books, number and distribution ..	135
fine, appeal to district court	6901	county and city tally books similar ..	136
CANALS AND CANAL COMPANIES,		tally sheets, how prepared, and num-	
municipal aid	1441-1446, 1451-1454	ber furnished	137
— proposition to be submitted to		substitute tally sheets	138
municipality	1444	memoranda to be kept	139
right to incorporate	2592	manner of marking tally sheets	140
charges for use of canals	2617	counting ballots, rules to determine	
when authorized to commence work	2737	intent of voters	141

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CANVASS OF VOTES—CARRIERS.

2161

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.	Sec.
CANVASS OF VOTES—Cont'd,		
defective ballots, return and stringing	142	
stringing ballots, announcement of result	143	
ballot judge and ballot clerks in cities of over 12,000	144	
— in smaller cities and towns	145	
— duties	146	
order of canvass, watchers	149	
locking and sealing boxes, when completed	153	
form of return, preliminary statement	156	
delivery of return	158	
returns in unorganized counties	159	
time to file returns, failure a misdemeanor	160	
delivery of returns, limit of time, violation a misdemeanor	161	
duty in case of informalities in returns of election to change county boundary	627	
of election at town meeting..	945, 946, 947	
CAPITOL,		
sale of liquor forbidden	2006	
— penalty	2007	
reservation of capitol site	4046	
appropriation for site and building	501	
plans secured by competition, rules governing competition	502	
purchase of site, proposals	504	
condemnation of land for site	505	
erection; labor, material, etc., to be furnished by contract; limit of cost; contracts; preferences to Minnesota material and labor	506	
appropriation for care of buildings and grounds...7961 (par.18), 7963 (par. 10)		
BOARD OF CAPITOL COMMISSIONERS.		
appointment and removal, vacancy	495	
compensation of members	496	
bond and oath, penalty for violation	497	
first meeting	498	
superintendent and secretary, compensation, qualification	499	
— not to be interested in contract	500	
members interested in contracts, penalty	500	
appropriation for site and building	501	
securing plan by competition, rules governing competition	502	
limitation as to plan	503	
purchase of site for capitol, proposals	504	
condemnation of land for site	505	
power on accepting proposals for site	505	
CAPITOL—Cont'd,		
labor, material, etc., to be furnished by contract; limit of cost of capitol; restrictions on contracts	506	
employment of architects, mechanics, and laborers; accounts audited before payment	507	
JANITOR, ENGINEER AND EMPLOYES.		
janitor, employment of temporary officials in organization of legislature	223	
— governor to appoint	303	
— duties and powers	304	
— janitor, salary (par. 18)	530	
— appropriation (par. 11)	7956	
general engineer, salary (par. 19)	530	
day firemen, salary (par. 20)	530	
night fireman, salary (par. 21)	530	
messenger, salary (par. 22)	530	
appointment of persons to care for	304	
engineer, compensation	304	
— duties and powers	304	
— salary, appropriation (par. 12)	9756	
CARLTON COUNTY,		
boundaries	547	
CARRIERS,		
(see "Railroad Companies.")		
who are	2635	
rights and privileges in other states	2748	
place of assessing personal property of grounds and proceedings for dissolution	5899	
liability of boats or vessels	6085	
mismanagement of steam-boiler	6608	
willful or careless injury to baggage, etc., penalty	6895	
quarantine against contagious and infectious diseases, interstate commerce	7075-7079	
(see "Health.")		
OF PASSENGERS.		
civil rights	8002, 8003	
use of safety appliances on sleeping cars	401	
equipping cars with tools for use in case of accident	402	
furnishing cars with fire extinguishers	402	
duty with regard to waiting room	2702	
duty to stop trains at county seat	2705	
duty to stop at stations and crossings	2706	
transfer of passengers at railroad junctions	2707	
license of ticket agent	2785	
regulations concerning ticket agents and sale of tickets	2785-2792	

MINNESOTA STATUTES 1894

2162

CARRIERS.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CARRIERS—Cont'd,		CARRIERS—Cont'd,	
redemption of unused tickets or parts of tickets	2789	— duty of warehousemen, etc., to protect	7709
redemption of tickets in hands of brokers	2790	— penalty for breaking seals.....	7710
penalty for refusal to redeem tickets..	2791	— penalty for violating act.....	7711
fraud on, by improperly disposing of tickets	2792	shipper of grain to terminal points, duty to affix tag showing weights, etc.	7712
forgery of passage tickets.....	6697	CHARGES FOR TRANSPORTATION—RAILROAD AND WAREHOUSE COMMISSION.	
employment of intemperate driver..	1947	charges for transportation.....	2617
horses not to be left unfastened, penalty	1949	— use of canals, etc.....	2617
liability to passengers for injuries caused by drivers.....	1950	scope of act providing for commission rules for making charges.....	379
use of force in expelling passenger (par. 5).....	6477	380 (par. a), 381 (par. a), 384, 385 (par. a)	
overloading passenger vessel.....	6605	effect of act providing for commission, existing remedies preserved (par. c)	396
unsafe amount of steam on passenger vessels	6607	right to use terminal facilities of another company (par. f).....	381
		power to limit common-law liability (par. g).....	381
OF FREIGHT.		agreements for pooling forbidden....	382
facilities to be provided for handling machinery	2708	furnishing cars, distribution among shippers (par. b).....	385
discrimination against persons shipping from private warehouses.....	2713	terminal charges for switching, etc. (par. c)	385
transporting trout out of season, penalty	2143	— apportionment between companies (par. c).....	385
transportation of game, duty to notify fish commissioners, penalty for violation	2173	copy of contracts with other carriers to be filed with commission (par. d)	386
duties with regard to stock and furnishing cars.....	2710	new tariff of rates to be made by commission (par. e).....	386
charges for carrying stock.....	2712	duty to furnish facilities to commission in gathering information (par. a)	388
method of transporting stock.....	6792	report of commission, effect.....	399
— regulations	6793	— effect as evidence (par. b).....	393
lien of and enforcement thereof....	6248	reports to commission (par. a).....	395
issuing bill of lading or other voucher of title of goods, criminal liability..	6767, 6769, 6770	appeal from order of commission (pars. c, d).....	393
criminal liability for selling, etc., property received for transportation	6771	appeal in controversy relating to order of commission.....	399
bill of lading negotiable.....	7649	uniform system of accounts, power of commission to require (par. b)....	395
to give receipts for grain and deliver quantity received for.....	7653	mandamus to enforce duties.....	400
— penalty for failure.....	7654	method of heating and lighting cars..	401
— prosecutions by attorney general	7655	criminal liability for violation of law	403
right of owner to withhold grain from storage, notice to carrier, liability for placing in warehouse after notice	7693	criminal liability of officers.....	403
inspection of grain in cars, duty of inspectors, examination of cars, seals, etc.	7707	<i>discrimination and unreasonable charges.</i>	
— duty to protect cars in yard, employment of weighmaster.....	7708	discrimination forbidden.....	
		380 (par. b), 381 (par. a),	383
		what constitutes discrimination.....	383
		unreasonable charges, penalty for making (par. e).....	381
		— proceedings (par. e).....	386

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CARRIERS—CASS COUNTY.

2163

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
CARRIERS—Cont'd,	
<i>schedule of rates.</i>	
for public inspection, contents (par. a)	386
change in schedule, notice (par. b)...	386
forbidden to charge more than schedule (par. c).....	386
copy of schedule to be filed with commission (par. d).....	386
<i>connecting lines.</i>	
facilities for transfer of traffic to (par. a)	381
duties with reference to transporting freight (par. b).....	381
transfer of car-load lots (par. b).....	381
transfer of less than car-load lots (par. b)	381
establishment of joint through rates (pars. b, c).....	381
when commission to establish rules for transfer of traffic (par. c).....	381
apportionment of joint rate (par. d)...	381
publishing schedule of joint rates (par. d)	386
when cars need not be sent over lines (par. f).....	381
<i>enforcement of orders of commission.</i>	
enforcement of tariff (par. f).....	386
refusal to obey orders (par. c).....	392
enforcement of orders.....	399
— jury trial.....	399
method of enforcing orders (par. c)...	393
<i>actions against carriers.</i>	
by attorney general (par. a).....	393
— procedure (par. b).....	393
by railroad and warehouse commission (par. a).....	394
power of district court (par. b).....	393
<i>violation of law.</i>	
liability (par. a).....	389
remedy of person injured (par. b)....	389
action against (par. b).....	389
when law deemed violated.....	390
complaint for violation.....	391
right to have commission investigate charges (par. b).....	391
proceedings where commission is called upon to investigate charges (par. b)	391
refusal to obey subpoena issued by commission (par. c).....	391
report by commission concerning charges (par. a)	392
powers and duties on determining that carrier has violated law (par. b.)	392
when relieved from penalty (par. b)...	392

	Sec.
CARRIERS—Cont'd,	
UNCLAIMED GOODS AND BAGGAGE.	
to keep record of.....	2090
reception of baggage, etc., duty to notify owner	2091
sale of property.....	2092-2103
— disposition of proceeds.....	2105
— disposition	2104
— retrospective effect of statute....	2106
delivery to warehousemen	2107
CRIMES ON CARS, VESSELS, AND PREMISES.	
crimes committed on vehicle of transportation or premises of carrier....	6840
profanity and firearms prohibited, penalty	6941, 6942
disorderly conduct	6944, 6945
arrest of disorderly persons by conductors, etc.....	6945
arrest and ejection of swindlers on cars	6596-6598
CARRYING WEAPONS,	
misdemeanor	6628
possession, presumptive evidence ...	6629
recognizance to keep the peace.....	7107
CARTMEN,	
licensing in villages (par. 12).....	1224
CARTWAYS,	
dedication	1832
laying out, payment of costs, damages, etc.....	1832
for removal of logs, laying out, limit or width	1833
— procedure	1834
— expenses and damages payable by applicant, repairs, appeal.....	1835
— in unorganized town, notice, posting and filing, record.....	1836
highway labor upon	1903
CARVER COUNTY,	
boundaries	548
duration of sessions of county board	667
deposit of funds.....	730
CASE,	
motion for new trial based thereon..	5399
how prepared and settled.....	5400
settlement on judgment suspending or removing attorney	6207
CASE AGREED ON,	
submitting matter in dispute to court, power of court	6083
judgment how entered, judgment roll	6084
CASS COUNTY,	
boundaries, territory detached and added	549

MINNESOTA STATUTES 1894

2164

CASUALTY INSURANCE—CEMETERY ASSOCIATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CASUALTY INSURANCE	3296-3316	CEMETERY ASSOCIATIONS—Cont'd,	
(see "Insurance Companies.")		filling vacancies in office of trustees..	3100
CAT BIRD,		report of trustees.....	3102
protection of	6795	appointment of watchmen by trustees	3106
CATTLE,		power of watchmen, etc., as police of-	
(see "Animals.")		ficers	3106
term defined	2122	oath taken by employes.....	3106
CATTLE BRANDS,			
recording description	772	MEMBERSHIP.	
CATTLE GUARDS,		filling vacancies.....	3091
duty of railroad company.....	2692	rights of members to fill vacancies...	3091
CEMETERIES,			
(see "Cemetery Associations.")		RECORD OF BURIALS.	
title of towns to cemeteries used by		actuary to keep record.....	3093
inhabitants	923	duty to furnish information.....	3094
in villages, establishment and regula-		furnishing information to commission-	
tion (par. 14).....	1224	er of statistics.....	3094
establishment of private cemeteries		right of public to inspect record....	3094
3130-3133		penalty for failure to keep record....	3095
survey of plats.....	3130, 3131		
certifying and recording plat.....	3132	PROPERTY AND LOTS—RIGHTS OF LOT	
effect of making and recording plat..	3133	OWNERS.	
conveyance of lands in private cem-		acquisition of real property.....	3096
etry	3133	— personal property.....	3096
exemption from taxes and execution		survey of lands and division into lots	3096
1512, 3134		record of map of lands.....	3096
power to alter or vacate.....	3135	property conveyed to for certain uses	3096
cities or villages to take gifts and be-		application of proceeds of personalty	3096
quests for	4284	enlargement of cemetery, eminent do-	
injury to or removal of articles from,		main	3096
criminal liability	6786	conveyance of lots.....	3108
building road through.....	3134	— by trustees.....	3097
— penalty	6967	— curative statutes.....	3098
CEMETERY ASSOCIATIONS,		application of proceeds of sale of lots	3103
INCORPORATION.		exemption from taxation and execu-	
general statutory provisions.....	2913-2928	tion	3107
(see "Corporations.")		record of conveyances of lots.....	3108
in general	3086-3089	conveyance of lots back to associa-	
certificate of organization.....	3088	tion	3108
powers and liabilities as corporations	3089	when lots inalienable.....	3108
TRUSTEES AND EMPLOYES.		release of interest in lot as between	
who may be trustees.....	3100	heirs	3108
election of trustees	3086	building of streets through.....	3107
— time	3087	who may be buried in lot.....	3108
— notice	3100		
— to supply place of retiring of-		TRESPASSES AND INJURIES TO PROPERTY.	
ficers	3099, 3101	recovery for injuries to lot.....	3104
— who may vote.....	3099	— by individual proprietor.....	3104
term of trustees.....	3087, 3099, 3101	penalty for injury to monuments,	
adoption of by-laws by trustees....	3090	trees, etc.....	3104
power of majority of trustees.....	3092	discharge of firearms in cemeteries..	3105
management by trustees.....	3092		
appointment of officers by trustee...	3092	PERMANENT CARE AND IMPROVEMENT	
requiring treasurer to give bond.....	3092	FUND.	
		establishment	3109
		board of trustees of.....	3110, 3123
		appointment of trustees.....	3110

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CEMETERY ASSOCIATIONS—CERTIFICATES.

2165

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CEMETERY ASSOCIATIONS—Cont'd,		CERTIFICATES—Cont'd,	
revoking appointment of trustee.....	3110	income certificates issued by railroad	
power of trustees.....	3110	companies	2734
term of office of trustees.....	3111, 3125	as to genuineness of signature to rail-	
removing trustee.....	3112	road aid bonds.....	2780
bond given by trustees....	311, 3125, 3127	to be filed by directors of manufactur-	
— renewal of bond.....	3112	ing company.....	2813
— enforcement of bond.....	3125	of increase of capital stock of manu-	
vacancies in board of trustees.....	3113, 3115	facturing company.....	2820
filling vacancies.....	3113, 3127	on plat of cemetery.....	3132
rights of trustees appointed to fill va-		of stock.....	3416, 3417
cancies	3127	of qualification of examiners in lunacy	3404
titles and rights unaffected by chan-		of insanity.....	3466, 3467, 3499
ges in board of trustees....	3114, 3127	— approval by judge of probate...	3484
extinction of board of trustees, or-		of qualification of examiner in lunacy	3499
ganization of new board.....	3115	school teacher's certificate..	3747, 3748, 3750
compensation of trustees.....	3129	of mining claim on public lands....	4067
district court to act as trustee, when..		of marriage	4777
3115, 3128		— effect as evidence	5760
appointment of trust company as		to deposition	5677, 5689, 5695
trustee	3116	for jurors' and witness' fees in Henne-	
appointment of new board of trustees,		pin and Ramsey counties.....	5577, 5580
when	3116	of copies of papers used as evidence,	
record of appointment of trustees....		seal	5725
3117, 3127		of officer that paper is not in his of-	
secretary of board of trustees.....	3129	fice, presumption	5732
limitation as to amount.....	3118	of clerk of court to a transcript of	
moneys going to.....	3118	justice's docket, use as evidence....	5746
vouchers on accounting by trustees..	3119	of entry at land office, evidence of	
power to disturb principal....	3119, 3125	title	5754
investment of principal.....	3121, 3125	of officer of government department,	
disposition of income....	3119, 3120, 3126	admissible as evidence	5755
compensation of trustees.....	3122	of questions of law in criminal cases	
secretary of board of trustees.....	3123	to supreme court	7395-7397
report of board of trustees....	3124, 3125	falsely certifying to, record of instru-	
vouchers on accounting by trustee....	3125	ment	6419
CERTIFICATES,		punishment for giving false certificate	6420
form attached to poll list.....	127	OF INCORPORATION AND ORGANIZATION.	
of appraisal of county buildings on		of incorporation	3394
creation of new county.....	634	of Ancient Order of Hibernians.....	3008
by village to purchase fire apparatus..	1231	of Ancient Order of United Workmen	2991
of signature to municipal aid bonds..	1450	of bank	2491
of tax book.....	1561	of farmers' mutual fire insurance com-	
as to payment of taxes on transfer of		panies	3265
land	1624	of grand army posts.....	2999
of redemption from tax sale.....	1664	of Independent Order of Odd Fellows	2986
by board of game and fish commission-		of Knights of Pythias.....	3003
ers for construction of fishways....	2185	of Masonic bodies	2995
of surveyors, proprietors, etc., of cor-		of Scandinavian Aid and Fellowship	
rection of description of town plats..	2319-2325	Society	3012
of limited partnership.....	2333-2339	of amendment of articles of camp-	
of authority to commence business as		meeting associations, etc.	2950
bank	2545	OF INSPECTION.	
of deposit in savings banks.....	2587	by public examiner issued to build-	
		ing and loan associations.....	2872

MINNESOTA STATUTES 1894

2166

CERTIFICATES—CHAMBERS OF COMMERCE AND BOARDS OF TRADE. [Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CERTIFICATES—Cont'd,		CERTIFIED COPIES—Cont'd,	
of steam vessels, posting.....	484	of ordinance filed with secretary of state	1160
of steam boiler, posting, fees.....	491	of papers certified by insurance commissioner, effect as originals	3152
false certificate of inspection of steam boilers, steam vessels, etc.....	490	of papers certified by insurance commissioner, effect	3298
OF ELECTION.		of papers on file in United States government offices admissible	5734
of county commissioner.....	664, 705	of papers relating to sale by executors, administrators, or guardians, effect as evidence	4616
of county officers and members of legislature	173	of papers to be used, seal of court when copy is used in same court ...	5726
of member of legislature, prima facie evidence	218	of probate bond, effect as original evidence	4701
of state senator	175	of public documents, duty to furnish..	328
of United States senator, how prepared	252	of records and files in public office admissible	5733
— forwarded to president of United States senate, prima facie evidence..	253	of record of certificate of incorporation	3394
to change county boundaries.....	628	of record of certificate of incorporation	3394
of trustees of religious societies..	3025, 3026	of records, duty to furnish	888
OF JUDICIAL SALES AND REDEMPTION THEREFROM.		of surveys, duty to furnish.....	832
of sheriff's sale, recording.....	779-781	papers under seal of adjutant general, primary evidence	1703
of sale to enforce assessments.....	1139	records of foreign courts admissible, certificate of clerk	5706
of purchase at sale for assessments, assignment	1143	when to be furnished	1141
of tax sale	1593	CERTIORARI,	
of execution sale	5470	powers and duties of supreme court...	4823
of redemption from execution sale..	5475	power of supreme court judge in vacation	4827
of sale under power in mortgage....	6038	issue by district court	4837
— when operates as conveyance..	6039	costs, right and liability of relator ...	5510
of sale on foreclosure of mortgage by action	6065	CHALLENGE,	
of redemption from mortgage foreclosure	6043, 6065	of jurors	5370
CERTIFIED CASES,		(see "Jury.")	
certifying tax cases to supreme court	1589	of grand jury	7188-7195
CERTIFIED COPIES,		(see "Grand Jury.")	
form of certificate to copies of papers, seal	5725	to fight a duel	6488-6495
of appointment of foreign executors, guardians, etc., prima facie evidence	4715	(see "Duels and Challenges.")	
of chattel mortgages deemed original evidence	4135	to prize fight or sparring match.....	6947, 6652, 6653
of conditional sales deemed original evidence	4151	(see "Prize Fighting.")	
of constitution and by-laws for militia companies, evidence	1751	of voters	91, 102-109, 936
of conviction before justice admissible	5748	(see "Elections.")	
of docket of justice of the peace, certified transcript as evidence.....	5744	CHAMBERS,	
of judicial decisions by state librarian admissible	5717	argument of demurrer at	5227
of minutes of conviction and judgment as evidence	5743	CHAMBERS OF COMMERCE AND BOARDS OF TRADE,	
of official bonds as evidence.....	881	formation, purposes.....	2982
		powers	2983

MINNESOTA STATUTES 1894

Vols. 1 & 2] CHAMBERS OF COMMERCE, ETC.—CHATTEL MORTGAGES.

2167

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CHAMBERS OF COMMERCE AND BOARDS OF TRADE—Cont'd, to appoint committees of arbitration, oath of witness, subpoenas, etc. par. 1)	2983		
— hearing, award, confirmation by court (par. 2.)	2983		
— claims to real estate not to be submitted (par. 2.)	2983		
power to acquire and convey property (par. 5)	2983		
terms and conditions of membership, election of officers, appointment of employés, management by board of directors (par. 5.)	2983		
assessments of members, enforcement (par. 5)	2983		
power to appoint inspectors of weights and measures (par. 3.)	2983		
inspectors of merchandise, effect of inspection (par. 3.)	2983		
finés imposed on members, enforce- ment (par. 4.)	2983		
existing organization, amendment of article	2984		
CHAMPERTY, conveyance of land adversely held... contract with attorney	4165 5497		
CHANGE, of name (see "Names"). of venue (see "Venue").			
CHAPLAIN, of house of representatives, election.. of state prison	221 7462		
CHARGE, of court to jury, in civil cases	5403		
— in criminal cases	7333		
justice not to give	4958		
to grand jury	7198		
CHARITABLE INSTITUTIONS, (see "Hospital for the Insane"; "In- stitute for Defectives"; "State Public School"; "State Reformato- ries"; "State Reform School.") approval of bonds of treasurers... 525, 526			
CHARITIES, (see "State Board of Corrections and Charities.") exemption from taxation of property devoted to (par. 6.)	1512		
CHARIVARI, participants guilty of misdemeanor, punishment, complaint	6937		
CHART, of state park	4054		
		CHARTERS, of corporations (see "Corporations"). of cities, etc. (see "Municipal Corpora- tions"). of villages (see "Villages").	
		CHATTEL INTERESTS, (see "Estates.")	
		CHATTEL MORTGAGES, on log mark or logs	2405
		power to acquire and convey property on crops	4154
		lien on crops for seed grain advanced..	4155-4159
		(see "Liens.") on animals, priority of lien for keep- ing	6250
		— duty to notify mortgagee of sale for charges	6251
		certified copies deemed original evi- dence	4135
		levy of execution on interest of mort- gagor	5458
		— rights of purchaser at execution sale	5458
		ACKNOWLEDGMENT.	
		before filing	4131
		before town clerks	4134
		FILING AND RECORDING.	
		with village recorder (par. 7)	1264
		void against creditors, etc., unless filed to be filed where property located, and copy filed where mortgagor re- sides	4129 4130
		entries in record, index	4130
		filing deemed to be notice for two years	4131
		in unorganized counties with register of deeds, entries in record, index... 4132	4132
		— filing with register of deeds deemed notice for two years, neces- sity of acknowledgment	4133
		RENEWAL.	
		limitation as against creditors, etc., affidavit of renewal	4146
		— affidavit of renewal, subsequent renewals	4147
		PAYMENT AND RELEASE.	
		discharge when mortgage satisfied, filing certificate, entry in record... 4141	4141
		REDEMPTION.	
		in general	4136
		payment or performance, action by mortgagor	4137

MINNESOTA STATUTES 1894

2168

CHATTEL MORTGAGES—CISTERNs.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CHATTEL MORTGAGES—Cont'd,		CHILDREN—Cont'd,	
FORECLOSURE AND SALE.		employment of, certain employment	
notice, service, publication.....	4138	prohibited	6539
notice of proof of service to be filed..	4139	use in unlawful employment, commit-	
when complete.....	4140	ment of child to orphan asylum....	8013
foreclosure by sale.....	4138	cruelty to.....	6540, 6542
— notice, service, posting.....	4143	— prevention of.....	6803
— purchase by mortgagee or pledgee,		— prosecution for violation of law	
sale to be at public auction by sher-		relating to.....	6803
iff or constable.....	4144	abuse of children, penalty.....	8014
declaring forfeiture for breach of con-		violation of law relating to commit-	
ditions, not to be made before time		ment to reform school, etc.....	6543
of performance of conditions.....	4145	effect of Penal Code.....	6849
sale not governed by statute relating		manner of keeping infant prisoner... 7430	
to auctions.....	2301	diseased eyes in, to be reported.....	8010
		— duty of health officer.....	8011
REMOVAL, SALE, OR CONCEALMENT OF		— penalty for neglect.....	8012
PROPERTY.		violation of law regulating, disposi-	
sale, etc., by mortgagor, penalty, evi-		tion of fines.....	8015
dence	4142	CHIMNEYS,	
wrongful removal or concealment....	6749	construction and cleaning in village	
wrongful conveyance or disposition..	6750	(par. 10).....	1224
indictment	6751	CHIPPEWA COUNTY,	
CHATELS REAL,		boundaries	550
(see "Estates.")		CHISAGO COUNTY,	
CHEATS,		boundaries	551
(see "False Pretenses.")		CHLOROFORM,	
CHECKS,		when administration of deemed as-	
(see "Negotiable Instruments.")		sault (par. 2).....	6472
CHEESE,		CHOLERA,	
adulteration, manufacture or sale of		(see "Health.")	
imitation cheese.....	6996, 6997	CHOOSE IN ACTION,	
imitation, penalty for making or selling		(see "Assignment.")	
6996, 6997		CHURCH,	
CHEESE FACTORIES,		(see "Religious Societies.")	
sale of impure milk to, keeping ac-		injuries to articles therein, criminal	
counts of milk received.....	6994	liability	6789
uniform brand, false brand, penalty..	6998	CIDER VINEGAR,	
reports to dairy commissioner, blanks		(see "Vinegar.")	
to be furnished.....	7001	CIGARETTES,	
CHIEF CLERK,		manufacturing or using adulterated	
of house of representatives, compen-		cigarettes	6951
sation for indexing and transcribing		sale to minors, penalty.....	6952
journal	234	CIRCUIT COURT OF APPEALS,	
— to draw certificates of pay due		state to furnish state reports and stat-	
members	239	utes	2293, 2294
CHILDREN,		CIRCUSES,	
(see "Infants"; "Parent and Child.")		license and regulation in cities.....	1085
adoption of.....	8016-8024	— in villages.....	
(see "Adoption.")		1224 (par. 15), 1299 (par. 45)	
born after making of will.....	5945	CISTERNs,	
substituting one child for another... 6411		regulation in villages (par. 24).....	1224
permitting children to frequent gam-		blen for construction or repair.....	6230
bling and dance house, concert sa-			
loons, etc.....	6538		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CITATION—CLERK OF COURT.

2169

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CITATION, (see "Executors and Administrators"; "Guardian and Ward"; "Writs.")		CLAIM AND DELIVERY—Cont'd,	
in proceedings to collect taxes.....	1569	bond by plaintiff, defendant to except to sufficiency of sureties.....	5277
CITIES, (see "Municipal Corporations.")		bond by defendant to retain property	5278
CITIZENSHIP, (see "Aliens.")		bonds, notice and justification of sureties, substitution of sureties.....	5279
employers not to require employé to abandon rights	6962	Justification of sureties, waiver of justification	5280
challenge of jurors, evidence.....	7378	qualification of sureties.....	5281
CITY ASSESSOR, (see "Municipal Corporations.")		sureties to justify, how.....	5282
election, etc.	1073	approval of sureties indorsed on bond	5283
CITY ATTORNEY, (see "Municipal Corporations.")		custody of bond.....	5220
election, etc.	1068	property concealed, power of sheriff to break in.....	5284
CITY BOARD OF HEALTH, (see "Health.")		— summoning persons to disclose location, proceedings as for contempt.	5284
CITY CLERK, (see "Municipal Corporations.")		sheriff to keep and deliver property..	5285
CITY ENGINEER, (see "Municipal Corporations.")		sheriff to file affidavit, etc., and return, time.....	5286
CITY JUSTICE, (see "Municipal Corporations"; "Justices of the Peace.")		verdict, what to contain.....	5383
CITY MARSHAL, to give bond.....	1061	judgment, form for property or value thereof	5420
CITY PRINTER, designation, etc.....	1079	action for failure to redeliver wheat stored	7848
CITY RECORDER, (see "Municipal Corporations.")		CLAIMS,	
CITY SURVEYOR, (see "Municipal Corporations.")		against decedent's estate.....	4509-4522
CITY TREASURER, (see "Municipal Corporations.")		(see "Executors and Administrators.")	
CIVILITER MORTUUS, effect of imprisonment for life.....	6836	against counties, appeal from allowance or disallowance.....	644
CIVIL RIGHTS, equal rights in inns or other public places	8002	CLAY,	
punishment for violating law relating to	8003	development of beds on lands belonging to plurality of owners.....	5830-5838
CLAIM AND DELIVERY, (see "Replevin.")		CLAY COUNTY,	
venue	5185	boundaries	552
possession of property, how obtained.	5274	appropriation out of state treasury..	7848
affidavit for delivery, contents.....	5275	CLEARING-HOUSE ASSOCIATIONS	2533
property severed from real estate, trial of title to land.....	5275	(see "Banks and Banking.")	
requisition to sheriff to take possession, bond, service of affidavit and bond	5276	how incorporated.....	2534
		powers and privileges.....	2534
		clearing-house certificates.	2535
		CLERGYMEN,	
		Authority to solemnize marriages....	4771, 4772
		solemnizing unlawful marriage.....	6609
		privileged communications to (par. 3)	5662
		CLERK OF COURT,	
		(see "Clerk of District Court"; "Clerk of Municipal Court"; "Clerk of Supreme Court.")	
		taxation of costs in criminal cases...	807
		report to county attorney.....	807
		process in criminal actions filed with	808
		to take oath of office.....	5634
		power to administer oath.....	5636

MINNESOTA STATUTES 1894

2170

CLERK OF COURT—CLERK OF DISTRICT COURT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CLERK OF COURT—Cont'd,		CLERK OF DISTRICT COURT—C't'd,	
power to take acknowledgment.....	5644	when to take place of county auditor	
power to take deposition.....	5645	(par. 5)	1552
deposit of instruments with, giving		in proceedings to collect delinquent	
receipt	5728	taxes	1567, 1580, 1606
— indorsement and filing.....	5729	satisfaction of tax judgment....	1574, 1590
— withdrawal of instruments, use		entry of tax judgment.....	1585
in evidence	5730	duties on payment of taxes.....	1590
— right to examine one paying fees	5731	entries in tax-judgment book.....	1598
alteration, falsification, etc., of records	6387	to certify to official acts of notary....	2272
misappropriation of property.....	6387	on sentencing of prisoners to state re-	
criminal liability	6388	formatory	3592
furnishing certain papers to sheriffs,		to grant marriage licenses.....	4774, 4775
etc., compensation	7476	records relating to marriage.....	4778
furnishing papers to officers convey-		penalty for failure to record certif-	
ing prisoners to state prison.....	7476	cate of marriage.....	4779
— authorizing officer to convey con-		duties and liabilities with relation to	
victs to prison	7508	marriage	4783
CLERK OF DISTRICT COURT,		certificate to judgment of justice....	5029
office expenses paid by county.....	677	on change of venue.....	5192
where office kept	857	to take disclosure of garnishees.....	5323
right of public to inspect records. 861,	887	to give notice of filing of decision out	
ELECTION, APPOINTMENT, AND REMOVAL.		of term.....	5388
time of election	866	renewal of execution.....	5445
vacancy in office, how filled.....	865, 867	to make entries on payment of judg-	
term of office of one filling vacancy..	864	ment by surety or joint debtor.....	5479
in county attached to others for judi-		to take acknowledgment.....	5644
cial purposes, appointment when		investment of proceeds of sale in par-	
county is detached	4952	tition proceedings.....	5807-5809
— filling vacancy	4948	on appeal from district court.....	6135
power of governor to remove.....	893	right to copies of supreme court re-	
ports		ports	2287, 2288
OATH AND BONDS.		custody of supreme court reports....	2289
to take oath and give bond.....	856, 865	in Hennepin county, duties with re-	
additional bond required, when.....	856	gard to drawing and summoning ju-	
POWERS AND DUTIES.		rors	5614, 5615
duties in general.....	857	— certifying fees of jurors.....	5618
in connection with collecting vital		in Ramsey county, duties with regard	
statistics	441	to drawing and summoning jurors..	5624
not to practice law.....	858	— certifying to jurors' fees.....	5626
what books to be kept.....	861	in St. Louis county, duties with regard	
to furnish information concerning		to drawing and summoning jury	5628c, 5628d
judgments	861	in Washington county, duties with re-	
in connection with coroner's inquest..	849	gard to jury.....	5630
deposit of moneys paid into court...	856	acts of clerk in unorganized county	
to keep index to court records.....	863	legalized	7638
— manner of keeping and matters		PAPERS AND DOCUMENTS FILED WITH.	
entered therein	863	returns of vital statistics.....	440
to enter cases not registered by prede-		bond of deputy inspector of oils.....	449
cessors	864	certificate of election of county com-	
to furnish certified copies of record..	888	missioner	664
in proceedings to enforce assessments		bond and oath of register of deeds...	761
for local improvements..1133, 1135,	1136	order of district court to furnish depu-	
in connection with execution of mu-		ty sheriffs.....	798
nicipal aid bonds.....	1450		

MINNESOTA STATUTES 1894

Vols. 1 & 2] CLERK OF DISTRICT COURT—CLERK OF SUPREME COURT. 2171

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CLERK OF DISTRICT COURT—Cont'd,		CLERK OF DISTRICT COURT—Cont'd,	
appointment of clerk of judge of probate	821	in Hennepin county	5542
record of proceedings at coroner's inquest	849	in Ramsey county	5543, 5544
certificate as to necessity of coroner's inquest	849	in Dakota county	5541
proceedings to enforce assessments ..	1132	in counties where compensation does not exceed \$800	5540
proceedings to make assessments for local improvements	1165	under act regulating sale of patent rights	8051
— assessment roll in	1168	DEPUTIES.	
on inability of sheriff to collect taxes ..	1508	appointment	859
list of delinquent taxes	1579	power of deputies	859
resolution designating county newspaper	1581	to take oath	860
proof of publication of delinquent taxes	1583	removal	860
documents relating to tax proceedings ..	1614	CLERK OF ELECTION,	
register of notary	2270	appointment	56, 57
record of commission of notary	2272	substitute clerk, appointment and record	93
documents in condemnation proceedings ..	4097	to keep poll lists, how	124
2610, 2623, 2628, 4086, 4090, 4096, 4097		entries to be made in poll list	125
credentials of ministers	4772	ballot clerks in cities of over 12,000 ..	144
dockets and papers of justices of the peace	4962	— in smaller cities and towns	145
counties attached to others for judicial purposes, pleadings, etc., to be filed in county to which attached	4953	duties of ballot clerks	146
transcript of justice's judgment	5026	special clerks, powers and duties	150
on appeal from justice	5070	ballot clerks and special clerks, qualification and pay	151
in contempt proceedings	5086	— only at general elections	152
consent to appointment as guardian ad litem	5160, 5161	failure of duty or misconduct	164
receipt for payment of taxes by execution creditor	5444	CLERK OF FEDERAL COURT,	
in action to enforce mechanic's lien ..	6238	power to administer oath and take acknowledgments	5638
recognizance to keep the peace	7105	CLERK OF MUNICIPAL COURT,	
in preliminary proceedings against accused	7156	oaths and bonds	1360
letters patent not to be filed, when, penalty for violation	8052	deputy, appointment, oath, and bond ..	1367
FEEES AND COMPENSATION.		duties	1368
in general	441, 849, 856, 862, 864, 863	to procure books, blanks, etc	1369
to file statement of fees received	869	deputy to act as bailiff	1405
for services in collecting taxes	1567	salary	1406
for services in proceedings to collect taxes	1570, 1608	CLERK OF SUPREME COURT,	
for recording notary's commission and certifying to acts	2272	bond and oath	374
for service relating to marriages	4778	may appoint deputy clerk	375
for sending notice of decision out of term	5388	to procure stationery, lights, etc., for supreme court	376
schedule of fees	5538	to personally perform duties	377
limitation of Laws 1887, c. 120	5539	duties with reference to tax cases certified	589
		power of governor to remove	893
		decisions filed with	4825
		syllabus of supreme court decision filed with	4826
		duties with regard to publishing syllabus of decisions	378, 4826
		records kept by	4829
		when to adjourn court	4830
		power to take acknowledgment	5044

MINNESOTA STATUTES 1894

2172 CLERK OF SUPREME COURT—COMMISSIONERS OF PUBLIC PRINTING. [Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CLERK OF SUPREME COURT—Cont'd,		COMMANDER IN CHIEF,	
salary (par. 24).....	530	of militia.....	1700, 1701
— appropriation (par. 24).....	7956	COMMERCIAL PAPER,	
fees	5545	(see "Negotiable Instruments.")	
deputy, appointment.....	374	COMMISSION,	
— salary, appropriation (par. 35)...	7956	to take deposition.....	5702
CLERKS,		(see "Deposition.")	
of house of representatives, election		COMMISSIONER OF INSURANCE,	
and terms of office.....	221, 222	(see "Insurance Commissioner.")	
of legislature, compensation.....	232	COMMISSIONER OF LABOR,	
of secretary of state, compensation.....	316, 317	appointment by governor.....	419
of state board of corrections and char-		to act as commissioner of labor sta-	
ities	461	tistics	469
of county commissioners, service of		powers	472, 473
process on.....	642	appointment of deputies and assistant	
of county auditor, allowance for....	721	factory inspectors	475
of board of trustees of religious socie-		power to incur expenses.....	475
ties	3031	compensation	477
of land commissioner.....	3960, 3963	report of accidents to.....	2256
lien of, and preference of, claim for		COMMISSIONER OF STATISTICS,	
wages	6254	duties	404
of judge of probate.....	821	to require state and municipal officers	
CLOUD ON TITLE,		to furnish information.....	405
assessments for local improvements..	1139	to furnish statistics for publication..	406
tax titles.....	5821	refusal to furnish information to,	
COAL,		penalty	407
regulation of sale of (par. 20).....	1085	report to governor.....	408
COCK FIGHTING.....	6797-6802	compensation	409
(see "Cruelty to Animals.")		duty of cemetery associations to fur-	
COERCION,		nish information to	3094
criminal liability for using.....	6790	COMMISSIONERS,	
COLLEGES,		to hear charges against officer... ..	894, 895
(see "Normal Schools.")		— fees and compensation... ..	897, 898, 913
medical colleges, subjects of dissection		to investigate charges against county	
(see "Dissection.")		treasurer	907
state university (see "University of		to take testimony, fees.....	5546
Minnesota.")		fees	5573
exemption from taxation.....	1512	COMMISSIONERS OF DEEDS,	
incorporation, general statutory provi-		appointment by governor.....	5646
sions	2913, 2928	powers	5646-5648
(see "Corporations.")		oath and seal.....	5649
trustees, powers.....	2923	COMMISSIONERS OF FISH AND	
— may require officers to give bonds	2924	GAME,	
— to make annual report to superin-		(see "Board of Game and Fish Com-	
tendent of public instruction.....	2925	missioners.")	
service of process on.....	2926	COMMISSIONERS OF PUBLIC	
visitation by superintendent of public		PRINTING,	
instruction	2927	who are	259
existing institutions may organize un-		advertisement for bids.....	261
der this act.....	2928	to act on and award bids.....	262
provisions for support of agricultural		notice of acceptance of bid, cancella-	
college or industrial institute. . .	4021-4023	tion of contract.....	269
application of funds.....	4023, 4024	appointment of state printing expert	280
provisions with regard to lands donat-		to examine and condense official re-	
ed for.....	4026	ports	284

MINNESOTA STATUTES 1894

Vols. 1 & 2] COMMISSIONERS OF PUBLIC PRINTING—COMPENSATION.

2173

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COMMISSIONERS OF PUBLIC PRINTING		COMMONS,	
—Cont'd,		dedication by plat.....	2308
to determine number of copies to be printed	286	COMMON SCHOOLS.....	3648-3832
COMMISSIONERS OF RAILROADS,		(see "Schools.")	
(see "Railroad and Warehouse Commission.")		COMPENSATION,	
COMMISSIONS,		(see "Salaries.")	
(see "Compensation.")		for furnishing information to commissioner of statistics	405
COMMITMENT,		for collecting vital statistics.....	439
(see "Crimes and Punishments.")		for transcribing damaged records..	677
in default of payment of judgment for violation of village ordinance...	1253	for making tract index.....	764
to state reformatory.....	3592	for making abstracts	765
of disobedient witnesses.....	5088, 5089	for taking testimony at coroner's inquest	849
after arrest before trial in justice court	5130	of commissioners appointed to hear charges against officers	897, 913
of defendant convicted in justice's court	5125	of one performing duties of suspended officer.....	902
on sentence in justice court.....	5130	for printing delinquent tax list....	1629
where justice on trial finds that he has no jurisdiction of the case.....	5130	for services in collecting taxes.....	1677
of defendant liable for fine or forfeiture	5960	of overseers of highways.....	1798
of accused on continuance of prosecution	6280	of surveyor locating roads in more than one county	1886
of children, on commitment of person in charge of for violating law.....	6543	of justice of the peace.....	2083
of person apprehended for intention to engage in prize fight.....	6658	of fence-viewers	2075
unless increased bail be given.....	7275	for making certificate as to estrays..	2083
of defendant after appearance for trial	7322	of appraisers	2113, 2116
COMMON BARRATRY,		of justice of the peace	2117
defined	6401	of poundmaster	2118
a misdemeanor.....	6402	for issuing commission to notary....	2268
what constitutes.....	6403, 6404	of officers of savings banks.....	2556-2557, 2571
COMMON CARRIERS,		of societies for securing homes for children or person adopting child..	2934
(see "Carriers.")		of trustees of fund of cemetery association	3122, 3129
COMMON COUNCIL,		of officers of town insurance companies	3248
(see "Municipal Corporations.")		for viewing toll roads	3379
COMMON LAW,		for services relating to insane person	3495
of other states, how proved.....	5716	of commissioners in condemnation proceedings	4102
COMMON PLEAS,		of witness in condemnation proceedings	4102
of Ramsey county, merger in district court	4865	of agent for nonresident heirs.....	4663
— recognizances, etc., returnable to district court.....	4866	of court reporter.....	4890
— merger in district court, judges of court.....	4867	for serving process	4970, 5198
of Hennepin county superseded by district court.....	4874	for services relating to drains.....	7742-7744, 7768, 7772, 7819, 7838
— return of recognizances, etc., to district court.....	4875	STATE OFFICERS AND EMPLOYEES.	
— judge and clerk thereof.....	4876	of agent appointed to aid discharged prisoners	3602
— abolition	4877	of agent of state public school.....	3517
		of board of control of state public school	3520

MINNESOTA STATUTES 1894

2174

COMPENSATION—COMPLAINT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COMPENSATION—Cont'd,		COMPENSATION—Cont'd,	
of board of corrections and charities	459	of attorney employed by county.....	811
of board of equalization.....	1555	of board of equalization.....	1553
of bureau of labor.....	477	of clerk of court.....	441, 856, 862, 864 868, 1567, 1570, 1608
— of assistant employed by commis- sioner of labor.....	475	— for furnishing certain papers to sheriffs, etc.....	7476
of deputy clerk of supreme court dep- uty.....	375	— for issuing marriage license.....	4775
of commissioners appointed to erect public school building.....	3501	of county auditor.....	720, 1658, 3998
of commissioners appointed to publish results of survey.....	3944	of county board of auditors.....	737
of commissioner of statistics.....	409	of county commissioners.....	665, 706
of engineer at state capitol.....	304	of county treasurer.....	758
of fireman at state capitol.....	304	of jailers.....	800
of game and fish commissioners' exec- utive agent.....	2149	of county surveyors.....	830
of game wardens.....	2151	of county surveyor for certifying town plats, making surveys.....	2307
of inspectors of grain.....	7685	of persons employed about county jail	7425
of inspector of illuminating oils... 444, 454		of register of deeds.....	764, 769, 2083, 3026, 4072, 4074
of land agent.....	468	of sheriff.....	1574, 1608, 1654, 1659, 3598
of land clerk's assistant.....	3960	— for boarding prisoners.....	7427
of land commissioner's clerk.....	3963	— for conveying poor person to poor house.....	1964
of managers of state prison.....	7451	of deputy sheriffs.....	799
of military storekeeper.....	1706		
of officers and agents of state reform school.....	3521, 3529	CITY, TOWN, AND VILLAGE OFFICERS.	
of officers and employés of state re- formatory.....	3582, 3587, 3597	of city officers.....	1081
of officers and employés of soldiers' home.....	3620	of city inspectors, weighers and gau- gers (par. 26).....	1085
of officers of insane hospital.....	3452	of city justices.....	1075
of officers of institute for defectives 3439, 3444		of city surveyor.....	1078
of public examiner.....	417, 421	of town officers.....	1003
— for services under act regulating building and loan associations....	2902	of town clerk.....	1003, 2083
— assistant.....	2532	of town supervisors.....	1003
of railroad and warehouse commis- sioners.....	397	of village council.....	1272
of secretary of state board of exam- iners in law.....	77, 176	of village recorder.....	1287
of secretary of state's clerk.....	316, 317	of bailiffs of village municipal court.	1403
of secretary of state board of health	429	of judge and clerk of municipal court	1406
of state auditor.....	2522, 2523	of town or city clerk for services con- nected with levying execution....	5453
— bookkeeper.....	330		
of state librarian, assistant.....	367	SCHOOL OFFICERS.	
of state park commissioner.....	4053	of superintendent of schools.....	3796
of superintendent of fisheries.....	2151	of county superintendent of schools..	3742
of supreme court reporter.....	2283	of school district clerks, for reports..	3707
of surveyor general for filing state- ments of liens on logs.....	2449	of clerk and treasurer of independent school district.....	3797
of trustees of soldiers' home.....	3608	of assistant examiner of high school board.....	3874
COUNTY OFFICERS.		COMPLAINT	5230
of assistant county attorney.....	813	(see "Pleading.")	
		in forcible entry and detainer.....	6110
		for participating in charivari, names of defendants.....	6037
		by member of board of health for re- fusing entry on premises, etc.....	975

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COMPLAINT—CONSTABLES.

2175

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COMPLAINT—Cont'd,		CONFLICT OF LAW,	
proceedings to prevent breach of the		concurrent jurisdiction with Wiscon-	
peace	7092	sin courts on Mississippi, St. Croix,	
to secure arrest of person	7133	and St. Louis rivers	4835, 4836
COMPOSITION,		limitation of action	5146
rules for estimating in public printing	263	rights of foreign corporations	5891
COMPOUNDING CRIMES,		CONFUSION OF GOODS,	
what constitutes, indictment	7254	by wrongful intermingling of logs ...	2472
punishment	6397	CONGRESS,	
proof in prosecution for	6398	(see "Members of Congress"; "Unit-	
COMPROMISE,		ed States Senator.")	
with female in bastardy proceedings	2041	CONGRESSIONAL DISTRICTS,	
by county commissioners in bastardy		division of state into districts	206
proceedings	2053	first district	207
by executor or administrator	4501	second district	208
CONCEALED WEAPONS,		third district	209
(see "Carrying Weapons.")		fourth district	210
CONCERTS,		fifth district	211
regulation by cities	1085	sixth district	212
CONCERT SALOONS,		seventh district	213
allowing children to frequent	6538	CONSCIENCE,	
CONCLUSIONS OF LAW,		crimes against	6510-6522
by court, when and how made	5386	CONSIDERATION,	
CONCUBINAGE,		for undertaking	7989
abduction of female for	6529	CONSIGNEE,	
CONDEMNATION,		to keep record of property consigned	2090
(see "Eminent Domain.")		when to notify owner of reception of	
of location of grain elevators on rail-		property	2091
road right of way	7724-7732	sale of unclaimed property	2092-2103
(see "Warehousemen.")		CONSOLIDATION,	
of land for new capitol	505	of railroad companies	2714-2720
CONDITIONAL LIMITATIONS,		of building and loan associations ...	2891
(see "Estates.")		of religious societies	3078-3081
CONDITIONAL SALES,		of actions	5271
void unless notes or contract filed ...	4148	— to enforce mechanics' liens	6238
notes, etc., to be filed in office of town		CONSPIRACY	6425
clerk, entries in records, index	4149	(see "Monopolists and Trusts.")	
effect of filing as notice for one year ..	4150	criminal conspiracy	6423, 6424
certified copies by clerk deemed origi-		— when overt act necessary	6425
nal evidence	4151	to resist execution of process	6651
satisfaction on record when paid	4152	CONSTABLES,	
fees of town clerk, etc., for filing	4153	(see "Officers"; "Sheriffs.")	
of railroad rolling stock	2720, 2730	misappropriation of property	6387
CONDITIONS,		buying things in action, punishment	6405
in conveyances, nominal conditions		giving reward for bringing suit be-	
disregarded	4407	fore justice	6406
precedent pleading performance	5250	APPOINTMENT, ELECTION AND TENURE.	
CONFESSION OF JUDGMENT,		election in unorganized counties	694
without action	6077-6082	election in towns	928
(see "Judgment.")		election in village	1219
CONFESSIONS,		term of office	694, 961
of crime, admissibility and effect ...	5766	filling vacancies in office of	694
(see "Crimes and Punishments.")		— in villages	1260
CONFIDENTIAL COMMUNICATIONS,		to take oath and give bond	694
(see "Tibel"; "Witness.")		failure to give bond, effect	958

MINNESOTA STATUTES 1894

2176

CONSTABLES—CONTEMPT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CONSTABLES—Cont'd,		CONSULTATION,	
name sent to clerk of district court..	985	issue of writ.....	5992, 5993
special constables to preserve order at election	84	CONTAGIOUS DISEASES,	
— in voting room.....	85	(see "Health"; "Quarantine.")	
POWERS AND DUTIES.		quarantining persons infected by town board of health.....	977, 978
duties with regard to warrants issued by coroner.....	845	prevention in villages (par. 229).....	1299
to take oath and give bond.....	956	duties of local board of health..	1463, 1464
in villages.....	1259, 1265	exposing person affected with.....	6643
conveyance of poor person to poor-house	1963	CONTEMPT,	
to arrest and complain of person violating liquor laws, penalty for failure	2035	criminal contempt	6407
to make arrests at request of members of society for prevention of cruelty	3021	injury to party, indemnity to be given, effect	6167
sale of trespassing animals, distrained	2119	WHAT CONSTITUTES.	
sale of unclaimed property.....	2096, 2097	what acts and omissions are.....	6155
FEES AND COMPENSATION.		failure to correct ballot or certificate of nomination	48
schedule of fees.....	5555	refusal of sheriff to pay over moneys	788
of special constables at election....	163	refusal of carrier to obey subpoena of railroad and warehouse commission (par. c).....	391
of persons performing duties.....	5556	refusal to pay alimony.....	4810
in villages.....	1265	by jurors or witnesses in criminal proceedings in justice's court.....	5117
for selling estrays.....	2086	by jurors, failure to report.....	7179-7184
for selling unclaimed property.....	2103	in concealing property replevied....	5284
CONSTITUTION,		by garnishee in refusing to deliver property	5323
of corporations.....	2633	refusal to obey judgment.....	5446
CONSTITUTION OF MINNESOTA,		— order in supplementary proceedings	5487, 5494
for index to constitution, see vol. 1, p. xxi.		disobedience of subpoena by witness..	5655
amendments, canvass of returns....	1	PUNISHMENT—POWER TO PUNISH.	
— copies of proposed to be printed, distributed, and posted.....	20	of legislature, how punished.....	227
— ballot when amendment submitted	33	— place of imprisonment	228
— publication by secretary of state	309	power of city justices.....	1074
— attorney general to furnish synopsis of.....	310	— of justice of the peace to punish	5082-5085
— publication of synopsis of proposed amendments.....	311	— to punish, how exercised; fine and imprisonment	6156
— furnishing county auditor with synopsis of	312	summary punishment, when	6157
— duties of county auditor.....	313	punishment of guilty person, amount of fine, length of imprisonment....	6166
— notice of election.....	314	imprisonment of person until performance of act	6168
duty of secretary of state to publish	309	proceedings by indictment, effect of infliction of other punishment.....	6169
CONSTITUTION OF THE UNITED STATES,		effect of punishment on subsequent criminal prosecution	6820
for index, see vol. 1, p. xxi.		punishment of criminal contempt as a crime	6819
CONSULS,		effect of Penal Code.....	6849
notice of applications for letters of administration for foreigner, service on consul.....	4732	PROCEDURE.	
		service of process or papers.....	5218

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CONTEMPT—CONTRIBUTION.

2177

§§ 1 to 4821, Inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CONTEMPT—Cont'd,		CONTRABAND,	
order to show cause, warrant of commitment, fine.....	6158	game or fish caught out of season, sale and disposition of proceeds.....	2144, 2146, 2178
person in custody, production on order of arrest of person charged.....	6159		
— admission to bail.....	6160	CONTRACTS,	
— warrant, how executed.....	6161	(see "Specific Performance.")	
— bail, how given.....	6162	for particular contracts see particular heads.	
— return of warrant, penalty for failure.....	6163	conditional sales.....	4148—4153
failure to make return, warrant for arrest of officer, filing, execution...	6164	(see "Conditional Sales.")	
hearing, proceedings.....	6165	of counties.....	638
failure to appear on return day, issue of second warrant.....	6170	of municipal corporations.....	1067
— action on recognizance, damages officer excused from producing party when.....	6171	— power to make.....	1045
proceedings before justice, record....	5086	of towns, interest of town officers, penalty.....	960
— warrant of commitment.....	5087	of villages, how executed.....	1273
— commitment of disobedient witnesses.....	5088, 5089	— with officers, void.....	1284
— punishment of disobedient witnesses.....	5001	of village of over 3,000, how executed	1420
— form of record of conviction.....	5092	effect of misnomer.....	2588
— form of warrant.....	5092	of religious societies.....	3059
CONTEST,		of foreign corporations after termination of right to do business.....	3427
of appointment of administrator.....	4481	with school teachers.....	3694, 3695
CONTEST OF ELECTION,		of married woman.....	5532
of member of legislature, notice....	186	between husband and wife.....	5534
— subpoenas, taking testimony....	187	liability of boat or vessel thereon....	6085
— notice for taking additional testimony.....	188	interest of public officer therein, misdemeanor.....	6660
— conduct of contest in legislature..	189	for sale of grain, etc., placing fictitious value on grain, penalty.....	7639
city or county election, taking testimony.....	190	pooling business by public country elevators unlawful.....	7722
— how heard and determined, special term of court.....	191	LETTING CONTRACTS FOR PUBLIC WORK.	
appeal to supreme court, bond, return, and hearing.....	192	for public printing.....	260, 261
inspection of ballots by contestant, conditions.....	193	— cancellation.....	269
evidence allowable, depositions.....	194	— contractor to exercise diligence, time for completing contract.....	274
to change county seat or county lines, etc., notice.....	195, 196	— rejection of work, new contract..	275
— filing determination of contest...	196	— paper and work held at contractor's risk.....	277
when election declaration invalid.....	197	— contractor to deliver job and bill to expert.....	281
pending contests excepted from act..	198	for erection of state capitol, limit of cost.....	500
CONTINGENT ESTATES.....	4374	for village improvements,.....	1269, 1340
(see "Estates.")		to do work of village, when awarded	1421
CONTINGENT REMAINDER,		for construction of free turnpike, advertising for bids.....	1900
creation.....	4377	by trustees of insane hospital.....	3457
(see "Estates.")		by board of fuel commissioners....	3642
CONTINUANCE,		by authorities of state institutions..	3644, 3645
(see "Adjournment and Continuance.")		CONTRIBUTION,	
		between stockholders of corporation to pay debts.....	2822

MINNESOTA STATUTES 1894

2178

CONTRIBUTION—CO-OPERATIVE ASSOCIATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CONTRIBUTION—Cont'd,		CONVICTS—Cont'd,	
between execution debtors.....	5479	provisions with regard to library.....	7473
on paying debt of ancestor by heirs..	5920	clothing, food, etc.....	7474
on paying debts of testator by devisee		furnishing Bible to.....	7475
or legatee.....	5928	rights of, on discharge.....	7475
on paying debts of decedent by heirs,		United States convicts.....	7478
etc.....	5932	enforcing obedience and discipline....	
CONVENTION,			7479, 7480
of delegates, defined.....	39	confinement in separate cells.....	7481
CONVERSION,		removal in certain emergencies.....	7484
of logs.....	2472, 2473	escape of.....	7485
of personal property. treble damages	5415	— reward.....	7485, 7486
— not allowed where defendant act-		discharge, when restored to rights, for-	
ed in good faith.....	5416	feited by conviction.....	7489
CONVEYANCES,		rewards for good conduct.....	7489, 7490
(see "Deeds"; "Estates"; "Fraudu-		diminution of sentence for good con-	
lent Conveyances"; "Mortgages.")		duct.....	7489
definition.....	4185, 4226	compensation for labor.....	7490
CONVICTS,		ascertaining and reporting facts re-	
(see "Jail and Jailer"; "Prisoners";		lating to occupation of.....	7491
"Reform School"; "State Prison";		parol of.....	7510, 7511
"State Reformatory.")			
not liable to military duty.....	1698	CONVICT LABOR.	
support of pauper after discharge		employment at labor.....	7492, 7493
from prison, liability of state to		systems of employment.....	7494
county.....	1970	provisions with regard to employment	7495
spiritual advice and religious instruc-		lease of services.....	7497-7502
tion.....	3633, 3634		
right to liberty of conscience.....	3635	INSANE CONVICTS.	
effect of pardon.....	4791	inquiry into sanity.....	3484
rights of wife to her property.....	4804	transfer to insane hospital.....	3485
limitations of actions by.....	5147	return to prison from hospital.....	3486
unauthorized communications with..		escape from insane hospital.....	3487
	6418, 7488	death in insane hospital, notice.....	3487
removal to another place of confine-		COOK COUNTY,	
ment.....	6834	boundaries.....	553
effect of imprisonment for life.....	6836	sale of state lands, reservation of min-	
injuries to, punishment.....	6837	eral rights.....	4084
as witness.....	6841	CO-OPERATIVE ASSOCIATIONS,	
IN STATE PRISON.		life, endowment, and casualty insur-	
powers and duties of managers.....	7452	ance societies.....	3296-3316
keeping record of conduct.....	7452	(see "Insurance Companies.")	
disposition of property.....	7458	formation, purpose.....	2903
— death.....	7457	articles, contents, recording.....	2904
provisions for family.....	7457	directors and officers, election and ap-	
powers and duties of warden..	7457, 7458	pointment.....	2905
search of.....	7458	first meeting, how called.....	2906
right to clothing on discharge...	7458, 7475	by-laws, copies to be filed.....	2906
record of facts relating to.....	7459	amount of capital stock, increase and	
powers and duties of physician.....	7461	diminution.....	2907
relief from work on account of sick-		limit of interest and voting power of	
ness.....	7461	members.....	2908
powers and duties of chaplain.....	7462	power to hold property, and sue and	
school for instruction.....	7463	be sued.....	2908
duties of matron.....	7464	certificate of shares not to be issued	
		till full payment.....	2909

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CO-OPERATIVE ASSOCIATIONS—CORPORATIONS.

2179

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CO-OPERATIVE ASSOCIATIONS—		CORONER—Cont'd,	
Cont'd,		execution of warrants by constables.	845
no person to become shareholder without consent of managers.....	2909	summoning jury.....	846
failure of managers to make true returns, liability for debts.....	2910	oath of jurors.....	846
judgment against, enforcement, proceedings as against insolvent corporations.....	2911	summoning witnesses.....	847
— failure to satisfy, injunction against transfer of property and doing business.....	2911	oath of witness.....	845
profits and earnings, distribution....	2912	testimony to be reduced to writing....	849
COPYRIGHT,		duties of jury.....	850
of reports of supreme court decisions	2282, 2285	form of verdict of jury.....	850
CORONER,		binding over witnesses to appear at district court.....	851
(see "Sheriffs.")		powers and duties where jury find that crime has been committed....	851
limitation of action against.....	5137	power to cause arrest.....	852
alteration, falsification, etc., of records.....	6387	expenses defrayed by county.....	853
misappropriation of property.....	6387	held at insane hospital.....	3459
criminal liability.....	6388	fees of witness.....	847
ELECTION AND TENURE.		fees and mileage of jurors.....	5574
term of office.....	838	FEES.	
oath and bond.....	838	schedule of fees.....	5554
vacancy in office of, how filled.....	855	for taking testimony at inquest.....	849
— term of office of appointee.....	855	DEPUTIES.	
power of governor to remove.....	893	appointment.....	854
POWERS AND DUTIES.		oath and bond.....	854
not to influence selection of undertaker	686	powers and liabilities.....	854
disability to perform certain functions	795	tenure of office.....	855
when to act as sheriff.....	839	CORPORATE NAMES,	
when to act as jailer.....	839	(see "Corporations.")	
liability as sheriff.....	840	of cities.....	1049
when to execute process.....	841, 842	of religious society.....	3048
powers and procedure on executing process.....	841	CORPORATIONS,	
action by, for penalty.....	845	(see "Agricultural Societies"; "Banks and Banking"; "Bridges"; "Building and Loan Associations"; "Camp-Meeting Associations"; "Canals"; "Cemeteries"; "Chambers of Commerce and Boards of Trade"; "Charities"; "Cemetery Associations"; "Colleges"; "Counties"; "Express Companies"; "Ferries"; "Gas Companies"; "Gravel Road Companies"; "Guaranty Companies"; "Insurance"; "Libraries"; "Mines and Mining"; "Odd Fellows"; "Plank Roads and Turnpikes"; "Railroad Companies"; "Religious Societies"; "Societies for Securing Homes"; "Storage Companies"; "Street Railroads"; "Telegraph Companies"; "Telephone Companies"; "Trust Companies"; "Turnpike and Plank-Road Companies"; "Water Companies"; "Water-Power Companies"; "Water-Way Companies.")	
when to provide for burial.....	853		
to take charge of property of decedent or insane persons.....	4712		
sale of personal property of decedent or insane person, allowance of expenses, payment to county treasurer	4713		
execution of attachment against sheriff for disobeying writ of habeas corpus.....	6005		
INQUESTS.			
filing certificate that inquest is not necessary.....	840		
where held.....	686		
when held.....	843		
attendance of county attorney.....	803		
summoning jury.....	844		

MINNESOTA STATUTES 1894

2180

CORPORATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
CORPORATIONS—Cont'd.	
annuity, safe-deposit, and trust companies (see "Trust Companies").	
empowered to loan money on real-estate securities.....	2838-2840
(see "Loan Companies.")	
orphan asylums.....	2929-2931
(see "Orphan Asylum.")	
co-operative associations.....	2903-2912
(see "Co-operative Associations.")	
pools and trusts, prohibition of, penalty, evidence.....	6955-6957
(see "Monopolies and Trusts.")	
application of statute.....	5889
acknowledgment by.....	5650
bonds of, when negotiable.....	2220
books, entries as to stockholders.....	2599
— right to inspect.....	2599, 2818
by-laws.....	3412
conveyance of land by agent.....	4161
— record of appointment, evidence.....	4162
contribution between stockholders of manufacturing companies.....	2822
curative statutes, defective organization.....	3402-3406
— validating dealings by corporations defectively organized.....	3402-3406
dividends.....	2800
— paid when insolvent.....	2823
effect of failure to elect officers.....	3407
fees paid on filing articles of incorporation or increasing capital stock.....	3391-3393, 3405
garnishment of.....	5311
limitation of time within which to attack vacation of street.....	1111
mandamus to.....	5975
name.....	2794
offices established within and without the state.....	2801
penalty for diversion of corporate property or willful failure to comply with articles.....	2796
penalties for violating by-laws.....	3412
rights of municipality as stockholder	1447
seal of.....	2595, 3407
service of notice on.....	2606, 2625
setting aside or restraining alienation of property.....	5895
signing petition for formation of sub-drainage district.....	7789
statement to be posted.....	2597, 2598, 2796
supervisory powers of attorney general.....	3436
supervisory power of legislature.....	3436

	Sec.
CORPORATIONS—Cont'd.	
taxation.....	1508
— who to list property for (pars. 7, 8)	1515
— place of taxation.....	1516-1519
— listing of property for.....	1530
visitorial power over.....	5896
when subject to jurisdiction of court..	5211
INCORPORATION—AMENDMENT OF ARTICLES.	
for what purpose organized.....	2794
articles of incorporation.....	2593, 2594, 2796
— of manufacturing companies.....	2807
— of mining, etc., corporation.....	282S, 2829
— corporations not organized for pecuniary profit.....	2914
— publication of articles.....	2594, 2796, 2813
— publication of articles legalized..	2795
— filing and record.....	2593, 2796, 3402-3405
— approval of articles by attorney general.....	3396, 3397
execution of articles by executors, trustees, and legatees.....	2794
payment of fees on filing articles... ..	3391, 3393, 3405
certificate of incorporation.....	3394, 3395
— record.....	3394
when incorporation effected.....	2594, 2595
amendment of articles of incorporation.....	2595, 2796, 2803, 3400
— of articles of manufacturing companies.....	2807
— of articles of mining, etc., companies.....	2829
— corporations not organized for pecuniary profit.....	2917, 2918
— certificate.....	2804
DURATION AND RENEWAL OF FRANCHISE	
—EVIDENCE OF CORPORATE EXISTENCE.	
duration.....	2596, 2802
extension and renewal.....	2596, 3400
— curative statute.....	3401
evidence of corporate existence.....	3394, 5761
manufacturing companies.....	2826
corporations not organized for pecuniary profit.....	2917
POWERS.	
powers.....	2595, 2794, 2796, 3407
to purchase and convey property.....	2794, 2798
to hold and convey lands.....	3414, 5877, 5878
right to hold land where aliens are stockholders.....	5876
of manufacturing corporations.....	2816, 2817
of mining, etc., corporation.....	2829, 2834, 2835

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CORPORATIONS.

2181

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
CORPORATIONS—Cont'd,	
corporations not organized for pecuniary profit	2916
OFFICERS.	
election of directors.....	3407
term of office.....	3407, 3412
filling vacancies in directorate.....	3407
change in number of directors.....	3398, 3399
directors to keep record of stock and business, reports to company, declaring dividends	2800
removal or suspension.....	5895
election to supply vacancies created by removal	5895
effect of reversal of order removing..	5895
power of district court over.....	5895, 5896
term "director" defined.....	6766
criminal liability	2793
— publication of false reports..	6765, 6766
— uttering and selling false shares of manufacturing corporations.....	6699
2809-2812, 2824,	2825
of mining, etc., corporation.....	2831
of corporations not organized for pecuniary profit.....	2919, 2920
MEETING AND VOTING.	
meetings outside of state.....	3407
manner of calling and conducting...	3412
notice of meeting of stockholders.....	2715
first meeting, how called.....	3408
— notice of	3408
lack of officers to call.....	3409
presiding officer	3409
powers of meeting not regularly called.	3410
ratifying proceedings at irregular meeting	3411
right to vote.....	3412
voting by proxy	3412
right of personal representative, guardians, etc., to vote.....	3418
of manufacturing companies....	2808, 2814
of mining, etc., corporation....	2831, 2832
ACTIONS.	
actions against	5892
limitation of actions.....	5144, 5155
venue of action against.....	5185
service of summons on.....	5199, 5203
verification of pleadings.....	5244
averments as to corporate existence..	5253
denial and proof of corporate existence	5254, 5256
burden of proving corporate existence	5254
prohibited from removing cause to federal court	3421

	Sec.
CORPORATIONS—Cont'd,	
STOCK.	
stock taken by municipal corporations	1442, 1443, 1453
stock deemed personal property.....	2799
number and par value of shares.....	2797
changes with reference to par value of	3398, 3399
issuance of special or preferred stock	3415
consideration for issuance	3415
certificates of stock	3416
lost or damaged certificates, issuance of new certificates	3417
lien of company for stockholder's debts	2799
— lien of manufacturing company..	2819
remedies of company on subscription for stock	3413
enforcement of assessments on.....	3412
transfer of shares	2599, 2799
— stock book	2796
increasing or diminishing capital stock	3398, 3399
— filing new articles, certificate..	2796
— payment of fees on increasing..	3392, 3393
— Increase of stock of manufacturing company	2820
levy of attachment on.....	5294
levy of execution on	5454
of manufacturing companies	2806
— subscriptions	2815
of mining, etc., corporation.....	2830, 2832, 2836
INSOLVENCY AND RECEIVERS — LIABILITY OF STOCKHOLDERS.	
liability of stockholders....	2600, 2601, 2796
— effect of transfer of shares.....	2599
— of manufacturing companies....	2822
liability attaching to stocks belonging to estates	3419
personal liability of executors, guardians, etc.....	3419
liability on stock belonging to ward..	3419
proceedings against insolvent corporations, making directors or stockholders parties.....	5903, 5904
— collection of dues on stock subscriptions	5909
requiring other creditors to exhibit claims	5911
proceedings by creditors to enforce liability of officers or stockholders....	2601, 2602, 2796, 5905-5910

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
CORPORATIONS—Cont'd,	
remedy of creditor where execution is returned unsatisfied	5897
appointment of receiver... 5351, 5897, 5906	5895
— on removal of officer.....	5897
sequestration of property.....	5898
claims preferred.....	5898
distribution of property.....	5898, 5908
DISSOLUTION AND FORFEITURE OF FRANCHISE—USURPATION OF FRANCHISES.	
duty of attorney general.....	359
grounds and proceedings for dissolution	5899, 5962, 5965, 5968-5973
action to annul incorporation obtained by fraud.....	5961
dissolution at instance of stockholders	3430
continued for certain purposes after termination of right to do business.	3431
appointment of receiver after dissolution	3432, 5899
— powers of district court.....	3433
— duties of receiver.....	3434
— distribution of assets.....	3435
<i>usurpation of franchises, etc.</i>	
restraining usurpation.....	5893, 5894
action for usurpation.....	5963, 5965, 5968, 5972, 5973
— judgment, imposition of fines..	5969
— costs, how collected.....	5971
— injunction, appointment of receiver	5972
INTERNAL IMPROVEMENT COMPANIES AND CORPORATIONS SERVING PUBLIC USE.	
serving public use, control by cities...	2592
— supervision by state.....	2592
— right to incorporate.....	2592
internal improvement corporations, taking subscriptions to capital stock	2737
— when authorized to commence work	2737
— reorganization of.....	2603
MANUFACTURING CORPORATIONS.	
who may incorporate.....	2805
articles of association, amendment..	2807
capital stock, amount, par value of shares	2806
first and subsequent meetings, notice and waiver.....	2808
officers, how chosen, residence and term of office.....	2811
board of directors, election and term of office	2809, 2810

	Sec.
CORPORATIONS—Cont'd,	
— vacancies, how filled.....	2812
— publication of articles, filing of certificate	2813
meetings, quorum, right to vote....	2814
subscriptions to capital stock; payment, how enforced.....	2815
general powers	2816, 2817
books to be open to inspection, annual statements	2818
stock and transfer thereof, lien of company for stockholders' debts... .	2819
increase of capital stock.....	2820
certificates to be under oath, penalty for false swearing.....	2821
withdrawal of capital, liability of stockholders and contribution between	2822
dividends paid when insolvent, penalty	2823
neglect of duty by officers, penalty ...	2824
violation of act by corporation, insolvency, liability of directors	2825
duration, renewal	2826
FOR MINING AND SMELTING ORES AND MANUFACTURING BRICK, STONE, AND METALS.	
formation	2827
articles, contents	2828
execution of articles in duplicate, record	2829
amendment of articles	2829
general powers	2829
capital stock, amount and par value of shares, right to vote	2830
by-laws, adoption and alteration, use as evidence	2831
officers, appointment and duties, fees of directors.....	2831
records of meetings	2831
stock and transfer thereof.....	2832
stockholder's power to call meeting, notice.....	2832
office to receive service of process ...	2833
offices to be established within and without state.....	2833
power to hold stock in other companies	2834
power to sell and mortgage real estate	2835
fraudulent issue and disposal of stock, penalty	2836
power of legislature to amend act... .	2837
CORPORATIONS NOT ORGANIZED FOR PECUNIARY PROFIT.	
formation, purposes.....	2913

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CORPORATIONS—COSTS.

2183

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CORPORATIONS—Cont'd,		CORRECTIONS AND CHARITIES,	
articles, contents, record.....	2914	(see "State Board of Corrections and Charities.")	
attempted incorporation legalized....	2915	COSTS,	
powers in general.....	2916	in criminal cases (see "Crimes and Punishments").	
collection of assessments.....	2916	definition	5497
amendment of articles.....	2917, 2918	allowance to prevailing party in district court	5498
extension of term of duration.....	2917	where party giving notice to take deposition fails to appear.....	5692
directors, election by another society	2919, 2920	in action on judgment not allowed, exceptions	5503
no dividend or distribution until dissolution	2921	right of defendant after tender and deposit in court	5508
power to acquire and dispose of property, not to violate trust.....	2922	effect of offer of judgment.....	4976
ACTING AS SURETY ON BONDS, RECOGNIZANCES, ETC.		— right of defendant.....	5405
power conferred.....	5947	— in actions for tort, effect.....	5407
certificate, of insurance commissioner	5947	IN PARTICULAR ACTIONS AND PROCEEDINGS.	
premium paid chargeable to trust fund	5948	of election contest.....	191
release from liability.....	5949	payment on appeal in controversy over order of railroad and warehouse commission	393 (par. c), 399
estoppel to deny power.....	5950	of proceedings against sheriff for failure to pay over money.....	788
FOREIGN CORPORATIONS.		of proceedings to enforce assessments for local improvements.....	1135, 1139
powers	3420	on appeal to justice in highway proceedings	1859
power to hold lands.....	3420	on appeal to district court in highway proceedings	1860
rights and liabilities.....	3425	of proceedings to collect taxes... 1570,	1587
appointment of agent on whom process may be served.....	3420	of proceedings relating to trespassing animals	2115
prohibited from resorting to federal courts	3426	of prosecution for catching trout out of season.....	2147
— penalty	3421, 3422, 3426, 3427	of appeal from order of factory inspector	2261
— scope of act.....	3429	of proceedings to erect dams.....	2372
documents filed with secretary of state on removal of cause.....	3428	in proceedings to erect dams by overflowing highways.....	2382
penalty for doing unauthorized acts..	3426	in actions to enforce lien on logs....	2431
contracts made after termination of right to do business.....	3427	in proceedings to enforce lien on logs, boomage charges	2446, 2450
service of process on.....	4968, 5200, 5204	of suit against telegraph company....	2639
venue of action against.....	5201, 5203	of actions to recover for animals killed by locomotives	2694
actions by	5890	of proceedings to change location of toll gate	3371
causes of action not enforceable by..	5891	of proceedings to compel repair of toll roads	3379
CRIMINAL LIABILITY ON ACCOUNT OF ACTS RELATING TO.		of malicious prosecution against school director for neglect of duty..	3781
certain acts or omissions relating to, held to be crimes.....	2793	in controversy over right to enter on lands to make surveys	4124, 4125
liability of officers.....	6699, 6765, 6766		
penalty for false swearing.....	2821		
fraud in subscribing to stock.....	6761		
subscription to stock not made in good faith, punishment.....	6761		
fraudulent issuance or disposal of stock, evidences of indebtedness, etc.	6762		
fraud in keeping accounts, etc..	6764, 6766		
fraudulent destruction, alteration, or falsification of writings or securities	6764		
liability of members for destroying or falsifying writings.....	6764		

MINNESOTA STATUTES 1894

2184

COSTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
COSTS—Cont'd.	
of actions in proceedings for town-site act	4268
of proceedings to redress grievances of master or apprentices.....	4760
in divorce proceedings	4799
in suit for separate maintenance....	4799
of proceeding to enforce attendance of witness	5001
awarding on rendering judgment by confession	5021
awarding on dismissing action.....	5023
execution to enforce payment.....	5023
of proceedings to compel attendance of witnesses	5091
allowance to garnishee.....	5334-5336
of plaintiff in garnishment limited by amount of damages, recovery	5337
in actions for labor or services, double costs in district or supreme court	5499
in partition proceedings	5815
— enforcement	5815
— lien for	5779
in action to determine adverse claims to land	5819
in action to determine boundaries... ..	5828
in actions concerning realty.....	5867
of action by attorney general to vacate corporate charter, indemnity..	5962
collection in action against corporation for usurpation of franchise, etc.	5971
in mandamus proceedings.....	5983
in prohibition proceedings	5992
on foreclosure of mortgage under power, affidavit to be filed.....	6051
exacting excessive costs in foreclosure proceedings, action to recover	6052
in forcible entry and detainer.....	6116
— enforcement by execution.....	6116
of arbitration proceedings.....	6224
— how regulated.....	6227
of appeal in drainage proceedings... ..	7767
IN PROBATE PROCEEDINGS.	
liability of executor or administrator, allowance in account, personal liability	4644
on appeal from probate to district court	4677
in action against next of kin or legatees for debts of decedent.....	5922
in actions by or against executor, administrator, trustee, etc.; charge on	

	Sec.
COSTS—Cont'd.	
estate or fund; personal liability, when	5509
IN CONDEMNATION PROCEEDINGS.	
in general.....	2632, 2664, 2665
appeal in condemnation proceedings.	4088, 4099
on appeal in proceedings to condemn land for village use.....	1243
on discontinuance of proceedings for condemnation of land for village use	1244
of proceedings to condemn land for village use.....	1244
in proceedings to obtain right to locate elevator on railroad right of way	7727
IN SUPREME COURT.	
allowance discretionary, amount....	5515
disbursements allowed in all cases... ..	5516
additional allowance, appeals for delay.....	5517
— payment before remand.....	5517
IN MUNICIPAL COURTS.	
allowance in village municipal courts	1392
disbursements allowed in village municipal courts.....	1393
IN JUSTICES' COURTS.	
on appeal from justices of the peace	5511, 5512
allowance to prevailing party.....	5559
taxation by justice without notice....	5560
mileage of witnesses, proof by oath..	5561
fees for travel in serving subpoena..	5562
fees of only two witnesses to same fact	5563
items of disbursements to be specified, etc.....	5565
justice to hear evidence as to reasonableness of charges, etc.....	5566
in replevin in justice's court....	5048, 5049
IN CRIMINAL CASES.	
in criminal cases.....	3592
duty of clerk of court.....	807
liability of complainant in justices' courts	5111
on appeal in justices' courts.....	5114
allowance of fees of nonresident witness	5593
fees paid out of county treasury, when ..	5594
in prosecutions for violations of law regulating practice of pharmacy....	7936
violation of laws regulating dairy products	7009

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
COSTS—Cont'd,	
violation of law regulating baking powder	7014
prosecution under law regulating lard compounds	7036
— regulating sale of honey.....	7044
of proceedings against fugitives from justice	7089
in proceedings to prevent breach of the peace	7098, 7099
liability of change of venue.....	7314
allowance of collection.....	5513
payment into county treasury.....	5514
WHO LIABLE.	
in actions by minors, liability of next friend	4972
in actions against minor, liability for costs	4973
against claimant appealing from allowance of claim against county, counterclaim	645
right and liability of relator in proceedings instituted in name of state against infant plaintiff, liability of guardian	5507
liability of intervener.....	5273
SECURITY FOR.	
security for and proceedings to enforce lien on logs.....	2439, 2442
in actions before justice.....	4965
by complainant in criminal proceedings in justice's court.....	5127
when required, additional security..	5518
neglect to file, stay or dismissal, liability of plaintiff's attorney.....	5519
action on bond.....	5520
TAXATION.	
by city justices.....	1077
notice of taxation in village municipal courts	1377
taxation in village municipal courts..	1394
disbursements, taxation and allowance several actions, allowance in one only	5501
in equitable actions.....	5502
several defendants, failure to recover against all, allowance of costs.....	5502
taxation, notice, items of disbursements, objections appeal	5505
<i>items.</i>	
clerks' and officers' fees in village municipal court.....	1395
interest on verdict.....	5504
on motions or demurrer.....	5506

	Sec.
COSTS—Cont'd,	
fees for copies of papers not allowed unless used.....	5564
for copies of papers, may be taxed when	5589
fees not to be taxed where services were not rendered.....	5587
taxation of prospective costs.....	5588
taxation of fees for copies of papers	5589
right to recover amount paid to surety company for bond required.....	5948
attorneys' fees on foreclosure of mortgage	6074-6076
COTTOLINE,	
act regulating lard compounds not to apply to.....	7037
COTTONWOOD COUNTY,	
boundaries	554
abatement of taxes on railroad lands	1651
COUNCIL,	
of cities (see "Municipal Corporations").	
of village (see "Village Council").	
COUNSELOR AT LAW,	
(see "Attorney and Counselor.")	
COUNTER AFFIDAVIT,	
to vacate or modify injunction.....	5350
COUNTERCLAIM,	
set-off and counterclaim.....	5237
against claimant against county.....	645
issue of garnishment by defendant having counterclaim.....	5342
judgment on counterclaim.....	5419
COUNTERFEITING	
(see "Forgery.")	
of trade-marks, brands, labels, etc...	6908-6929
(see "Trade-Marks.")	
evidence	5763, 5764
possession of counterfeited coin.....	6707
advertising counterfeit money.....	6708
search warrant to seize.....	7081
COUNTIES,	
(see "Bridges"; "County Attorney"; "County Auditor"; "County Commissioner"; "County Officer"; "County Physician"; "County Superintendent of Schools"; "County Surveyor"; "County Treasurer"; "Drainage and Drainage Districts"; "Highways"; "Jails"; "Poor and Poor Laws"; "Schools"; "School Districts"; "Towns.")	
destruction of grasshoppers	7883
(see "Grasshopper.")	

MINNESOTA STATUTES 1894

2186

COUNTIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

COUNTIES—Cont'd,	Sec.	COUNTIES—Cont'd,	Sec.
board of auditors, duties.....	728	— limitation upon power to con-	
— compensation	737	tract debts	1639
— penalty for neglect of duty.....	738	— of sheriff of another county....	794
conveyances to, effect.....	639	prisoners, sending out of county for	
every county deemed organized for		imprisonment	7446
certain purposes.....	657	— kept at expense of United States	
division into commissioner districts..		or of another county or municipality	
657, 660,	662	7428, 7429	
employment bureau, granting license		statement of county affairs, penalty	
to keep	1456	for false statement.....	753
— liability on bond of keeper.....	1458	steam traction motors, grant of right	
exemption from taxation.....	1512	to operate	1937
fines imposed by city justices, disposi-		terms of court in different coun-	
tion of.....	1074	ties	4912-4942
funds, where deposited.....	729	(see "District Courts.")	
— provisions with regard to deposit		terms of court adjourned from county	
in banks.....	730-732, 735	seat, furnishing court room...4923,	4929
— mingling with private funds....	734	unclaimed property, when entitled to	
— interest on deposit of.....	735	proceeds of.....	2101
— repeal of act concerning deposit..	736	CREATION AND ORGANIZATION.	
— liability for loss of deposit.....	739	powers and duties.....	621-656
— disbursement of county funds... 719,	727	county commissioners' meeting and	
— loan or use by treasurer.....	752	election of officers.....	630
— loan of permanent school fund..	3769	effect on organized townships, school	
— poor fund	1983	and road districts, fractional divi-	
— transfer from general revenue		sions	631
fund to drainage fund.....	7809	collection of taxes.....	633
granting aid to canal or waterway		county indebtedness, appraisal of	
companies (par. 1).....	1445	county buildings.....	634
— to railroads.....	2771-2784	bonds	635
Indians, removal from white settle-		terms of district court.....	636
ments	2267	failure of county officer to act, ef-	
jail, when city to use.....	1085	fect, penalty.....	637
— right to earnings of prisoners in..	7426	transcript of records.....	632, 4189
lease of lands to county agricultural		Lake county organized for judicial	
society	2977	purposes	4935
letting contracts for printing.....	671	BOUNDARIES—CHANGE OF BOUNDARIES.	
— to publish delinquent tax list..	1628	boundaries.....	535-620
names	535	<i>change of boundaries.</i>	
— change, effect.....	538, 539	unorganized counties.....	620
necessity of giving bond on appeals,		creation of new county.....	621
etc.	7989	petition and procedure.....	622
payments into state treasury, re-		form of petition.....	623
ceipts given by treasurer.....	341	election to change.....	624, 626, 627
permitting owner of set of abstracts		— canvass of election returns, pro-	
to occupy county building.....	765	clamation	628
powers	638	— effect of proclamation of result..	629
— must be exercised by county		— contest, notice.....	195, 196
commissioners	640	change in lines not to affect senatorial	
— employment of counsel in pro-		and representative districts.....	216
ceedings to collect taxes.....	1586	COUNTY SEATS—CHANGE OF LOCATION.	
— may purchase tract index or ab-		duty of railroad company to stop	
stract of title.....	764	trains	2705

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTIES.

2187

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
COUNTIES—Cont'd,	
location not affected by express re-peals under general statutes of 1866	7522
<i>change of county seat.</i>	
proceedings	647
petition	647, 653
notice of circulation of petition, publication and posting.....	647
duties of county commissioners....	648
signature of petition, striking off names	648
remonstrances and notice thereof....	648
election	649, 651, 654
place for holding elections.....	652
vote required to effect change.....	650
contest of election, notice.....	195, 196
neglect of duty by county officers..	655
effect of failure to publish or post notice	655
UNORGANIZED COUNTIES.	
change of boundaries.....	620
division into road and assessment districts	691
appointment of road overseers and assessors	691
establishment of election districts..	692
election of justices and constables..	694
where official papers filed.....	695
extra compensation of officers.....	701
powers of commissioners.....	702
schools and school districts.....	703
roads and bridges, and taxation therefor	704
commissioners to give bond.....	705
certificate of appointment of commissioner	705
duty to keep separate books and records for	889
taxation	1665
license of ferries.....	1932
who to act as fence viewers.....	2076
mining claims on public lands.....	4074
acts of clerks legalized.....	7638
COUNTIES ATTACHED TO OTHERS FOR JUDICIAL PURPOSES.	
enumeration of such counties.....	4943
drawing jurors in counties attached..	4945
pending proceedings not affected by change	4946
change of place of holding court....	4947, 4948
— vacancy in office of clerk, how filled	4948
in what jail prisoners to be confined..	4949

	Sec.
COUNTIES—Cont'd,	
expenses of criminal proceedings charged to what county.....	4950
county commissioners.....	4951
appointment of clerk of court when county is detached.....	4952
pleadings, papers, etc., to be filed....	4953
detachment of county, duty of secretary of state.....	4954
EXPENSES AND LIABILITIES.	
election expenses.....	162
payment for services in collecting vital statistics	439, 441
to provide courthouse, jail, offices, and buildings	641
appropriation of county board for incidental expenses	644
office expenses of county auditor....	677
appropriation for private hospital....	682
compensation paid for making tract index	764
to pay expenses of coroner's inquest..	853
when to pay burial expenses.....	853
payment of fees for filing official bonds, oaths of office, etc.....	873
expenses in proceedings to remove officer	897, 898
— to inquire into charges against treasurer	913
payment of costs of platting lands and recording plats	1626
compensating newspapers for printing certain matters.....	1656
liability for repairs of railroad bridges	2691
expenses of indigent pupils sent to institute for defectives.....	3443
— of examination in lunacy.....	3495
— incurred in relation to insane person	3495
— of carrying children to and from state public school.....	3513
— of local boards of health.....	7073
liability for drainage assessments....	7755
payment of damages arising from construction of drains.....	7759, 7836
costs and expenses in proceedings relating to drains.....	7811, 7838
burial of soldiers.....	8042, 8043
expenses in criminal cases.....	3592, 5594
— liability to city justices.....	1075
payment of city police for making arrests	1071
compensation of attorney appointed to prosecute a violation of insurance law	3336

MINNESOTA STATUTES 1894

2188

COUNTIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
COUNTIES—Cont'd,	
compensation of counsel for indigent defendants	6283
expense of executing criminal sentence in another county	7406
— committing persons to reform school	3528
reimbursement of other counties for maintenance of prisoners	7429
expenses connected with jails	7431
<i>growing out of assessment and collection of taxes.</i>	
expenses of making lists of taxable property	1537
— duplicate tax list	1564
expenses incurred in collecting taxes ..	1567
— fees of clerk of court	1608
compensation for printing delinquent tax list	1629
— of persons appointed by governor to inquire into assessments	1637
reimbursement of state	1637
expenses of suits against revenue officers	1642
when to pay judgment rendered against revenue officers	1642
taxes adjudged void, reimbursement ..	1621
reimbursement of purchaser at void tax sales	1610, 1611, 1646, 1697
<i>furnishing books, stationery, etc., to officials.</i>	
furnishing register for recording vital statistics	436
treasurer's books to be provided	726
books to register of deeds	764
books to county attorney	804
books to clerk of court	861, 863
— assessment books and blanks	1537
for drainage commissioners	7746
LIABILITIES CONNECTED WITH PAUPERS	
— POOR HOUSES AND POOR FUND.	
liability for support of poor	1953
removal of pauper to county of settlement, liability for expense	1964
relief of sick pauper without settlement, liability of county of settlement	1965
expense of burying pauper	1967
support of convict pauper, claim against state	1970
support of pauper discharged from state's prison	1971
tax for support of poor	1969, 1980
— special tax to pay expense of poor house and poor farm	1956

	Sec.
COUNTIES—Cont'd,	
poor fund remaining when town system of relief goes into effect	1983
issue of bonds for poor farm	1987, 1988
— annual tax for payment	1989
ROADS AND BRIDGES.	
in unorganized counties	704
opening and improving	1846
expenditure of road and bridge fund ..	1847, 1848
— bond to be taken from town treasurer	1849
— money to be expended by town supervisors	1850
expenditure for roads in adjoining counties	1854
roads in more than one county, damages, how paid	1890
— apportionment of damages	1893
ORDERS, WARRANTS, AND BONDS.	
orders and warrants, preference in payments, interest	755
bonds, creation of new counties	635
issue of refunding bonds	2221-2223
bonds issued after approval of electors legalized	7632
— under special laws legalized, exceptions	7633, 7633a
soldiers' bounty bonds legalized ..	7634-7636
drainage bonds	7809
bonds for construction of roads for steam traction motors	1941-1943
issue of bonds for poor farm	1987-1989
bonds for erecting jail	7442-7444
mutilated or lost bonds, orders, or warrants, duplicates	2225-2229
AUDITING, PAYMENT, AND ENFORCEMENT OF CLAIMS AGAINST.	
itemizing and verifying claims	687, 688
passing on claims against	689
how claims allowed	719
audit of claims for services rendered, in relation to insane persons	3495
audit of claim on account of carrying pupils to state public school	3513
audit and allowance of claims for services relating to drains	7819
appeal from county board	644, 645
— undertaking in lieu of bond	7989
penalty for improperly allowing claim against	690
authority for payment	719
auditing and paying fraudulent claims against, punishment	6421

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTIES—COUNTY ATTORNEY.

2189

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
COUNTIES—Cont'd,	
presentation of false claims against..	6812
enforcement of judgment against, execution	646
ACTIONS.	
by and against.....	638
county how named.....	643
process how served, inhabitants competent as jurors and witnesses.....	642
COUNTY AGRICULTURAL SOCIETIES	2975-2981
(see "Agricultural Societies.")	
COUNTY ATTORNEY,	
ELECTION AND APPOINTMENT.	
eligibility to office of.....	801, 802
term of office.....	801
acts necessary to qualify for office....	801
to take oath and give bond.....	801
justice of the peace cannot act as....	802
vacancy in office of, power of county commissioners to employ counsel...	811
absence of, appointment of other counsel by district court.....	811
law partner forbidden to defend prosecutions	812
assistant attorney to take oath.....	813
powers of assistant attorney	813
appointment of assistants by court...	813
taking oath and giving bond.....	816
vacancy in office of, how filled.....	816
appointment to fill vacancy, term of office	816
DUTIES AND POWERS.	
powers and duties in general.....	803
duty to prosecute violation of election laws	201
when to act as attorney of railroad and warehouse commission (par. h)....	387
to prosecute for failure to collect statistics	406
appeal from allowance of claim against county.....	644
to keep register of criminal actions...	804
matters to be entered in register of criminal actions.....	805
report to of justice of the peace.....	806
report to by clerk of court.....	807
report to attorney general.....	809
to file account of moneys received.....	814
paying over money to county treasurer to prosecute delinquent county officers proceedings to inquire into charges against county treasurer.....	814 871 908

	Sec.
COUNTY ATTORNEY—Cont'd,	
to prosecute indictable offense in village municipal court.....	1370
to prosecute breach of liquor dealer's bond	1994
to prosecute violations of liquor law..	2015
complaints to by factory inspector....	2258
duty to enforce labor laws.....	2262
to prosecute violations of law forbidding employer to require employé to abandon any rights of citizenship...	6964
suit for penalty against banks.....	2588
action for neglect of duty by railroad company concerning highway crossing	2690
enforcement of penalty for abandonment of road by railroad company..	2755
duties where railroad company unlawfully abandons road.....	2758
to prosecute for violation by street-car company of law concerning drivers..	2770
to prosecute violations of law by insurance agent.....	3168
— penalty for failure.....	3336
recovery of penalty from foreign corporations	3421, 3426
examination in lunacy.....	3465
examination into condition of candidates for admission to state public school	3514
person sentenced to reform school under mistake as to age.....	3523
on sentencing of prisoner to state reformatory	3592
to prosecute violations of school laws..	3789
duty with regard to public lands....	3994
action to recover penalty, limitation..	5140
notice of habeas corpus proceedings..	6015
enforcement of recognizance taken under law relating to fighting of animals	6802
in extradition proceedings.....	7084, 7085
notice to on application for bail.....	7163
to prosecute violations of act regulating practice of dentistry.....	7916
— practice of pharmacy.....	7936
citations in tax proceedings to be issued at request of.....	1569
proceedings to collect personal property taxes.....	1569
duties in proceedings to collect taxes..	1586
duties in action to set aside tax sale..	1594
COMPENSATION.	
salary, appeal from amount fixed by county commissioner.....	532

MINNESOTA STATUTES 1894

2190

COUNTY ATTORNEY—COUNTY AUDITOR.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY ATTORNEY—Cont'd,		COUNTY AUDITOR—Cont'd,	
how paid.....	534	duty to furnish substitute ballots,	
conditions precedent to drawing salary	809	when	88
prohibited from receiving fees from private individual.....	810	duties with reference to proposed constitutional amendments	313
payment made to other counsel deducted from salary.....	811, 813	to furnish blanks to township assessor	406
compensation of assistant attorney...	813	duties with regard to collecting statistics	406
compensation for services relating to drains	7319	— vital statistics.....	436
MISCONDUCT.		transcribing records on creation of new counties.....	632
action on bond for refusal to pay over money	815	to notify county attorney of appeal from county board.....	645
disclosing fact of indictment, punishment	6414	duties in connection with change of county seat	647, 649
failure to prosecute violations of insurance law, appointment of attorney by governor.....	3336	— neglect of duty.....	656
power of governor to remove.....	893	duties in election of county commissioners	659, 663
COUNTY AUDITOR,		duty where vacancy occurs in office of county commissioner.....	670
seal of, use by county commissioner..	671	ex officio clerk of county commissioners	716
term of office.....	707, 712	to deliver books, papers, etc., to successor	717
place of keeping office.....	707	canceling orders redeemed by treasurer	756
bond and oath of.....	708, 712	action on bond of county attorney...	815
effect of failure to qualify.....	711	duties with regard to accounting by county officers for fees received...	871
eligibility to office.....	714	to furnish certified copies of record..	888
vacancy in office, how filled.....	712	to make statement of county affairs, penalty for false statement.....	753
deputies, oath and bond.....	715	duties on suspension of treasurer by governor	905
— power	715	to record description of town organized	918
temporary disability, appointment of another to perform duties.....	713	to appoint town assessors, when....	964
sickness or absence of, who to take place (par. 5).....	1552	duties under act relating to giving municipal aid.....	1450
accounts examined by county commissioners	680	powers and duties with regard to platting lands.....	1626
accounting for fees received.....	720	enrollment of persons liable to military duty.....	1699
account with county treasurer.....	718, 1565, 1575	to furnish field notes, plats, etc., of roads for town supervisors.....	1876
account with superintendent of institute for defectives.....	3443	recording auctioneer's license.....	2295
right of public to inspect records....	887	duties with regard to soldiers' relief fund	3629
liability on official bonds.....	1638	to countersign receipts for payments for school lands.....	3996
action on bond.....	710	powers and duties with regard to sale of state lands.....	3998
transfer of lands on books of.....	1654, 1659, 1660	power to administer oath.....	5637
POWERS AND DUTIES.		— take acknowledgment.....	5644
notice of officers to be elected to be sent by.....	13	— take deposition.....	5645
uniform election blanks, etc., to be forwarded by.....	14		
failure to transmit statement of votes, penalty	16		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTY AUDITOR.

2191

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

COUNTY AUDITOR—Cont'd,	Sec.
<i>matters pertaining to taxation.</i>	
to levy tax to pay town refunding bonds and orders on failure of town supervisors	1039
to be notified when village becomes separate village and assessment district, keeping separate records.....	1211
apportionment of taxes to pay joint indebtedness of villages and towns duty with regard to corporate taxes..	1210
duty with regard to village taxes....	1251
1245, 1249,	1263
— special tax levied to pay assessments for local improvements.....	1345
to receive statement of village taxes..	1319
preparation of assessment books....	1537
to provide assessment books and blanks	1537
conference of assessors with.....	1537
to approve bond of assessors.....	1538
when taxpayer may render list of property to.....	1550
to keep record of proceedings of board of equalization (par. 5).....	1552
member of county board of equalization	1552
duties with reference to assessment lists	1554
to fix rate of taxation.....	1557
duties with reference to tax books..	1559-1561
duties with regard to collecting taxes	1572
duties with regard to taxes collected for municipalities.....	1576
when liable for penalty for delinquent tax	1578
designating newspaper to publish delinquent taxes.....	1581
duties on payment of taxes.....	1590
to be provided with copy of tax judgment book.....	1590
giving statements to persons desiring to pay taxes.....	1590
entries in tax judgment book.....	1598
cannot purchase at tax sale.....	1599
liability for deficiency on redemption from tax sale.....	1602
to make out lists of land forfeited to state for taxes.....	1616
certificate as to payment of taxes on transfer of land.....	1624
transfer of part of tract of land, division of value for purpose of taxation	1625

COUNTY AUDITOR—Cont'd,	Sec.
powers with regard to assessments for taxes.....	1630
liability for neglect of duties...1638, 1641	1638, 1641
duties with regard to lands sold for taxes	1654, 1655, 1658, 1659
duties upon redemption of lands from tax sale	1664
to furnish copies of assessment rolls	1666
road taxes	1801
taxes for support and relief of poor	1981
school taxes	3709, 3710
levy of taxes to pay bonds and orders of school districts.....	3831
taxation of land sold by state.....	3982
<i>matters pertaining to drainage and drainage districts.</i>	
powers and duties as clerk of drainage commissioners.....	7743
duties in connection with drainage assessment	7834
— assessment by drainage districts	7779, 7785
duties on appeal in drainage proceedings	7803
powers and duties with regard to construction of drains.....	7805-7807, 7810, 7811, 7832
remedy against, on failure to perform duties	7787
<i>matters pertaining to schools and school districts.</i>	
to number school districts, and keep plats thereof	3650
certificate as to issue of school bonds and orders	3689
to report to superintendent of public instruction money apportioned to several school districts.....	3764
to keep account with school districts	3768
actions against school districts without trustees	3825
— indemnity against costs, etc....	3827
duty with regard to paying bonds, etc.	3832
school taxes	3709, 3710
taxes to pay bonds and orders.....	3831
<i>payment of claims and drawing orders and warrants.</i>	
authority for paying claims against county	719
when to draw warrants.....	1605
authority for drawing warrants....	1696
to issue order for payment of assessor, when	406

MINNESOTA STATUTES 1894

2192

COUNTY AUDITOR—COUNTY COMMISSIONERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY AUDITOR—Cont'd,		COUNTY AUDITOR—Cont'd,	
warrant for services in collecting vital statistics	442	— pending temporary suspension..	709
— for payment of salaries and officers	534	— for services in tax proceedings..	1638
— for pay of commissioner.....	665	— for services in relation to state lands	3998
— in favor of jailer	800	— as clerk of drainage commissioners	7743
— for county attorney's salary....	809	— for services relating to drains..	7838
— for benefit of indigent pupils at Institute for defectives	3443	how salary fixed and paid.....	533
— on account of services rendered in relation to insane person.....	3495	extra compensation in certain cases	701
— to pay for erection or repair of jail	7441	allowance for clerk hire.....	720, 721
— to pay for construction of drain	7808	office expenses paid by county.....	877
		of Dodge county, fees and clerk hire	5539
		COUNTY CLERK,	
		(see "Clerk of District Court.")	
		COUNTY COMMISSIONERS,	
DOCUMENTS SENT TO OR FILED WITH		division of counties into commissioner districts	658
entitled to copy of proposed constitutional amendments	312	boundaries of commissioner districts	658
receipts given by county treasurer...	718, 814		
deposit of orders redeemed by county treasurer	756	ELECTION, ETC.	
account of moneys received by county attorney	814	number of members	657, 659, 660
to be supplied with blank forms for official bonds	875	term of office of member..	657, 660, 661, 670
oath and bond of county surveyor...	829	eligibility to office of commissioner..	659
statement of fees received by clerk of court	869	election of	659
— by county officers	870	when appointed by governor.....	660
bond of keeper of employment bureau	1457	election of, proceedings in case of a tie	663
tax receipts	1590, 1602	commissioner to take oath.....	664
duplicate stubs of tax receipts.....	1565	qualifying for office.....	664
list of property undervalued or unlawfully omitted from assessment..	1632	certificate of election filed with clerk of district court.....	664
filing papers in proceedings by towns to lay out or alter highways.....	1810	compensation	665
assessment roll of drainage district..	7778	warrants for pay	665
entitled to copy of report of geological and natural history survey.....	3942	vacancies in office of commissioner, how created.....	670
		— how filled	670
REMOVAL AND SUSPENSION—PROCEEDINGS AGAINST FOR MALFEASANCE.		— oath taken by one appointed to fill vacancies	670
power of governor to remove.....	893	ground for removing commissioner from office.....	696
proceedings against for malfeasance	709	not to be interested in contracts made by board.....	696
suspension pending investigation of charges	709	improper inducements to official action	696
effect of adjudging guilty of malfeasance	709	cannot appoint themselves to office..	696
compensation pending temporary suspension	709	power of governor to remove.....	893
reimbursement for expenses in resisting unjust charges	709		
		OF UNORGANIZED COUNTIES.	
COMPENSATION AND EXPENSES.		powers	702
compensation	720	with reference to schools and school districts	703
		with reference to roads.....	704
		to give bond.....	705
		to file certificate of appointment or election	705
		compensation	706

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTY COMMISSIONERS.

2193

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

COUNTY COMMISSIONERS—Cont'd,	Sec.
MEETINGS, ETC.	
what constitutes quorum.....	666
power of majority of quorum.....	666
duration of sessions.....	667
time and place of meeting.....	667
extra sessions.....	667
time for holding sessions.....	669
meetings to fill vacancies in other of- fices	669
publication of proceedings.....	671
to have seal.....	671
election of chairman.....	672
power of chairman.....	672
signing of documents in absence of chairman	672
powers and duties with reference to drain (see "Drainage and Drainage Districts").	
of newly-created county, meeting, du- ties, election of county officers.....	630
to exercise powers of counties.....	640
service of process on in actions against counties	642
POWERS AND DUTIES.	
in general	681
appropriation for incidental expenses	644
fixing salary of county attorney, and appeal therefrom	532
redistricting county after census.....	658
letting contracts for printing.....	671
selecting jury list.....	673, 675
— in Washington county.....	5633
who to be selected as jurors.....	676
duties where records of county of- ficers are damaged.....	677
to provide offices for other county of- ficers	677, 678
filling vacancies in office of register of deeds.....	679
to count funds in treasury.....	680
to file certificate of condition of treas- ury	680
to make annual statement of condi- tion of county finances.....	680
to examine accounts of county officers	680
to make appropriation for private hospital	682
appropriation for private hospital ...	683
to provide public morgue.....	684
to control public morgue.....	685
power to grant extra compensation in certain cases	701
to approve bond of county auditor...	708

COUNTY COMMISSIONERS—Cont'd,	Sec.
action against county auditor for malfeasance	709
filling vacancy in office of county au- ditor	712
temporary disability of county au- ditor, appointment of another to perform duties	713
not eligible to office of county auditor	714
county auditor to be clerk of.....	716
not to disburse county funds.....	719
appointment of county treasurer on vacancy	725
to receive accounts of county treasur- er, inspection of books, etc.....	741
removal of delinquent treasurer, ap- pointment to fill vacancy.....	745
may require new bond of county treasurer	749
to approve bond of register of deeds..	761
to cause tract index book to be made compensation paid for making tract index book.....	764
may purchase tract index or set of abstracts	764
bond given by abstracter to be ap- proved by	765
permitting owner of set of abstracts to occupy county building.....	765
to approve bond of sheriff.....	783
filling vacancy in office of sheriff....	786
proceeding against sheriff for failure to pay over money.....	788
settlement with sheriff.....	797
to approve bond of county attorney..	801
power to employ counsel.....	811
filling vacancy in office of county at- torney	816
to approve bond of judge of probate..	818
to approve bond of clerk of judge of probate	822
to approve bond of court commission- ers	825
to approve bond of county surveyor	829
to keep on file plats and field notes of government surveys	835
when to re-establish section and me- ander posts.....	697
filling vacancy in office of county sur- veyor	837
to approve bond of coroner.....	838
to approve bond of deputy coroner..	854
filling vacancy in office of coroner....	855
to approve bond of clerk of court....	856
duties with regard to accounting by county officers for fees received....	871

MINNESOTA STATUTES 1894

2194

COUNTY COMMISSIONERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY COMMISSIONERS—Cont'd,		COUNTY COMMISSIONERS—Cont'd,	
when to require new bond from county officers	879	ers of other county where first county has no commissioners.....	4951
when may require new bond from county officers.....	882	power to administer oath.....	5636
duty to act on request of surety for new bond	883	<i>allowance of claims.</i>	
powers where county officer fails to give new bond as required.....	885	to pass upon claims against county..	719
allowance for counsel fees in proceedings to remove officer.....	898	claims against county to be itemized and verified before allowance.....	687
allowance for witness' fee in proceedings to remove officers.....	898	verification of claims against county	688
duties on suspension of treasurer by governor	905	passing on claims against county....	689
duties under act relating to giving municipal aid.....	1450	penalty for improperly allowing claim against county.....	690
duties of chairman under act relating to giving municipal aid.....	1450	allowance or disallowance of claims, appeal	644
approval of bond of keeper of employment bureau	1456	audit of claims for services rendered in relation to insane persons.....	3495
to be superintendents of the poor, not to be interested in contracts or be physician of the poor.....	1955	<i>changing county seat.</i>	
procurement of poorhouse and poor farm	1956	special meeting on petition to change county seat.....	647
power of single commissioner to grant relief to poor persons, limit to relief	1962	duties on petition to change county seat	648
approval of county officers' bond, liability where property cannot be found to satisfy judgment on such bond	1996	signing and filing statements and certificates on petition to change county seat, action by majority.....	652
neglect or refusal to perform duty required by liquor law, penalty.....	2028	neglect of duty in connection with change of county seat.....	656
complaint against defendant in bastardy proceedings	2051-2053	<i>elections.</i>	
when to act as fence viewers.....	2076	establishment of election districts....	692
power to issue refunding bonds.....	2223	duties in connection with elections...	693
regulating rates of toll charged for using railroad bridges.....	2691	to appoint election judges.....	693
duties in carrying out act relating to granting municipal aid.....	2780	chairman to approve bond of justice or constable	694
duties of chairman in carrying out act relating to granting municipal aid	2780	filling vacancies in office of justice or constable	694
allowance of fees by.....	3495	<i>jails, etc.</i>	
ordering payment for services rendered in relation to insane persons	3495	maintenance of jail.....	7417
duties with regard to neglected children	3512-3514	powers with regard to county jails..	7426
to appoint appraisers of public lands	3976	reimbursement of other counties for keeping prisoners.....	7429
powers with regard to binding minors as apprentices.....	4751, 4753	powers and duties with regard to jail	7431
when liable for costs.....	4760	erection or repair of county jail..	7440-7444
counties attached to others for judicial purposes, power of commission-		erection of county jail.....	7440-7444
		designation of district jail.....	7445
		<i>licenses.</i>	
		granting license to keep employment bureau	1456
		power to grant license to keep ferries	1922-1933
		licensing auctioneers.....	2295
		grant of license to construct sluice dams	2474-2480
		(see "Logs and Lumber.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTY COMMISSIONERS—COUNTY OFFICERS.

2195

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY COMMISSIONERS—Cont'd,		COUNTY FUNDS—Cont'd,	
<i>roads, drains, etc.</i>		poor fund.....	1983
appointment of road overseers and assessors	691	loan of permanent school fund.....	3769
laying out, altering, or vacating roads in more than one town.....	1838, 1839	transfer from general revenue fund to drainage fund	7809
— committee to examine road.....	1840	COUNTY OFFICERS,	
— report of committee to county commissioners	1841	(see "County Attorney"; "County Auditor"; "County Commissioners"; "County Physician"; "County Superintendent of Schools"; "County Surveyor"; "County Treasurer.")	
— commissioner to act on petition, award of damages.....	1842	to be elected at general election.....	6
— hearing of remonstrance, payment of damages.....	1843	term of office, when begins.....	7
organization of drainage districts....	7741	term of officer elected or appointed to fill vacancy.....	19
compensation as drainage commissioners	7742	powers and duties of public examiner	412
<i>taxation.</i>		salaries	532-534
when to determine place of taxing property	1522	of newly-created county, election....	630
to act as board of equalization.....	1552	meeting of commissioners to fill vacancies in.....	669
compensation as member of board of equalization	1553	transcribing damaged records.....	677
time of levy of county tax.....	1557	— compensation.....	677
power to cancel uncollected taxes... designation of newspaper to publish list of delinquent taxes.....	1568	extra compensation where unorganized county is attached.....	701
employment of counsel in proceedings to collect taxes.....	1581	office expenses to be paid by county	677
letting contract to publish delinquent tax list	1580	place of holding office.....	678
<i>towns, etc.</i>		ineligibility to fill other office becoming vacant during term.....	725
powers with reference to towns.....	681	to file statement of fees received...	870
power to organize towns.....	681	penalty for violation of law.....	872
apportionment of taxes on division of towns.....	681	fees for filing bonds, oaths of office, etc.	873
apportionment of funds on division of towns	681	preparation of blank forms for official bonds.....	874
establishment of township land marks	698	duty to use blank forms for official bonds	876
duty to locate township land marks..	699	forwarding official bonds to secretary of state	877
appointment of town officers when town fails to elect officers.....	965	approval of bond by attorney general	878
power to execute and acknowledge town plats in certain cases.....	2310	bond defective, effect of.....	879
COUNTY FUNDS,		procedure in case of nonapproval of bond by attorney general.....	879
where deposited.....	729	right to remove bond from office of secretary of state.....	880
bonds of depository.....	730	certified copy of bond as evidence....	881
mingling with private funds.....	734	giving new bond at request of surety	883
accounts by depository to be filed with county auditor.....	735	when to give new bond.....	883
deposits, interest thereon.....	735	procedure where new bond is required, service of notice.....	884
— repeal of acts.....	736	notifying county officers of necessity of giving new bond.....	884
— exemption from liability for loss of deposit.. ..	739	vacancy created by failure to give new bond, how filled.....	885
loan or use by county treasurer, penalty	752		

MINNESOTA STATUTES 1894

2196

COUNTY OFFICERS—COUNTY SURVEYOR.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY OFFICERS—Cont'd,		COUNTY SUPERINTENDENT OF	
effect of failure to provide new bond		SCHOOLS—Cont'd,	
when required	885	to examine reports of clerk.....	3706
— giving new bond.....	886	examination of teachers, notice.....	3744
keeping separate books and records		free use of schoolhouses for teachers'	
for unorganized counties attached..	889	institutes, teachers' examinations,	
power to appoint woman as deputy..	890	etc.	3745
power of governor to remove.....	893	— notice to clerk of district.....	3746
term of office.....	901	examination of teachers, grades of	
removal of Indians from white settle-		certificates	3747
ments	2267	— record to be kept.....	3751
to take oath of office.....	5634	— in independent districts.....	3752
remedy against, on failure to perform		re-examination of teachers, revocation	
duties in regard to drainage assess-		of licenses.....	3753
ments	7787	to distribute blanks to teachers and	
COUNTY PHYSICIAN,		clerks	3754
to attend on poor persons.....	1960	annual report to state superintendent	3755
COUNTY ROADS.....	1844—1849	to report to county auditor scholars	
(see "Highways.")		enrolled	3756
COUNTY SEAT,		appointment of deputy, powers and	
change, petition, notice of circula-		compensation	3757
tion, publication and posting.....	647	appointment of assistant, powers and	
— auditor to call special meeting of		compensation	3758
commissioners	647	county auditor to report name and ad-	
— form of notice to be given.....	647	dress to superintendent of public in-	
— signature of petition, remonstran-		struction	3765
ces and notice thereof.....	648	failure to report, penalty.....	3786
— duties of county commissioners	648	suspension of certificate of normal	
— signature of petition, striking off		school board	3842
names	648	COUNTY SURVEYOR,	
— election, order, notice, place of		when to make survey to establish	
election, conduct	649	identity of government survey.....	697
— vote required to effect change..	650	not eligible to office of county auditor	714
— elections, how often.....	651	eligibility to office of.....	829
— place for holding elections.....	652	administering oath to subordinates...	829
— several petitions treated as one..	653	to take oath and give bond.....	829
— one place at a time to be voted for	654	term of office.....	829
— election not invalidated for fail-		compensation	830
ure to publish or post notice.....	655	appointment of deputies	831
— neglect of duty by county officers	656	deputy to take oath.....	831
duty of railroad company to stop pas-		duties	831
senger trains	2705	power of deputy to administer oath	
COUNTY SUPERINTENDENT OF		to subordinates	831
SCHOOLS,		duty to furnish copies of surveys.....	832
power of governor to remove.....	893	to keep record of surveys.....	832
election, term of office.....	3739	rules for making surveys.....	833
vacancy how filled.....	3740	rules for subdividing sections.....	834
to deliver records and lists of clerks		following government surveys.....	835
and teachers, etc., to successors...	3741	rules for making less subdivisions	
salary, how fixed and paid....	533, 534	than quarter sections.....	835
— contingent expenses, report to		duty to supply place of lost monu-	
county auditor.....	3742	ments	836
duties	3743	vacancy in office of, how filled.....	837
to report on petition for alteration		platting lands at request of county	
and union of school districts.....	3659	auditor	1626

MINNESOTA STATUTES 1894

Vols. 1 & 2]

COUNTY SURVEYOR—COUNTY TREASURER.

2197

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY SURVEYOR—Cont'd,		COUNTY TREASURER—Cont'd,	
duty to survey and fix highway boundaries	1812	to pay and cancel county orders or warrants	755
duty to fix boundaries of highways on application	1813	to deposit redeemed orders and warrants with county auditor	756
to file plat showing highway boundaries with register of deeds	1815	to deliver money, books, and documents to successor	759
to certify town plats and make surveys, compensation	2307	to receive funds of disorganized town, and pay indebtedness thereof	966
certificate admissible in evidence	5758	to refund to treasurers of towns, cities, and villages amount of poor funds collected	1982
duties in connection with construction of drains by county	7808	proceeds of sale of estrays deposited with	2086
— fees	7808	— of unclaimed property deposited with	2098, 2110
COUNTY TREASURER,		— of trespassing animals left with ..	2120
election and term of office	722	duties with regard to sale of unclaimed property	2099
oath and bond	723	to prove and seal weights and measures	2197
failure to qualify, refusal to serve ..	724	to appoint deputy sealer of weights and measures, duties of deputies, penalty for violation	2198
vacancy, how filled, who ineligible ..	725, 912	to approve auctioneer's bond	2296
— how created	912	receipt and accounting for forfeitures incurred under law relating to town plats	2314
not eligible to office of county auditor ..	714	to satisfy judgment against school district	3829
misappropriation of funds or malfeasance in office, punishment	6665	giving receipt for payment for school lands	3996
to have office at county seat, and keep books	726	duties of land commissioner with reference to	4000
books, how kept; to be balanced from date (par. 3)	728	control and disposition of moneys received for school lands	4001
duties	719	duties as treasurer of drainage district ..	7744
to disburse county funds	719	remedy against, on failure to perform duties in regard to drainage assessments	7787
receipt and payment of money	727		
deposit of county funds in official, and not personal, capacity; penalty to keep public funds separate from private	733	BOND.	
deposit of funds, exemption from liability for loss of deposit	739	to give bond	723
— interest on deposits	735	new bond required, when	749
books and accounts and vouchers and moneys subject to inspection	740	effect of failure to give new bond	750
failure to pay over money, action against	744	bond to secure school fund	3997
money collected from delinquent or sureties, payment into county treasury	740	blank bond to be furnished by land commissioner	3999
delinquent, refusal of officer to execute process against, penalty	747	bond as treasurer of drainage district ..	7744
deputy, failure to pay over money, proceedings against	748		
appointment of deputies	1564	PAYING OUT MONEYS AND FUNDS.	
liability for acts of deputy	1564	to disburse county funds	719, 727
not to speculate in orders or warrants ..	751	authority for paying out moneys	705, 727, 3513
loan or use of county funds, penalty to make statement of county affairs, penalty for false statement	752	to make payment by check	735
to prosecute breach of bonds, etc., given to them or predecessors	754	paying for services in collecting vital statistics	442

MINNESOTA STATUTES 1894

2198

COUNTY TREASURER—COURT COMMISSIONERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COUNTY TREASURER—Cont'd,		COUNTY TREASURER—Cont'd,	
authority for paying salary of county auditor's clerk	721	ACCOUNTS AND SETTLEMENT WITH OTHER OFFICERS.	
payment to town, city, or school-district treasurer	742	accounts examined by county commissioners	680
authority to pay out taxes levied for roads in unorganized counties.....	704	accounts subject to inspection.....	740
authority to pay out taxes collected..	1696	to exhibit accounts to commissioners or county auditor.....	740
paying over city taxes to proper officer	1102	account with county auditor.....	718, 1565
to pay county orders or warrants... ..	755	settlement with county auditor.....	1575
authority to pay jailer.....	800	to make settlement, when.....	741
to pay debts of disorganized towns... ..	966	settlement with auditor and state treasurer, when.....	742
duties with regard to poor funds... ..	1982	— with state treasurer, penalty for failure	743
paying out moneys to superintendent of institute for defectives.....	3443	failure to make return or settlement or to pay over money, action against, judgment and penalty.....	744
payment for services rendered in relation to insane persons.....	3495	REMOVAL AND SUSPENSION—INVESTIGATION OF CHARGES AGAINST.	
— to school-district treasurer of public school funds apportioned to district	3767	removal of delinquent	745
— of bonds, etc., of school districts without trustees	3832	removal from office by governor.....	911
of Hennepin county, authority for paying jurors' fees	5618	power of governor to remove	893
of Ramsey county, authority for paying jurors' fees.....	5626	suspension from office	904
authority for paying compensation of drainage commissioner	7742	— appointment of treasurer ad interim	905
MATTERS PERTAINING TO TAXATION.		— right to hearing of charges against	906
not to enter money received for taxes of current year until annual settlement	726	— effect of failure to demand trial..	912
paying over city taxes to proper officer	1102	proceedings to inquire into charges against	908, 910
collection of delinquent taxes for local village improvements.....	1249	— appointment of commissioner to investigate charges.....	907
to make advances of taxes to village delivery of tax books to.....	1562	— oath taken by commissioner....	909
to be collector of taxes.....	1563	— hearing of commissioner's report	911
appointment of deputies.....	1564	— expenses of proceedings	913
liability for acts of deputy.....	1564	COMPENSATION AND EXPENSES OF OFFICE.	
duties with reference to collecting taxes	1564	compensation	758
— in tax proceedings.....	1658	allowance of express charges and mileage	757
— with reference to receiving taxes	1565	extra compensation in certain cases..	701
— on payment of tax judgment... ..	1574	fees in proceedings relating to trespassing animals	2121
— with regard to taxes collected on behalf of state or municipalities....	1577	compensation for collecting moneys from school-land purchasers	3997
when liable for penalty for delinquent tax	1578	— as treasurer of drainage district	7744
giving receipts for payment of taxes..	1590	office expenses paid by county.....	677
to attend real-estate tax sale.....	1592	of Dodge county, fees and clerk hire	5539
authority to pay out taxes collected..	1696	COURT COMMISSIONERS,	
		term of office.....	823
		eligibility to office of.....	824
		powers	824
		to take oath and give bond.....	825
		where office kept.....	826
		to keep records.....	826

MINNESOTA STATUTES 1894

Vols. 1 & 2] COURT COMMISSIONERS—CRIMES AND PUNISHMENTS. 2199

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
COURT COMMISSIONERS—Cont'd,		COURTS—Cont'd,	
may act as judge of probate.....	827	when jurisdiction attaches.....	5209
vacancy in office of, how filled.....	828	when natural person subject to jurisdiction	5210
term of office of one appointed to fill vacancy.....	828	jurisdiction of corporations.....	5211
one appointed to fill vacancy to take oath and give bond.....	828	power in vacation.....	5267
power of governor to remove.....	893	jurisdictions of violations of law relating to animals.....	6807
appointment of examiners in lunacy.	3465	trial of issues of fact.....	5361
powers and duties in examination in lunacy	3465	mandamus to, purpose.....	5975
powers with regard to insane persons to act in proceedings to commit insane persons where probate judge is absent or disqualified.....	3483	COVENANTS,	
allowance of writ of attachment....	5288	in deeds not implied	4165
to take disclosure of garnishees....	5323	against incumbrances, liability.....	4195
fees	5582	in conveyance under town-site act..	4256
power to take acknowledgment.....	5644	CRANBERRIES,	
— deposition.....	5645	penalty for picking before September 1st	6902
COURTHOUSE,		prosecutions for premature picking, disposition of fines.....	6903
to be provided by county.....	641	CREAM,	
COURT-MARTIAL,		sale of impure cream, penalty.....	7002
appointment, conduct, etc.....	1757	CREAMERIES,	
effect of Penal Code.....	6849	reports to dairy commissioner, blanks to be furnished.....	7001
COURTS,		CREDITORS,	
(see "Clerk of Court"; "Judge"; "Municipal Courts.")		definition	4220
common pleas court (see "Court of Common Pleas").		"CREDITS,"	
district courts (see "District Court").		definition for purpose of taxation....	1511
justices' courts (see "Justices of the Peace").		CRIMES AND PUNISHMENTS,	
probate courts.....	4408-4422	(see "Penal Code"; "Arrest"; "Bail"; "Fugitives from Justice"; "Grand Jury"; "Recognition.")	
(see "Probate Courts.")		against legislative power.....	6339-6347
supreme court (see "Supreme Court").		(see "Legislature.")	
hearing election contest; special term, when	191	against public health and safety.....	6613-6643
statements of terms to be published	289	(see "Adulteration"; "Carrying Weapons"; "Dangerous Weapons"; "Druggists"; "Fires"; "Health"; "Nuisance"; "Theaters and Shows.")	
compelling production of books and papers in action against carriers (par. c)	389	against public peace.....	6644-6662
compelling attendance of witnesses in action against carrier (par. c)....	389	(see "Disturbance of Assembly"; "Obstructing Justice"; "Prize Fighting"; "Riot"; "Unlawful Assembly.")	
jurisdiction in territory, affected by change of county boundaries.....	629	by and against executive power of the states.....	6325-6338
terms in newly-created counties.....	636	(see "Officers.")	
jurisdiction to enforce law prohibiting catching trout out of season..	2147	for particular crimes (see "Abduction"; "Abortion"; "Arson"; "Assaults"; "Bigamy"; "Bribery"; "Blackmail"; "Breach of the Peace"; "Burglary"; "Common Barratry"; "Conspiracy"; "Counterfeiting"; "Cruelty to Animals"; "Cruelty to Child"; "Duel-	
device on seals, size of same.....	2209		
use of temporary seal authorized by judge	2210		
charge to grand jury concerning public lands.....	3991		
cession of jurisdiction by state to United States.....	4105, 4115, 4117-4119		

MINNESOTA STATUTES 1894

2200

CRIMES AND PUNISHMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
ing"; "Embezzlement"; "Extortion"; "False Personation"; "False Pretenses"; "Forgery"; "Fornication"; "Homicide"; "Kidnaping"; "Larceny"; "Lottery"; "Maiming"; "Malicious Mischief"; "Mayhem"; "Oppression"; "Perjury"; "Rape"; "Receiving Stolen Goods"; "Riot"; "Robbery"; "Seduction"; "Sodomy"; "Treason").		of married woman, duress of husband	6306
limitation of prosecution (see "Limitation of Actions").		duress as defense, when allowed....	6307
pardon	7415, 7416	ATTEMPTS TO COMMIT CRIME.	
(see "Pardon.")		definition	6315
repeal of statutes (see chapters 93-101).		how punished.....	6265
ascertaining and reporting facts concerning trade or business of convict	7491	perjury, attempt to induce another to commit	6384
bill of attainder prohibited.....	6838	conviction for attempt to commit....	6824
certain forfeitures abolished.....	6838	punishment of attempt to commit...	6825
stolen property to be restored to owner, exception.....	6872	committing one crime in attempting to commit another.....	6826
duties of attorney general.....	356	PREVENTION OF CRIMES.	
report of justice to county attorney.	306	prevention of the commission of crime	7091-7106
duties of county attorney.....	803	in villages, by village council (par. 28)	1224
register of criminal actions kept by county attorney.....	804, 805	JURISDICTION.	
disability of law partner of county attorney to defend prosecutions.....	812	persons criminally punishable.....	6298
power of officers of other states in the conveyance of prisoners.....	7090	in territory affected by change of county boundaries.....	629
conveying prisoners through state....	7090	of municipal courts in villages.....	1357
definition of crime.....	6287	offenses committed in state park....	4057
division into felonies and misdemeanors	6259, 6288	of state in lands of United States....	4105, 4111, 4114, 4117
felonies and misdemeanors, definition	6260, 6289,	of city justices.....	1074
	6290	of justices to examine persons accused, and commit or bail them (par. 4).....	5093
certain terms construed.....	6842	— proceedings therein	5093-5129
consent of victim of crime.....	6469	(see "Justices of the Peace.")	
justification where committed in defense of self or another.....	6308	offenses on public conveyances.....	7257
CAPACITY TO COMMIT CRIME.		prosecution for fines and forfeitures, commitment of defendant.....	5960
of child under seven.....	6300	sale of liquor without license.....	2020
of child over seven, presumption, determination of age.....	6301	PRINCIPAL AND ACCESSORIES.	
irresponsibility of idiot, lunatic, or insane person.....	6302	principal and accessory.....	6300
idiots, lunatics, and insane persons, when excused from criminal liability	6303	definition of "principal".....	6310
of intoxicated persons, effect of intoxication on intelligence.....	6304	definition of "accessory".....	6311
morbid criminal propensity no defense	6305	misdemeanors, participants are all principals	6312
		accessory before the fact, punishment as principal.....	6261
		accessories before the fact, place of trial, etc.....	6262
		accessories after the fact, punishment. — trial where principal is not convicted, place of trial.....	6263, 6264
		principals and accessories before and after the fact, distinction.....	6268
		principals and accessories, swindling by carriers, etc.....	6595
		accessories; place of trial; principal felon, how tried or convicted.....	6313
		accessory, punishment.....	6314

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRIMES AND PUNISHMENTS.

2201

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

CRIMES AND PUNISHMENTS—C't'd,	Sec.
PARTICULAR CRIMES.	
not provided for in Penal Code.....	6850
abandonment and other acts of cruelty to children.....	6535-6544
abstracting state arms and stores....	1713
abuse of children.....	8014
aiding or abetting a misdemeanor....	6821
animals, false branding of.....	6875
— false representations as to breed	6906
— obtaining false certificate of registration	6905
anonymous defamatory posters, circulars, etc.....	199
attorneys, misconduct of.....	6409
attorney taking part in defense of certain prosecutions.....	6810, 6811
body stealing, removal of body for purpose of dissection.....	8034
bribery of judicial officer, juror, referee, arbitrator, etc.....	6348
bringing poor person into county....	1968
buoys or beacons established by the United States, removal or injury...	6778
— punishment for mooring to.....	6778
civil rights, violation of.....	8003
coercion or intimidation, wrongfully using	6790
cohabitation of divorced persons....	4812
compounding crimes.....	6397, 6398
concealing death of child.....	6828
criminal contempt.....	6407
— punishment	6169, 6819
— effect of previous punishment for contempt	6820
criminal negligence or recklessness of engineers	6454, 6455
criminal trespass.....	6781
cruelty to animals.....	6798-6801, 6803
cruelty to child.....	6803
defacing notice of mining claim.....	4070
defrauding innkeepers or boarding-house keepers.....	7999
destroying or injuring insured property	6757
diseased animals, owner or person in charge of.....	6805
discharge of firearms in cemeteries...	3105
disclosing transactions of grand jury	6415
disorderly conduct of runners.....	8004
distrained animals, taking away....	2123
doors of theaters, etc., violation of law with regard to.....	6861
entry of horses, fraud.....	2972
— under assumed name.....	2971

CRIMES AND PUNISHMENTS—C't'd,	Sec.
failure to guard ice cuttings.....	6640
failure to mark logs cut on state lands	4013
failure to signal at railroad crossings	6637
falsely claiming share in deceased person's estate.....	6410
false personation.....	6743-6746
false weights and measures.....	6753, 6759
false weights, stamping, or tare of packages	6760
fast driving on bridge.....	1870-1872
fighting of animals or cruelty for amusement of spectators.....	6797-6802
fitting out vessels or shipping cargo with intent to sink.....	6755
fraud in conducting limited partnership	2352
fraud in sale of grains, etc., penalty..	7630
fraudulently marking timber cut on state lands.....	4017
fraudulent sale of mortgaged property by mortgagor.....	4142
fumigating grain and sale thereof, penalty	7640-7642
getting on or off of moving cars or engines	6857
— punishment	6858
grand juror acting after challenge has been allowed.....	6408
health, violations of regulation of town board.....	971
illuminating oils, illegal sale and use of	452
— sale or inspection.....	453, 455
— falsely branding packages.....	453
— sale of oils rejected by inspector..	454
improper use of secret society badges	6954
injuries resulting from explosives....	6773
injuries to convicts.....	6837
injuries to lighthouse property or lights of United States on navigable waters	6776
injuries to or removal of articles from cemetery	6786
injuring landmarks.....	700
injury to arms issued by state to Sons of Veterans.....	1774
injury to monuments, trees, etc., in cemeteries	3104
injury to, or hindering construction of, drains, etc.....	7784
injury to public buildings or articles therein	6789
injury to real and personal property..	6791
inspection of oils, violation of law concerning	458

MINNESOTA STATUTES 1894

2202

CRIMES AND PUNISHMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
instituting suit in name of another... 6416	6416	presentation of false claims against state or municipality..... 6812	6812
interference with property levied on to enforce taxes..... 1675	1675	preventing performance of religious act 6520	6520
intimidating public officers, jurors, arbitrators, etc..... 6399	6399	production of pretended heir..... 6410	6410
issuance of false warehouse receipt, bill of lading, or other voucher of title to goods..... 6768-6770	6768-6770	receiving deposits in insolvent banks 6763	6763
issuance of fictitious bills of lading, etc. 6767	6767	records, injury, concealment, alteration, or falsification of..... 6387	6387
keeping employment bureau without license 1453	1453	refusal of witness to obey subpoena issued by bureau of labor..... 472	472
liberating or driving away horses of another 6781	6781	refusal or neglect to transmit telegram 6782	6782
livery stable keepers, obtaining property from..... 6813, 6814	6813, 6814	refusal to aid officer in executing process 6394	6394
making false manifests, invoices, bills of lading, etc..... 6756	6756	refusal to furnish copy of order, warrant, etc., authorizing detention, penalty 6021	6021
malicious injury to signboards, etc.... 6874	6874	removing property from mortgaged real estate..... 6880	6880
maliciously procuring search warrant 6417	6417	rules of county agricultural society, violation of 2976	2976
marriage, wrongfully solemnizing.... 4781	4781	selling or leasing property borrowed.. 6752, 6753	6752, 6753
militiamen, neglect of duty, complaint, punishment 1754	1754	selling, pawning, etc., borrowed property 6752	6752
misleading pilots or railway engineers by false signals, etc..... 6775	6775	selling property received for transportation or storage..... 6771	6771
mortgaged property, wrongful concealment or removal..... 6749	6749	selling services of person kidnapped.. 6470	6470
— wrongful sale or disposition of by mortgagor 6750	6750	selling town lots without complying with law relating to platting..... 2312	2312
neglect of road duty..... 1793	1793	selling without license..... 2290	2290
— complaint against delinquents... 1794	1794	setting fires not amounting to arson.. 6774	6774
notice to holder of mortgage on animals, failure to give..... 6251	6251	setting spring guns, etc..... 6853	6853
obstructing or injuring toll roads.... 3386	3386	— punishment 6854	6854
obstructing public officer..... 6396	6396	state park, offenses committed.. 4050, 4057	4050, 4057
obstructing putting out of fire, etc.... 6862	6862	— cutting or injuring trees..... 4057	4057
obstruction of drain or diverting water therefor 7817	7817	steam boilers and vessels, failure to have inspected..... 483, 484, 489	483, 484, 489
obstruction of engines on railroads... 6855, 6856	6855, 6856	— granting false certificate of inspection 490	490
obtaining employment by false or forged letter..... 6748	6748	— imperfect construction..... 486	486
obtaining signature by false pretenses 6747	6747	— operating unsafe and unrepai red boiler 487	487
offense on street cars..... 6943	6943	substituting one child for another.. 6411	6411
offering false evidence..... 6381	6381	taking possession of lands after being legally removed..... 6660	6660
opening sealed letters or publishing contents thereof..... 6783	6783	trespassers on moving cars..... 6859	6859
opening sealed telegrams or publishing contents thereof 6783	6783	trespass on public lands..... 3990	3990
patent right, unlawful sale of..... 8049	8049	unauthorized communications with convicts 6418, 7488	6418, 7488
placing explosives near building..... 6784	6784	unlawfully driving away estrays.... 2088	2088
preference of creditors..... 4242	4242	unlawfully entering building not amounting to burglary..... 6686	6686
preferences on insolvency of limited partnership 2348	2348	vessels or cargo thereon, willfully injuring or destroying..... 6754	6754

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRIMES AND PUNISHMENTS.

2203

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
GRIMES AND PUNISHMENTS—C't'd,	
violating sepulcher and remains of the dead	6558-6568
(see "Burial"; "Dissection.")	
willful injury to buildings.....	6894
willful injury to property.....	6893
wrongfully disclosing or obtaining knowledge of contents of telegram..	6782
<i>of public officers.</i>	
official duties, willful neglect to perform	6266
neglect of public duty.....	6390
omission of duty.....	6412
willful disobedience of law.....	6604
state treasurer, liability for defaults..	347
state auditor, violation of duty.....	331
state capitol commissioners, violation of oath	497
soldiers' home, liability of officers....	3618
liability of public examiner for receiving illegal compensation.....	421
insurance commissioner receiving pay other than salary.....	3145
— deputy receiving other pay than salary	3146
failure of superintendent of insane hospital to report.....	3498
assessor, neglect of duty.....	1638
county officers, neglect of duty in connection with change of county seat..	656
— improperly allowing claim against county	690
— liability for violating law.....	872
county auditor, neglect of duty.....	1638
recording instruments, improperly.....	774, 1159, 1624
falsely certifying to record of instrument	6419
false statements in certificates of officers	6420
judge of probate, failure to deliver books to successor.....	820
notary public, liability of.....	2273
neglect of duty by township supervisors with regard to drains.....	7816
auditing and paying fraudulent claims against state or municipality.	6421, 6422
conversion or wrongful disposal of assets of state or municipality.....	6422
sheriffs, criminal liability, etc.....	6388
misappropriation of property.....	6387
refusal to execute process.....	6389
delay in taking arrested person before magistrate	6391

	Sec.
CRIMES AND PUNISHMENTS—C't'd,	
making arrests without authority....	6392
seizure of property without authority	6392
misconduct in executing search warrant	6393
refusal to make arrest.....	6395
purchase of things in action by justice or constables.....	6405
giving reward for bringing suit before justice	6406
<i>offenses against election laws.</i>	
registering in more than one district, falsely personating voter, false swearing, etc.....	76
taking or defacing lists of voters....	77
removing ballots from polling room..	95
disclosure by judges of election or person assisting voter and false marking of ballot.....	108
persuasion of voter.....	113
intimidating voter by employer.....	114
refusing employé time to vote.....	114
removal of supplies from polling places	115
attempting to cast more than one ballot, penalty.....	116
voting with unlawful intent, penalty.	117
voting by nonresident.....	118
voting more than once, penalty.....	119
threatening or bribing elector.....	120
aiding unqualified voters to vote....	121
bringing unqualified voter into district	122
violation of law as to delivery of returns and ballot boxes.....	161
failure of duty or misconduct of election officers.....	164
removal or defacement of polllists, etc	165
against elective franchise.....	6324
offenses against election laws, punishments for offenses not specifically provided for.....	200
— duty of county attorney to prosecute, violation.....	201
violation by officers of duties in connection with proposed constitutional amendments.....	315
destruction of or interference with election returns.....	6788
<i>violation of intoxicating liquor laws.</i>	
liquor selling, without license.....	1998
illegal sale	1999
selling to Indians.....	2002
county officers to make complaints, judges to charge grand jury.....	2003

MINNESOTA STATUTES 1894

2204

CRIMES AND PUNISHMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
prosecution for violation of liquor law	2007	inducing another not to give testi-	
keeping saloon open after hours, ju-		mony	6384
risdiction of justice.....	2014	inducing witnesses to withhold tes-	
keeping open after hours, and permit-		timony	6385
ting gambling by minors, prosecu-		inducing witnesses to give false tes-	
tions by county attorney.....	2015	timony	6385
permitting gaming in saloon.....	2016	bribing witnesses.....	6385
violation of license law, certificate of		receiving bribe offered to influence or	
conviction to be sent to licensing		prevent testimony.....	6386
board	2019	attempt to prevent production of tes-	
liability of owner of building con-		timony	6400
taining "blind plg," etc., evidence to		<i>offenses against banking laws.</i>	
convict	2034	excessive issue of bank notes.....	2497
selling liquor near state university.	3924	issuance of illegal currency by banks	2513
<i>violation of game laws.</i>		liability of bank officers or employes..	2520
killing harmless birds, and violating		violating act with regard to banks... 2524	
close season.....	2154	improper investments by savings	
interfering with nests and eggs of		banks	2586
birds	2155	<i>of carriers.</i>	
destruction of certain birds or their		common carrier, criminal liability of	403
nests and eggs.....	6795	— of officers	403
killing birds with traps, snares, etc..		carrying excessive number of passen-	
	2156-2158	gers on vessel.....	482
violating close season for elk, deer,		duty of railroad company to stop pas-	
etc	2159	senger trains at county seat.....	2705
violating law as to shooting deer, elk,		failure to transfer passengers at rail-	
etc	2160	road junctions.....	2707
violating close season for mink, musk-		illegal sale of tickets.....	2787, 2789
rat, beaver, and otter.....	2162	defrauding carrier by improperly dis-	
hunting on another's land without		posing of tickets.....	2792
permission	2163	duties of carrier with regard to car-	
violating close season for fishing....	2164	rying stock.....	2711
violating law regulating manner of		<i>of officers and members of corporations.</i>	
taking fish	2165	issuance of fictitious stock or bonds	
fishing near fishways.....	2166	by railroad company.....	2743
taking fish with poison, trot lines,		statement as to capital stock of rail-	
wires, etc.....	2167	road company.....	2746
catching small fish.....	2168	fraud in subscribing to stock in cor-	
wanton destruction of fish or game..	2169	porations	6761
shipping fish and game out of state..	2170	fraudulent issuance or disposal of	
having in possession game caught		stock or evidences of debt of corpo-	
outside of state contrary to law....	2171	ration	6762
failure of carriers to notify fish com-		criminal liability of corporate officers	6764
missioners of game and fish offered		— fraud in keeping accounts.....	6764
for shipment.....	2173	criminal liability of stockholders for	
attempt to violate game laws.....	2174	destroying or falsifying papers or	
resisting officer enforcing game laws.	2183	securities of corporation.....	6764
depositing sawdust in stream con-		street-car companies, failure to pro-	
taining fish.....	2186	tect drivers.....	2767
<i>intimidating witnesses and suppressing evi-</i>		criminal liability of corporate officers	2793
<i>dence.</i>		acts or omissions relating to corpora-	
destroying evidence.....	6382	tions	2793
preventing or dissuading witnesses			
from obeying subpoena.....	6383		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRIMES AND PUNISHMENTS.

2205

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
CRIMES AND PUNISHMENTS—C't'd,	
diversion of corporate property, or willful failure to comply with articles of incorporation.....	2796
fraudulent issue or disposal of stock..	2836
<i>violation of laws regulating insurance.</i>	
failure to answer inquiries of insurance commissioner.....	3150
failure to testify before insurance commissioner or obstructing commissioner	3151
soliciting insurance by agent without certificate	3168
violation of law, and false advertisements by insurance companies...	3173
false statements in proofs of loss by insurance agents.....	3194
misconduct of officers and agents of co-operative life, etc., associations..	3313
false representations by agents and physicians of co-operative life, etc., associations	3315
<i>violation of law regulating schools.</i>	
resisting enforcement of order for admitting child into state public school	3514
resisting attempt to regain custody of ward of state public school.....	3517
excluding children entitled to attend public school.....	3777
failure to send children to school....	3779
<i>against railroads.</i>	
wrongful action directed against railroad property.....	6772
injuring or obstructing railroads.....	6885
breaking down railroad gates, fences, etc.....	6886, 6888
leaving railroad gates, etc., open.....	6887, 6888
malicious injury to railroad property	6891, 6892
<i>offenses against logging laws.</i>	
stealing logs.....	2419
injury to log marks, and making false marks	2419
receiving stolen or mutilated logs....	2420
scaling by surveyor of stolen or mutilated logs.....	2421
injury to booms, etc.....	2423
<i>obstructing public examiner.</i>	
refusal to make return to public examiner	418
obstructing public examiner in performance of duties.....	419
refusal to furnish information to public examiner.....	419

	Sec.
CRIMES AND PUNISHMENTS—C't'd,	
<i>violation of labor law.</i>	
violation of labor laws.....	2246
refusal of employer to allow officer of bureau of labor to enter premises..	473
violation of act relating to day's work	2243
protection of employes.....	2262
prosecution, conditions precedent....	2263
employers requiring employe to abandon rights of citizenship.....	6962
<i>violation of law relating to insane persons.</i>	
liability of officers of insane hospital..	3451
improperly procuring commitment of person to insane hospital.....	3469
liability of person taking patient to insane hospital.....	3473
for violation of act relating to correspondence of lunatics.....	3480
CRIMINAL PROCEDURE.	
trial by jury (see "Jury").	
bench warrants (see "Bench Warrants").	
<i>complaint and warrants.</i>	
complaint and warrant.....	7133, 7134
warrants issued by city justices, who to serve.....	1071
process filed with clerk of court.....	808
process issued by coroner.....	852
power to issue criminal process.....	7132
execution of warrant, power of officers of other counties.....	7134
proceedings in village municipal court, complaint, warrant, and process...	1391
violation of village ordinances.....	1252
warrant, disposition of.....	7136, 7139
<i>rights of persons accused.</i>	
compelling defendant to furnish evidence against himself.....	389 (par. c), 391 (par. c)
competency of accused as witness, failure to testify, presumption and comment thereon.....	5658
person arrested to be informed of ground thereof, penalty for false answers, etc.....	6272
conviction not to be had except on confession or admission or verdict of jury	6275
defendant entitled to blank subpoenas for witnesses.....	6282
appointment of counsel for indigent defendant, compensation in Ramsey and Hennepin counties.....	6283
conviction must precede punishment..	6291

MINNESOTA STATUTES 1894

2206

CRIMES AND PUNISHMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
bribery, offender competent as witness		return of recognizances to clerk of	
against accomplice not liable to		court	7156
prosecution	6356	persons charged with indictable of-	
right of attorney to defend himself...	6811	fenses, in village municipal court...	1391
defendant to be informed of right to		commitments to district court in Sec-	
counsel	7277	ond district.....	4864
<i>rights of insane persons.</i>		confinement of accused in what jail,	
arrest of insane person.....	3470	where counties are attached to oth-	
rights of insane person on arrest....	3470	ers for judicial purposes.....	4949
inquiry into sanity of person under in-		<i>venue.</i>	
dictment	3472	offense on county lines.....	7258
commitment of insane defendant to in-		wound inflicted in one county, death	
sane hospital.....	3472	in another.....	7259
acquittal of accused on ground of in-		death out of state, prosecution in coun-	
sanity, disposition of prisoner.....	3471	ty where assault was made.....	7261
recovery of reason by prisoner, re-		committed on vessels.....	7256
turn from insane hospital.....	3472	trial for kidnaping.....	6468
insanity, etc., of defendant, commit-		prize fighting outside of state.....	6656
ment to insane hospital.....	7343	bringing stolen goods into state.....	6721
acquittal on ground of insanity, com-		— from another county.....	6722
mitment of defendant for safe-keep-		sending threatening letter.....	6822
ing, bond for security.....	7344	crimes committed on vehicle of trans-	
<i>preliminary examination and commitment.</i>		portation or premises of carrier....	6846
proceedings with regard to accused		change of.....	7313-7317
immediately upon arrest.....	7138, 7139	<i>arraignment and pleas.</i>	
preliminary examination of accused,		arraignment of defendant.....	7264-7282
when to be had.....	7138, 7139	(see "Arraignment.")	
— commitment of accused pending	7140	acquittal bar to subsequent prosecu-	
— adjournment.....	7140	tion, plea in bar.....	6276
— taking recognizance from accused		— when not a bar.....	6277, 7309
for appearance.....	7140	— or conviction bars indictment for	
— taking accused from prison for..	7142	other degree or for attempt.....	
— commitment of accused pending	7142	6317, 7310, 7311	
— preliminary hearing of charge of		former jeopardy.....	6816
crime.....	7143, 7144	— foreign conviction or acquittal..	6818
— separation of witnesses.....	7145	time to plead in criminal cases....	7281
— testimony reduced to writing....	7146	demurrer to indictment, plea, motion	
— signing testimony by witnesses..	7146	to set aside.....	7282
— when prisoner discharged.....	7147	pleading by defendant, demurrer or	
— removal.....	7169	plea	7291
disposition of prisoner on conclusion		demurrer to plea and indictment,	
of	7149	when to be made.....	7292
recognizance to secure appearance of		— grounds	7293
witnesses	7150, 7151, 7154	— requisites	7294
recognizance for appearance of mar-		— when to be heard.....	7295
ried woman or minor as witness....	7152	— judgment	7296
imprisonment of witnesses to secure		— allowance, amendment, resub-	
appearance	7153, 7154	mission to grand jury.....	7297
— compensation of witness.....	7154	— allowance, defendant discharged	
magistrate may call in other magis-		when, bail.....	7298
trates	7155	— proceedings when case is submit-	
certifying results to clerk of court...	7156	ted anew.....	7299
enforcing duty of magistrate.....	7156	— disallowed, defendant to plead,	
		effect of failure to plead.....	7300

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRIMES AND PUNISHMENTS.

2207

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
— what objections must be taken		prosecutions for counterfeiting bank	
by	7301	notes, treasury notes, or govern-	
pleas to indictment, what are.....	7302	ment obligations.....	5763, 5764
— to be oral.....	7303	convict as witness.....	6841
— how entered.....	7304	juror to testify to facts within his	
plea of guilty, how made.....	7305	knowledge	7320
— withdrawn, when.....	7306	prosecutions under intoxicating liq-	
plea of not guilty, effect.....	7307	uor law, sufficiency of evidence... ..	2000
— evidence thereunder.....	7308	ownership of property, variance... ..	7263
refusal to plead, entry of plea of not		of witnesses participating in breach	
guilty	7312	of the peace, testimony not to be	
<i>setting aside indictment.</i>		used against.....	6662
setting aside indictment, when.....	7283	of accomplice in prosecution for vio-	
motion to set aside, objections waiv-		lating law relating to monopolies,	
ed by failure to make.....	7284	privileges of witness.....	6957
— indictment heard, when.....	7285	to convict of gaming, confession and	
demurrer or plea on denial.....	7286	accomplice's testimony.....	6599
proceedings where motion granted..	7287	possession of dangerous weapons,	
effect of resubmission of case, cus-		presumption of violation of law... ..	6629
tody of defendant, bail.....	7288	copy of process for arrest of prisoner	7422
new indictment not found, discharge		possession of game prima facie evi-	
of defendant, etc.....	7289	dence of violation of law, evidence	
no bar to another prosecution.....	7290	to disprove.....	2172
<i>continuance.</i>		<i>trial.</i>	
where accused is not indicted or tried,		criminal calendar to be made, con-	
commitment, bail of accused.....	6280	tents	7347
affidavits to be filed.....	7321	criminal calendar; issues, how dis-	
<i>evidence.</i>		posed of.....	7348
depositions for defendants, how taken		register of criminal actions, contents	7350
and used; expenses, how paid.....	6284	dismissal of prosecution where indict-	
defendant presumed innocent.....	6273	ment not found at next term of	
presumption of responsibility for		court	6278
acts, burden of proof, irresponsi-		time of trial, dismissal for failure to	
bility	6299	bring to trial.....	6279
minutes of conviction and judgment,		dismissal of indictment by court, rea-	
certified copies as evidence.....	5743	sons to be entered.....	7346
certificate of conviction, admissible in		— discharge of accused, exonera-	
evidence	5748	tion of bail.....	6281
effect of confessions.....	5766	misconduct of officer having charge of	
when confessions inadmissible.....	5766	juries	6354
self-accusing testimony given in		when attorneys forbidden to defend	
other proceedings.....	5495, 6839	prosecutions	6110
testimony of accomplice, effect.....	5767	presence of defendant, when requir-	
— corroboration	5767	ed, when not.....	7320
accomplices may testify, violation of		commitment of defendant after ap-	
game law	2188	pearance for trial.....	7322
accomplice to abortion, testimony not		separate trial of joint defendants... ..	7323
to be used against.....	6547	joint defendants, discharge of one to	
offenders against dueling law compe-		become witness for state.....	7324
tent against other offenders.....	6495	— effect as bar to another prosecu-	
of intent.....	6462	tion	7325
intent to defraud, how shown..	6842, 6845	minors to be excluded from trials..	7326
		— duty of court officers.....	7327
		— penalty for neglect of officer....	7328

MINNESOTA STATUTES 1894

2208

CRIMES AND PUNISHMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

CRIMES AND PUNISHMENTS—C't'd,	Sec.	CRIMES AND PUNISHMENTS—C't'd,	Sec.
time to prepare for trial after plea..	7349	punishable in different ways.....	6816
issues of fact arise, when.....	7318	acts punishable under foreign law..	6817
issues of fact tried by jury.....	7319	omission to perform duty, effect of	
view by jury.....	7330	performance by another.....	6823
questions of law and fact, how decided	7331	nonresident causing or procuring	
argument of counsel, order of argu-		commission within state punisha-	
ment	7332	ble (par. 3).....	6298
charge of court.....	7333	laws governing punishment.....	6843
oath administered to jury.....	5641	effect of Penal Code.....	6849
jury, how kept while deliberating..	7334	punishment, hearing thereon after	
challenging jurors.....	7351-7384	plea or verdict of guilty.....	7345
(see "Jury.")		punishment of prohibited acts.....	6413
what papers may be taken to jury		second or subsequent offense, in-	
room	7335	crease in punishment.....	6271, 6827
jury may return into court for infor-		court to determine and impose pun-	
mation	7336	ishment prescribed.....	6294
discharge of jury without verdict..	7337	punishment left undetermined be-	
— second trial.....	7338	tween certain limits, how deter-	
prosecutions in village municipal		mined	6295
court by village and county attor-		punishment of felonies when not fixed	
ney	1370	by statute	6296
violation of village ordinance.....	1253	punishment of misdemeanors when	
proceedings before justice of the		not fixed by statute.....	6297
peace	3525	of offenses against election laws....	200
<i>verdict.</i>		enforcing payment of fines.....	1190
joint indictment, conviction or acquit-		in justices' courts.....	5110
tal of one or more.....	6267	of accessories	6314
acquittal of defendant of part of of-		— before the fact.....	6261
fense charged, proceedings.....	6269	— after the fact.....	6263
accused may be convicted of lesser		of attempt to commit crimes.....	6265
crime of attempt.....	6316	<i>punishment in particular crimes.</i>	
indictment for felonious assault, con-		on attempting to commit suicide....	6432
viction of assault.....	6270	of assault in first degree.....	6474
reasonable doubt of guilt, right to ac-		of assault in second degree.....	6475
quittal	6273	of assault in third degree.....	6476
reasonable doubt as to degree of of-		for auditing and paying fraudulent	
fense, conviction of lowest degree..	6274	claims against state or municipali-	
degrees of crime, jury to find.....	6292	ty	6421, 6422
conviction of lower degree of crime		of blackmail	6739
than that charged, and of attempts		concealing death of child.....	6828
to commit crime charged.....	7339	of conspiracy.....	6423
verdict as to some joint defendants,		of contempt of court.....	6819, 6820
and disagreement as to others....	7340	for conversion or wrongful disposal	
polling jury; further deliberation,		of property of state or municipality	6422
when	7341	of corporate officers and agents for	
reception, record and reading to jury,		fraud in keeping accounts, etc....	6764
proceedings	7342	of corporate officers or stockholders	
province of jury in prosecution for		for fraud in keeping accounts, etc..	6764
libel or slander.....	5768	for crime after sentence for another	
<i>punishment.</i>		offense	6830
(see "Fines"; "Penalties.")		criminal liability of bailee for selling,	
general provisions as to acts for		leasing, etc.....	6752, 6753
which no punishment is expressly		for criminal trespass.....	6781
prescribed	6815	for cruelty to animals.....	6793

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRIMES AND PUNISHMENTS.

2209

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residus in vol. 2.

CRIMES AND PUNISHMENTS—C't'd.	Sec.
for defrauding innkeepers or board- inghouse keepers	7999
for destroying certain birds or their nests and eggs.....	6795
for destroying or interfering with election returns.....	6788
for destroying or injuring insured property	6757
for escaping from jail.....	7438
for extortion	6734
for false personation.....	6743
for fitting out vessels or shipping car- go with intent to sink.....	6755
for fraudulent issue of stock or evi- dence of debt of corporation.....	6762
of grand larceny.....	6715, 6716
of hotel or other runners.....	8004
for improperly issuing bill of lading, warehouse receipts, or other vouch- er of title to goods.....	6767-6770
for injuries to bridges.....	6780
for injuries to lighthouse property or lights on navigable waters...	6776, 6777
for injuries to property, general pro- visions	6791
for injuries to public buildings or ar- ticles therein.....	6789
for injuring or delaying construction of drains, etc.....	7784
for injury to or removing United States buoy or beacon.....	6778
of kidnapping.....	6467
liability of owner or person in charge of diseased animals.....	6805
for making false manifestations, in- voices, bills of lading, etc.....	6756
malicious injury to articles in library, etc.	6787
for maliciously injuring, etc., railroad property	6772
of manslaughter in second degree..	6458
of mayhem	6462
for misleading pilots or railway engi- neers by false signals, etc.....	6775
for mooring to United States buoys or beacons.....	6778
of murder in first degree.....	6441
of murder in second degree.....	6442
of murder in third degree.....	6443
for obstructing agent of society for prevention of cruelty.....	6803
for obstructing, or attempting to ob- struct, engines on railroads...	6855, 6856
for obtaining signature by false pre- tenses	6747

GEN. ST. '94—139

CRIMES AND PUNISHMENTS—C't'd.	Sec.
of petit larceny.....	6717
for poisoning animals.....	6796
for receiving property in false char- acter	6745
for receiving stolen goods.....	6730
for refusal or neglect to transmit tele- grams	6782
for robbery	6485-6487
of robbery in first degree.....	6485
of robbery in second degree.....	6486
of robbery in third degree.....	6487
for selling, etc., property received for transportation or storage.....	6771
separate punishment for burglary and crime committed in building..	6687
for setting fires.....	6774
for setting spring guns, etc.....	6854
of treason.....	6319, 6320
for unlawful communication with con- victs	7488
for unlawful or malicious use of explo- sives	6773
for violating law concerning fighting of animals	6801
for violating law relating to civil rights	8003
for violating law relating to cruelty to animals	6797
for violating law with regard to doors of theaters or other public buildings	6861
for violating law with regard to get- ting on or off of moving cars.....	6858
for willful injuring or destroying ves- sels or cargo.....	6754
for wrongful action directed against railroads	6772
for wrongful sale, concealment, or re- moval of mortgaged property.....	6749, 6750
for wrongfully disclosing or obtain- ing knowledge of contents of tele- gram	6782
<i>sentence.</i>	
conviction of another crime after sen- tence	6830
conviction of two or more offenses, sentence	6829
sentence, when no limit prescribed..	6831
time of expiration of term of impris- onment	6832
to workhouse.....	6833
judgment on sentence, specifying place of imprisonment.....	6834
limit of fine.....	6835
imprisonment until fine is paid....	6835

MINNESOTA STATUTES 1894

2210

CRIMES AND PUNISHMENTS—CRUELTY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRIMES AND PUNISHMENTS—C't'd,		CRIMES AND PUNISHMENTS—C't'd,	
effect of sentence to life imprisonment	6836	<i>costs.</i>	
judgment on conviction, how entered; judgment roll.....	7398	taxation of costs.....	807
judgment, clerk to deliver transcript to sheriff, execution by sheriff.....	7399	taxation of costs by city justices.....	1077
form of sentence to state's prison, time when term to expire.....	7402	costs in criminal proceedings....	5513, 5514
when not provided by statute.....	7403	witness fees in criminal cases.....	5549
recognizance to keep the peace, etc., in addition to sentence.....	7404	where counties are attached to others for judicial purposes, expenses, by whom paid.....	4950
how executed where there is no jail in county	7406	<i>appeal or writ of error.</i>	
ball and chain, or tying prisoner in public, prohibited.....	7414	by defendant, how and when taken...	7385
punishment of minor under 16.....	6840	notice of appeal and order staying proceedings, filing and service.....	7386
limitation upon power to sentence to state reformatory.....	7509	writ of error, by whom allowed; notice to attorney general.....	7387
person sentenced to reform school under person mistake as to age, resentence..	3523	— not a stay unless ordered.....	7388
commitment of infant criminals to reform school.....	3524	return to supreme court.....	7389
commitment by federal courts to state reform school.....	3527	bill of exceptions, allowance and settlement, use on motion for new trial.	7390
to state reformatory.....	3589	assignments of error not necessary, proceedings in appellate court, decision	7391
— term of imprisonment.....	3591	recognizance, when allowed, etc.....	7392
who to be sentenced to state reformatory	3590	defendant to be committed, when; copy of record to be filed, etc.....	7393
proceedings relating to persons sentenced to state reformatory.....	3592	dismissal not to preclude another....	7394
violation of village ordinances, punishment (par. 29).....	1224	certifying questions of law to supreme court, stay pending decision.....	7395
imprisonment at hard labor for violating village ordinances.....	1307	— to stay other cases, when.....	7396
finest and penalties for violating village ordinances	1268	— application of law to pending cases	7397
<i>in capital cases.</i>		violation of village ordinance, right of appeal, appeal bond.....	1254
punishment by death to be by hanging	7408	CRIMINAL CALENDAR,	
record to be certified to governor, executive warrant to sheriff.....	7400	preparation by clerk, contents.....	7347
judge to send statement to governor..	7401	issues on calendar, how disposed of..	7348
death sentence; governor may delay issuing warrant, and respite defendant, when.....	7407	time to prepare for trial.....	7349
— confinement of convict, who may visit prisoner.....	7411	register of criminal actions, contents.	7350
execution of death sentence, presence of sheriff, return of warrant to governor, filing copy with clerk of court.	7409	CRIMINAL CONVERSATION,	
— time and place, exclusion of spectators	7410	jurisdiction of justice.....	4960
— who may witness execution, newspapers not to publish details..	7412	limitation of action for.....	5136
— violation of law a misdemeanor..	7413	CROPS,	
		lien for seed (see "Grain").	
		levy of execution on.....	5464
		right to remove on ejectment from land	5854
		criminal liability for setting fire to... malicious injury to.....	6774, 6785
		CROW WING COUNTY,	
		boundaries	555
		territory detached from Cass county, taxation	555
		CRUELTY,	
		to idiots, lunatics, etc.....	6610

MINNESOTA STATUTES 1894

Vols. 1 & 2]

CRUELTY TO ANIMALS—CURATIVE ACTS.

2211

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CRUELTY TO ANIMALS,		CURATIVE ACTS—Cont'd,	
what constitutes offense.....	6792, 6793	— with but one witness..	7540, 7548, 7557
definition of "animals".....	6809	— with one subscribing witness,	
— certain terms.....	6800	right to record.....	7524—7526
method of transporting.....	6792	— without seal, record.....	7545
regulations as to transportation....	6793	— without seal to acknowledgment	
— food and drink.....	6793	7537, 7539	
societies for prevention.....	3016—3021	— conveyances without seal to ac-	
(See "Minnesota Society for the Pre-		knowledge, record	7538
vention of Cruelty.")		— by order of probate court.....	7556
enforcement of law for prevention of.	6794	— by foreign executor.....	7575
powers of officer or agent of society		— executed out of state, according	
for prevention of cruelty.....	6794	to law of other state, with certificate	
poisoning animals, criminal liability	6796	of that fact.....	7535
provisions with regard to fighting of		— record thereof	7536
animals, or cruelty for amusement of		— not to affect bona fide purchaser..	7546
spectators	6797—6802	— conveyances defectively executed	
— seizure and disposal of property.	6799	in other states.....	7559
— enforcement	6798—6800	— when conveyances executed and	
— powers with regard to person be-		acknowledged out of state may be	
lieved to be about to violate law....	6801	recorded	7576, 7577
— recognizance taken to prevent vi-		power of attorney executed in Can-	
olation	6801, 6802	ada	7569
interference to prevent cruelty.....	6803	— with but one witness, and con-	
powers of officers and agents of so-		veyances thereunder	7547
ciety for prevention of cruelty to an-		— by married woman, and convey-	
imals	6798, 6799, 6801, 6803	ances thereunder	7558, 7568
obstructing of officer of society for		conveyances by husband as attorney	
prevention of	6803	for wife, Dakota and Ramsey coun-	
prosecution for violation of law relat-		ties excepted	7580
ing to	6803	deeds of married woman under power	
protecting animals from neglect.....	6804	from husband recorded prior to 1869	7582
civil liability	6806	separate deeds of husband and wife..	7583
jurisdiction of courts.....	6807	record as evidence.....	7551
disposal of fines and forfeitures....	6808	— copies of record as evidence....	
CRUELTY TO CHILDREN,		7552, 7565, 7566, 7579, 7584	
what constitutes	6840	— certified copies of recorded con-	
definition of "torture and cruelty"...	6842	veyances	7529, 7530
fines for violation of law, payment to		record of instruments without certi-	
Society for Prevention of Cruelty...	6844	ficate of character of acknowledging	
prosecution for violation of law....	6803	officer	7532, 7533
prevention	6803	recorded instruments defectively ex-	
societies for prevention.....	3016—3021	cuted, etc.	7564
(see "Minnesota Society for the Pre-		acts of notaries valid without seal....	
vention of Cruelty.")		7555, 7581	
obstruction of officer of society for		executors' bonds, letters, and admin-	
prevention of	6803	istration	7585
measures taken to secure appearance		oaths on sales of lands by foreign ex-	
of witness	7154	ecutors, guardians, etc.....	7586
penalty	8014	sales by executors, etc., since April 24,	
disposal of fines and forfeitures..	6808, 8015	1889	7587
CURATIVE ACTS,		foreclosure of mortgages by foreign	
instruments not sealed.....	7567	executors, etc.	7588, 7589
conveyances, not attested by wit-		deeds by sheriff and sales by prede-	
nesses	7534, 7549, 7571, 7578	cessor	7593
— defectively witnessed	7553, 7570	— prior deeds legalized.....	7594

MINNESOTA STATUTES 1894

2212

CURATIVE ACTS—CYCLONES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
CURATIVE ACTS—Cont'd,		CURATIVE ACTS—Cont'd,	
certificate of sale on foreclosure of mortgage by advertisement.....		ACKNOWLEDGMENTS	
7595-7602, 7605		acknowledgments	5644
order confirming foreclosure sale....	7603	before territorial clerks of supreme or district courts or probate judges...	7523
certificates of foreclosure and judicial sales, effect of record.....	7606, 7607	before banker or broker as notary...	7527
certificates of sale with but one witness	7604	before W. McTavish, governor of Assiniboine	7528
mortgages to partnership in firm name, foreclosure	7590	before territorial judges of probate, record	7531
— legalization of foreclosure.....	7554	separate acknowledgment of wife....	7541
foreclosure of mortgages not entitled to record, or defectively recorded...		— effect of certificate as evidence..	7542
7591, 7592		— failure to state separate examination of wife.....	7543
relating to religious societies.....		married woman not described as wife of other grantor.....	7573
3047, 3066, 3078, 3082, 3083, 3085		— record of instrument.....	7574
record of affidavits under § 19, c. 81 G. S. 1866.....	7616	before deputy clerks of court, record..	7544
affidavits under § 1, c. 18, 1866..	7614, 7615	before officers formerly appointed, etc.	7550
— under §§ 54, 55, c. 73, and §§ 19, 20, c. 81, G. S. 1866.....	7617-7625	after expiration of officer's term..	7561, 7562
— under §§ 60, 61, c. 84, Comp. St..		before deputy register of deeds.....	7563
7608-7613		CURRENT SCHOOL FUND.....	3768
— under §§ 61, 62, c. 73, §§ 19, 20, 23, c. 81, G. S. 1878.....	7627, 7627	(see "Schools.")	
— under c. 73, §§ 61, 62, and c. 81, §§ 5, 19, 20, 23, G. S. 1878.....	7628, 7629	CURTESY,	
assignment of judgments by auditor of state	7630, 7631	proceedings to bar.....	5535
municipal bonds issued after approval of electors	7632	proceedings and decree in action for partition	5786, 5792-5797
municipal bonds issued under state laws, exceptions.....	7633, 7633a	effect of judgment in action for partition	5777, 5778
soldiers' bounty bonds issued by counties, cities, etc.....	7634-7636	investment of proceeds of sale in partition proceedings	5807-5809
contracts between telegraph and railroad companies, etc.....	7637	liability of tenant for waste.....	5882
acts of clerks in unorganized counties legalizing assessments for local improvements	1505	penalty for waste.....	5883
relating to savings banks.....	2536	repeal of statute; c. 48, p. 1258.	
validating deed by state to railroad companies	2674	CUSTOM HOUSE,	
relating to conveyances by cemetery associations	3098	cession of jurisdiction to United States	4109, 4111
— extension of corporate life.....	3401	selection of site for.....	4109
— organization of corporations....		filing map of site.....	4110
3402-3406		acquisition by United States of lands for	4119
— publication of legal notices.....	7991	CUSTOM MILLS,	
		maximum toll for bolting and grinding grain	7643
		penalty for violating act.....	7644
		CYCLONES,	
		insurance against.....	3215, 3344-3360
		(see "Insurance Companies.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DAIRY PRODUCTS—DAMS.

2213

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

D.

	Sec.		Sec.
DAIRY PRODUCTS,		DAMAGES—Cont'd,	
(see "Milk.")		recovered in replevin in justice's court	
sale of impure or unhealthy, prohibited	6992	5048, 5049	
possession of prohibited articles, prima facie evidence, seizure and sale, disposition of proceeds	7007	assessment before entering judgment by default.....	5221
violation of law regulating, jurisdiction of courts.....	7008	assessment on rendering judgment on pleadings	5242
— costs of prosecution.....	7009	caused by injunction, how ascertained	5347
DAKOTA COUNTY,		rate recoverable	5402
boundaries	556	treble damages for trespass to personal property	5415
compensation of members of board of equalization	1553	— not allowed where defendant acted in good faith.....	5416
special laws regulating care of poor not affected by general poor-law act	1986	for libel published in newspaper, notice and retraction, actual damages	5417, 5418
DAMAGES,		interest on verdict.....	5504
for property taken by city (pars. 4-G, 11)	1107	recoverable in ejectment.....	5847
for laying out, altering, or discontinuing roads, how determined.....	1821	recoverable in action for waste.....	5882
taking land for temporary cartways for laying out, altering, or vacating road in more than one town.....	1842	cutting timber	5884-5886
— payment by county.....	1842, 1843	recoverable for injuring or cutting timber	5884-5886
for laying out public roads, limit of time for application	1856	for forcible eviction from land, or forcible entry and detainer...5887, 5888	
for laying out or altering highway, payment, issue of town orders to secure	1861	for death by wrongful act.....	5913
— time for application.....	1879	awarded to plaintiff in mandamus proceedings	5983
for laying out roads in more than one county, assessment and payment	1885	caused by disobeying order of discharge on habeas corpus.....	6018
— how paid by different counties..	1890	in action on recognizance given in contempt proceedings	6170
for constructing roads in more than one judicial district, apportionment	1893	liability of attorney for misconduct..	6409
for opening ditches to drain highways — provision for payment.....	1914	for injuries to property.....	6791
appraisalment of damages done by trespassing animals	2113	for injuries to public buildings, houses of religious worship, or articles therein	6789
treble damages for destroying fish in private fish pond.....	2139	for cruelty to animals.....	6806
accruing on protest of bills of exchange	2234, 2235	arising from construction of drains and payment thereof.....	7759, 7802
for vacating towns and additions... 2317		— construction by town supervisors	7845
punitive damages not allowed in proceedings to locate dam.....	2366	— liability of drainage districts....	7786
for failure to redeem bank notes.... 2496		in condemnation proceedings, payment	2611, 2629, 2630
for trespass on public lands.....	3992	— payment into court	2649, 2650
for failure to execute, or false return of, process	4971	— failure to pay award.....	2653
liability for failure to obey subpoena	5002	— recovery by landowner where condemnation proceedings are set aside	2655
		liability of telegraph companies.....	2630
		DAMS,	
		erection, compensation for overflowing land, saving clause.....	2353

MINNESOTA STATUTES 1894

2214

DAMS—DEBTORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DAMS—Cont'd,		DAMS—Cont'd,	
erection, petition to court.....	2354	— damages caused by entry to re- pair, how adjusted and paid.....	2384
— commissioners, compensation and fees	2355	for sluicing logs, timber, and lumber 2474-2480	
— oath of commissioners.....	2356	(see "Logs and Lumber.")	
— notice of meeting of commis- sioners	2357	log dams to have sluiceway.....	2386
— notice of meeting of commis- sioners, service on infants, lunatics, nonresidents, etc.	2358	nonuser of right, forfeiture.....	2374
— commissioners to examine pre- mises and assess damages.....	2359	injuries to, criminal liability.....	6780
— report of commissioners and pa- pers to be filed, notice of filing....	2360	DANCE HOUSES,	
— payment of damages awarded..	2361	allowing children to frequent.....	6538
— appeal from assessment of dam- ages, how taken.....	2362	DANGEROUS EXHIBITIONS,	
— appeal from assessment of dam- ages not to hinder erection of dam on filing bond.....	2363	in place of amusements.....	6639
— bond on appeal from assessment of damages, pending cases.....	2364	DANGEROUS WEAPONS,	
— questions on appeal, trial, how conducted	2365	making, selling, etc., a misdemeanor	6627
— punitive damages not allowed..	2366	carrying, using, etc., a misdemeanor..	6628
— judgment on appeal, contents and effect, payment, forfeiture	2367	(see "Carrying Weapons.")	
— costs of proceedings and appeals therein	2372	DAYS OF GRACE,	
— entry on land for surveys and examination	2373	on negotiable instruments.....	2237, 2238
— action for damages for erection, limitation	2369	DEAF, INSTITUTE FOR.....	3437-3446
— action for damages for erection, stay on commencement of proceed- ings to condemn land.....	2371	(see "Institute for Defectives.")	
overflow of highway, etc., or digging raceway across	2375	DEATH,	
— petition	2376	registry of.....	436, 1085 (par. 12), 3459
— notices of meeting of supervisors, city council, etc., posting.....	2377	notice of.....	437
— meeting of supervisors and city council, examination, taking testi- mony	2378	certificate of facts relating to.....	438
— report of supervisors of city coun- cil, contents, record.....	2379	— in villages (par. 12).....	1290
— when right to erect perfected....	2380	of officers, effect.....	892
— persons previously erecting dams may comply with act, when.....	2381	of county treasurer, delivery of books and papers by legal representative	759
— cost to be paid by petitioner....	2382	of town officer, delivery of records, etc., by personal representative....	1026
not to be erected or maintained so as to injure previously improved water powers	2368	of master, effect as to apprentice....	4765
maintaining or raising existing dam..	2370	effect on running of statute of limita- tions	5148
repairs, right to enter on servient es- tate to make.....	2383	of party to action, abatement and re- vival	5171
		of judgment debtor, execution.....	5447
		of party to appeal.....	6153, 6154
		right to direct disposal of one's own body after death.....	6558
		DEATH BY WRONGFUL ACT,	
		right of action.....	5913
		limitation of action.....	5913
		damages	5913
		disposition of damages recovered....	5913
		DEATH SENTENCE,	
		execution of (see "Crimes and Punish- ments"; "Warrants").	
		DEBTORS,	
		(see "Assignment for Benefit of Creditors"; "Fraudulent Convey- ances"; "Insolvency.")	
		examination in supplementary pro- ceedings (see "Execution").	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DECEDENTS—DEED.

2215

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DECEDENTS,		DEED—Cont'd,	
(see "Executors and Administrators.")		acknowledgment taken in other states, certificate of official character, etc..	4168
testimony as to conversation with deceased party	5660	validating act	4168
DECEIT,		— in foreign countries, certificate of minister or consul.....	4169
(see "Fraud.")		— commissioner appointed by governor to take acknowledgment... 5646-5649	
of attorney or counsellor.....	6181	— admissibility of record and copies thereof in evidence.....	5759
concerning title to land, penalty....	6873	failure to acknowledge deed, how proved	4170
DEDICATION,		proof when subscribing witnesses are dead or absent.....	4171
of highways by use.....	1832	refusal of grantor to acknowledge, summons before justice, service of summons	4172
of cart ways.....	1832	— proceedings on hearing before justice, certificate of justice.....	4173
by execution of town plat.....	2308	— proof when subscribing witnesses are dead or absent.....	4174
designation of highways, etc., in plat of cemetery.....	3133	— subscribing witnesses may be subpoenaed before justice.....	4175
effect of recording plat.....	3536	— penalty for disobeying subpoena	4176
DEED,		unacknowledged deed, filing copy with register of deeds pending proceedings in court to procure acknowledgment, effect.....	4177, 4178
(see "Acknowledgment"; "Covenants.")			
to county, effect.....	639	RECORD.	
for benefit of town, effect.....	925	certificate of acknowledgment or of proof of execution before court entitled deed to record.....	4179
subject to lien of assessment for village improvements.....	1348	failure to record, effect as against subsequent bona fide purchasers or attachment creditors	4180
how made, acknowledgment and record	4160	what deeds to be recorded.....	4180
of husband and wife, effect of insanity of spouse.....	4161	record in unorganized counties.....	4180
by corporation acting through agent..	4161	— of pews may be recorded, fees..	4181
— corporation may record appointment of agent, evidence.....	4162	absolute deed not defeated by unrecorded defeasance	4182
quitclaims, effect	4163	term "purchaser" defined.....	4184
word "heirs" unnecessary to pass fee-simple	4163	term "conveyance" defined.....	4185
by tenants for life or years, creating greater estate than he possesses does not work forfeiture.....	4164	— term "conveyance" not to include letters of attorney and contracts for sale	4186
covenants not to be implied.....	4165	record to be deemed notice to parties	4187
of land adversely held, not void....	4165	transcript of records on organization of new county.....	4189
scroll or device used as seal.....	4190	necessity of execution and acknowledgment according to law.....	4191
grantor to make known existing incumbrances	4194	copy of records may be recorded....	4192
liability of grantor covenanting against incumbrances.....	4195	effect of copy of record as evidence of, notice.....	4193
conveyance of lands to railroads, filing lists with register of deeds of counties	4199-4202		
under blank powers of attorneys, binding effect on grantor of power..	4203	CURATIVE ACTS.	
nominal conditions disregarded.....	4407	defective attestation.....	7553, 7570
of homestead, joinder of wife.....	5522		
of married woman.....	5532		
EXECUTION AND ACKNOWLEDGMENT.			
execution and acknowledgment.....	4166		
contents of certificate of acknowledgment	4167		

MINNESOTA STATUTES 1894

2216

DEED—DEPOSITIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DEED—Cont'd,		DENTISTRY—Cont'd,	
with one subscribing witness.....		— examination of applicants, pay-	
7524, 7540, 7548, 7557		ment of fees, certificate.....	7910
— right to record, effect of record..		— certificate of registration, re-	
7525, 7526		cording with clerk of court, remov-	
no subscribing witnesses.....		al from county.....	7911
7534, 7549, 7571, 7578		— compensation of board, annual	
execution out of state according to		report	7913
law of other state.....	7535	— name of board, power to sue and	
— record	7536, 7576, 7577	be sued	7919
— not to affect bona fide purchaser..	7546	— property of former board to	
defective execution in other states... 7559		vest in present board.....	7921
absence of seal.....	7567	license and registration, penalty for	
— record	7545	violating act, application of fines..	7914
under power of attorney with but one		— “practicing dentist” defined....	7912
witness	7547	false pretense as to certificate, di-	
under power of attorney by married		ploma or graduation from college,	
women	7558	penalty	7915
recorded instrument defectively exe-		violations of act, prosecutions, juris-	
cuted, etc.....	7564	diction	7916
effect of records, and copies thereof,		revocation of license, when practicing	
as evidence.....	7529, 7530, 7551,	without license	7917
7552, 7565, 7566, 7579, 7584		yearly license fee, penalty for non-	
by order of probate court.....	7556	payment, collection	7918
by foreign executor.....	7575	Laws 1885, c. 199, repealed.....	7920
by husband as attorney for wife, Da-		DEODANDS,	
kota and Ramsey excepted.....	7580	abolished	6838
by married woman, under power from		DEPOSIT,	
husband	7582	of county funds	729
separate deed of husband and wife..	7583	(see “Depository.”)	
acknowledgments after expiration of		— in official, and not personal, ca-	
officer's term.....	7572	pacity; penalty	732
DEFAULT,		— exemption of treasurer from lia-	
of defendant, necessity of proving		bility for loss.....	739
cause	4986	DEPOSIT IN COURT,	
issue of mandamus on.....	5981	court may order deposit of money,	
DEFINITIONS,		etc., when	5352
(see “Words and Phrases.”)		proceedings to compel deposit, etc....	5353
DEMAND NOTES,		in eminent domain proceedings.....	
when dishonored	2231	1107 (par. 9), 2629, 2630, 2649	
DEMURRER,		rights and duties of clerk.....	856
(see “Pleading.”)		measures taken to secure safety....	856
time and place of argument.....	5227	DEPOSITIONS,	
to complaint	5232, 5233	in election contest.....	194
to answer	5241	in municipal courts in villages.....	1380
to reply	5243	— notice of taking.....	1377
to indictment	7291-7301	in probate court, how taken.....	4728
(see “Criminal Law.”)		in actions before justices.....	5003-5008
DENTISTRY,		— effect	5008
unauthorized practice unlawful.....	7906	— adjournment on issuing commis-	
board of examiners, appointment, va-		sion	5009
cancies, term of office	7907	power of notary.....	2271, 2276
— officers' meetings, quorum.....	7908	fees of commissioner to take testi-	
— first meeting, register of persons		mony	5546
entitled to practice dentistry.....	7909	who may take.....	5645

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DEPOSITIONS—DEPUTY.

2217

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DEPOSITIONS—Cont'd,		DEPOSITIONS—Cont'd,	
taken by commissioners appointed in other states	5648	failure of party giving notice to appear, costs and attorneys' fees....	5692
taking in this state to be used in other states and countries	5705	PROCEEDINGS TO PERPETUATE TESTIMONY.	
proof of account books.....	5741	of witnesses within the state, application	5693
attaching copy and letter-press copies of letters, use as evidence....	5742	— notice, service, publication.....	5694
in forcible entry and detainer.....	6115	— testimony, how taken, judge to annex certificates	5695
for accused, how taken and used; expenses, how paid.....	6284	— deposition and certificate to be recorded	5696
OF WITNESSES WITHIN THE STATE.		— use of deposition, when.....	5697
when authorized to be taken.....	5667	— compelling witnesses to give deposition	5698
of witnesses living more than 30 miles from place of trial.....	5668	of witnesses out of state.....	5699
of witnesses about to depart from the state	5668	— application to take, statement to be filed	5700
of sick, infirm, or aged witnesses....	5668	— notice to be given, service, publication	5701
time and place of taking, notice of appointment	5669	— issue of commission, when....	5702
service of notice on agent or attorney	5670	— interrogatories and cross interrogatories, taking and return of depositions	5703
— on one of several parties.....	5671	— how used, filed, and recorded... 5704	
— manner of service, time.....	5672	DEPOSITORY,	
— waiver of notice.....	5673	safe deposit companies (see "Trust Companies").	
oath of deponent, examination, testimony in writing.....	5674	of county funds.....	729
examination of deponent, order....	5675	— bonds	730
to be written, read, and signed.....	5676	— proposals by banks.....	731
justice to annex certificate to deposition, form	5677	— interest	735
delivery by justice, disposition....	5678	— accounts with treasurer to be filed with county auditor.....	735
when may be used.....	5679	— repeal of acts.....	736
objections, how and when to be taken may be used in second action, when..	5680	DEPUTY,	
use on appeal of action, how.....	5682	of state auditor.....	329
witness compelled to give deposition, when	5683	— powers and duties.....	329
OF WITNESSES OUT OF THE STATE.		— to give bond	329
how taken and when used.....	5684	— salary (par. 11)	530
commission may issue, in what cases interrogatories and cross interrogatories, how settled.....	5685	of state treasurer.....	1672
oaths and affidavits taken out of state used on motion, certificate of clerk before whom taken, service, time....	5687	— salary (par. 12).....	530
manner of taking, examination, oath of witnesses, testimony in writing, reading testimony, signature.....	5689	of clerk of the supreme court.....	374
certificate of officer, form, return... 5689		— powers	377
how used on trial, objections.....	5690	of surveyor general, appointment... 2396	
effect of informalities and defects, waiver of objections, motion to suppress	5691	— by whom recommended.....	2410
		of public examiner.....	422, 423
		of inspector of illuminating oils....	446
		— duties	440, 451
		of insurance commissioner.....	3146
		of steam-boiler inspector.....	494
		of county auditor.....	715
		of register of deeds.....	771, 775
		of sheriff	796
		— compensation	799

MINNESOTA STATUTES 1894

2218

DEPUTY—DEVEISEES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DEPUTY—Cont'd,		DESCENT AND DISTRIBUTION—	
of coroner.....	854, 855	Cont'd,	
of clerk of court.....	859, 860	— contribution	5920
of assessor	1539	— actions against next of kin or leg-	
of county treasurer.....	1564	atees for debts, costs.....	5922
— failure to pay over money col-		— judgment against next of kin or	
lected, proceedings against.....	748	legatees, discharge.....	5923
of town clerk, appointment and oath	982	— liability of heirs and devisees....	
of one appointed to examine into ques-		5924, 5926, 5927, 5933-5940	
tion of assessments.....	1635	— proceedings to enforce liability of	
power to appoint woman as.....	890	heirs, etc.....	5929, 5930
DESCENT AND DISTRIBUTION,		— liability of estate of deceased	
(see "Estates"; "Executors and Ad-		heirs, etc	5931
ministrators"; "Wills.")		— contribution among heirs, etc....	
repeal of statute, c. 46, p. 1258, c. 51,		5923, 5932	
p. 1258.		— priority of debts.....	5933
descent in general.....	4469	— provisions with regard to liability	
issue, meaning of term.....	255	for and payment of.....	5934-5937
homestead	4470	— liability of property aliened by	
of land other than homestead, statute		heir	5939
of descent.....	4471	rights and liabilities of child born aft-	
surviving spouse entitled to one-third	4471	er making of will.....	5945
election and renunciation by husband		rights and liabilities of witness to	
or wife	4472	wills	5946
failure of heirs, escheat to state (par.		rights of adopted child.....	8021
9)	4471	distribution of estate of adopted child	8023
posthumous child, right to share in es-		application to change name and make	
tate	4446	person heir at law.....	8025, 8026
— from what estate provision to be		DESIGNS,	
taken	4448	for new capitol building, rules govern-	
child omitted from will by accident,		ing competition.....	502
share in estate.....	4447	DETECTIVES,	
— from what estate provision to be		employment of peace officers, private	
taken	4448	detectives, nonresidents	6958
illegitimate child as heir, legitimation		nonresidents acting as peace officers,	
and adoption.....	4473	penalty for swearing in.....	6959
of estate of illegitimate child.....	4474	private detective office, letting out	
degrees of kindred, how computed;		armed force for hire.....	6960
rights of kindred of half blood.....	4475	— penalty	6961
"right of representation," posthumous		municipal detectives, none but resi-	
children	4476	dents and legal voters to be employ-	
allowance to surviving spouse and		ed, exception	6960
children	4477	employment of nonresidents, etc., pen-	
personal estate, how distributed.....	4477	alty	6961
advancements, construction.....	4645-4648	live-stock detectives, term of commis-	
— value of, how estimated.....	4649	sion, appointment of detectives....	7954
— death of heir before descent.....	4650	— powers to remove and transport	
— determination of question at final		stolen animals.....	7955
settlement by executors, etc.....	4651	— of other states authorized to act	
— determination of proportion to be		in Minnesota, when.....	7952
received by persons advanced.....	4652	— commission and bond to be filed	
— gift under power, when deemed		with secretary of state, certificate..	7953
advancement	4353	DEVEISEES,	
debts of decedent or testator, liability		(see "Wills.")	
of next of kin.....	5918, 5919	liability for debts of testator.....	
— liability of legatees.....	5921, 5927	5924, 5926, 5931, 5940-5943	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DEVISEES—DISSECTION.

2219

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DEVISEES—Cont'd,		DISMISSAL—Cont'd,	
— contribution	5928, 5932, 5933	— voluntary, not allowed where provisional remedy has been allowed or counterclaim made or affirmative relief demanded (par. 1) ..	5408
— proceedings against	5929, 5930, 5944	— for refusal to secure costs ..	4965, 5519
— provisions with regard to liability for and payment of	5934—5937	— award of costs and enforcement thereof	5023
false personation of	6410	— to foreclose mortgage for installments overdue	6069
DEVISES AND LEGACIES	4423—4468	— before justice of the peace	4976
(see "Wills.")		of appeal	6137
DIPHTHERIA,		— from justice	5076
(see "Health.")		of prosecution	6278, 6279, 6281
duties of local boards of health	1463	of appeal or error in criminal cases ..	7304
DIRECTORS,		DISORDERLY CONDUCT,	
(see "Banks and Banking"; "Corporations.")		at election	85
term defined	6766	before legislature, contempt	227
of public institutions, duties as to bonds of treasurers	529	power of common council (par. 16) ..	1085
DISBARMENT,		prevention in villages (par. 3)	1290
of attorneys	6197—6209	— suppression by peace officers ..	1294
(see "Attorneys and Counselors.")		on grounds of camp meetings, etc., prohibition	2947
DISBURSEMENTS,		discharging firearms, etc., in public places	6661
allowance to prevailing party ..	5497—5520	fighting in public places, penalty ..	6938
(see "Costs.")		use of abusive or obscene language ..	6940
DISCHARGE,		in railway cars and public conveyances	6941—6945
(see "Judgment"; "Release.")		near camp meeting	6970
of national guardsmen	1725	DISORDERLY HOUSES,	
of person committed in bastardy proceedings	2046	(see "Bawdy Houses.")	
of lien on logs	2433	power of common council to suppress (par. 3)	1085
of mortgages on record	4196	public nuisance	1088
— refusal of mortgagee, action	4197	suppression in villages (par. 3)	1299
DISCLAIMER,		jurisdiction of justices	5093
in action to determine adverse claims to land, effect	5819	keeping or letting premises for purposes of, a misdemeanor	6575
DISCONTINUANCE,		DISORGANIZED TOWNS,	
of proceedings to condemn land for village use	1244	disposal of funds, books, and records; acting town clerk	966
effect of vacancy or change in office of judge	4846	DISSECTION,	
DISCOVERY,		right to dissect dead body	6559, 6561
inspection of documents by court, refusal to permit, exclusion as evidence	5750	unlawful dissection, misdemeanor ..	6562
in replevin as to property not found ..	284	remains must be buried after dissection	6563
refusal to furnish certificate in attachment	294	body-stealing	6564
DISMISSAL,		delivery of corpses by penitentiaries, poorhouses, coroner, etc	8031
of action, when allowed	5408	remains to be buried, penalty for neglect	8032
— for nonappearance of plaintiff (par. 4)	5408	to be within state, penalty for violation	8033
— for abandonment or failure to establish claim (par. 3)	5408	unlawful removal, etc., of body, penalty	8034
— second dismissal in same action (par. 1)	5408		

MINNESOTA STATUTES 1894

2220

DISSOLUTION—DISTRICT COURTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DISSOLUTION,		DISTRICT COURTS—Cont'd,	
of limited partnership, notice, recording and publication.....	2350	report by shorthand reporter, transcript of notes, approval by judge, effect	4830
of attachment.....	5064	counties attached to others for judicial purposes, enumeration of such counties	4943
of injunction (see "Injunction").		— title of court, duties of officers of counties where court is held.....	4944
DISTILLERIES,		— drawing of jurors.....	4945
regulation by cities (par. 5).....	1085	— pending proceedings not affected by changing title of court.....	4946
DISTRESS,		— change of place of holding court from one county to another.....	4947
for rent, remedy abolished.....	5872	— vacancy in office of clerk, how filled after change.....	4948
DISTRIBUTION OF ESTATE....	4632-4664	— in what jail prisoners to be confined	4949
(see "Descent and Distribution"; "Executors and Administrators.")		— expenses of criminal proceedings charged to what county.....	4950
DISTRICT,		— county commissioners of county where court is holden to act where other county has no commissioners	4951
definition of, for the purpose of taxation	1511	— appointment of clerk of court when county is detached.....	4952
election districts (see "Elections").		— pleadings, papers, etc., to be filed with clerk of county to which attached	4953
DISTRICT AND PROSECUTING ATTORNEY,		statute detaching county from another for judicial purposes, duty of secretary of state to notify judge of district court of passage of act.....	4954
(see "County Attorney.")			
DISTRICT COURTS,		JUDGES.	
(see "Courts"; "Judge of District Court.")		salaries of judges.....	531
division of judicial districts....	4891-4911	disqualification of judge from interest, change of venue.....	4838
(see "Judicial Districts.")		judge of one district to act in any other district, designation by governor, power of judge.....	4839
Second district, record of jurors and witnesses to be kept, liability of county for jurors' or witnesses' fees	4860	judge not to practice law; to reside in district	4840
— notices of trial and notes of issue, time of service.....	4861	sickness or absence of judge, judge of same district may hold court.....	4842
— prescribing contents and forms of notes of issue, making up calendar..	4861	inability of judge to hold term, clerk to notify governor, governor to assign other judge.....	4843
— jurors, how drawn.....	4863	vacancy or change in office of judge, not to affect proceedings.....	4846
— recognizances and commitments returnable to said court.....	4864	nonattendance of judge, adjournment	4844
— to supersede common pleas court	4865	two judges in First district, application of laws.....	4853
— recognizances, etc., returnable to district court.....	4866	— joint session of judges, division of opinion, prevailing opinion..	4854-4857
Fourth district, grand and petit jurors, when drawn.....	4872	— division of business, separate action	4855
— recognizances and commitments to be made to district court.....	4873		
— to supersede common pleas, Hennepin county.....	4874		
— recognizances, etc., returnable to district court.....	4875		
— judge and clerk of common pleas	4876		
docketing transcript of justice's judgment	5026		
effect of filing transcript of justice's judgment in.....	5027		
certificate of conviction before justice of the peace filed in district court..	5119		
case certified from justice.....	4991		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DISTRICT COURTS.

2221

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DISTRICT COURTS—Cont'd,		DISTRICT COURTS—Cont'd,	
four judges in Second district, application of law.....	4856	enforcing orders of state board of health	1496
— joint session.....	4857	certifying tax cases to supreme court	1589
— division of business.....	4858	approval of bond to stay proceedings when becomes trustee of fund of cemetery association.....	1589 3115
number of judges in Second district increased	4859	when to act as trustee of cemetery association's funds	3128
merger of common pleas in Second judicial district, judges to receive compensation as district judges...	4867	power to alter or vacate cemeteries..	3135
six judges in Fourth district, application of laws.....	4868	commitment of infants to reform school	3525
— joint session, division of opinion, prevailing opinion.....	4869	original jurisdiction, jurisdictional amount, crimes and misdemeanors	4833
— division of business.....	4870	concurrent jurisdiction with Wisconsin on Mississippi, St. Croix, and St. Louis rivers.....	4835, 4836
two judges in Seventh district, application of laws.....	4878	power to pass title to land by judgment	5864
— joint session, division of opinion, prevailing opinion	4879	jurisdiction to issue mandamus.....	5985
— division of business, power of each judge	4880	— in mandamus, trial of issues of fact	5986
three judges in Eleventh district, application of laws.....	4881	application for habeas corpus.....	5996
— joint session of judges, division of opinion, prevailing opinion.....	4882	jurisdiction of actions against boats and vessels.....	6086-6098
— division of business.....	4883	— to change names of persons.....	8025
— designation of judges, residence, election	4884	report to, of unpaid assessments for local improvements.....	1131
Fourteenth district, duties of judge of Eleventh district.....	4885	— application to.....	1166
OFFICERS.		in proceedings to assess for local improvements	1170
direction to sheriff to furnish deputies	798	— appeal from	1171
shorthand reporters, appointment, duties	4887	jurisdiction to lay out roads in more than one county.....	1888
— oath and duties, removal.....	4888	— and roads in more than one judicial district.....	1892
— compensation and fees.....	4890	duties in proceedings by one railroad company to take property of another for crossings.....	2647
JURISDICTION AND POWERS.		original equity jurisdiction.....	4834
power to enforce obedience to subpoena issued by railroad and warehouse commission (par. c).....	391	power in suits instituted by attorney general against carrier (par. b)....	393
— upon entertaining controversy over orders of railroad and warehouse commission.....	393 (par. d), 399	power with regard to granting right to use safety appliances at crossing of one railroad by another.....	2706
— to appoint counsel to represent county	811	proceedings by railroad company to obtain right to abandon road.....	2756
appointment of attorney to assist county attorney.....	813	dissolution of corporations at instance of stockholders	3430
papers transmitted to, by coroner...	851	powers with reference to affairs of dissolved corporation.....	3432, 3433
powers with reference to moneys paid into court.....	856	restraining unlawful exercise of corporate powers.....	5893, 5894
jurisdiction to vacate streets in villages	1356	power over officers of corporation...	5895, 5896
assignment of locality for pursuing certain trades, revocation.....	1494	crimes and misdemeanors.....	4833

MINNESOTA STATUTES 1894

2222

DISTRICT COURTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DISTRICT COURTS—Cont'd,		DISTRICT COURTS—Cont'd,	
certifying questions of law to supreme court in criminal cases..	7395-7397	terms, notice of, publication and posting	4850
removal of notary from office.....	2277	temporary place of holding court....	4851
powers with regard to trustees of funds of cemetery association.....	3115	Fourth district terms of court.....	4871
		terms in counties where no general term is provided for, power of judge	4942
APPELLATE JURISDICTION.		— Tenth district, Freeborn county, adjourned and special terms.....	4933
appeals from justices (see "Appeal").		always open for business, special terms, decision filed out of term...	5388
appeals from probate and justices' courts	4833	expiration of term before conclusion of trial, finishing after term.....	5389
appeal from orders of railroad and warehouse commission (par. d)....	393	trials in vacation by consent of parties	5390
— board of health.....	433, 1492		
powers on appeal from orders of board of health.....	1492	<i>general terms.</i>	
appeal from order of factory inspector	2261	in First district.....	4912
— from order relating to location of tollgate	3371	in Second district.....	4862
— from county board on allowance or disallowance of claims, procedure	645	in Third district.....	4913
— in proceedings by city to condemn land (par. 12).....	1107	in Fourth district.....	4914
— in proceedings to vacate streets.	1110	in Fifth district.....	4915
Second district, appeal from justices of the peace.....	4864	in Sixth district.....	4916
Fourth district, appeal from justices of the peace.....	4873	in Seventh district.....	4917
		— judge may order jury to appear at second day of term.....	4917a
PROCESS.		— writs, etc., when returnable....	4917b
power to issue writs.....	4837	acts repealed	4917c
special venires for jurors.....	4852	— Stearns county, terms adjourned from St. Cloud to Sauk Centre....	4918
process to be tested in name of presiding judge.....	4847	— jurors, notice of adjournment....	4919
— sealed, when returnable	4848	— mileage of jurors on adjournment	4920
— indorsed with name of attorney or person demanding process.....	4849	— witnesses, mileage on adjournment	4921
— how issued and tested, in First district	4854	officers, mileage on adjournment....	4922
— in Second district.....	4857	— court room to be furnished by Sauk Centre on adjournment.....	4923
— in Fourth district.....	4869	— Otter Tail county, terms adjourned from Fergus Falls to Perham..	4924
— in Seventh district.....	4879	— directing jurors to attend at Perham	4925
— in Eleventh district.....	4882	— jurors, mileage on adjournment..	4926
		— witnesses, mileage on adjournment	4927
TERMS AND PLACE OF HOLDING COURT.		— officers, mileage on adjournment	4928
always in session for certain purposes	394 (par. b), 399	— court room to be furnished by Perham on adjournment.....	4929
not to be open on Sunday, exception.	4841	in Eighth district.....	4930, 4931
nonattendance of judge, adjournment from day to day, adjournment of term	4844	in Ninth district.....	4932
omission to hold term, persons bound by recognizance or otherwise to appear at next term.....	4845	in Tenth district.....	4933
adjournments during term, appointment of adjourned and special		in Eleventh district.....	4934
		— in Lake county in Eleventh district	4936
		in Twelfth district.....	4937
		in Thirteenth district.....	4938
		in Fourteenth district.....	4939

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DISTRICT COURTS—DOORKEEPERS.

2223

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DISTRICT COURTS—Cont'd,		DIVORCE—Cont'd,	
in Fifteenth district.....	4940	provision as to support of wife and children	4806, 4807
in Sixteenth district.....	4941	appointment of trustee of alimony... ..	4806
RULES.		permanent alimony.....	4807, 4810
rules of practice, adoption, annual meeting of judges.....	4886	right of wife to dower.....	4808
DISTURBANCE OF ASSEMBLAGE,		revision of decree for alimony or other allowance.....	4809
misdemeanor	6644	security for payment of alimony.....	4810
DISTURBANCE OF RELIGIOUS WORSHIP,		enforcing payment of alimony.....	4810
misdemeanor	6521	remarriage of divorced persons.....	4811
definition of offense.....	6522	cohabiting after divorce.....	4812
DISTURBANCE OF SCHOOLS,		effect of order of divorce.....	4813
misdemeanor, punishment, excepting pupils of school.....	6939	change of name of wife.....	4813
DITCHES,		conveyance of land after divorce....	5532
(see "Drainage.")		action for separate maintenance (see "Husband and Wife").	
lien for construction or repair.....	6230	DOCKET,	
defined	7821	(see "Practice.")	
DIVIDENDS,		kept by clerk of court.....	861
of savings banks.....	2568	of justice of the peace.....	
DIVORCE,		4961, 4962, 4979, 4991, 5017, 5033	5033
separate maintenance (see "Husband and Wife").		docketing of judgments, transcripts, liens	5425
grounds	4790	of transcripts of judgments of United States courts.....	5428
from convict, effect of pardon.....	4791	DOCKS,	
when refused, although grounds are established	4793	establishment and regulation in villages (par. 44).....	1299
venue	4790	DOCUMENTS,	
residence of complainant.....	4792	(see "Deeds"; "Public Documents.")	
manner of bringing action.....	4794	public documents, how printed.....	265
action in name of wife.....	4794	(see "Evidence.")	
requisites of complaint.....	4795	documentary evidence, and the preservation thereof.....	5720-5734
service of summons and complaint... ..	4796	DODGE COUNTY,	
— proof of service out of state.....	4796	boundaries	557
service of process by publication.....	5204	DOGS,	
time for answering complaint.....	4797	(see "Animals.")	
proceedings on failure to answer... ..	4798	regulation of, by cities (par. 9).....	1085
proceedings on issue joined.....	4798	— in villages. .1224 (par. 12), 1299 (par. 9)	
reference	4798, 5391 (par. 3)	injury to sheep, etc., liability.....	6882
costs	4799	— penalty for keeping, disposition of fine.....	6883
sufficiency of proof.....	5769	— right to kill dog.....	6884
defendant not personally served, right to open judgment.....	5206	declared personal property.....	6904
power to vacate or modify judgment	5267	DOMICILE,	
alimony pending suit.....	4799	(see "Divorce"; "Elections"; "Home-stead.")	
protection of wife pending suit.....	4800	of electors, rules for determining.....	66
care and custody of children pending suit	4801	identification of voter.....	112
orders made pending.....	4801	of poor person.....	1954, 1977
provision as to children on granting..	4802	DOORKEEPERS,	
revision of order concerning children	4803	of legislature, appointment and compensation	223, 224
disposition of wife's land.....	4804		
provision as to property on granting..	4805		

MINNESOTA STATUTES 1894

2224

DOUGLAS COUNTY—DRAINAGE AND DRAINAGE DISTRICTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DOUGLAS COUNTY,		DRAINAGE AND DRAINAGE DIS-	
boundaries	558	TRICTS—Cont'd,	
county officers, place of holding office	678	COUNTY DRAINS AND PROCEEDINGS TO	
DOWER,		ESTABLISH.	
(see "Curtesy.")		power of county commissioners..	7793-7796
repeal of statute (see c. 48).		drainage of shallow or grassy lakes..	7792
rights after divorce.....	4808	effect of order of county commissioners	7823
proceedings to bar	5535	repair of drains	7816
release of, separate examination of		— assessments for	7816
wife	5651	liability of town supervisors for neg-	
effect of judgment in action for parti-		lect of duty.....	7816
tion	5777, 5778, 5786	transfer from revenue fund to drain-	
proceedings and decree in action for		age fund	7809
partition	5786, 5792-5798	<i>proceedings to have county board establish</i>	
release in partition proceedings.....	5799	<i>drains, etc.</i>	
investment of proceeds of sale in parti-		proceedings	7794-7797, 7821
tion proceedings.....	5807-5809	bond accompanying petition	7791
action for recovery, necessity of show-		service of orders.....	7818
ing that defendant claims adversely	5843	appointment of viewers.....	7794
liability for waste.....	5882	survey of proposed work.....	7795
penalty for waste	5883	powers and duties of viewers... ..	7795-7799
DRAINAGE AND DRAINAGE DIS-		power of majority of viewers.....	7820
TRICTS,		report of viewers.....	7795, 7796, 7799
rights of owner adjoining railroad... ..	2697	time for filing report of viewers.....	7799
of meandered lakes forbidden..	6878, 6879	statement of benefits and damages... ..	7796
provisions with regard to laying out		assessment of benefits by viewers... ..	7797
or establishment of drains by town		rules for locating ditch.....	7798
supervisors	7840-7847	hearing of persons interested.....	7798
— payment of damages before con-		adjournment by viewers	7799
struction	7847	notice of hearing on report of viewers	7800
opening water courses in Red River		hearing and decision of commission-	
valley	7848-7852	ers on report of viewers.....	7801
repair of drains.....	7816	appeal	7803
— assessments for	7816	consolidation of appeals.....	7804
lien for construction or repair.....	6230	judgment on appeal.....	7804
injury to, or hindering construction		fees of sheriff	7818
of, drains, etc.....	7784	proceedings begun under Laws 1883..	7824
— criminal liability.....	6780	<i>construction of drains by county.</i>	
obstruction of drain or diverting		"ditch" defined.....	7821
water therefrom, penalty.....	7817	construction and contract therefor... ..	7805-7808
DRAINAGE OF PUBLIC HIGHWAYS.		bond taken from contractor.....	7805
affidavit of overseer, notice of meet-		extension of time to contractor.....	7807
ing of supervisors.....	1907	disposal of earth taken from ditch... ..	7798
publication of notice.....	1908	fees of county surveyor.....	7808
examination, hearing, and assessment		acceptance of work and payment	
of damages.....	1909	therefor	7808
order laying out and opening ditch-		damages and payment thereof..	7802, 7836
es, etc.....	1910	compensation of persons injured.....	7837
appeal from order, proceedings in dis-		payment of cost in excess of benefits	7838
trict court.....	1911	bonds to pay for.....	7809
overseer of highways to keep ditches		statement by county auditor after let-	
open	1912	ting contract	7810, 7811
penalty for obstructing ditches.....	1913	compensation for services connected	
payment of damages for land taken..	1914	with	7819

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DRAINAGE AND DRAINAGE DISTRICTS.

2225

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
DRAINAGE AND DRAINAGE DISTRICTS—Cont'd,	
drainage proceedings set aside, effect as to warrant for payment of damages	7802
effect of record of order of county commissioners	7839
interpretation of statute	7822
<i>assessments and reassessments.</i>	
assessment of benefits7797, 7810, 7811	7811
lien of assessment.....7811, 7832	7832
interest on assessments.....7812, 7833	7833
discharge of lien of.....7813, 7834	7834
collection of assessments.....7813, 7834	7834
payment of assessments.....7813, 7834	7834
penalty for delay in paying....7813, 7834	7834
who liable for	7814, 7827
collection from towns and railroads..	7815
assessment of benefits to highways and railroads	7826
collection from towns and villages... 7835	7835
reassessments	7825-7832
— statement by auditor.....7832	7832
— appeal	7830, 7831
— payment of expenses..... 7838	7838
— compensation of officers..... 7838	7838
limit as to amount of benefits assessed	7838
DRAINAGE DISTRICTS.	
formation	7741
treasurer, county treasurer to act as — compensation	7744
— bonds and duties of..... 7744	7744
deposit of funds of..... 7744	7744
audit and allowance of claims against	7743-7745, 7768
books, stationery, etc., furnished at expense of county..... 7746	7746
estimate of expenses of district..... 7777	7777
enlargement of drains or embankments	7782
location of drains along highways, and in connection with highway drains	7757
connection with private drains..... 7775	7775
liability of, for negligence..... 7786	7786
construction of act relating to..... 7788	7788
<i>drainage commissioners.</i>	
county commissioners to act as..... 7742	7742
corporate name..... 7742	7742
compensation	7742
powers and duties..... 7742	7742
power of majority..... 7783	7783
chairman of..... 7742	7742
county auditor to act as clerk of..... 7743	7743

	Sec.
DRAINAGE AND DRAINAGE DISTRICTS—Cont'd,	
compensation of clerk of..... 7743	7743
powers and duties of clerk of..... 7743	7743
claims audited and allowed by..... 7743-7745, 7768	7743-7745, 7768
<i>proceedings to obtain right to form subdistrict and to establish drains or embankments.</i>	
proceedings	7747-7752, 7763-7765
petition	7747
signing of petition by corporation.... 7789	7789
bond accompanying petition..... 7747	7747
evidence of facts averred..... 7749	7749
appointment of viewers..... 7750	7750
qualification of viewers..... 7761	7761
surveys	7750-7752, 7761
preliminary estimates..... 7750, 7752	7750, 7752
survey of proposed work..... 7750, 7752	7750, 7752
powers and duties of viewers..... 7750-7752, 7761	7750-7752, 7761
power of majority of viewers..... 7761	7761
power of viewers to permit additional signatures to petition..... 7751	7751
power of viewers to prescribe boundaries of proposed districts..... 7751	7751
statement of benefits and damage... 7752	7752
marking out line of proposed work.. 7752	7752
estimation of damages and adding to cost of proposed work..... 7756	7756
assessments by viewers..... 7758	7758
report of viewers..... 7758, 7760	7758, 7760
report as to damages..... 7759	7759
work extending into more than one county	7761
notice of meeting of drainage commissioners to act on report of viewers.. 7762, 7763	7762, 7763
meeting of drainage commissioners to act on report of viewers... 7762, 7763	7762, 7763
proceedings on coming in of report of viewers	7763
decision of drainage commissioners on report	7764
appeal	7765-7767
costs of appeal..... 7767	7767
compensation of engineer..... 7768	7768
compensation of viewers..... 7768	7768
<i>subdistricts and construction of drains, etc.</i>	
subdistricts extending into more than one county..... 7785	7785
effect of order organizing subdistrict. 7788	7788
supervisors of subdistricts. 7769, 7770, 7772	7769, 7770, 7772
— powers and duties of. 7769, 7770, 7773	7769, 7770, 7773
— report by..... 7776	7776
— term of office of..... 7771, 7772	7771, 7772

MINNESOTA STATUTES 1894

2226

DRAINAGE AND DRAINAGE DISTRICTS—DRUGS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
DRAINAGE AND DRAINAGE DISTRICTS—Cont'd,		DRUGGISTS—Cont'd,	
supervisors of subdistricts, removal of construction of drain, and contracts therefor.....	7772	— omission of poison label, misdemeanor	6623
— payment of contractors.....	7774	— omission of poison label, penalty for violation.....	7935
— duties of engineer.....	7774	— failure to ascertain purpose of use, penalty	7935
— estimate of cost of work ordered to be done.....	7780	medical prescription not to be prepared except by qualified pharmacist, penalty for violation.....	6624
damages arising from construction of drains and payment thereof.....	7759	unauthorized practice of pharmacy unlawful	7922
commissioners, viewers, etc., not to be interested in contracts.....	7791	registration of practitioners.....	7928
effect of certain persons having interest in contracts.....	7791	qualifications for registration, prior registration valid.....	7923
<i>assessments and liability therefor.</i>		"graduates in pharmacy" defined....	7924
assessments by districts and collection of.....	7777-7779	license of foreign pharmacists, assistant's certificates.....	7925
— subdistricts extending into more than one county.....	7785	state board of pharmacy, appointment, term, vacancies.....	7926
— refusal of county officers to perform duties, remedy.....	7787	— appointment of secretary.....	7941
rule for estimating benefits.....	7753	— meetings, officers, duties, quorum	7927
liability to assessments.....	7753	— salaries and expenses of members, disposition of fees, etc., annual report	7932
assessment of railroad companies and collection of	7754	registered assistants, applicants of seven years' experience to be registered pharmacists.....	7929
highways benefited by drains, liability of county or town.....	7755	fees to be paid to board, return of fee of unsuccessful applicant.....	7930
lien of drainage assessments.....	7788	certificate revocable.....	7930
<i>bonds to pay cost of work.</i>		annual renewal fee.....	7931
issuance and negotiation of.....	7780, 7781	carrying on drug store without registered pharmacist, penalty	7933
lien of bonds.....	7781	carrying on drug store without license; "drugs," "medicines," and "poisons" defined; articles excepted	7933
payment of bonds.....	7781	liability for sale of adulterated drugs, etc., penalty.....	7934
record of bond.....	7781	violations of act, prosecutions, duty of county attorney, costs and disbursements, disposition of fines, etc.	7936
<i>funds.</i>		repeal of acts.....	7937
deposit of.....	7744	forfeiture of membership by nonpayment of dues, etc., renewal of membership	7937
disposition of funds derived from assessments	7779	exemption from jury duty.....	7938
investment	7790	certificate to be displayed in place of business, change of location, notice to secretary of board, change in registration book.....	7939
sinking fund.....	7790	registration obtained by false representation, revocation of license....	7940
DRAYMEN,		DRUGS,	
regulations by cities (par. 11).....	1085	(see "Druggists.")	
DRUGGISTS,		adulteration and sale thereof.....	6625
regulating sale of liquors by.....	2005		
sale of liquor without license, penalty may fill prescriptions without license for sale of liquors.....	2037		
— liquors not to be drank on premises	2036		
omission to label drugs, or labeling them wrongly.....	6620		
sale of poison, failure to record sale, misdemeanor	6621		
— refusal to exhibit record, punishment	6622		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

DRUG STORES—EJECTMENT.

2227

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
DRUG STORES,	
(see "Drugs"; "Druggists.")	
license and regulation in villages	
(par. 1).....	1299
DRUNKENNESS,	
(see "Intoxicating Liquors.")	
intoxicated electors	111
cause for removal from office.....	903
power of common council (par. 16)..	1085
prevention in villages (par. 16)....	1209
commitment of inebriates to asy-	
lum	4694-4698
(see "Inebriates.")	
intoxicated person incompetent as	
witness	5661
effect on crime.....	6304
of persons running trains and boats,	
misdemeanor	6636
a crime, punishment.....	6949
DUELS AND CHALLENGES,	
punishment for dueling.....	6439
"dueling" defined, punishment, per-	
son convicted incapable of holding	
office	6488

	Sec.
DUELS AND CHALLENGES—Cont'd,	
challenger, abettor, etc., punishment	6489
"challenge" defined.....	6490
attempts to induce duel or challenge	6491
posting persons for not fighting or ac-	
cepting challenge, etc.....	6492
duel outside of state.....	6493
— place of indictment and trial,	
plea of conviction or acquittal....	6494
offenders competent as witnesses	
against other offenders, evidence	
not to be received against witness..	6495
DULUTH,	
acquisition by United States of lands	
for federal buildings.....	4119
DUMB, INSTITUTE FOR	3437-3446
DURESS,	
coercing commission of crime..	6306, 6307
compelling woman to marry.....	6528
DYNAMITE,	
regulation in villages (par. 5).....	1299

E.

EDUCATION,	
(see "Colleges"; "Schools"; "Univer-	
sity of Minnesota.")	
of apprentice.....	4755
EDUCATIONAL INSTITUTIONS,	
(see "Colleges"; "Normal School";	
"Schools"; "State Public School";	
"University of Minnesota.")	
approval of bonds of treasurers... 525,	526
exemption from taxation.....	1512
EDUCATION, BOARD OF,	
(see "School Districts.")	
EJECTMENT,	
(see "Real Property.")	
for land taken by railroad company ..	2657-2662
by executor or administrator.....	4497
venue	5182, 5183
service of process on nonresident... 5816	
— appointment of agent to accept	
services	5816
termination of plaintiff's right pend-	
ing suit.....	5844
second trial.....	5845
judgment on second trial.....	5846
ordering of restitution on second	
trial	5846

EJECTMENT—Cont'd,	
damages recoverable.....	5847
allowance for improvements.....	5847
right of defendant to remove build-	
ings and fences.....	5848
right of occupying claimant to reim-	
bursement for improvements.....	5849
allowance of interest.....	5850
verdict or findings of court.....	5850
pleadings	5850
practice relating to determination of	
rights of occupying claimants.....	5850
conditions precedent to recovery of	
possession by successful plaintiff..	5851
judgment against occupying claim-	
ant, refunding purchase money....	5851, 5852, 5856
— payment of value of land by oc-	
cupant	5852
— conditions precedent to execu-	
tion for possession.....	5852
— right to remove crops.....	5854
"improvements" defined.....	5853
order for survey of property.....	5859
presumption of good faith of occu-	
pant	5859
survey of property.....	5860
alienation by defendant pending suit	5863

MINNESOTA STATUTES 1894

2228

ELECTION—ELECTIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ELECTION,		ELECTIONS—Cont'd,	
by widow (see "Wills").		when to be divided.....	8
ELECTION DISTRICTS,		map of divided election districts to be	
(see "Elections.")		made for public inspection.....	9
ELECTIONS,		new districts, formation of.....	10
(see "Legislature"; "Members of		list of new districts, etc., to be pub-	
Congress"; "United States Sena-		lished	11
tor"; "Voters.")		elector to vote in district of residence,	
presidential electors, state officers,		removal	98
county officers, judges of the su-		establishment of election districts in	
preme and district courts, mem-		unorganized counties.....	692
bers of legislature, and representa-		duties of county commissioners.....	693
tives in congress to be elected at		in cities, city elections.....	1054
general election.....	6	at village elections	1280
election day to be a half holiday....	12	right of village to become.....	1209
uniform blanks and copies of law to		town constitutes district.....	1027
be provided.....	14		
"vacancy in office" defined.....	18	ELECTION OFFICERS.	
instructions to be furnished to voters		judges in cities and villages, appoint-	
copies of questions to be submitted to		ment	56
electors to be printed, posted, and		— method of selecting from party	
distributed	20	lists	58
no liquors to be given away, or sa-		— selection by electors.....	59
loons opened, on election day....	22	— oath of.....	59
closing saloons on election day, pro-		— duties.....	100
clamation	23	— must be in public view.....	97
penalty for bringing spirituous liqu-		— appointment by county commis-	
ors to polling places.....	21	sioners	693
special constables to preserve order,		— at election of village officers.....	1216
swearing in private citizens by		— special judges, powers and duties	150
judges of election.....	84	— special judges, qualification and	
disorderly person to be arrested, but		pay	151
not prevented from voting	85	— special judges, at general election	
judges and ballot boxes in public view	97	only	152
expenses, apportionment between		ballot judge in cities of over 12,000...	144
townships, cities, and villages, and		— in smaller cities and towns.....	145
determination of disputes.....	163	— duties.....	146
state elections, construction of gen-		— qualification and pay.....	151
eral election law, effect on terms of		— at general elections only.....	152
city officials.....	203	clerks in cities and villages, appoint-	
general election law, application,		ment	56
township and village elections ex-		— eligibility and qualification.....	57
cepted	204	— appointment of substitute clerk..	59
Laws 1891, c. 4, repealed.....	205	— oath of.....	59
evidence of result.....	2775	— substitute and record of change..	93
		— special clerks, powers and duties..	150
NOMINATIONS AND CERTIFICATES THEREOF.		— special clerks, qualification and	
nomination by an assembly, certificate		pay	151
to be filed.....	36	— special clerks, at general election	
certificate of nomination, what to		only	152
contain	37	ballot clerk in cities of over 12,000...	144
— how authenticated.....	38	— in smaller cities and towns.....	145
"convention of delegates" defined...	39	— duties.....	146
		— qualification and pay.....	151
ELECTION DISTRICTS.		— at general election only.....	152
not to contain more than 400 male		gatekeepers, appointment and duties..	92
electors	8		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ELECTIONS.

2229

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ELECTIONS—Cont'd,	
board of election, compensation.....	163
special constables.....	84
special inspectors of election to change county boundaries.....	625
failure of duty or misconduct of elec- tion officers, penalty.....	164
REGISTRATION, REGISTERS AND POLL LISTS.	
necessity for registration to entitle elector to vote, exceptions	75
when registered elector may not vote..	65
when unregistered elector may vote..	65
form and contents of lists	59
how list of electors made, posting and correction	60
form of oath in cities of less than 12,000	61
comparison of registers.....	62
duplicate registers.....	63
in cities; population of cities, how de- termined	64
rules for determining residence of electors	66
in cities of over 12,000.....	67
board of registration, first meeting, preserving order and filling vacan- cies	67
in cities of between 12,000 and 40,000..	68
entries in register from poll list, ap- pearance in person, and affidavit... ..	68
form of registry oath of absent person	68
removal from another election dis- trict, certificate.....	69
of absent person from district of for- mer residence, certificate.....	69
removal within district.....	69
affidavit of absent person and certifi- cate of removal, where deposited... ..	70
in cities of over 40,000 entries, how made	71
form of oath in cities of over 12,000... ..	72
questions, entries in registers, name between lines, comparison at end of first day, form of certificate, where deposited	72
second meeting of board of registra- tion in cities of 12,000, duties, post- ing list and notice of next meeting..	73
third meeting of board of registration, fourth meeting in certain cities, du- ties, erasure of names, final posting	74
penalty for registering in more than one district.....	76
— falsely personating registered voter	76

	Sec.
ELECTIONS—Cont'd,	
— false swearing before board of registration	76
registers, when and how obtained....	86
poll lists, how kept.....	124
entries in poll lists.....	125
form of certificate attached to poll list of women at election of county super- intendent of schools.....	127
NOTICE.	
of officers to be elected, to whom sent..	13
posting of notices; when, where, and by whom	51
of city election	1060
of election of city officers.....	1047
— on question of issuing municipal bonds	1096
— to determine as to incorporation of villages.....	1202, 1203
— on question of changing county boundaries, etc.....	624
— on question of changing county seat	649
— on question of changing county seat, effect of failure to give.....	655
— to change system of caring for the poor.....	1985
— on question of granting municipal aid to railroads.....	2775
— on question of furnishing munic- pal aid to canal or waterway com- pany (par. 1).....	1445
— of officers in national guard....	1721
of special village election.....	1283
CONDUCT OF ELECTION.	
time of opening and closing polls.....	78
adjournment after opening polls, tem- porary recess.....	78
opening of polls and posting notice of hour of closing.....	90
closing polls, proclamation by judges, standard time.....	126
city elections.....	1054
village elections.....	1216
on election on question of changing county seat.....	649
POLLING PLACES.	
place of holding election.....	52
designation of.....	53
— where township is divided into districts, and posting notice thereof	54
restrictions as to location.....	79
duty of judges to change, when.....	80
notice of change to be given.....	81

MINNESOTA STATUTES 1894

2230

ELECTIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ELECTIONS—Cont'd,		ELECTIONS—Cont'd,	
ballot boxes and booths, number and requisites	82	handing ballots to voters.....	104
separate space for judges in booth, entrance and exit.....	83	marking and folding ballots, rules therefor	105
persons not allowed within voting space, exceptions.....	96	reception and deposit of ballot.....	106
access to polling room, who allowed about entrance.....	99	spoiling ballots; number, preservation and accounting for.....	107
at village election.....	1280	marked ballots not to be shown.....	110
		how ballots torn off; unused ballots, preservation and return.....	123
BALLOT BOXES.		at city elections.....	1053
number and requisites.....	82	at election on question of issuing municipal bonds	1096
separate boxes for women at school elections	5, 82, 3666	— to determine as to incorporation of village	1204
boxes must be in public view.....	97	— to determine construction of improvements in village.....	1234
delivery of ballots and boxes to judges — by special messenger.....	87	— on question of granting municipal aid to railroads.....	2775
opening and locking boxes before opening of polls	90	— on question of furnishing municipal aid to canal or waterway company	1445
locking and sealing boxes after canvass	153	— on question of changing county boundaries, etc.....	624
delivery of boxes after canvass, placing additional seals thereon.....	154	— on question of changing county seat	649
		delivery of ballots and boxes to judges	86
BALLOTS.		— by special messenger.....	87
printed ballot only method of voting..	24	VOTING.	
white ballots, what to contain.....	25	number of electors admitted at one time	97
— furnishing and distributing.....	25	manner of voting.....	101
red ballots, what to contain.....	26	inability of voter to understand English, interpreter, marker of ballot..	108
— furnishing and distributing.....	26	inability of voter to read, or physical disability	108
blue ballots, what to contain.....	27	method of voting by person unable to enter polling place	109
— furnishing and distributing.....	27	voter not to divulge how he votes...	110
number of ballots to be furnished each polling place.....	28	intoxicated electors not to be assisted in marking ballot.....	111
how ballots to be printed.....	29	elector to state his residence, refusal identification of voter	112
description of white ballot.....	30	penalty for persuading voter.....	113
other ballots prepared as white ballots, exceptions	31	elector entitled to leave employment to vote, application therefor, penalty for refusal	114
indorsement on back of ballot.....	32	cards with register entries for electors, ballot cards.....	147
ballot when constitutional amendments, etc., are submitted.....	33	ballot register, form of statement attached thereto	148
what names shall appear on ballot..	34	CHALLENGES.	
preparation, deposit, and canvass of ballots by women for county superintendent of schools.....	4	challenged person to be questioned, refusal to answer.....	102
separate ballot for women at school election	3666		
substitute ballots	88		
unofficial ballots	89		
initials of judges on ballots.....	94		
distribution, unofficial ballot not to be voted	95		
penalty for misprint or unauthorized removal of ballots.....	35, 95		
ballot, time for preparing.....	98		
sample ballots	104		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ELECTIONS.

2231

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ELECTIONS—Cont'd,		ELECTIONS—Cont'd,	
identification of voter by witness....	103	time to file returns, failure a misdemeanor	160
form of oath, refusal to take oath, penalty for false swearing.....	103	delivery of returns and ballot boxes in larger cities, limit of time, violation a misdemeanor.....	161
challenge of voter before deposit of ballot	106	carrying ballots and returns, compensation therefor.....	162
challenge of elector unable to enter polling place.....	109	failure of judges to make returns, sending special messenger to obtain returns.....	166
challengers of voters allowed in voting room.....	91	compensation of special messenger to obtain returns.....	166
challenges at town meetings.....	936	refusal to receive returns.....	167
CANVASS.		locking and sealing ballot boxes after canvass	153
canvass of returns on constitutional amendment	1	delivery of ballot boxes after canvass, placing additional seals thereon....	154
of ballots by women for superintendent of schools.....	4	canvassing boards, duty in case of informalities in returns.....	168
statement of votes, where sent.....	16	county canvassing board, canvass of election returns.....	169
canvass of votes to be public and continuous	128	— quorum, separate statements.....	170
order in which different ballots to be canvassed	129	— duplicate copy of statements, how forwarded, indorsement.....	171
method of beginning canvass, ballots folded together, excess of ballots..	130	— declaration of election, notice of appeal	172
excess of ballots not to produce excess of votes.....	131	— statement of votes by certified copies furnished by county auditor...	173
ballots in wrong box, when counted ballots not counted returned separately	132	certificates to be made out by county auditor to county officers and members of legislature.....	173
counting and numbering ballots, entry in tally books.....	134	statement of votes in county not constituting senatorial or representative district	174
tally books, number and distribution county and city tally books similar..	136	certificates in senatorial district.....	175
tally sheets, how prepared and number furnished.....	137	canvass of returns in senatorial district	175
substitute tally sheets.....	138	— correction of statements.....	176
memoranda to be kept.....	139	compensation of canvassing board...	177
manner of marking tally sheets....	140	state canvassing board, date of meeting, compensation.....	178
counting ballots, rules to determine intent of voter	141	— statement of number of votes....	179
defective ballots, return and stringing announcement of result.....	142	— statement of votes for members of congress and presidential electors, tie decided by law or by special election	180
— stringing ballots.....	143	tie vote for members of congress and presidential electors, how determined	180
order of canvass, watchers.....	149	in city elections.....	1054, 1056
ballot judge and ballot clerks in cities of over 12,000.....	144	election on question of issuing municipal bonds.....	1096
— in smaller cities and towns.....	145	election to change county boundaries, etc.	626
— duties	146	— return to secretary of state.....	627
filing poll lists and registers, right to inspect	155		
return, form, preliminary statement sealing and form of indorsement of returns	157		
delivery of returns.....	158		
returns in unorganized counties.....	159		

MINNESOTA STATUTES 1894

2232

ELECTIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ELECTIONS—Cont'd,		ELECTIONS—Cont'd,	
election to change boundaries, procla-		of officers in national guard, how or-	
mations	628	dered, notice.....	1721
election to change county seat.....	649	— who to preside.....	1722
election on question of granting mun-		— vote by ballot, majority vote....	1723
icipal aid to railroads.....	2775	of board of directors of manufactur-	
election on question of furnishing mun-		ing company.....	2809, 2810
icipal aid to canal or water-way		of trustees of religious societies.....	
company (par. 2).....	1445		3022-3025, 3034
THE VOTE.		<i>legislature.</i>	
for members of congress and presi-		of members of legislature, terms of of-	
dential elections.....	180	fice	244
for county commissioners.....	663	of officers of legislature, majority of	
at city election.....	1053	votes necessary.....	226
at village election.....	1284	<i>city elections.</i>	
at town meeting.....	946	organization of city.....	1045
PRESIDENTIAL ELECTORS.		first election of officers.....	1046
time and place of meeting.....	181	time and place of holding election of	
notification to governor.....	182	officers	1047
vacancies in electoral board.....	182, 183	notice of election of officers.....	1047
— notice of vacancies filled.....	184	time of keeping polls open in city elec-	
— compensation	185	tions	1047
CONTESTS.		votes required to elect.....	1053
of election of senator or member of		ballots in city elections.....	1053
legislature, notice	186	determination of the vote.....	1053
— subpoenas, taking testimony....	187	who entitled to vote for city officers..	1054
— notice for taking additional testi-		returns	1054
mony, points to be specified.....	188	mode of conducting elections.....	1054
— conduct of contest in legislature..	189	election districts in cities.....	1054
in city or county election, notice, tak-		regulations concerning.....	1055
ing testimony.....	190	count, canvass, and return of votes...	1056
— how heard and determined, spe-		special elections in cities.....	1057
cial term of court.....	191	notice of city election.....	1060
appeal, bond, return, hearing.....	192	new election.....	1060
inspection of ballots by contestants,		on question of issuing municipal bonds	
conditions	193	1092, 1095, 1096, 1100	
evidence allowable, depositions.....	194	— notice of election.....	1096
of county-seat election, election to		— count, return, and canvass of	
change county lines and other sub-		votes	1096
jects submitted to popular vote,		— form of ballot.....	1096
notice	195, 196	— to erect public building.....	1435
— filing determination of contest...	196	voting on question of purchase by city	
when election declared invalid.....	197	of internal improvements.....	2592
pending contests excepted from act..	198	on question of establishing public li-	
SPECIAL ELECTIONS.		brary	1425
when and how held.....	15	on question of furnishing municipal	
for legislature in county divided after		aid to canal or water-way company..	
election	17	1445, 1454	
in cities.....	1057	— notice (par. 1).....	1445
village elections.....	1283	— ballots (par. 1).....	1445
PARTICULAR ELECTIONS.		— count, return, and canvass of	
of United States senator.....	245-254	votes (par. 2).....	1445
on question of amending constitution..	314	on question of granting municipal aid	
		to railroads.....	2775, 2784
		— notice	2775

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ELECTIONS.

2233

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ELECTIONS Cont'd,	
— ballots.....	2775
— count, return, and canvass of votes.....	2775
<i>village election.</i>	
to determine as to incorporation of villages.....	1201
— petition and notice, inspectors....	1202
— petition and notice, publication..	1203
— who may vote, ballot.....	1204
— certificate of inspectors.....	1205
to add or detach territory of village, method of calling and holding.....	1213
— certificate, effect of filing.....	1214
of village officers.....	1208
— appointment of judges, conduct of election.....	1216
village elections to be governed by law of town meeting.....	1217
to determine construction of public improvements in villages.....	1233
— form of ballot, conduct.....	1234
to determine disposition of money derived from liquor license in villages local option and license.....	1266
to determine dissolution of village...	1274
to incorporate new village after dissolution.....	1275
precincts, each village ward to be an election precinct.....	1280
general village elections, how conducted, return by judges.....	1281
special village elections, notice.....	1283
in villages of over 3,000 inhabitants to be by ballot; tie, how determined..	1284
— new election on failure to elect..	1285
authorizing issue of village bonds....	1321
on question of establishing public library.....	1425
on question of issuing municipal bonds to erect public building.....	1435
on question of furnishing municipal aid to canal or waterway company..	1445, 1451
— notice (par. 1).....	1445
— ballots (par. 1).....	1445
— count, return, and canvass of votes (par. 2).....	1445
on question of granting municipal aid to railroads.....	2775, 2784
— notice.....	2775
— ballots.....	2775
— count, return, and canvass of votes.....	2775

	Sec.
ELECTIONS—Cont'd,	
<i>counties and matters relating thereto.</i>	
to change county boundaries, and organize new counties.....	622
— notice, ballots.....	624
— special inspectors.....	625
— duty of judges to canvass, record, and return vote.....	626
— return to secretary of state....	627
— proclamation.....	628
to change county seat, form of ballots, canvass of votes, certification, return and record.....	649
— order of county auditor.....	649
— form of notice by county auditor, how served.....	649
— place of election, form of notice by clerk of town, village, or city....	649
— conduct of election.....	649
— vote required to effect change...	650
— how often.....	651
— place of holding.....	652
— one place at a time to be voted for.....	654
— not invalidated for failure to publish or post notice.....	655
of county commissioners.....	659
— proceedings in case of a tie.....	663
on question of furnishing aid to canal or waterway company.....	1445, 1454
— notice (par. 1).....	1445
— ballots (par. 1).....	1445
— count, return, and canvass of votes (par. 2).....	1445
on question of granting aid to railroads.....	2775, 2784
— notice.....	2775
— ballots.....	2775
— count, return, and canvass of votes.....	2775
to demand construction of road for steam traction motors.....	1938, 1939
to change system of caring for the poor from county system to town system.....	1984
— notice of election.....	1985
<i>towns and town meetings.</i>	
challenge of electors at town meetings	936
election of officers at town meeting, proclamation of opening and closing polls.....	939
tie vote at town meeting, how determined.....	946
to issue bonds and orders at town meeting, two-thirds vote.....	1031

MINNESOTA STATUTES 1894

2234

ELECTIONS—EMBEZZLEMENT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
ELECTIONS—Cont'd,	
local option election in towns.....	1990
on question of permitting cattle to run at large.....	2122
on question of furnishing municipal aid to canal or waterway company	1445, 1454
— notice (par. 1).....	1445
— ballots (par. 1).....	1445
— count, return, and canvass of votes (par. 2).....	1445
on question of granting municipal aid to railroads	2775, 2784
— notice	2775
— ballots	2775
— count, return, and canvass of votes	2775
<i>school elections.</i>	
elections relating to schools, right of women to vote.....	2
— registration of women.....	3
— separate ballots and boxes for women	5, 3666
OFFENSES.	
giving away liquors or opening saloons	22
bringing spirituous liquors to polling place	21
sale of liquor on election day, penalty	1999
arrest of disorderly persons.....	85
registering in more than one district..	76
false personation of registered voter..	76
false swearing before board of registration	70
voter not to divulge how he votes....	110
penalty for persuading voter.....	113
refusal to allow elector to leave employment to vote, penalty.....	114
penalty for removing supplies from polling places	115
attempting to cast more than one ballot, penalty	116
voting with unlawful intent, penalty..	117
nonresident voting, penalty	118
voting more than once, penalty.....	119
influencing elector by threat or bribery	120
aiding unqualified voters to vote, penalty	121
bringing unqualified voter into district, penalty	122
false swearing on challenge, penalty..	103
penalty for misprint or unauthorized removal of ballots.....	35, 95

	Sec.
ELECTIONS—Cont'd,	
— disclosure by marker of ballot or judges of election.....	108
— false marking of ballot by person assisting elector	108
failure to file returns a misdemeanor	160
— deliver returns and ballot boxes in larger cities a misdemeanor....	161
— perform duty, and misconduct of election officers, penalty.....	164
removal or defacement of poll lists, ballots, list, or register, penalty....	165
anonymous defamatory circulars, posters, etc., penalty.....	199
crimes against elective franchise....	6324
destruction of or interference with election returns, criminal liability..	6788
duty of county attorney to prosecute..	201
finis for use of schools.....	202
ELECTRIC LIGHT COMPANIES,	
right to incorporate.....	2592
purchase of property by city.....	2592
ELECTRIC LINES AND WIRES,	
regulation in villages (pars. 40, 47)...	1299
lien for construction or repair of electric light lines.....	6231
execution sale to satisfy mechanic's lien	6239
ELEVATORS,	
(see "Warehousemen.")	
storage of grain.....	7645-7732
charges by railroad companies.....	2713
EMBEZZLEMENT,	
(see "Larceny.")	
what constitutes	6710
nature of offense.....	6709
grand larceny in first degree.....	6712
— in second degree.....	6713
conversion of property by trustees..	6723
by employes of trust company.....	2851
by insurance agents.....	3194
of property of decedent, proceedings to discover property.....	4498-4500
by public officers.....	6663
by county treasurer.....	6665
by innkeepers	8000
of executed, but unissued, instruments	6718
securing issuance of duplicate warrants by fraud.....	338
punishment	6716, 6717
rules for ascertaining values of things appropriated	6725-6727
retaining property of another to offset demands.....	6728

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EMBEZZLEMENT—EMINENT DOMAIN.

2235

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
EMBEZZLEMENT—Cont'd,	
bona fide claim of title a defense...	6728
effect of intent to restore property..	6729
receiving property embezzled.....	6730
indictment, sufficiency, limitation of prosecution, evidence	7262
ownership of property, variance....	7263
EMBRACERY,	
what constitutes, misdemeanor.....	6352
defined, punishment.....	68
EMINENT DOMAIN,	
(see "Drainage and Drainage Dis- tricts"; "Municipal Corporations.")	
TAKING PROPERTY FOR STATE INSTITU- TIONS.	
taking of land by state.....	4085
condemnation of land for new capitol	505
taking lands for site of reform school	3557
— compensation of landowners... 3558, 3559	3559
— when right of possession accrues	3559
acquisiton of lands for state park...	4052
condemnation proceedings by state..	4086
— appointment of commissioners..	4086
— oath of commissioners.....	4086
— appeal	4087
— costs of appeal.....	4088
— when right to possession accrues	4089
— securing payment of damages...	4089
— payment of award	4089
— judgment roll.....	4090
— to acquire lands for state park..	4052
title acquired by condemnation pro- ceedings	4091
TAKING PROPERTY FOR OR BY UNITED STATES.	
taking of property by state for use of United States.....	4092
— notice of proceedings.....	4094, 4095
— powers and duties of commis- sioners	4096
— appeal	4096-4098
— costs on appeal.....	4099
— payment of award.....	4100
— nature of title vesting in state..	4101
— when title vests in state.....	4101
— compensation of commissioners.	4102
public improvements on waters, pow- er of United States.....	4106
— proceedings by United States to take land	4106
TAKING PROPERTY BY MUNICIPAL COR- PORATIONS.	
by cities.....	1107

	Sec.
EMINENT DOMAIN—Cont'd,	
— acquisition of property and fran- chises of internal improvement com- panies	2592
by school district to acquire sites for schoolhouses	3653-3658
condemnation of gravel beds and stone quarries for road purposes...	1881
— procedure	1882
taking cemetery lands for street....	3107
taking of property for construction of drains, provision for compensa- tion	7836, 7837
— payment of damages before con- structing drains	7847
<i>by village.</i>	
by villages.....	1240
condemnation proceedings, duties of jury, contents of verdict.....	1242
— right of appeal, return on appeal, costs	1243
— verdict for village, payment of damages before entry on land, dis- continuance, costs.....	1244
— assessments, how collected....	1245
— when right exists.....	1322
— appointment of commissioners, penalty for refusal to attend, filling vacancies	1323
— oath of commissioners.....	1324
— plat of proposed improvements, notice of meeting of commissioners	1325
— commissioners to hear testimony and assess damages.....	1326
— separate assessment of building	1327
— assessment of respective inter- ests	1328
— commissioners to file report with recorder	1329
— notice of meeting to confirm as- sessments, objection	1330
— damages to be paid or tendered, deposit for unknown owner.....	1331
— building to be removed by own- ers or sold by village.....	1332
— appointment of guardian for per- son under disability.....	1333
— appeal to district court, proce- dure	1334
— record of all proceedings to be kept, evidence.....	1336
TAKING PROPERTY BY MUNICIPALITY OR WATER COMPANY FOR WATERWORKS.	
power of municipalities and water companies	2620, 2621

MINNESOTA STATUTES 1894

2236

EMINENT DOMAIN.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

EMINENT DOMAIN—Cont'd,	Sec.
condemnation proceedings, survey and map of lands to be taken.....	2623
— petition for appointment of commissioners	2624
— notice	2625
— effect of want of notice.....	2625
— effect of notice.....	2625
— proof of service of notice.....	2625
— adjournment	2626
— hearing and determination of petition	2626
— issues determined before appointing commissioners.....	2626
— order appointing commissioners..	2626
— oath of commissioners.....	2626
— duties of commissioners.....	2627
— assessment of damages by commissioners	2627
— filing by commissioners of report and other documents.....	2628
— notice of commissioners' report	2628
— payment of damages reported by commissioners	2629
— payment of damages into court..	2629, 2630
— damages paid into court, determination of conflicting claims....	2630
— appeal from commissioners' award	2631
— notice of appeal from commissioners' award.....	2631
— rights of condemning party pending appeal.....	2631
— effect of appeal from award of commissioners	2631
— jury trial on appeal from commissioners' award.....	2631
— judgment on appeal from award	2632
— interest on award of damages..	2632
— effect of failure to pay award..	2632
— discontinuance	2632
— liability for costs on discontinuance	2632
TAKING PROPERTY BY CORPORATIONS.	
the power in general.....	2604
rights reserved to land owner in property appropriated.....	2608
power of water-power companies...	2618, 2619
occupation of streets by corporations	2592
— by water-power companies.....	2618
condemnation for right of flowage, etc., in erection of milldams.....	2353
(see "Dams.")	

EMINENT DOMAIN—Cont'd,	Sec.
location of grain elevators on railroad right of way.....	7724-7732
(see "Warehousemens.")	
power of cemetery associations.....	3096
power of plank roads and turnpikes	3361, 3362
power of railroad companies.....	2645, 2646, 2648
— occupation of highways.....	2642
— to condemn property of another railroad	2647
— use or crossing of one railroad by another.....	2642, 2647
— how rights of parties determined	2642
— right to make preliminary surveys	2643
— rights reserved to landowner in property appropriated.....	2647
— scope of statute.....	2656
— taking land for tree planting and snow screens.....	2668
— extensions and branch roads....	2749

CONDEMNATION PROCEEDINGS.

petition for appointment of commissioners	2605
notice	2606, 2607
proof of service of notice.....	2606
necessity of notice	2606
notice on condemnation of lands of state	2606
adjournment	2607
hearing and determination of petition	2608
issues to be determined before appointing commissioners.....	2608
order appointing commissioners.....	2608
rights reserved to landowner by order appointing commissioners.....	2608
meeting of commissioners.....	2609
oath of commissioners.....	2609
power of commissioners.....	2609
assessment of damages by commissioners	2609
adjournment by commissioners.....	2609
view of premises by commissioners..	2609
hearing of proofs by commissioners..	2609
filing of report and other documents by commissioners.....	2610
notice concerning report of commissioners	2610
payment of damages.....	2611
paying damages into court.....	2611
appeal from assessment by commissioners	2612

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EMINENT DOMAIN—ERROR, WRIT OF.

2237

§§ 1 to 4831, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EMINENT DOMAIN—Cont'd,		EMINENT DOMAIN—Cont'd,	
notice of appeal from commissioners' award	2612	— costs	2664
effect of appeal from commissioners' award	2613	— effect of judgment against defendant	2664
rights of condemning party pending appeal	2613	— judgment	2665
how appeal from commissioners' award tried and determined.....	2614	— when title passes to condemning party	2665
jury trial on appeal.....	2614	— effect of paying judgment for damages	2665
rule for fixing damages on appeal..	2614	— including more than one tract...	2666
judgment on appeal from commissioners' award.....	2615	— parties	2666
payment of judgment given on appeal	2615	rules of practice.....	2667
perfecting record evidence of title of condemning party.....	2616	EMPLOYMENT BUREAU,	
when title passes to condemning party	2616	regulations concerning.....	1455-1458
by plank roads and turnpikes..	3361, 3362	license and regulation in villages (par. 1).....	1290
<i>by cemetery associations.</i>		ENGINEER,	
necessity of compensation before taking land for cemetery.....	3096	of capitol (see "Capitol").	
when title vests in.....	3096	of steam boilers, examination and license, classification.....	489
perfecting record evidences of title..	3096	— qualification of each class.....	489
<i>by railroad companies.</i>		to assist state capitol commissioners (par. 10).....	502
reserving rights to landowner in order appointing commissioners.....	2647	of village of over 3,000 inhabitants..	1291
railroad company taking land of another for crossing.....	2647	law concerning day's work.....	2242
payment of damages awarded into court	2649	of locomotives not to be licensed...	493
how conflicting claims to damages paid by railroad determined.....	2650	— law concerning day's work....	2243
disposition of moneys paid into court	2650	criminal negligence or recklessness..	6454, 6455
interest on award of damages.....	2651, 2652, 2656	employment of engineer who cannot read, misdemeanor.....	6634
recovery of taxes and assessments paid pending.....	2652	person acting as engineer who cannot read	6635
effect of failure to pay award.....	2653	failure to signal at crossings.....	6637
failure of commissioners to file award proceedings discontinued or set aside, rights of landowner.....	2655	ENGINES,	
costs on discontinuance or setting aside	2655	wrongful removal of or injury to criminal liability.....	6780
on taking land for tree-planting and snow screens	2669	ENGLISH LANGUAGE,	
ejection for land taken for railroad	2657	use in public schools.....	3697
— answer of railroad.....	2658	publication of notices, statements, etc.	5223
— fixing compensation of plaintiff..	2659	EPIDEMIC DISEASES,	
— judgment	2660, 2661	(see "Health.")	
— enforcement of judgment..	2660, 2661	EPISCOPAL CHURCH,	
action to determine validity of condemnation proceedings.....	2663, 2664	(see "Religious Societies.")	
— jury trial.....	2664	EQUALIZATION OF TAXES,	
		(see "Board of Equalization"; "Taxation.")	
		EQUITY,	
		jurisdiction of district court, procedure	4834
		remedy on defective execution of power	4357
		cost in equitable actions.....	5502
		ERROR, WRIT OF,	
		(see "Appeal.")	

MINNESOTA STATUTES 1894

2238

ERROR, WRIT OF—ESTATES.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ERROR, WRIT OF—Cont'd,		ESTATES—Cont'd,	
in criminal cases.....	7385-7397	FUTURE AND EXPECTANT ESTATES.	
(see "Criminal Law.")		vested or contingent.....	4374
powers and duties of supreme court..	4823	division into future estates, reversions	4370
power of supreme court judge in va-		"future estates" defined.....	4371
cation	4827	"remainders" defined	4372
extension of time for bringing.....	5219	"reversions" defined.....	4373
ESCAPE,		limitation of chattels real, suspension	
what constitutes.....	7088	of power of alienation.....	4384
definition of "prison".....	6367	freehold and chattels real may be	
definition of "prisoner".....	6368	created to commence in future.....	4385
capture of prisoner, length of im-		two or more in alternative.....	4386
prisonment	6360	will not be void for improbable con-	
of prisoner, felony or misdemeanor..	6361	tingency	4387
attempt to escape from state's prison	6362	limited to heirs, etc., rights of posthu-	
aiding prisoner, felony or misde-		mous children.....	4391
meanor	6363, 6364	birth of child defeats, when.....	4392
officer suffering escape, felony or mis-		definition	4368, 4369
demeanor	6365	when created.....	4402
concealing or harboring escaped pris-		abolished, except as enumerated in	
oner	6366	statute	4403
criminal liability of sheriffs, etc....	6388	descendible, devisable, and alienable	4396
of person arrested by private person	7130	not defeated by act of owner of pre-	
from jail.....	7438, 7439	cedent estates.....	4393, 4394
ESCHEAT,		LIFE TENANTS.	
to state on failure of heirs (par. 9)....	4471	power of life tenant to make leases..	4316
ESTATES,		— release to remainder man.....	4317
(see "Descent and Distribution";		— power bound by mortgage.....	4318
"Executors and Administrators";		liability of tenant for waste.....	5882
"Homestead"; "Joint Tenancy";		penalty for waste.....	5883
"Mortgages"; "Powers"; "Real		REMAINDERS.	
Property"; "Tenancy in Com-		contingent remainder in fee, how cre-	
mon"; "Uses and Trusts.")		ated	4377
in lands, how divided.....	4362	successive life estates, how limited..	4378
fee simple.....	4363	on estate for life of another.....	4379
fee tail changed to allodium.....	4364	— when takes effect.....	4380
freeholds, chattels real, chattel inter-		contingent remainder on term of years	
ests	4366	for life or term of years.....	4382
for life of third person deemed free-		limited to take effect at death of per-	
hold for chattels real.....	4367	son without heirs or issue, "heirs"	
in possession and in expectancy.....	4368	and "issue" defined.....	4383
in possession, definition.....	4360	life estate may be created in term of	
particular estate with power of dis-		years, and remainder limited there-	
position creates fee.....	4309	on	4385
power of disposition creates fee,		limited on contingency, constructed as	
when	4310, 4311	conditional limitation.....	4388
particular estate with power to de-		on life estate or for years not limited	
vise fee	4312	on contingency defeating precedent	
in severalty, joint tenancy or in com-		estate, construction.....	4390
mon	4404	not to be defeated by premature de-	
nominal conditions disregarded, not		termination of precedent estate....	4395
to operate as forfeiture.....	4407	actions by remainder man.....	5879
actions by reversioners.....	5879	ALIENATION AND CONVEYANCES.	
rule in Shelley's Case abolished.....	4389	conveyances, etc., by tenant in tail... 4365	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ESTATES—EVIDENCE.

2239

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ESTATES—Cont'd,		ETHER,	
suspension of power of alienation....	4375	when administration of deemed as-	
— for how long.....	4376	sault (par. 2).....	6472
RENTS AND PROFITS.		EVICITION,	
disposition of rents and profits, how		damages for forcible eviction.....	5887
governed	4397	EVIDENCE,	
accumulation of rents and profits....	4398	in criminal cases (see "Crimes and	
— directions void in part void whol-		Punishments").	
ly	4399	taking testimony of witnesses within	
— application to support of infants	4400	the state	5667-5683
right to rents and profits not dispos-		(see "Depositions.")	
ed of.....	4401	— of witnesses out of state...5684-5692	
PARTITION.		(see "Depositions.")	
proceedings and decree in action for		perpetuation of testimony of witness-	
partition	5792-5796	es within state	5693-5698
decree in action for partition.....		(see "Depositions.")	
	5786, 5797, 5798	— of witnesses out of state...5699-5704	
effect of judgment in partition..5777, 5778		(see "Depositions.")	
investment of proceeds of sale in par-		of sale under power in mortgage..6047-6050	
tion proceedings	5807-5809	proof of deeds when subscribing wit-	
ESTOPPEL,		nesses are dead or absent.....	4171
of surety company to deny corpo-		proof of incorrigibility.....	3525
rate power to assume liability.....	5950	proceedings before justice not re-	
ESTRAYS,		duced to writing, how proved.....	5747
who may take up.....	2080	documents, right of adversary to in-	
taking up, notice to owner.....	2081	spect before admission.....	4984
notice of taking up.....	2082	order for inspection, refusal to per-	
fees of town clerk for services.....	2082	mit, exclusion as evidence.....	5750
duty of finder where owner is un-		deposit of instruments with register	
known	2082	of deeds and clerk of court, with-	
duties of town clerk.....	2082, 2083	drawal to be used as evidence.....	5730
appraisalment	2083	before grand jury.....	7207-7209
compensation of town clerk and reg-		of naturalization on challenge of	
ister of deeds	2083	juror	7378
record of notice concerning	2083	trial of challenges to jurors.....	7379
notice	2083	in habeas corpus proceedings.....	7476
duties of register of deeds.....	2083	offering false evidence.....	6381
right of owner to restoration.....	2084	destroying	6382
adjustment of controversy as to		inducing another not to give testi-	
charges	2085	mony	6384
lien of finder for charges.....	2085	inducing witnesses to give false testi-	
purchase by finder.....	2086	mony	6385
when finder acquires title to.....	2086	inducing witnesses to withhold testi-	
sale of	2086	mony	6385
discharge of finder from liability for..	2086	bribes offered to influence or prevent	
disposition of proceeds of sale.....	2087	testimony	6385, 6386
punishment of owner for unlawfully		attempt to prevent production of,	
driving away	2088	punishment	6400
— of town clerk and register of		variance between pleading and proof	
deeds for neglect of duty.....	2089	4988, 5262, 5263	
— of finder for violating law con-		JUDICIAL NOTICE.	
cerning	2089	of seal of railroad and warehouse	
sale of estrays, proceeds to be used		commission (par. f).....	387
for schools	3768	of acceptance by city of statute re-	
when neglected animals treated as..	6804	lating to issuance of bonds.....	1097

MINNESOTA STATUTES 1894

2240

EVIDENCE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EVIDENCE—Cont'd,		EVIDENCE—Cont'd,	
of acceptance by city of act relating to local improvements	1160	transcript from justice's docket.....	5745
of private statute	5251	— certificate of clerk of court.....	5746
ADMISSIBILITY.		certificate of conviction before justice	5748
in election contest.....	194	exemplification of judgment of justice in another state.....	5749
offer of judgment.....	4976	certificate of county surveyor.....	5758
— refused not to be given in evidence	5405, 5406	certificates and records of marriage papers certified under seal of adjutant general, primary evidence....	1703
conversation with deceased or insane party	5660	copy of constitution and by-laws for militia companies competent as evidence	1751
of marriage	5762	documents in custody of city recorder	1065
ADMISSIONS.		certified copy of official bond.....	881
implied from failure to controvert allegations in pleading.....	5261	of proceedings of county commissioners	671
by failure to deny.....	4986	constitution and by-laws of regiments or militia, contents, when evidence..	1752
in controversy over mining claim on public lands	4060	instrument of protest as.....	2275
effect of pleading set-off or counterclaim	5238	certificate of organization of bank... ..	2492
DOCUMENTARY.		of title to lands taken for public use..	3096
instruments may be proved or acknowledged and made evidence... ..	5727	certificate of resolution of corporation appointing agent to convey real estate, effect.....	4162
certified copies of records and files in public office admissible.....	5733	certificate of probate of will.....	4452
certifying copies and papers to be used, seal of court, when copy is used in same court.....	5726	wills probated and recorded, legalization, effect.....	4739
copies of paper on file in United States government offices admissible	5734	sheriff's return.....	5162, 5204
certificate of officer of another department of United States.....	5755	certificate of execution sale.....	5470
records of foreign courts admissible, certificate of clerk.....	5706	land office receipts may be recorded, effect of record.....	5757
as to recording instruments.....	778	in action for rent.....	5860
conveyances and instruments authorized to be recorded, records and copies of records.....	5759	in action against members or employes of legislature	5173
form of certificate to copies of papers, seal	5725	evidence of existence of corporation..	3304, 3305
affidavit of publication of notice of application to court and copies thereof admissible	5722	<i>account books.</i>	
affidavit of publication of notice of real estate and copies thereof....	5722	right to give accounts in evidence... ..	5246
certified copies of judicial decisions by state librarian.....	5717	prima facie evidence when.....	5738
affidavit of officer of Historical Society as to publication of notice in newspaper	5724	ledger to be procured when.....	5739
minutes of conviction and judgment, certified copies	5743	entries by persons deceased.....	5740
docket of justice of peace, certified transcript	5744	proof by deposition	5741
		BEST AND SECONDARY.	
		of lost instrument to admit other proof	5735
		of contents of lost bill, note, bond, or other instrument, recovery... ..	5736, 5737
		letter-press copy of letters, copies attached to deposition.....	5742
		copies of papers certified by insurance commissioner	3152
		certified copies of conditional sales... ..	4151
		certified copies of chattel mortgages	4135

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EVIDENCE.

2241

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

EVIDENCE—Cont'd,

Sec.

BURDEN OF PROOF.

of jurisdiction.....	5249
of performance of conditions precedent	5250
of corporate existence.....	5254
of partnership.....	5255
in action for libel or slander.....	5257
in proceedings to collect taxes.....	1647
of negligence of railroad company in setting fires.....	2700

PRESUMPTIONS.

in favor of schedule of rates established by railroad and warehouse commission (par. c.).....	381
in favor of action of railroad and warehouse commission (par. d)....	381
in favor of tariff made by railroad and warehouse commission (par. e)	386
effect of report of railroad and warehouse commission.....	399
392 (par. a), 393 (par. b),	399
in favor of tax judgments.....	1585
certificate of officer that paper is not in his office, presumption.....	5732
instruments signed and executed, presumption of genuineness unless denied on oath.....	5751
presumption as to good faith of occupant of land.....	5357
in favor of justice's judgment.....	5029
of power of religious society to convey lands.....	3057
as to reorganization of religious corporations	3056
of authority of religious societies to convey real estate.....	3038

WEIGHT.

failure of proof.....	5264
that proposed municipal action will promote general welfare.....	1441, 2771
of affidavit of publication of notice..	1157
bonds issued by village for unpaid assessments for local improvements...	1346
effect of record of certificate of tax sale	1593
legalized town plats.....	2322
plat of survey establishing highway boundaries, conclusive evidence of boundary	1819
record of conveyance by state.....	1601
record of deed by state of lands forfeited for taxes.....	1617

GEN. ST. '94—141

EVIDENCE—Cont'd,

Sec.

affidavits of publication of certificate of limited partnership.....	2339
of validity of tax.....	2652
of rights of one acquiring title by condemnation proceedings.....	2616
of judgment against executors, etc..	5914
return of execution.....	5080
of age of apprentice.....	4754
of result of election for municipal aid (par. 4).....	2775
of earnings of railroad company....	1676
land patents and duplicates recorded.	5756

PRIMA FACIE EVIDENCE.

of incorporation of village.....	1207
of attachment and detachment of village territory.....	1215
of identity of survey by county surveyor with government survey....	697
of government surveys.....	699
effect of record of sheriff's certificate of sale.....	781
of validity of acts of sheriff in proceedings begun in term of predecessor	792
affidavit by official printer, evidence of publication.....	1308
record of proceedings to condemn property for village use.....	1336
effect of certificate of tax sale.....	1594
assessment as prima facie evidence of legality of tax.....	1647
as to validity of special tax or assessment	1067
effect of deed given to purchaser at sale for assessments.....	1145
of validity of assessment or levy of taxes	1569, 1588
record of proceedings by city to take lands or vacate streets.....	1115
copy of assessment roll on appeal from assessment for village improvements	1350
of validity of proceedings with regard to local improvements.....	1149
of payment of tax.....	1594
order laying out, altering, or discontinuing highway.....	1820
book of state and county roads.....	1844
record of field notes, plat, etc., of roads running through towns.....	1877
effect of order of county commissioners relating to drains....	7823, 7839, 7844
proof of averments in petition for formation of subdrainage districts.....	7749

MINNESOTA STATUTES 1894

2242

EVIDENCE—EXECUTION.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EVIDENCE—Cont'd,		EVIDENCE—Cont'd,	
as to priority of registration.....	767	of validity of award in eminent domain proceedings (par. 12).....	1107
of result of election, municipal aid (par. 2).....	1445	STATUTES AND ORDINANCES.	
surveyors' certificate of correction of defective description in plats...2319-2325		printed copies of statute admissible..	5707
lost or destroyed plats, effect of new plat or copy as evidence.....	2329	Bissell's Statute admissible, proviso..	5708
of scale bill of logs, effect.....	2397	General Statutes of 1878 admissible..	5709
of violation of act for protection of labor	2245	General Statutes of 1878, Supplement of 1881, admissible.....	5711
concerning protest of negotiable instruments	2274	Kelly's General Statutes of 1891 admissible, proviso.....	5713
of scale bill by surveyor general....	2400	printed copies of statutes of other states admissible.....	5715
records and copies of surveyor general of logs.....	2403	common law of other states, how proved, reports as evidence.....	5716
of record of log marks.....2416, 2418		foreign laws, how proved.....	5718
of corporate existence.....	2491	proof of ordinances.....	1087
certificate of incorporation of farmers' mutual fire insurance companies, effect.....	3268	of publication of ordinances, etc.1079, 1090	
of certified copy of record of certificate of incorporation.....	3394	copies of village ordinances.....	1301
of certificate of stock.....	3416	city ordinance published by authority admissible	5719
copies of papers certified by insurance commissioner.....	3298	EXAMINATION,	
copies of papers relating to sale by executors, administrators, or guardians	4616	of adverse party as witness, not bound by testimony	5659
copy of probate bond certified, effect as original evidence.....	4701	of deponent.....5674, 5675	
copies of appointment of foreign executors, guardians, etc.....	4715	of instruments on file with register of deeds or clerk of court.....	5731
affidavit of printer of newspaper publishing notice, prima facie evidence.	5723	EXCAVATIONS,	
bills and notes, possession, evidence of indorsement	5751	lien for.....	6230
indorsement of money received on note	5752	EXCEPTIONS,	
plats of surveys, etc., from land office.	5758	definition, how stated and settled....	5396
sheriffs' certificate of sale under power in mortgage.....	6054	form, evidence necessary to explain it	5397
of existence of corporation or partnership	5761	bill of, motion for new trial based thereon	5399
effect of acknowledgment by corporation	5650	— how prepared and settled.....	5400
of fraudulent sale, etc., of mortgaged property by mortgagor.....	4142	— on appeal to supreme court.....	6135
records of land office.....	3963	— allowance and settlement in criminal cases	7390
effect of seal of land commissioner... 3963		EXCUSABLE HOMICIDE,	
records and copies of board of education	3803	defined	6459
land-office certificate of entry, etc., evidence of title.....	5754	EXECUTION,	
land-office receipt, etc., evidence of title	5753	(see "Attachment"; "Garnishment"; "Judicial Sales.")	
		in criminal cases.....7398-7414	
		(see "Criminal Law.")	
		kinds of.....	5443
		for delivery of possession of property (par. 4)	5444, 5446
		in action on official bond, collection from principal first and then from surety	5955
		lien of	5449
		how writ executed.....	5405
		requisites and contents of writ.....	5444
		time of issuing.....	5442

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EXECUTION.

2243

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EXECUTION—Cont'd,		EXECUTION—Cont'd,	
to what officer issued.....	5448	on transcript of justice's judgment filed in district court.....	5027
enforcement of judgment for payment of money	5446	on judgment in replevin.....	5048
issuing to different counties.....	5448	on judgment of conviction in justice's court	5125
against joint defendants (par. 3).....	5444	RENEWAL.	
after death of party.....	5447	renewal	5445
on judgment against counties.....	646	in justice's court.....	5033
— against town.....	1012	PROPERTY SUBJECT TO.	
— against municipal corporations..	1499	property subject to.....	5440
— against city.....	1501	— of village not subject to.....	1416
— for delinquent personal property tax	1569, 1570	on justice's judgment.....	5028
— in proceedings to enforce lien on logs	2445, 2457	for debt of ancestor.....	5939
against insolvent bank.....	2511	against interest of purchaser under mortgage foreclosure.....	6045
on judgment against railroad com- pany	2660, 2661	EXEMPTIONS.	
against school trustees, not to issue, when	3820, 3823	property exempt.....	2270, 5450
by probate court to collect balance against claimant.....	4516	arms and uniforms of militiamen not subject to.....	1749
in attachment proceedings.....	5066	of cemeteries.....	3107, 3134
against sureties on appeal bond.....	5079	accorded to nonresidents.....	5450
— rights of surety on paying.....	5080	of earnings of children of debtor....	5461
against property in hands of repre- sentatives, heirs, etc. (par. 2).....	5444	of damages for wrongful levy on ex- empt property.....	5462
on judgment against heirs, etc.....	5930, 5939	of earnings of debtor.....	5491
against devisee for debt of testator...	5944	selection of homestead on levy, failure to select, duty of officer.....	5523
on judgment on award of arbitrators.	6226	— survey.....	5524
against obligors in bond given for dis- charge of boat.....	6093	— sale of residue of property.....	5525
on judgment of village municipal court	1400	animals not exempt, when.....	6304
against sureties on bonds to secure stay	5039, 5040, 5481	liabilities against which no exemp- tions can be claimed.....	5460
for deficiency on mortgage foreclosure sale	6063	LEVY.	
issuance at expiration of stay.....	5481	necessity of.....	5449
FOR COSTS.		on property which is subject to lien of judgment	5450
enforcing judgment for costs.....	5023	on personalty before realty.....	5444
— in forcible entry and detainer....	6116	on personalty.....	5451, 5454
— in partition.....	5815	— not susceptible of removal... 5452, 5453	
— against claimant appealing from allowance against county.....	645	on debts.....	5454
IN JUSTICE'S COURT.		ascertaining value of property levied on	5463
issuance by justices.....	4963, 5013	on moneys.....	5457
form in justices' courts.....	5092	on chattels pledged or mortgaged....	5458
form in criminal proceedings in jus- tice's court	5130	on grass or growing crops.....	5464
on judgment of justice.....		on interest acquired by purchaser at execution sale.....	5476
— 5028, 5030-5032, 5034, 5035, 5039		against boats and vessels, power of officer	6103
— after filing transcript in district court	5033	collection of things in action.....	5465
— payment and receipt therefor....	5037	on corporate stock, certificate of num- ber of shares to be furnished.....	5294
		on corporate stock.....	5454

MINNESOTA STATUTES 1894

2244

EXECUTION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EXECUTION—Cont'd,		EXECUTION—Cont'd,	
on corporation; on property of stockholder	2796	sale of realty, rights of purchaser where sale is set aside.....	5478
against co-operative association.....	2911	— rights of execution creditor where sale is set aside.....	5478
against school district.....	3823	levy on chattels pledged or mortgaged, rights of purchaser at execution sale	5458
fees of town or city clerk, filing copy of levy.....	5453	sale of railways, telegraph lines, etc., to satisfy mechanic's lien.....	6239
service of copy and inventory on debtor	5455	protection of employes of debtor....	6255
inventory of property levied on.....	5456	notice by employes of claims for wages	6255
release of property from levy.....	5450	to sell boat or vessel.....	6092
		payment of taxes by execution creditor	5444
RETURN.		disposition of proceeds of sale... 5444,	5465
when returnable.....	5445	payment of proceeds to judgment creditor	5445
to whom returned.....	5445	certificate of sale and record thereof legalized, effect of record.....	7606, 7607
against sureties on bond to secure stay	5484	curative act, deeds by sheriffs and sales by predecessor.....	7593, 7594
		certificates of sale with but one witness legalized.....	7604
CLAIMS OF THIRD PERSONS.		waste pending redemption.....	5477
affidavit, indemnity by plaintiff.....	5296		
plaintiff to be impleaded with sheriff in action against him; execution, how satisfied.....	5297	PAYMENT.	
payment and collection of boamage and scalage by sheriff.....	2459	rights of surety on paying judgment..	5479
		rights of joint debtor on paying judgment	5479
SALE.		debtor of judgment debtor may pay sheriff	5488
sale.....	5465, 5468	RELIEF AGAINST — BOND TO SECURE STAY.	
method of realizing on property in excess of exemptions.....	5463	stay of.....	5480
time and place of sale.....	5468	— bond to secure stay.....	5480
sale of real estate, when absolute....	5469	— execution at expiration of stay... 5481	
scope of statute relating to auctions..	2301	— in village municipal courts.....	1382
sheriffs not to buy at.....	791	— on judgment in municipal court..	1388
officer prohibited from purchasing....	5468	— on judgment of justice.....	5038
on judgment of justice, who may purchase at sale.....	5036	recognizance given to stay.....	5040
notice of, publication to be in English language	7990	bond to secure stay, justification by sureties.....	5482, 5483
— published in what newspaper....	7990	— exceptions by creditor.....	5483
of realty, notice.....	5466	stay granted after levy.....	5485
penalty for selling without notice....	5467	vacation on assignment for benefit of creditors	4240
penalty for removing or defacing notice of.....	5467	injunction against, where judgment was procured by fraud.....	5434
effect of removing or defacing notice..	5467	— sale	5348
effect of failure to give notice.....	5467	execution against sureties on recognizance given to stay execution..	5039, 5040
of personalty, notice.....	5466		
on judgment of justice, notice.....	5034	REDEMPTION.	
in proceedings to enforce lien on logs, notice, title acquired.....	2458	sale of real estate, redemption.....	5469, 5472-5474
sale of real estate, certificate.....	5470		
certificate of sale, when to operate as conveyance	5471		
recording sheriff's certificate of sale..	779		
interest acquired by purchaser at....	5476		
right of purchaser at, action for trespass	5862		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EXECUTION—EXECUTORS AND ADMINISTRATORS.

2245

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EXECUTION—Cont'd,		EXECUTORS AND ADMINISTRATION—Cont'd,	
— certificate of redemption.....	5475	power to examine witnesses, compel attendance, preserve order, and punish contempts.....	4726
— effect of redemption by owner..	5475	power to issue citation, subpoena, or notice of proceedings, power of court to order when not prescribed by statute	4727
— effect of redemption by creditor	5475	depositions, how taken.....	4728
— effect of failure to record certificate of redemption.....	5475	adjournments, how and when taken..	4729
waste pending redemption.....	5477	power to correct and amend records	4730
SUPPLEMENTARY PROCEEDINGS.		probate court to furnish certified copies of files and records.....	4733
order for examination of judgment debtor	5486	notice of proceedings, power of court to order when not prescribed by statute	4736
arrest and examination of judgment debtor	5487	personal property taken charge of by coroner	4712
requiring debtor to give bond.....	5487	sale of personal property by coroner, allowance of expenses, payment to county treasurer.....	4713
witnesses	5489	contract by decedent to convey land, heirs of purchaser may prosecute proceedings to compel conveyance..	4630
counsel for debtors.....	5489	ADMINISTRATION, WHEN AND WHERE GRANTED.	
examination before referee.....	5490	jurisdiction to grant letters, in what county	4411
examination to be under oath.....	5490	letters testamentary or of administration c. t. a. granted on probate of foreign will.....	4441
order for application of property to pay judgment.....	5491	letters testamentary to issue on probate of will.....	4457
appointment of receiver.....	5492	letters testamentary, form.....	4703
orders concerning property.....	5492	letters of administration with will annexed	4704
disputes with, and actions against, third persons.....	5493	letters of administration, form.....	4705
forbidding transfer of property.....	5493	APPOINTMENT.	
disobedience of orders.....	5494	petition for administration, verification, contents, effect of defects.	4479
examination of debtor of judgment debtor	5496	— notice of hearing, publication...	4480
excused from giving incriminating testimony	5495	contest of appointment, how made...	4481
appeal	5489	failure or refusal of executor to accept grant of administration.....	4461
EXECUTIVE DEPARTMENT,		neglect to qualify, appointment of another	4462
printing, how executed.....	267	minor executor, administration until minor arrives of age.....	4463
EXECUTIVE DOCUMENTS,		administrator de bonis non appointed when	4466
(see "Public Documents.")		executor of executor not to administer	4467
EXECUTIVE POWER,		administrator de bonis non, powers..	4468
(see "Officers.")		who entitled to letters of administration, order of preference.....	4478
crimes by and against.....	6325-6338		
EXECUTORS AND ADMINISTRATORS,			
repeal of statute, cc. 50, 51, p. 1258, cc. 52, 53, p. 1259.			
repeal of certain laws by Probate Code	4737		
repeals of statutes saving vested rights	4738		
word "executor" includes administrator with will annexed.....	4453		
petitions, how verified.....	4718		
publications, where and how made... ..	4719, 4720		
publications may be made in English language in any newspaper, application to what counties	4721, 4722		
proof of publication, how made, effect	4723		

MINNESOTA STATUTES 1894

2246

EXECUTORS AND ADMINISTRATORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

EXECUTORS AND ADMINISTRATORS—Cont'd,	Sec.	EXECUTORS AND ADMINISTRATORS—Cont'd,	Sec.
special administrator, when appointed	4483	revocation of letters, acts before revocation not invalidated.....	4717
— powers and duties.....	4484	resignation, legalization, discharge...	4745
— powers cease on granting letters testamentary	4486	— word "executor" defined.....	4748
revocation of first administration on proving will.....	4487	— examination of final account, acceptance of resignation.....	4707
— powers of executor in such cases	4488	removal, when.....	4708
appointment after personal property has been taken charge of, by corner, payment of proceeds to county treasurer	4714	— citation to show cause, service..	4709
application for letters where deceased was foreigner, notice of hearing to consul of foreign state or kingdom	4732	— how served when absent from county	4710
OATHS AND BONDS.		resignation and removal, appointment of administrator de bonis non.....	4711
repeal of statute, c. 55, p. 1259.		POWERS AND DUTIES.	
appointment of trust company, not to give bond (pars. 4, 10).....	2849	of town officer, delivery of records to successor	1026
bond, deposit of securities with trust companies (par. 9).....	2849	listing property for taxation.....	1515
deposits with trust companies, discharge of liability (par. 3).....	2849	redemption of decedent's land from tax sale.....	1662-1664
executor to give bond, condition of bond	4458	execution of articles of incorporation, subscription to stock.....	2794
exemption by testator from giving bond, requirement notwithstanding, condition of bond.....	4459	withdrawal of shares of building and loan association.....	2882
bond when executor is residuary or sole legatee.....	4460	right to vote as stockholder.....	3418
administrator with will annexed, bond and powers.....	4464	subdivision and platting of decedent's land	4581
separate or joint bonds.....	4465	not to become purchaser at sale of land	4605
administrator to give bond, separate or joint bond.....	4482	rights and duties, possession of property, receipt of rents, repairs, etc...	4496
special administrator to give bond....	4485	rights and liabilities under mechanic's lien statute.....	6245
additional bonds may be required, discharge of sureties, furnishing new bond	4700	<i>contracts.</i>	
premium paid to company acting as surety, chargeable to trust fund....	5948	contract for right of way to railroad company, confirmation by court....	4590
bond, letters, and administration legalized	7585	— petition for approval.....	4591
neglect to account, liability on bond..	4643	— filing of petition for approval, approval of contract, record.....	4592
bonds to run to judge of probate, by whom prosecuted.....	4699	contract to convey land, court may decree conveyance when.....	4623
certified copy of probate bond, effect as evidence.....	4701	petition for conveyance, notice of hearing	4624
probate court to give certified copy, certificate authorizing prosecution..	4702	proceedings on hearing.....	4625
RESIGNATION AND REMOVAL.		decree for conveyance, dismissal of petition	4626
resignation in favor of trust company (par. 11).....	2849	contract conveying real estate, effect of conveyance directed by court....	4628
		effect of recording copy of decree in register of deed's office.....	4629
		INVENTORY AND COLLECTION OF CLAIMS.	
		inventory and appraisal, when required; executor as residuary and sole legatee not required to give....	4489
		appraisers to be appointed.....	4490

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EXECUTORS AND ADMINISTRATORS.

2247

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
EXECUTORS AND ADMINISTRATORS—Cont'd,	
appraisal, how made, delivery to executors or administrators.....	4492
inventory, classification of property..	4491
fees of appraisers.....	4725, 5573
presenting claims against county, necessity of verifying.....	688
embezzlement or concealment of property, complaint, citation and examination of suspected person.....	4498
— refusal of suspected person to appear or answer, commitment.....	4499
— examination of suspected person, filing	4499
recovery of property fraudulently conveyed, disposal to pay debts.....	4508
compounding claim due estate, consent of probate court.....	4501
CLAIMS.	
stock belonging to estate, liability attaching	3419
time allowed creditors to present....	4509
allowance or disallowance of claims, effect as judgment.....	4509
notice to creditors, publication.....	4510
claims, how presented, proof of bar..	4511
claims may be pleaded as set-off or counterclaim	4511
set-off against claims.....	4512
claims and set-offs barred by statute not allowed.....	4513
limitation of time to present claim in order to secure lien or charge.....	4514
claims allowed to draw interest.....	4515
balance allowed against claimant, issue of execution by probate court..	4516
allowance or disallowance of claim, contents of order.....	4517
joint debtor, liability of estate.....	4521
payment of judgment rendered after decease of party.....	5422
— representatives to show cause why they should not be bound by judgment	5437
judgment against executor, effect as evidence of assets.....	5914
— effect as to real property of decedent	5915
PAYMENT OF DEBTS AGAINST.	
provisions in will to be followed....	4450
— insufficiency of provision.....	4451
insolvent estate, order of payment of debts, secured debts.....	4529
preference of debts prohibited.....	4530

	Sec.
EXECUTORS AND ADMINISTRATORS—Cont'd,	
debt not to be paid in case of appeal from allowance or disallowance, retaining assets to pay claim.....	4531
further order of distribution when... payment of mortgage or other secured debts	4532
payment of unapproved claims, legalization	4741, 4742
ALLOWANCE TO SURVIVING SPOUSE AND MINOR CHILDREN.	
allowance to surviving spouse and child out of personal estate.....	4477
petition for setting apart homestead and allowance of personal property	4493
allowance of personal property to surviving spouse and children....	4493, 4494
setting apart homestead.....	4494
setting apart property and making allowance to widow (par. 7).....	4665
property not selected deemed assets, charge to administrator, etc.....	4495
ACCOUNTING AND SETTLEMENT.	
repeal of statute, c. 54, p. 1259.	
fees, compensation, attorney's fees... time limited for settlement of estate..	4724
extension of time for settlement....	4524
— on appointment of another administrator	4525
expiration of time limited for settlement, executor, etc., not disqualified to act, liability.....	4526
debts, what charged with.....	4632
to account for personal estate as appraised	4633
not to make profits or suffer loss by decrease or destruction without fault	4633
not liable for uncollected debts, when	4634
not to purchase claims against estate, paying less than value.....	4635
expenses and attorney's fees allowed, compensation	4636
accountable for loss from neglect....	4637
account to be rendered, when.....	4638
petition for final settlement and distribution, filing final account.....	4639
— order of hearing and notice.....	4640
— examination of executors, heirs, etc., allowance of account, distribution of residue.....	4641
costs charged against executor or administrator, allowance in account, personal liability.....	4644

MINNESOTA STATUTES 1894

2248

EXECUTORS AND ADMINISTRATORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

EXECUTORS AND ADMINISTRATION—Cont'd,	Sec.	EXECUTORS AND ADMINISTRATION—Cont'd,	Sec.
allowance of accounts, legalization, exception where improper credits have been given by maker.....	4746	mortgage of estate, when.....	4593, 4617
release from liability, legalization of acts, not to apply where there has been intentional fraud or malfeasance	4747	license to mortgage, how obtained... ..	4594, 4618
LIABILITIES.		decree for license to mortgage, contents	4595, 4619
conversion of property by, criminal liability	6723	extension or renewal of mortgage	4596, 4620
embezzlement or alienation of property before issue of letters, liability of executor, etc.....	4500	license to mortgage, bond.....	4597, 4621
EXECUTORS DE SON TORT.		bond before mortgage or sale.....	4597
executors de son tort.....	5916	license to sell, limit of time.....	4598
SALE AND MORTGAGE OF LAND BY EXECUTORS AND ADMINISTRATORS.		public sale, notice, contents and publication	4599
repeal of statute, c. 57, p. 1259, c. 58, p. 1260.		— at what hours.....	4599
real estate obtained on foreclosure of mortgage or at execution sale, disposal to pay debts, etc.....	4504	private sale, when directed, appraisal of land, oath of appraisers, filing..	4600
disposal, if not sold to pay debts, as personal estate.....	4505	— filing appraisement, sale not to be for less than appraised value, notice of sale.....	4600
insufficiency of personalty, sale of realty	4527	sale partly public and partly private	4601
license to sell real estate, petition, contents	4575	oath and sale, contents, oath of non-resident	4604
— order to show cause.....	4576	proof of notice of sale, how made... ..	4606
proceeding on hearing of petition....	4577	adjournment of sale.....	4607
license to sell the whole or part of land	4578	— notice	4608
license to be refused if bond to pay debts, legacies, etc., to be given....	4579	report of sale, examination by court, vacation and order of resale.....	4609
court may make order of sale, when, sale of whole or part.....	4580	confirmation of sale.....	4610
platting of land, sale according to plat	4581	avoidance of sale, when.....	4612
sale at private sale not to be for less than appraised value.....	4581	sale not affected by irregularity, when	4613
order of sale, contents.....	4582	certified copies relating to sale to be furnished by probate court.....	4614
sale of lands devised and lands sold by heirs or devisees.....	4582	— record by register of deeds.....	4615
sale of interest of decedent under contract to purchase.....	4583	copies of papers relating to sale to be evidence	4616
— purchaser to indemnify against purchase price.....	4584	sale by executor, etc., without taking oath, legalization	4744
— indemnity by purchaser.....	4585	sale by foreign executors, etc., filing copy of appointment, acting by assignee	4589
— confirmation, assignment of the contract, rights of assignee.....	4586	sales of land, conveyances legalized..	7556
— disposal of proceeds.....	4587	foreign executor, conveyances by legalized	7575
sales of property subject to mortgage charges, etc., indemnity by purchaser, release, etc.....	4588	foreign oaths on sales of land by legalized	7586
		sales under order of court since April 24, 1889, legalized.....	7587
		PAYMENT OF LEGACIES AND ASSIGNMENT OF ESTATE.	
		debts and legacies to be paid in full when assets are sufficient.....	4528
		assignment of residue of estate, record of decree of distribution with register of deeds.....	4642

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EXECUTORS AND ADMINISTRATORS.

2249

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
EXECUTORS AND ADMINISTRATORS—Cont'd,	
partition of real and personal property, appointment of commissioners, powers of commissioner.....	4653
shares, how set out	4654
partition; when estate cannot be divided, provision for owelty.....	4655
partition not to be established until owelty is paid or secured.....	4656
no partition until appointment of guardians for minors, etc., and agents for nonresidents, notice of appointment, notice by commissioners	4657
report of commissioners and proceedings thereon	4658
— decree in accordance therewith	4659
expenses of partition and distribution, by whom paid.....	4660
— to be paid by parties in interest	4661
distribution for nonresidents, appointment of agent to take charge thereof	4662
agent for nonresident heir, bond and compensation	4663
bond of heir, partial distribution...	4664
assignment of estate without notice, opening decree, notice thereof.....	4749
— new assignment, provision for debts	4749
<i>advancements.</i>	
how construed.....	4645-4648
value of, how fixed.....	4649
death of heir before decedent.....	4650
determination on final settlement of account	4651
determination of value.....	4652
ACTIONS BY AND AGAINST.	
right of action by.....	4519
— set-off, certifying judgment to probate court	4520
actions against, jurisdiction of justice	4960
limitation of actions.....	5148
— by	5149
— against	4514
— to recover land sold.....	4611
actions by, parties	5158
garnishment of.....	5310
costs in action by or against, charge on estate, personal liability.....	5509
actions between cotenants.....	5580
action for death by wrongful act....	5913
right to sue for possession of real estate or to quiet title	4497

	Sec.
EXECUTORS AND ADMINISTRATORS—Cont'd,	
interest of deceased mortgagee deemed personal assets, foreclosure by administrator	4502
redemption of mortgage release, etc., purchase on foreclosure.....	4503
action to recover property conveyed in fraud of creditors.....	4506
— security for costs.....	4507
actions pending against decedent, defense by executors, etc., certifying judgment to probate court and payment thereof	4518

APPEALS.

in what case appeal allowed.....	4665
who may appeal.....	4666
— parties aggrieved	4667
notice of appeal, service (par. 1)....	4668
necessity of giving bond on appeals, etc.	7989
— time of taking appeal (par. 2)....	4668
return on appeal.....	4669
appeal suspends order appealed from	4670
notice of trial, entry on calendar....	4671
trial in district court.....	4672, 4673
trial without jury.....	4674
affirmance of judgment, when.....	4675
appeal from allowance or disallowance of claim, pleadings, trial.....	4673
— certifying judgment to probate court	4522
appeal from allowance of claim (pars. 4, 8)	4665
appeal from disallowance of claim (par. 5)	4665
who may appeal from allowance or disallowance	4666
appointment, etc., appeal (par. 2)....	4665
judgment vacating or refusing to vacate order procured by fraud, etc., appeal (par. 9).....	4665
appeal from order directing or refusing conveyance under contract (par. 10)	4665
appeal from decree of conveyance or dismissal	4627
appeal from distribution (par. 6)....	4665
reversal and modification of judgment, mandate to probate, proceedings	4676
prevailing party to recover costs....	4677
affirmance of judgment, judgment on bond, execution, etc.....	4678

MINNESOTA STATUTES 1894

2250

EXECUTORS AND ADMINISTRATORS—EXTRADITION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EXECUTORS AND ADMINISTRATORS—Cont'd,		EXPERIMENTAL TREE STATION,	
FOREIGN EXECUTORS AND ADMINISTRATORS.		at state university	3917-3920
exemplification of appointment filed,		EXPERTS,	
prima facie evidence.....	4715	appointment on appeal from order of	
actions by.....	5917	factory inspector.....	2261
foreclosure of mortgage, filing copy		fees	5547
of appointment.....	6053	EXPLOSIVES,	
how to discharge mortgages, liens, etc.	4716	regulation in villages (par. 5).....	1299
power to act by attorney, record		death resulting from, when deemed	
of power of attorney.....	4717	manslaughter	6457
foreclosure of mortgages by, legal-		keeping unlawfully, injuries.....	6617
ized	7588, 7589	criminal liability for injuries result-	
EXEMPTIONS,		ing from	6773
(see "Jury"; "Wages.")		placing near building, criminal lia-	
homestead exemption	5521-5529	bility	6784
(see "Homestead.")		EXPRESS COMPANIES,	
what is exempt.....	2270, 5459	place of taxing personal property....	1517
rights of nonresident debtors.....	5459	to keep record of property.....	2090
of members and officers of legislature		property of another deposited with,	
from jury duty.....	230	duties concerning.....	2090, 2091
of cemeteries.....	3107, 3134	sale of unclaimed property.....	2092-2103
of property of village from execu-		EXPRESSMEN,	
tion or taxation.....	1416	licensing and regulating (par. 32)...	1299
of uniforms, arms, etc., of militia-		— in villages (par. 17).....	1299
men	1749	EXTORTION,	
of fund set apart by benevolent so-		defined	6732
cieties not liable to execution		what constitutes	6733, 6735, 6742
against member.....	3295	— refusal to pay wages.....	6736
of benefit or aid from co-operative		taking illegal fees forbidden.....	5584
life, etc., associations.....	3312	penalty for taking illegal fees.....	790
wages not subject to garnishment... 5314		liability of sheriff.....	790
liabilities against which no exemp-		executive officer taking unlawful fees	6330
tions can be claimed.....	5460	by threatening to publish libel.....	6506
earnings of children of debtor.....	5461	punishment	6734, 6736
of damages sustained from wrongful		by public officers.....	6738
levy on exempt property.....	5462	blackmail	6739
from taxation	1512, 1513	threat to do unlawful injury to per-	
ascertaining value of property levied		sonal property.....	6740
on	5463	verbal threats.....	6741
inventory	5463	when sending of letter deemed com-	
setting apart exemptions.....	5463	plete	6822
indivisible articles of value greater		venue of prosecution for sending let-	
than exemption.....	5463	ter	6822
earnings of debtor.....	5491	EXTRADITION,	
animals not exempt, when.....	6804	(see "Fugitives from Justice.")	
EXHIBITIONS,		appointment of agents to demand	
entry of horses under assumed name,		fugitives	7084
and fraud in entry.....	2970-2972	investigation and report in matter of	
malicious injury to articles in.....	6787	making demands on other states for	
EXPERIMENTAL FARM,		fugitives	7084
established in connection with state		payment of expenses.....	7084
university	3914	proceedings where demand is made	
provision for.....	4023	by governor of another state.....	7085
		warrant of extradition.....	7085

MINNESOTA STATUTES 1894

Vols. 1 & 2]

EXTRADITION—FARMERS' INSTITUTES.

2251

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
EXTRADITION—Cont'd, punishment for delivering person arrested without complying with certain conditions.....	7085	EXTRADITION—Cont'd, execution of warrant of extradition	7085
rights of person arrested under warrant of extradition.....	7085	application for writ of habeas corpus by person arrested	7085
		power to take fugitive under warrant of governor.....	7088

F.

FACTORS AND BROKERS, (see "Brokers"; "Principal and Agent.")		FALSE PERSONATION—Cont'd, — punishment	6745
FACTORY, definition	473, 2264	of policemen, penalty.....	1315
rules of labor for children.....	6541	of officers or others having special authority	6746
mismanagement of steam-boiler.....	6608	FALSE PRETENSES, (see "Larceny.")	
protection against fires.....	8006-8009	nature of offense.....	6709
FACTORY INSPECTOR, definition	2264	grand larceny in first degree.....	6712
member of bureau of labor.....	469	grand larceny in second degree.....	6713
eligibility to office.....	477	what constitutes property; executed, but unissued, instruments.....	6718
appointment of assistants.....	475	purchase of property through false representations as to financial ability	6724
powers with regard to fire escapes...	2253	obtaining signatures by.....	6747
powers and duties in enforcing labor laws	2258	— punishment	6747
duties with regard to enforcing municipal ordinances.....	2259	obtaining employment by.....	6748
injunction against order of.....	2261	obtaining property from livery stable keepers	6813
compensation	477	punishment	6716, 6717
FAIRS (see "Agricultural Societies.")	2952-2981	FALSE REPRESENTATIONS, by agents or physicians of co-operative life, etc., associations.....	3315
annual fair of state agricultural society	2963	concerning title to land, penalty....	6873
entry of horses under assumed name, etc., prohibited.....	2970	as to breed of animals	6906
penalty for violation.....	2971	FALSE STATEMENT, by taxpayer as to taxes.....	6667
entry of animals; class, how determined; fraud	2972	FALSE SWEARING, (see "Perjury.")	
arrest and ejection of swindlers on grounds	6596-6598	FARCY, duties of local board of health.....	1466
malicious injury to articles in.....	6787	killing animals infected with.....	1480
FALSE BRAND, by cheese manufacturers.....	6998	FARIBAULT COUNTY, boundaries	559
FALSE IMPRISONMENT, jurisdiction of justice.....	4960	FARM CROSSINGS, duty of railroad company.....	2696
limitation of actions.....	5138	power of owner of adjoining railroad	2697
FALSE PERSONATION, fraud on estates of deceased persons	6410	FARMERS' INSTITUTES, annual appropriation	3877
when offense committed.....	6743	how expended, limitations.....	3878, 3879
punishment	6743	board of administration, how constituted	3880
limitation of time within which to prosecute	6744	appointment of superintendent, term of office	3882
who to make complaint.....	6744		
receiving property in false character..	6745		

MINNESOTA STATUTES 1894

2252

FARMERS' INSTITUTES—FEES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FARMERS' INSTITUTES—Cont'd,		FEES—Cont'd,	
institute circuits, arrangement by board and superintendent, auditing accounts	3883	of state treasurer for depositing securities of building and loan associations	2892
superintendent, duties	3884	of public examiner, examining building and loan association	2873
salary of superintendent	3885	received by public examiner or state treasurer from building and loan associations, disposal	2893
expenses and salaries of superintendent, how paid	3885	of surveyor general of logs	2402
board of administration to audit reports and accounts	3886	— for filing papers in proceedings to perfect lien on logs	2432
annual distribution, requisition for paper	3887	payment to insurance commissioner, disposal	3153
annual limitation of expenditure, use as premiums by county agricultural societies, bound copies	3887	of insurance commissioner paid by cooperative life, etc., associations	3309
sessions	3888	payment by foreign live-stock insurance company, and filing articles of association	3318
FARMERS' MUTUAL FIRE INSURANCE COMPANIES	3265-3280	of insurance commissioner of license and certificates to foreign live-stock associations	3323
(see "Insurance Companies.")		of inspector of illuminating oils	455-457
FAST DRIVING,		for inspecting steam vessels	484
on bridge prohibited	1870-1872	for inspection of steam boiler	491
FEBRUARY TWENTY-SECOND,		— disposal	492
(see "Holidays.")		of state librarian for certifying copies of judicial decisions	5717
FEDERAL COURTS,		OF CLERKS OF COURT.	
commitment of infants to state reformatory school	3527	of clerk of supreme court	5545
lien of judgments on real estate, transcripts	5427-5429	of clerk of district court, in general	2272, 5537, 5538
FEES,		— limitation of Laws 1887, c. 120 ..	5539
(see "Compensation"; "Costs.")		clerk of court in counties where compensation does not exceed \$800	5540
license fees (see "License"; "Intoxicating Liquors").		of clerk of court in Dakota county ..	5541
officers to set up table of fees, penalty for neglect	5583	of clerk of court in Hennepin county ..	5542
taking illegal fees forbidden	5584	of clerk of court in Ramsey county ..	5543, 5544
for services not actually performed not to be exacted	5585, 6332	of clerk of court under act regulating sale of patent rights	8051
— penalty	5586	filing statement of fees received	869
officer taking unlawful fees	6330	of clerks and officers in village municipal court, payment by party to action	1395
officer to give account and receipt for payment, penalty for failure	5591	OF COUNTY OFFICERS.	
officers performing same services entitled to same fees	5592	filing statement of fees received	870
of prosecution to be out of the county treasury, when	5594	accounting by county auditor for fees received	720
OF STATE OFFICERS.		of surveyors and registers, making and recording town plats	2311
accounting by secretary of state for fees received	318	of register of deeds	4072, 5567, 7811
of secretary of state for issuing license to ticket agent	2785	— payment in advance	765
paid on filing articles of incorporation ..	3391	— in counties where compensation does not exceed \$800	5568
payment on increasing capital stock of corporation	3392		
paid by corporation	3393		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

FEES.

2253

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FEES—Cont'd,		FEES—Cont'd,	
— in Dakota county.....	5569	in Hennepin and Ramsey counties..	5577-5580
— in Hennepin county, salary.....	5570	attorney not entitled thereto.....	5590
— in Ramsey county.....	5571		
county treasurer for filing certain instruments relating to lands sold for taxes	1658	JURORS.	
SHERIFFS.		of grand and petit jurors.....	5574
in general.....	5550	of jurors in village municipal court, payment by party demanding jury	1398
in Dakota county.....	5551	payment of jury fee by plaintiff.....	5368
in Hennepin county.....	5552	of jurors in district court, certificate of clerk to be filed with county auditor	5574
in Ramsey county.....	5553	of jurors in Hennepin county.....	5618
CORONERS.		— payment on certificate of clerk of court	5575
in general, inquests, allowance to physicians for post mortems.....	5554	of jurors in Ramsey county.....	5626
MUNICIPAL OFFICERS.		— payment on certificate of clerk of court	5576
of town officers.....	1003	in Hennepin and Ramsey counties, certificate, receipt to clerk of court..	5577, 5580
of town clerk estray notice.....	2082	— certificate, auditor's warrant....	5578
of town treasurer.....	1000	— payment of warrant by county treasurer	5579
of pound master.....	1004	IN GARNISHMENT.	
of town or city clerk for services connected with levying execution.....	5453	of garnishee.....	5334
of town clerk, etc., for filing seed grain notes.....	4150	— tender of payment.....	5308
JUSTICES OF THE PEACE.		of officers taking garnishee's disclosure	5324
allowance of fees and costs in justices' courts...1259, 2083, 2103, 5558—	5560	IN PROCEEDINGS IN LUNACY.	
(see "Costs.")		allowance by probate court in committing insane person.....	4690
CONSTABLES.		— audit and payment.....	4691
of constables...1259, 1265, 2086, 2103,	5555	on examination of insane person, where person found not to be insane	4692
of persons performing constable's duties	5556	for services relating to insane persons	3495
ELECTIONS.		IN PROBATE PROCEEDINGS.	
tender of on filing certificate of nomination for office.....	49	of executors, administrators, and guardians	4724
WITNESSES.		of appraisers in probate proceedings	4725
of witness	472	for certified copies of probate courts, files and records.....	4733
mileage	5547	judge of probate or clerk prohibited from taking.....	4419
allowance to experts.....	5547	MISCELLANEOUS.	
for one day to be paid in advance....	5548	of commissioner to take testimony..	5546
summoned at coroner's inquest.....	847	of court commissioner.....	5582
in criminal cases.....	5549	of referees.....	5572
— of nonresident witness, allowance by court.....	5593	— how paid.....	5391
— attendance required without prepayment	5595	of stenographers of municipal courts in villages.....	1373
witness to attend without prepayment of fees on request of attorney general or county attorney, penalty for neglect	5595		
of witnesses for state, payment....	5596		

MINNESOTA STATUTES 1894

2254

FEES—FERRIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FEES—Cont'd,		FENCES—Cont'd,	
of bailiffs of village municipal court,		what constitutes legal fence.....	2055
accounting	1404	— sufficiency of wire fence.....	2055
jail fees of offenders under general		what constitutes legal partition fence	2055
laws, village not liable.....	1415	partition fences, obligation to main-	
for registering municipal aid bonds..	1692, 1693	tain	2056, 2076, 2077
for filing official bonds, oaths of of-		enforcing duty to maintain partition	
fice, etc., paid by county.....	873	fence	2057
of commissioners appointed in pro-		performing duty of adjoining owner	
ceedings to erect dam.....	2355	to maintain fence.....	2057
for scaling logs, by whom paid....	2412	— rights accruing.....	2058, 2060
of boom companies for assorting rail-		how controversy concerning partition	
road ties, etc.....	2470	fences settled	2059, 2066
of officers making arrests for violat-		— where lands are bounded by wa-	
ing law relating to cruelty.....	3021	ters	2064, 2065
of officers for viewing tollroads.....	3379	apportionment of liability to maintain	
of commissioners in proceedings to		partition fences	2059
acquire sites for schoolhouses.....	3658	— effect	2061
of assignees or receivers under insol-		partition fences, continuous liability	
vent law.....	4253	to repair.....	2063
of court reporter.....	4890	occupant of land performing duty of	
of notaries public.....	5557	adjoining owner, rights accruing..	
of appraisers, commissioners, and		2062, 2065, 2967, 2079	
others	5573	lands occupied in common.....	2066
of printer for publishing notices, etc.	5581	assignment of time for making fence	2067
on examination and admission to		partition fences, when may be re-	
practice law.....	6176	moved	2068
for filing conditional sales.....	4153	— obligation to maintain.....	2069
for private person serving process..	5198	— on town line, selection of viewers	2070
— for serving process of justice....	4970	— running into the water.....	2071
FEE SIMPLE,	4363	— between unimproved lands.....	2072
(see "Estates.")		— right to remove.....	2073
word "heirs" unnecessary to create..	4163	— when obligation to maintain	
FEE TAIL,		ceases	2073
changed to allodium.....	4364	— between grazing lands	2076, 2077
(see "Estates.")		— in municipalities	2078
conveyances, etc., by tenants in tail..	4365	in Goodhue and McLeod counties....	2077
(see "Estates.")		duty of railroad companies to build..	
FELLOW SERVANTS,		2684, 2692	
liability of railroad company for neg-		lien for construction, repair, etc.....	6229
ligence of	2701	FENCE VIEWERS,	
FELONIES,		neglect of duty by fence viewer....	2074
definition	6260	compensation of fence viewers.....	2075
division and definition.....	6288, 6289	fence viewers in unorganized counties	2076
punishment when not fixed by statute	6296	town supervisors to be viewers.....	929
FELONIOUS,		FERRIES,	
meaning of term.....	255	license, necessity of	1929
FELONIOUSLY,		— restriction	1922
meaning of term.....	255	— how executed.....	1924
FENCES,		— application for notice.....	1927
(see "Timber and Hedges.")		— in unorganized counties	1932
in towns, powers of electors in town		— in cities, limitation of license...	1933
meeting	930	between two counties, powers of	
"legal fence" defined.....	2054, 2122	county commissioners of respective	
		counties	1923

MINNESOTA STATUTES 1894

Vols. 1 & 2]

FERRIES—FINES.

2255

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FERRIES—Cont'd,		FINES—Cont'd,	
on stream forming state boundary,		imposed on oil inspector for dealing	
power of county commissioners....	1923	in oils.....	450
taxation, payment of tax, receipts....	1925	for unauthorized use of names in re-	
— existing ferries to be taxed.....	1930	port of bureau of labor.....	471
duty of keeper, attendance, damages		for improperly allowing claim against	
for refusal to convey.....	1926	county.....	690
maintenance without authority of		— recording instruments.....	774
law, prosecution in what county....	6632	liability of sheriff.....	795
licensee to give bond.....	1931	— for violating duties.....	793, 795
violating condition of bond to keep		— for neglect of duty.....	789, 7424
ferry.....	6633	for failure of judge of probate to de-	
rate of ferriage, penalty for over-		liver books to successor.....	820
charge.....	1928	— constable to execute warrant....	845
penalty for running toll.....	1874	for violation of law by county of-	
FIDELITY COMPANIES,		ficers.....	872
corporation may act as surety, certifi-		collected by city justice, accounting	
cate of insurance commissioner....	5947	for.....	1075
acting as surety on bond, premium		for failure of officer to deliver books	
paid chargeable to trust fund.....	5948	to successor.....	1080
— release from liability.....	5949	for neglect of duty in eminent do-	
— estopped to deny power.....	5950	main proceedings (par. 1).....	1107
FIGHTING,		for improperly admitting instrument	
in public place.....	6938	to record.....	1159, 1624
FILING,		for neglect of duty by health officers..	
of pleadings, bonds, etc.....	5220	1461, 1464, 1474	
FILLMORE COUNTY,		liability of revenue officers.....	1641
boundaries.....	560	of overseers of highways for failure	
FINDING LOST GOODS,		to deliver tax list and certificate....	1800
when finder guilty of larceny.....	6720	for neglect of duty by fence viewer..	2074
FINDINGS OF FACT,		— relating to animals.....	2129
by court, when and how made.....	5386	liability of notary public.....	2273
FINES,		— officers of soldiers' home.....	3618
(see "Forfeitures.")		for failure to execute, or false return	
limit of.....	6835	of, process.....	4971
punishment of minor under 16.....	6840	against public officer for neglect of	
who to collect.....	1563	duty, imposition on issuing writ of	
enforcing payment of.....	1190	mandamus.....	5984
imposed by city justices.....	1074	for paying false claims against state	
— in criminal proceedings, how col-		or municipality.....	6421, 6422
lected and paid over.....	5128, 5129	neglect of town supervisors with re-	
prosecution to recover, in what court,		gard to drains.....	7816
commitment of defendant.....	5960	VIOLATION OF BANKING LAW.	
action for, how brought.....	5956	for violating act with regard to banks	2524
imprisonment until payment.....	6835	for excessive issue of bank notes....	2497
for removal of cause by foreign cor-		for issuing illegal currency.....	2513
poration to federal court.....	3421, 3422	for failure of bank to make reports...	2515
for resort to federal courts by foreign		— savings bank to report.....	2576
corporations.....	3426, 3427	for improperly doing business as sav-	
FOR VIOLATION OF OFFICIAL DUTIES.		ings bank.....	2583
imposed on public examiner for re-		VIOLATION OF LABOR LAWS.	
ceiving illegal compensation.....	421	for violating labor laws.....	2246
for failure to collect vital statistics..	439	— laws for protection of employes..	2263
— perform duties with regard to		for requiring more than ten hours'	
vital statistics.....	441	work in a day.....	2240

MINNESOTA STATUTES 1894

2256

FINES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

FINES—Cont'd,

VIOLATION OF LAWS RELATING TO CARRIERS.

imposed on common carriers for violation of law.....	403
— officers of common carriers for violation of laws.....	403
for improper construction of railroad switches	2682
for neglect of duty concerning high-way crossings.....	2690
— railroad company to fence track..	2699
liability of railroad company.....	2700
for neglect of duty by carrier with regard to waiting rooms.....	2703
for failure of railroad company to stop trains at county seat.....	2705
for violating law with regard to stopping trains.....	2706
for neglect of duty by carrier with regard to passengers	2707
for failure of carrier to furnish facilities for handling freight.....	2709
for violation by carrier of law with regard to carrying stock.....	2711
for violation of law by officers of railroad company.....	2746
for unlawful abandonment of road by railroad company.....	2758
for neglect of railroad company to maintain certain offices.....	2762
for violation by street-car companies of law concerning drivers.....	2769
for violating act concerning sale of transportation tickets.....	2787, 2789
for refusal to redeem transportation tickets	2791
for defrauding carrier by improperly disposing of tickets.....	2792
for violating act with regard to getting on or off of moving cars	6858
for attempting to obstruct engines on railroads	6856

FOR PARTICULAR OFFENSES.

for refusal to furnish information to commissioner of statistics.....	407
for obstructing public examiner in performance of duties.....	419
for refusal to give notice of births and deaths	437
for failure to make certificate as to births and deaths.....	438
for selling or using inferior oils.....	452
for falsely branding illuminating oils..	453

Sec.

FINES—Cont'd,

for violating act concerning sale and inspection of illuminating oils....	453, 454
for selling illuminating oils disapproved by inspector.....	454
for refusal to obey subpoena of bureau of labor.....	472
for obstructing bureau of labor in performance of duty.....	473
for failure of juror to appear.....	845
for refusal to aid in maintaining peace	1082
for violating city ordinances (par. 32).	1085
— regulations concerning buildings and fire limits.....	1173
for refusing to aid in arrest.....	1177
for violation of regulations of board of health..1464, 1472, 1481, 1490, 1491,	1495
for failure to disclose information concerning diseases among animals....	1473
for violating regulations concerning animals	1485
for interfering with property levied on to enforce taxes.....	1675
for unlawfully driving away estrays..	2088
for violating law concerning estrays	2089
for wrongfully taking trespassing animals distrained.....	2123
for allowing animals to run at large..	2124
liability of auctioneer.....	2297, 2300
— for selling without license.....	2299
for depositing mill waste in Mississippi river.....	2389
liability of corporate officers	2793
imposition on withdrawal of shares from building and loan association..	2881
— by camp-meeting association, etc.	2947
against members by chambers of commerce and boards of trade (par. 4)..	2983
for failure to keep record of burials..	3095
for discharging firearms in cemeteries	3105
for disobeying order to open toll gate	3378
liability of toll gatherer	3381
for obstructing or injuring toll roads..	3386
for refusal to pay toll.....	3387
for selling liquor near state university	3924
for trespass on public lands.....	3990
for failure to mark logs cut on state lands	4013
for fraudulently marking timber cut on state lands.....	4017
for offenses committed in state park..	4050
for cutting or injuring trees in state park	4057
for defacing notice of mining claim..	4070
for injuring monuments, etc., of government surveys.....	4126

Sec.

MINNESOTA STATUTES 1894

Vols. 1 & 2]

FINES.

2257

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

FINES—Cont'd,	Sec.
for failure to deliver or record certificate of marriage.....	4779
for illegally solemnizing marriage..	4780
for making false certificate of marriage	4780
for wrongfully solemnizing marriages	4781
for failure of juror to appear.....	5015
for contempt of court.....	5083
for usurpation of office or franchise..	5969
for forcible entry on lands.....	6108
imposed in forcible entry and detainer	6116, 6118
for contempt, limit.....	6166
for fraud of contractor upon material man	6244
for failure to give certain notice to holder of mortgage on animals.....	6251
for disclosing fact of indictment....	6414
for conversion or wrongful disposition of property of state or municipality	6422
for attempting suicide.....	6432
for manslaughter in second degree...	6458
for assault.....	6475, 6476
for injuries to lighthouses or lights of United States along navigable waters	6776
for mooring to buoys or beacons....	6778
for injuries to buoys or beacons....	6778
for criminal trespass.....	6781
for wrongful disclosure or obtaining of knowledge of contents of telegram	6782
for refusal or neglect to transmit telegrams	6782
for cruelty to animals.....	6793, 6797
for poisoning animals	6796
for violating law concerning frightening of animals.....	6801
for obstructing agent of society for prevention of cruelty.....	6803
liability of owner or person in charge of diseased animals.....	6805
for importing or allowing to run at large diseased sheep.....	6976
for destroying certain birds or their nests	6795
for injuring articles in libraries, etc..	6787
for injuries to public buildings or articles therein.....	6789
— property, general provisions,....	6791
for attempt to commit crime.....	6825
for setting spring guns, etc.....	6854
for violating law with regard to doors of theaters or other public buildings.	6861

FINES—Cont'd,	Sec.
— health laws.....	7064
— act concerning extradition of criminals	7085
— act concerning jails.....	7436
for injuring or delaying construction of drains, etc.....	7784
for obstructing drain or diverting water therefrom.....	7817
for defrauding inn keepers or boarding-house keepers	7999
imposed on hotel or other runners....	8004
for violating law relating to civil rights	8003
for injuring landmarks.....	700
for violating village ordinances	1268
for keeping employment bureau without license.....	1455

DISPOSITION.

for granting false certificate of inspection of steam boilers, etc., to go to state.....	490
to treasury of county	5959
apportionment among school districts.	3763
to be devoted to support of schools..	3768
for violation of election law to be paid to schools.....	202
for failure to have weights and measures sealed, payment to school fund.	2205
for selling liquor without license, payment to school fund.....	1993
injury to buoys and beacons, payment to school fund.....	6779
for violation of laws regulating Texas and Indian cattle, payment to school fund	6882
— in regard to health, disposition..	7074
collected under act relating to cruelty to animals and children, disposal of	6808
disposition of fines for violation of laws for protection of children....	6544
for violation of village ordinance, payment into village treasury.....	1255
— disposition	1258
collected in enforcing health regulations, disposition of.....	1465
for neglect of duty by militiamen, payment to military fund.....	1754
for neglect of road duty, to be paid to overseer of highways.....	1796
for obstructing highways, expenditure on highways.....	1860
for selling liquor at capitol, expenditure for state library.....	2007

MINNESOTA STATUTES 1894

2258

FINES—FISH.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FINES—Cont'd,		FINES—Cont'd,	
for taking fish from Lake Superior		providing protection against.....	8005
in spawning season, disposition....	2131	— classification of buildings.....	8006
for violation of game and fish law,		— appliances for different classes..	8007
disposal	2190	— duty of enforcing act, penalty for	
FIRE APPARATUS,		violation, application of funds....	8009
power of village to purchase.....	1231	fire extinguishers	8008
FIREARMS,		obstructing, extinguishment, misde-	
preventing discharge in villages (par.		meanor	6631
15)	1299	criminal liability for setting.....	6774
discharging in public places.....	6661	obstructing putting out of fire, etc..	6862
sale to minor	6627	stealing at fires.....	6833
sale of, to minors prohibited.....	6946	inquiry into incendiarism, proceed-	
regulations by cities (par. 15).....	1085	ings	6864
FIRE COMPANIES,		— oath of jurors.....	6865
privileges accorded members.....	1175	— subpoena of witnesses, attend-	
exemption from taxation (par. 7)	1512	ance	6866
FIRE DEPARTMENT,		— oath of witnesses	6867
power of common council.....	1175	— testimony, how taken.....	6868
— appointment of officers.....	1176	— inquisition of jury.....	6869
establishment in village.1224 (par.10),	1316	— process to arrest person charged	6870
certificates relating thereto, to be filed		— fees and expenses of inquiry, how	
with insurance commissioner.....	3216	paid	6871
FIRE DEPARTMENT RELIEF ASSO-		FIRE WARDENS,	
CIATIONS,		appointment by village council (par. 7)	1224
Incorporation, general statutory pro-		FIREWORKS,	
visions	2913-2928	regulation by cities (par. 15).....	1085
(see "Corporations.")		preventing exhibition in villages (par.	
not subject to garnishment.....	5313	15)	1299
FIRE ESCAPES,		FISCAL YEAR,	
duties of employers.....	2252, 2253	when begins and ends.....	283, 284, 1066
FIRE INSURANCE COMPANIES...	3195-3222	FISH,	
(see "Insurance Companies.")		(see "Fish Hatchery"; "Fishing";	
FIRE LIMITS,		"Fish Ways.")	
establishment in village.....		board of game and fish commission-	
1224 (par. 10), 1299 (par. 33)		ers	2149-2152
FIREMEN,		(see "Board of Game and Fish	
exemption from jury service.....	5628	Commissioners.")	
of state capitol, duties and powers..	304	violation of law, penalties.....	2148
— compensation		sole property of state, may be killed	
304 (pars. 4, 5), 530 (pars. 20, 21)		or taken, how.....	2153
on locomotive, law concerning day's		closed season for fishing, penalty....	2164
work	2242, 2243	manner of taking fish during open sea-	
FIRES,		son, penalty.....	2165
(see "Arson"; "Fire Apparatus";		fishing near fish ways, penalty.....	2166
"Firearms"; "Fire Companies";		taking with trot lines, etc., prohibited	2167
"Fire Department"; "Fire Es-		taking with poison, dynamite, or other	
capes"; "Fire Limits"; "Fire-		deleterious substances.....	2167
men"; "Fire Limits"; "Fire-		taking of small fish prohibited, penalty	2168
works.")		waste prohibited, limit of catch, penal-	
power of common council in protect-		ty	2169
ing city against.....	1173, 1174	shipment out of state, penalty for	
summary arrests at.....	1177	violation	2170
protection against in villages (par. 37)	1299	possession of fish caught outside of	
negligence in respect to, misdemeanor	6630	state contrary to law, penalty.....	2171

MINNESOTA STATUTES 1894

Vols. 1 & 2]

FISH—FOOD.

2259

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FISH—Cont'd,		FISH—Cont'd,	
possession prima facie evidence of violation of law, evidence to disprove	2172	contraband nets, seines, etc., placed in contravention of law, obstruction...	2140
transportation by common carrier, duty of carrier to notify fish commissioners, penalty for violation....	2173	placing fish other than trout in protected waters, penalty.....	2142
violation of law, attempt.....	2174	catching or having in possession trout out of season, penalty.....	2143
having possession or shipment thereof, act construed to include any part of flesh or meat.....	2175	catching trout out of season, arrests, disposition of contraband property..	2144
officers to enforce law, arrest without a warrant.....	2176	— warrant of magistrate, seizing contraband property, affidavits....	2145
seizure of contraband, search warrants, report to board of game and fish commissioners.....	2177	— affidavits, by whom made.....	2145
board of game and fish commissioners to sell contraband game or fish....	2178	— prosecution, how conducted, sale of contraband property, disposition of proceeds and fines.....	2146
shipment by board of game and fish commissioners, lawful when.....	2179	— jurisdiction of prosecutions, costs, security	2147
devices for catching contrary to law, seizure by officers, prima facie evidence	2180	appropriations for 1893 and 1894....	2191
resistance to officer, penalty.....	2183	statute regulating, repeal.....	2182
collections for scientific purposes, certificate to scientific body, bond.....	2184	repeal of statutes relating to fish in certain lakes and rivers.....	2192
obstruction of streams, construction of fish ways, powers of board of game and fish commissioners.....	2185	FISH HATCHERY,	
sawdust in stream prohibited, penalty	2186	custody and control.....	2151
definition of words in act.....	2817	filing map of.....	4116
prosecution for violation of law, participant in violation may testify against accomplices.....	2188	cession of jurisdiction by state to United States.....	4115, 4117
violation of law, disposal of fines, etc..	2190	FISHING,	
taking of spawn by United States fish commission permitted	2193	on Sunday prohibited.....	6515
taking from Lake Superior in spawning season, penalty.....	2130	FISH WAYS,	
— disposition of fine.....	2131	construction	2185
private fish ponds, posting notices, punishment of trespass.....	2134	FIXTURES,	
— constructing screens, fish ways, etc., not to obstruct navigation or impede passage of fish, penalty for violation	2135	severance of, larceny.....	6719
— penalty for injuring property....	2136	FLAGS,	
— ownership of fish.....	2137	of Minnesota regiments, preservation	8035
— trespassers guilty of misdemeanor	2138	— to be kept at capitol.....	8036
— destroying fish by explosives or deleterious substances, penalty and damages	2139	commission to adopt state flag.....	8037
nets, seines, etc., near mouth of stream flowing into Lake Superior prohibited, penalty.....	2140	state flag, description of design.....	8038
		— photograph	8039
		FLOWAGE,	
		of land by erection of dam.....	2353
		FOLIO,	
		meaning of term.....	255
		FOLLOWING,	
		meaning of term.....	255
		FOOD,	
		(see "Adulteration"; "Baking Powder"; "Vinegar"; "Milk.")	
		adulteration and imitation (see "Oleomargarine").	
		adulteration and sale thereof.....	6625
		sale of tainted or spoiled food.....	6626
		manufacturing, selling imitations without brand, misdemeanor.....	6641
		regulation and inspection in villages (par. 25).....	1290

MINNESOTA STATUTES 1894

2260

FORCIBLE ENTRY AND DETAINER—FORGERY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FORCIBLE ENTRY AND DETAINER,		FOREIGN—Cont'd,	
what constitutes.....	6659	insurance companies (see "Insurance Companies").	
action in village municipal courts, second trial in district court where title involved	1385	wills (see "Wills").	
recovery of possession of public lands	3993	FORESTRY FUND,	
treble damages.....	5887, 5888	taxation to establish, limitation of expenditure	7864
right to enter on lands.....	6108	FORESTS,	
manner of entry on lands.....	6108	(see "Timber and Hedges.")	
fine for forcible entry...:	6108	cultivation	7853-7868
jurisdiction and powers of justice...	6109	FORFEITURES,	
restitution	6109, 6119, 6121	(see "Fines.")	
complaint and summons.....	6110	in certain cases abolished.....	6838
service and return of summons..	6111, 6113	limitation of actions for.....	5137, 5138
proceedings on return of summons...	6112	action for, how brought.....	5956
adjournment	6114	action for collusive recovery no bar to another action.....	5958
depositions	6115	action by state for forfeiture of property	5959
judgment on finding defendant guilty	6116	prosecution to recover, in what court, commitment of defendant.....	5960
amendment	6124	of liquor dealer's license.....	2001, 2020
answer	6125	incurred under law relating to town plats	2314
costs	6116	of rights under judgment in proceedings to erect dam.....	2367
execution for costs.....	6116	of rights acquired by erection of dam by nonuser	2374
disagreement of jury.....	6117	for neglect of insurance company to furnish statement.....	3179
proceedings against persons holding over	6118	of lands illegally held.....	5878
fines	6118	disposal of	5959
appeal	5066, 6120, 6121	FORGERY,	
— bond	6120	trade-marks, brands, labels, etc..	6908-6916
— effect	6121, 6122	(see "Trade-Marks.")	
— after issuing writ of restitution..	6122	"written instrument" and "writing" defined	6694
— formal defects.....	6123	"forge," "forged," and "forging" defined	6701
— compelling justices to make or amend return.....	6126	"form and similitude" defined.....	6693
forms used.....	6127	first degree.....	6690
FORECLOSURE,		— how punished.....	6704
of chattel mortgage... 4138-4140, 4143-4145		second degree.....	6692
(see "Chattel Mortgages.")		— how punished	6705
of mortgages by advertisement..	6028-6056	third degree.....	6695, 6696
(see "Mortgages.")		— how punished.....	6706
of mortgages by action.....	6057-6076	offering forged instruments for record or filing	6370
(see "Mortgages.")		false certificate of acknowledgment	6691
of lien for seed grain.....	4157	of passage tickets.....	6697
of mortgage pending action by mortgagor to determine validity of, payment, etc., deposit, bond, etc., for redemption	4198	of postage or revenue stamps.....	6698
FOREIGN,		officer of corporation uttering and selling false shares, punishment...	6699
building and loan associations... 2862-2868		falsely indicating person as officer of corporation or association, forging names of such person.....	6700
(see "Building and Loan Associations.")			
corporations (see "Corporations").			
executors, etc. (see "Executors and Administrators").			
guardians (see "Guardians").			

MINNESOTA STATUTES 1894

Vols. 1 & 2].

FORGERY—FRAUDS, STATUTE OF.

2261

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FORGERY—Cont'd,		FRAUDS—Cont'd,	
uttering, etc., forged instruments, coins, etc.....	6702	of insurance agent.....	3194
uttering writing signed with wrong- doer's name	6703	sale of chattels without delivery pre- sumed fraudulent	4210
possession of counterfeit coin.....	6707	conveyance in fraud of creditors or purchasers, heirs and assignees of creditors and purchasers.....	4222
advertising counterfeit money.....	6708	— to defraud creditors void.....	4204
search warrant to seize forged instru- ments, or tools for making.....	7081	— fraudulent as to heirs, successors, etc.	4223
indictment, form (Nos. 19-23).....	7239	— to innocent grantee not fraudu- lent as against subsequent purchas- ers with notice.....	4205
misdescription of instrument, when immaterial	7252	— with power of revocation, when void	4206
bank notes, treasury notes, etc., evi- dence	5763, 5764	— under power of revocation.....	4207
evidence in prosecution for passing forged bank notes or government obligations	5763, 5764	premature conveyance under power of revocation	4208
FORMER JEOPARDY,		conveyances, gifts, etc., in trust for grantor void	4218
what constitutes	6816-6818	fraudulent intent question of fact....	4224
acquittal, bar to subsequent prose- cution when	6276, 6277	conveyance not deemed fraudulent for want of consideration.....	4224
plea of.....	7302, 7304, 7309-7311	conveyance of land, etc., with intent to defraud creditors void.....	4222
FORMS,		assignee for benefit of creditors to avoid fraudulent conveyances.....	4233
of writs, etc., in criminal proceed- ings before justice.....	5130	bona fide purchasers protected.....	4225
(see "Justice of the Peace.")		term conveyance defined.....	4226
in civil actions in justices' courts....	5092	in execution of power.....	4351
of indictment	7239	judgment procured by, action to set aside	5434
FORNICATION,		of contractor upon material man....	6244
definition, punishment.....	6557	in sale of grain, contract at fictitious value	7639
FORT RIPLEY RESERVATION,		fumigating grain to change color, pro- hibition of sale, penalty.....	7640-7642
relinquishment of lands to United States	4127	sale of chattels without delivery, etc., term "creditors" defined	4220
FORT SNELLING RESERVATION,		— not to apply to bottomry and re- spondentia or hypothecation of ves- sels and goods at sea.....	4221
cession of jurisdiction by state to United States	4118	fraudulent disposition of property temporarily enjoined	5344
FORWARDING MERCHANT,		preference of creditors, appointment of receiver	4241
custody of another's property, duties with regard to.....	2090, 2091	— by insolvent	4242
sale of unclaimed property.....	2092-2103	— in anticipation of insolvency....	4243
FOUNTAIN,		FRAUDS, STATUTE OF,	
lien for constructing or repairing.. .	6230	agreement on consideration of mar- riage (par. 3).....	4209
FRAUDS,		— not to be performed within one year (par. 1).....	4209
(see "Deceit"; "Duess"; "Fraudu- lent Conveyances"; "Frauds, Stat- ute of.")		— to answer for debt, etc., of anoth- er (par. 2).....	4209
assignment for benefit of creditors	4227-4230		
(see "Assignment for Benefit of Creditors.")			
in sale of nursery stock, etc.....	7865-7868		
(see "Timber and Hedges.")			
in conducting limited partnership, penalty	2352		
in entry of horses.....	2972		

MINNESOTA STATUTES 1894

2262

FRAUDS, STATUTE OF—FUNDING COMMISSION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FRAUDS, STATUTE OF—Cont'd,		FREE TURNPIKE—Cont'd,	
contracts for sale of goods, memorandum in writing (par. 1).....	4210	petition to county commissioners, survey	1895
— receipt and acceptance of part of goods (par. 2).....	4210	return of survey and estimate of cost	1896
— payment of part of purchase money (par. 3).....	4210	levy of cost on contiguous property..	1897
auctioneer's memorandum sufficient..	4211	width and manner of construction...	1898
grants of existing trusts void unless in writing	4212	letting of contracts, advertising for bids	1900
estate or interest in land to be created by writing.....	4213	law regulating proceedings.....	1901
conveyances of land to be in writing, not to affect power of testator or prevent trust by operation of law..	4214	tax for keeping road in repair.....	1902
lease for more than one year to be in writing, execution by agent.....	4215	FRIENDS,	
contracts for sale of land to be in writing, execution by agent.....	4215	marriage among.....	4783
part performance of oral contract, specific performance	4216	FRIVOLOUS PLEADINGS,	
agreement to extend time of payment for labor on logs to be in writing..	4217	disregarding	5240
FRAUDULENT CONVEYANCES,		FRUITS,	
(see "Frauds.")		malicious injury to.....	6785
as against creditors.....	4218-4226	FUEL,	
grant to one where money is paid by another, fraudulent as to latter's creditors	4281	regulation of sale of (par. 20).....	1085
action to set aside, by executor or administrator	4506-4508	regulating by villages (pars. 20, 25)..	1299
FREE AND ACCEPTED MASONS	2994-2997	board of fuel commissioners... 3641-3643	
(see "Free Masons.")		(see "Board of Fuel Commissioners.")	
FREEBORN COUNTY,		FUEL COMMISSIONERS.	
boundaries	561	(see "Board of Fuel Commissioners.")	
FREEHOLDS,		FUGITIVES FROM JUSTICE,	
(see "Estates.")		(see "Extradition.")	
FREE MASONS,		power to arrest and detain.....	7086, 7087
incorporation of lodges and commanderies	2994	arrest, binding over, and detention of	7086-7088
certificate of incorporation, contents, record	2995	complaint and warrant for arrest....	7086
filling certificate of incorporation, corporate powers.....	2996	examination and binding over.....	7087
surrender of charter by lodges, chapters, or commanderies; disposition of property	2997	forfeiture of recognizance.....	7087
exemption from general life insurance laws	3294	what deemed discharge of recognizance	7088
Improper use of badges, emblems, etc.	6954	when discharged after having been arrested	7088
FREE TURNPIKE,		binding over to make appearance....	7088
construction by county.....	1894	power to detain.....	7088
subscriptions	1895	arrest, liability of one causing.....	7089
— how made and paid.....	1899	— discharge on failure of complainant to pay expenses.....	7089
		keeping in county jail.....	7418
		FUNDING COMMISSION,	
		how constituted.....	509
		transfer of internal improvement land contracts to school fund.....	510
		— bonds to school fund.....	511
		state railroad adjustment bonds, cancellation and destruction, record...	512, 513
		transfer of internal improvement land contracts to university fund.....	513
		calling in state railroad adjustment bonds, issuing new bonds.....	514

MINNESOTA STATUTES 1894

Vols. 1 & 2]

FUNDING COMMISSION—GAME.

2263

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
FUNDING COMMISSION—Cont'd,		FUNDS—Cont'd,	
state funding bonds, how executed...	515	contingent, to pay expenses of public examiner	421
transfers of internal improvement land contract, fractional adjustments	517	— to aid in collecting statistics	409
form of bond, appropriation to carry out act.....	518	<i>general revenue fund.</i>	
FUNDS,		what moneys to form part of.....	351
(see "Deposit in Court"; "Funding Commission.")		moneys transferred from state forestry fund	352
STATE FUNDS.		borrowing from other funds to supply deficiency	353
investment of.....	344	moneys placed to credit of general revenue fund.....	351, 304 (par. a)
— in bonds.....	4006, 4007	fees paid by banks	2532
how deficiency in revenue fund supplied	353	disposition of penalty recovered from railroad company.....	2762
investment of school fund or permanent university fund.....	4005	OF MUNICIPALITIES.	
permanent university fund.....	3925, 3926, 4026	for payment of municipal aid bonds..	1448
for support of agricultural college...	4022	county revenue funds	1613
reform school fund... 3555, 3566, 3576,	3577	transfer from revenue fund of county to drainage fund.....	7809
disposition of moneys accruing from state lands.....	4004	county road and bridge fund.....	2124
soldiers' home fund.....	3626	sinking fund of drainage district....	7790
soldiers' relief fund..... 3627-3629	3632	of cities.....	1436
— transfer from one fund to another	3632	— general revenue fund.....	1436
— transfer of balance to general revenue fund.....	3631	— sinking fund	1436, 1438
derived from the sale of swamp lands	4030	— library funds.....	1425
proceeds of sale of right of way over state lands.....	2673	town road and bridge fund.....	4042
contingent funds of state library.....	373	FUNERAL,	
		disturbance or disturbing, misdemeanor	6568
		FUTURE ESTATES,	
		definition.....	4370, 4371

G.

GALLERY,		GAME—Cont'd,	
malicious injury to articles in.....	6787	killing fowl by use of artificial light	2132
GAMBLING IMPLEMENTS,		— penalty	2133
search warrant to seize.....	7081	closed season for deer, elk, etc., penalty for violation.....	2159
(see "Gaming.")		shooting deer, elk, etc., how, penalty for violation.....	2160
GAME,		hunting elk, deer, etc., with dogs, and setting traps prohibited, penalty..	2161
(see "Game Wardens"; "Board of Game and Fish Commissioners.")		closed season for mink, muskrat, beaver, and otter, penalty.....	2162
wild game sole property of state, may be killed or taken how.....	2153	hunting on another's land, notice by owner, penalty.....	2163
closed season for game birds, penalty for violation.....	2154	waste prohibited, limit of number killed, penalty.....	2169
harmless birds not to be killed or taken	2154	shipment out of state, penalty for violation	2170
nests and eggs, penalty for interference	2155	possession of game caught outside of state contrary to law, penalty.....	2171
killing only by shooting; traps, snares, etc., prohibited; penalty....	2156-2158		

MINNESOTA STATUTES 1894

2264

GAME—GARNISHMENT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GAME—Cont'd,		GAMING AND GAMBLING—Cont'd,	
possession prima facie evidence of violation of law, evidence to disprove	2172	prohibition in villages.....	
transportation by common carrier, duty of carrier to notify fish commissioners, penalty for violation..	2173	1224 (par. 17), 1299 (par. 2)	
violation of law, attempt.....	2174	in saloons prohibited.....	2016
having possession, or shipment thereof, act construed to include any part of flesh or meat.....	2175	minors not permitted to gamble in saloon	2012, 6538
officers to enforce law, arrest without warrant	2176	on Sunday prohibited.....	6515
seizure of contraband, search warrants, report to board of game and fish commissioners.....	2177	dealing "faro" or keeping gambling device	6589
board of game and fish commissioners to sell contraband game or fish...	2178	betting on game, penalty.....	6590
shipment by board of game and fish commissioners, lawful, when.....	2179	suffering gaming tables, etc., on one's premises	6591
devices for taking contrary to law, seizure by officers, prima facie evidence	2180	recovery of money, etc., lost at play..	6592
jurisdiction of officers; scope.....	2181	evidence of accomplice not to be used in prosecution against witness.....	6592
resistance to officers, penalty.....	2183	notes, etc., or gambling debt void....	6594
collection of birds and animals for scientific purposes, certificate to scientific bodies, bond.....	2184	swindling by cards, etc., penalty, accessories deemed principals.....	6595
definition of words in act.....	2187	— conductors, steamboat captains, etc., to make arrests, powers.....	6596
"animals," word not to include bird..	2187	— swindlers to be ejected from cars, public resorts, etc., law to be posted	6597
prosecution for violation of law, participant in violation may testify against accomplices.....	2188	— conductor, etc., neglecting to arrest swindlers, penalty.....	6598
violation of law, disposal of fines, etc.	2190	evidence to convict, confession and accomplice's testimony.....	6599
appropriations for 1893 and 1894.....	2191	betting or stakeholding on prize fight,	6654, 6948
statute regulating, repeal.....	2182		
GAME AND FISH COMMISSIONERS, (see "Board of Game and Fish Commissioners.")		GAOL, (see "Jail.")	
GAME WARDENS,		GARDENS,	
appointment and compensation.....	2151	criminal trespass.....	6781
bond	2151	GARNISHMENT,	
to enforce law, arrest.....	2176	jurisdiction of justice of the peace..	4955
seizure of game and fish killed contrary to law.....	2177	— against nonresidents.....	5210
seizure of devices for taking game and fish contrary to law.....	2180	— against foreign corporations....	5211
GAMING AND GAMBLING,		in village municipal court.....	1379
prohibition	6588	in proceedings to collect taxes.....	1569
destruction of gambling instruments (par. 3).....	1085	vacation on assignment for benefit of creditors	4240
power of common council to prohibit gambling houses deemed public nuisance	1085	affidavit to obtain garnishee summons, title of action.....	5306
	1088	minimum amount in district and justice's court.....	5306
		in district court, issue of summons, procedure	5308
		in justice's court, summons, time of return, service of copy on defendant	5307
		effect of service on garnishee.....	5309
		legacies, etc., subject to.....	5310
		of corporations, officer to make disclosure, judgment by default.....	5311
		not allowed, when; debt not due absolutely (par. 1).....	5312
		— judgment liable to execution (par. 2)	5312

MINNESOTA STATUTES 1894

Vols. 1 & 2]

GARNISHMENT—GENERAL STATUTES.

2265

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GARNISHMENT—Cont'd,		GARNISHMENT—Cont'd,	
— drafts, bills of exchange, and notes (par. 3).....	5312	costs of plaintiff, how limited.....	5337
property exempt from.....	5459	minimum judgment in justice's court	5338
— police and fire department associations	5313	— in district court.....	5338
— wages	5314	judgment against garnishee, effect as bar	5339
— earnings of debtor's children....	5461	judgment discharging garnishee, when not a bar.....	5340
— accorded to nonresidents.....	5459	appeals	5341
money, etc., may be attached before due	5315	— by defendant, recovering judgment against plaintiff or who has counterclaimed	5342
"effects," what are.....	5316	discharge of garnishee on defendant giving bond.....	5342
examination of garnishee, proof of service on defendant, nonresident defendant	5317	GAS,	
claim by a third person, claimant may appear and join as party.....	5318	regulating sale in villages (par. 38)...	1299
denial of debt by garnishee or title of property in dispute, supplemental complaint, proceedings, trial.....	5319	GAS COMPANIES,	
default of garnishee, issue of execution, removal of default.....	5320	place of taxing personal property of..	1518
transfer of original action carries garnishment proceedings.....	5321	right to incorporate.....	2592
judgment against garnishee not rendered till judgment in original action	5321	purchase of property by city.....	2592
— not to be rendered except on order of court.....	5322	GASOLINE,	
disclosure, what officers may take...	5323	regulations concerning sale of.....	453
— testimony subject to objection...	5323	duty of inspector of illuminating oils..	454
— fees of officers taking.....	5324	GAS PIPES,	
person charged as garnishee of personal property, delivery to officer..	5325	powers of common council with reference to.....	1185
— court to determine value of property, make orders, etc.....	5326	lien for constructing or repairing.....	6230, 6231
proceedings where garnishee has lien on property, payment of lien.....	5327	execution sale to satisfy mechanic's lien	6239
refusal of garnishee to deliver property on which he has a lien, liability for contempt.....	5328	wrongful removal of or injury to, criminal liability.....	6780
garnishee may sell property, mortgage, pledge, etc.....	5329	GAS WORKS,	
garnishee not liable for destruction of property	5330	control of erection by cities (par. 11)..	1085
judgment against garnishee, for what amount rendered.....	5331	establishment in villages.....	1225
disclosure before return day by consent of plaintiff.....	5332	in villages, legalizing grants.....	1226
— when plaintiff does not consent..	5333	establishment in villages (par. 11)....	1299
fees and expenses of garnishee.....	5334	wrongful removal of or injury to, criminal liability.....	6780
— to be deducted from property attached	5335	GATEKEEPERS,	
— not to deliver specific articles until costs are paid.....	5336	of polling booths.....	92
discharge of garnishee, allowance of costs against plaintiff.....	5336	GAUGERS,	
		appointment in villages (par. 26)....	1299
		GENERAL ENGINEER OF CAPITOL,	
		salary (par. 19).....	530
		GENERAL STATUTES,	
		of 1866, citation how.....	7512
		— to take effect when.....	7513
		— effect of repeals therein.....	7514-7519, 7522
		— repeal of laws, schedule of laws repealed	7521
		— construction as continuation of former laws.....	7520
		of 1878, admissibility in evidence....	5709
		— how to be cited.....	5710

MINNESOTA STATUTES 1894

2266

GENERAL TERMS—GOVERNOR.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GENERAL TERMS,		GOVERNOR,	
of district courts.....	4912-4942	POWERS AND DUTIES.	
(see "District Courts"; "Terms of Court.")		to publish list of election districts in unorganized counties.....	11
GEOLOGICAL MAP,		to issue proclamation calling special election	15
of state.....	3938	custodian of state property.....	298
GEOLOGICAL SURVEY,		to designate day for thanksgiving...	299
of state.....	3928	to convene extra session of legislature by proclamation.....	300
conducted by regents of state university	3929	to provide new state seal, when.....	302
printing and publication of report... 3930-3944		to transmit report of railroad and warehouse commission to legislature (par. b).....	396
distribution of reports of.....	3942	on receiving report of public examiner	412, 413
commissioners appointed to publish report, compensation.....	3944	to audit claim of secretary of state board of health.....	429
distribution of report.....	3945	obtaining information concerning institutions of other states, method..	463
custody of reports of.....	3945	consent to destruction of documents collected by bureau of labor.....	474
moneys applicable to pay expenses.. 3948, 3949		to sign state funding bond.....	515
appropriation for.....	3955	ascertaining gross earnings of railroad company.....	1667
GEOLOGIST,		commander in chief of militia, staff officers	1700
state geologist, powers and duties.. 3930-3932		to approve location and plan of bridge over Minnesota river.....	1919
— appropriations to pay expenses..	3933	to approve organization of society for securing homes for children.....	2932
— publication of geological and natural history survey.....	3939-3941	to restore convicts to citizenship....	3596
— distribution of reports of geological and natural history survey....	3942	to approve map of state.....	3936
GIFT ENTERPRISES,		publication of geological and natural history survey.....	3939-3941
prohibition in villages (par. 17)....	1224	right to copy of report of geological and natural history survey.....	3942
GIFTS,		with regard to state park.....	4052
advancements (see "Descent and Distribution"; "Wills").		taking of lands by state for use of United States.....	4093-4098
GLANDERS,		notice served on, in condemnation proceedings by state.....	4097
powers and duties of local board of health	1466	conveyance of land to United States..	4103
killing of animals infected with.... 1480, 6794		selection of site for federal buildings	4109
GOOD FAITH,		to designate judge of one district to act in another district, when.....	4839
(see "Bona Fide Purchasers.")		in extradition proceedings.....	7085
GOOD FRIDAY,		— appointment of agents to demand fugitives	7084
instruments payable on.....	2230	to receive records, etc., in capital cases, warrant for execution..	7400, 7401
GOODHUE COUNTY,		as to fund appropriated for draining Red River valley.....	7849, 7850
boundaries	562	as to unexpended appropriations of state institutions.....	7985
partition fences	2077		
GOOD TEMPLARS,			
(see "Free Masons.")			
incorporation, general statutory provisions	2913-2928		
(see "Corporations.")			
GOPHER,			
bounties for killing.....	7879-7881		
(see "Bounties.")			

MINNESOTA STATUTES 1894

Vois. 1 & 2]

GOVERNOR.

2267

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
GOVERNOR—Cont'd,	
<i>approval of bonds.</i>	
of clerk of supreme court.....	374
of officers of board of regents.....	3906
of public contractor.....	3613
of public examiner.....	410
of reporter of supreme court.....	2278
of railroad and warehouse commis- sioner (par. e).....	387
of secretary of railroad and ware- house commission.....	397
of state auditor.....	319
of state land agent.....	467
of state librarian.....	366
of state treasurer.....	340
of treasurer of school building com- missioners	3505
of trustees of soldiers' home.....	3624
of warehousemen.....	2111
<i>corporations.</i>	
may require attorney general to exam- ine into corporate affairs.....	3436
report to legislature concerning.....	3436
<i>banks.</i>	
approval of securities taken to secure bank notes	2485
stocks pledged to secure bank notes..	2486-2489
destruction of bank notes after re- demption	2508
destruction of certain articles of closed banks.....	2518
<i>charitable and penal institutions.</i>	
to order investigation by state board of corrections and charities.....	460
right of inmates of insane hospital to communicate with	3479
insane hospital.....	3497
approval of action of commissioner appointed to erect public school building	3504
duties on completion of state public school building.....	3506
approval of action of board of control of public school.....	3508
sale of old site of reform school....	3546
meeting of managers of penal institu- tions, ex officio president.....	3600
purchase of site of soldiers' home...	3619
right to visit state prison.....	7487
<i>reports to be made to.</i>	
concerning results of geological and natural history survey.....	3946
by attorney general.....	364

	Sec.
GOVERNOR—Cont'd,	
by board of control of state public school	3520
by commissioner of statistics.....	408
by directors of institute for defectives.	3446
by managers of state prison.....	7452
— state reformatory.....	3586
by railroad and warehouse commis- sion (par. a).....	396
— special reports may be required (par. b)	396
by public examiner.....	412, 413, 420
by regents of state university.....	3921
by state librarian.....	368
by state park commissioners.....	4054
by trustees of insane hospital...	3454, 3497
by trustees of soldiers' home.....	3622
<i>membership in state boards.</i>	
board to erect school building.....	3501
board of auditors.....	344, 525
— of state agricultural society	2955
board of corrections and charities...	459
board of equalization.....	1555
— ex officio president.....	1555
board of fuel commissioners.....	3641
board of state capitol commissioners..	495
director of institute for defectives...	3438
ex officio regent of state university...	3904
funding commission.....	509
high school board.....	3865
<i>appointment of officers.</i>	
appraisers of county buildings on cre- ation of new county.....	634
board of control of state public school	3507
board of corrections and charities...	459
board of health and vital statistics...	425
board of state capitol commissioners..	495
commissioner of labor.....	469
commissioners to erect school build- ing	3500
— to take acknowledgments and proofs of instruments.....	5646
county commissioners.....	600
directors of institute fo defectives..	3438
filling vacancies in office.....	899
inspector of illuminating oils.....	447
janitor and care takers of capitol.	303, 304
managers of state prison.....	7450
— state reformatory.....	3582
— state reform school.....	3521
notaries public.....	2268
officers to levy tax to pay judgment against city.....	1503
public examiner.....	410

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GRAND JURY—Cont'd,		GRAND JURY—Cont'd,	
presentment by.....	7203, 7237	— selecting and filing jury lists...	5631
see ("Presentment.")		— selecting jury list, who to be selected	5632
definition	7170	— power of county commissioners..	5633
who liable to be drawn.....	7172		
number necessary to form jury.....	7187	ATTENDANCE—FAILURE TO ATTEND.	
foreman, appointment by court....	7196	duty to report, penalty for failure,	
oath of officer attending, form.....	5641	contempt	7178, 7179, 7184
charge concerning public lands....	3991	issue of attachment, arrest.....	7180
in Hennepin county.....	5611, 5620	law of contempt, applicability.....	7183
— application of general statutes..	5619	additional jurors summoned, bound to attend	7186
in Ramsey county.....	5621-5628		
— application of general statutes... 5627		CHALLENGES.	
in St. Louis county.....	5628a-5628e	who may challenge panel or individual juror.....	7188
in Washington county.....	5629-5633	challenge to panel, grounds.....	7189
		— effect of allowance.....	7193
DRAWING, SUMMONING, AND IMPANELING.		challenge to jurors, grounds.....	7190
selection of jury list.....	675	— effect of allowance.....	7194
— by county commissioner.....	673	— allowance, penalty for ignoring..	7195
who to be selected as jurors.....	676	challenges to be tried by court.....	7191
when to be drawn, order of court, special venire	7171	clerk to enter decision of court.....	7192
names for drawing, how prepared..	7174	juror acting after allowance of challenge	6408
when and how to be drawn.....	7175		
issue of venire, contents.....	7176	EXEMPTION AND EXCUSES.	
service of venire, return.....	7177	exemption, disqualification.....	7173
misconduct of officers in drawing juror	6353	excuse from service, grounds.....	7181
deficiency of jurors, how supplied...	7185	exemption in Hennepin county..	5613, 5617
in Fourth district.....	4872	exemption in Ramsey county....	5623, 5625
in Hennepin county, selecting jury list	5611	— firemen	5628
— jurors to be taken from jury list..	5611	exemption in St. Louis county.....	5628e
— selecting jury list, who to be selected	5612	exemption in Washington county....	5630
— filing jury list.....	5614	excuse and grounds to be recorded...	7182
— drawing and summoning jurors..	5614		
in Ramsey county, in Second district	4863	POWERS AND DUTIES.	
— selecting jury list.....	5621	in general.....	7202
— jurors to be taken from jury list..	5621	attendance of county attorney....	803, 7214
— selection of jury list, who to be selected	5622	oath to be administered.....	5641, 7197
— drawing and summoning.....	5624	retirement and inquiry into offenses..	7199
— supplying deficiencies	5624	clerk of jury, duties.....	7200
in St. Louis county, selecting jury list	5628a	discharge of jury, adjournment.....	7201
— jurors to be taken from list....	5628a	foreman to administer oath to witness	7206
— selecting jury list, who to be selected	5628b	evidence admissible before.....	7207-7209
— supplying deficiencies	5628c	when juror to be complainant.....	7211
— filing lists	5628c	what matters shall be inquired into..	7212
— depositing names in box.....	5628c	access to prisons and records.....	7213
— drawing and summoning.....	5628c	secrecy of deliberations, jurors to observe	7215
in Washington county, selection of jury list.....	5629, 5630	disclosure of proceedings, when juror may be required to make.....	7216
— filing jury lists... ..	5630	action of jurors not to be questioned except for perjury.....	7217
		condemnation of jails.....	7447

MINNESOTA STATUTES 1894

2270

GRAND JURY—GUARDIANS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GRAND JURY—Cont'd,		GUARDIANS,	
MISCONDUCT.		(see "Guardian ad Litem.")	
disclosing fact of indictment.....	6414	appeals in probate proceedings... 4665-4678	
disclosing transactions of jury.....	6415	(see "Appeal.")	
FEEs AND MILEAGE.		petitions, how verified.....	4718
in general.....	5574	where guardian and ward are nonresi-	
in Hennepin county.....	5575, 5618	dents, proceedings to remove prop-	
in Ramsey county.....	5626	erty	4562
— payment on certificate of clerk of		service of process on ward.....	5199
court	5576	repeal of statute, c. 59, p.....	1200
GRANT COUNTY,		APPOINTMENT.	
boundaries	503	for minors	4535
appropriation out of state treasury..	7848	for residents and nonresidents, petition	4535
GRASS,		by whom nominated.....	4536
levy of execution on.....	5464	minor of 14 may nominate own guard-	
GRASSHOPPERS,		ian, before whom; certifying nomi-	
destruction, employment of persons,		nation to probate court.....	4537
compensation	7883	ward on arriving at 14 may appoint	
— taxation to pay for	7884	his own guardian.....	4538
amount of tax, etc., to be determined,		testamentary guardians	4539
ballots	7886	for nonresidents, in what county	4559
levy of tax, when made, to exceed five		in eminent domain proceedings (par.	
mills	7887	11)	1107
tax, how collected and paid over....	7888	in proceedings to condemn property	
money, how to be expended, warrants	7889	for public use by village....	1240, 1333
tax not to be levied, when.....	7890	of destitute minor, appointment of	
GRAVEL BEDS,		orphan asylum	2929
condemnation for road purposes....	1881	orphan asylum may act with consent	
development on lands belonging to		of parent, power of minor of 14	
plurality of owners.....	5830-5838	years to choose guardian.....	2930
GRAVEL ROAD COMPANIES,		of trust company (par. 4).....	2894
place of taxing personal property of..	1519	board of control of public school....	3511
GREAT NORTHERN RAILWAY,		married women qualified to be guard-	
appropriation for drainage of Red		ians, effect of marriage	4542
River Valley	7848-7852	order of appointment, conditions....	4546
GRISTMILLS,		on partition of decedent's real estate.	4657
maximum tolls.....	7643	on resignation or removal of former	
GROVE-MEETING ASSOCIATIONS,		guardian	4711
2940-2949		letters of guardianship, form.....	4706
(see "Camp-Meeting Associations,"		appeal (par. 2)	4665
etc.)		TERMINATION, RESIGNATION, AND REMOVAL.	
GUARANTY,		marriage of female ward terminates	
agreement to answer for debt, etc., of		guardianship	4543
another, to be in writing.....	4209	resignation in favor of trust company	
GUARANTY COMPANIES,		(par. 11)	2849
corporations, certificate of insurance		— citation to show cause, how serv-	
commissioner	5947	ed when absent from county.....	4710
premium paid to chargeable to trust		— examination of final account, ac-	
fund	5948	ceptance of resignation	4707
release from liability.....	5949	removal, when	4708
estopped to deny power.....	5950	— citation to show cause, service..	4709
GUARDIAN AD LITEM,		BONDS AND OATHS.	
appointment	4548, 4973	trust company not required to give	
actions by or against minors.....	5160-5162	bond (pars. 4, 10).....	2849

MINNESOTA STATUTES 1894

Vols. 1 & 2]

GUARDIANS.

2271

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
GUARDIANS—Cont'd,	
bond, deposit of securities with trust companies (par. 9)	2849
orphan asylum not required to give..	2929
bond, conditions	4544
bond of guardian of nonresident....	4561
bonds to run to judge of probate, by whom prosecuted	4699
additional bonds required, discharge of sureties, furnishing new bond...	4700
bond, premium paid to company acting as surety, chargeable to trust fund	5948
oath of guardian.....	4545
RIGHTS AND POWERS.	
powers of orphan asylum.....	2931
powers of society for securing homes for children	2933
right to vote as stockholder.....	3418
custody of ward's person.....	4540
separate guardian of estate and person, duty of guardian.....	4541
collection of debts due ward, compounding claim, representing ward in legal proceedings	4555
inventory and appraisal of estate.	4558
of guardian of nonresident.....	4560
right to sue for seduction.....	5163
right to sue for injuries to ward....	5164
use of force by guardian in correcting ward (par. 4)	6477
power to bind ward as apprentice....	4751
action on indenture of apprenticeship	4761
consent to adoption of ward	8017
MAINTENANCE AND EDUCATION OF WARD.	
ward with father, when expenses paid out of ward's estate.....	4547
support of ward, allowance to guardian for	4556
— failure to furnish, how enforced..	4557
management of estate, income insufficient for support, sale of real estate	4556
CLAIMS AGAINST WARD'S ESTATE.	
debts of ward, how paid.....	4554
application of provisions relating to estates of decedents.....	4563
allowance or disallowance, who may appeal	4666
INVESTMENTS.	
in what securities.....	4569
petition	4570
order for investment, how made....	4571

	Sec.
GUARDIANS—Cont'd,	
REAL ESTATE OF WARD.	
redemption of property sold for assessments for local improvements..	1139
platting land of ward.....	4565
improvements, location of line fences and party walls.....	4566
contract for railroad right of way, approval by court.....	4591, 4592
PARTITION OF REAL ESTATE.	
in general	4564
action for partition; purchase by guardian	5801
paying ward's share to guardian....	5811, 5812
power of guardian to agree to partition	5813
SALE AND MORTGAGE OF WARD'S LAND.	
application of provisions relating to estate of decedent.....	4563
where income is insufficient for maintenance and education.....	4567
for reinvestment or improvement of property	4568
mortgage of estate, when.....	4593
license to mortgage, how obtained....	4594
decree for license to mortgage, contents	4595
extension or renewal of mortgage....	4596
bond before mortgage or sale.....	4597
license to sell, limit of time.....	4598
public sale, notice, contents, and publication	4599
— at what hours.....	4599
private sale, when directed, appraisal of land, oath of appraisers, filing	4600
— filing appraisement, sale not to be for less than appraised value, notice of sale.....	4600
sale partly public and partly private..	4601
jointly by husband or wife of ward..	4602
not to become purchaser at sale....	4605
proof of notice of sale, how made....	4606
adjournment of sale	4607
— notice	4608
report of sale, examination, vacation, and order of resale	4609
confirmation of sale	4610
limitation of action to recover land sold	4611
avoidance of sale, when.....	4612
sale not affected by irregularity	4613
certified copies, papers to be furnished by probate court	4614

MINNESOTA STATUTES 1894

2272

GUARDIANS—HABEAS CORPUS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
GUARDIANS—Cont'd,		GUARDIANS—Cont'd,	
by foreign guardian, power of attorney	4622	record of petition and notice, effect on contracts and conveyances.....	4549
— oaths on sales, legalized	7586	petition, notice, filing in office of register of deeds.....	4549
appeal from orders (par. 3)	4665	petition for appointment, notice, service	4550
oath on sale, contents, oath of nonresident	4604	rehearing of petition, appointment....	4551
sale without taking oath, legalization.	4744	bond of guardian.....	4552
conveyances legalized	7556	powers of guardian.....	4552
repeal of statute, c. 57, p. 1259.		conveyance of real estate under contract by insane person.....	4631
LIABILITIES.		after personal property of insane person has been taken charge of by coroner, payment of proceeds by county treasurer	4714
stock belonging to ward, liability attaching	3419	payment of claims by guardian, legalization	4743
for costs against infant plaintiff.....	5507	restoration to capacity, petition, notice, and procedure.....	4553
for waste	5882	OF INEBRIATES.	
penalty for waste.....	5883	notice to guardian on proceedings to commit to hospital.....	4696
conversion of property, criminal liability	6723	GUIDE POSTS,	
ACCOUNTS OF.		to be maintained by town.....	1014
annual account, examination of bond by court.....	4572	report by town supervisors.....	1015
final account, examination, order of allowance, discharge of guardian....	4574	town to determine place of erection..	1016
FEES, COMPENSATION, AND ATTORNEY'S FEES.		how erected and marked.....	1017
fees, compensation, attorney's fees....	4724	penalty for neglect to maintain.....	1018
fees of appraisers.....	4725	wrongful removal of or injury to....	6780
FOREIGN GUARDIAN.		GUNPOWDER,	
exemplification of appointment to be filed, prima facie evidence.....	4715	regulation of sale and storage.....	
how to discharge mortgages, liens, etc.	4716	1085 (par. 5), 1224 (par. 10), 1299 (par. 5)	
power to act by attorney, record of power	4717	storage of, when deemed nuisance....	1083
OF INSANE AND INCOMPETENT PERSONS.		keeping unlawfully, injuries.....	6617
in proceedings to condemn property for public use by village.....	1240, 1333	GUNS,	
		setting spring guns, etc.....	6853, 6854

H.

HABEAS CORPUS,		HABEAS CORPUS—Cont'd,	
rearrest of prisoner discharged.....	6019	to whom, how and where made.....	5996
transfer or concealment of person entitled to writ, penalty	6020	to judge of adjoining county, proof required	5997
refusal of officer having custody to furnish copy of order warrant, etc., penalty	6021	petition to state what.....	5998
bond of petitioner, conditions.....	6023	ISSUANCE.	
APPLICATION FOR WRIT.		form of writ.....	5999
who may prosecute writ.....	5994	defect of form, writ not to be disobeyed for	6000
who may not prosecute.....	5995	sufficiency of writ, designation of persons	6000
by person to be extradited.....	7035	refusal to grant writ, penalty.....	6001

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HABEAS CORPUS—HEALTH.

2273

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
HABEAS CORPUS—Cont'd,		HACKMEN,	
writ to be sealed.....	6022	licensing and regulating (par. 32).....	1299
power to issue to bring prisoner as a witness	6027	— by cities (par. 11)	1085
power to issue to bring prisoner for trial	6027	— by villages.....	
		1224 (par. 12), 1299 (par. 1), 1299 (par. 17)	
SERVICE OF WRIT.		HAIL,	
by whom served.....	6023	insurance against.....	3215
how served	6024	HAIL, TORNADO, AND CYCLONE	
— when respondent conceals himself	6025	INSURANCE COMPANIES...3344-3360	
		(see "Insurance Companies.")	
RETURN.		HALLS,	
contents, verification	6002	regulating doors of.....	6860, 6861
writ, when returnable.....	6022	protection against fires.....	8006
to be made, when.....	6026	HAMLIN UNIVERSITY,	
traverse of return, allegation of new matter, verification	6016	sale of liquor near, penalty.....	2010, 2011
		HARBORS,	
PRODUCTION OF BODY.		establishing and regulation in villages (par. 44).....	1299
except when sick.....	6003	HARD LABOR,	
sickness of prisoner, proceedings....	6017	sentence (see "Crimes and Punishments").	
		HATCHWAYS,	
HEARING AND DETERMINATION.		regulation in villages (par. 35).....	1299
examination of facts.....	6007	HAWKERS,	
prisoner to be discharged when.....	6008	(see "Peddlers.")	
prisoner to be remanded when.....	6009	HAY,	
prisoner held under process of court discharged when.....	6010	regulation of sale of.....	
legality of judgment, etc., not to be inquired into.....	6011	1085 (par. 20), 1299 (par. 20)	
prisoner held on commitment to be bailed or remanded.....	6012	HEALTH,	
placing prisoner in custody of person entitled thereto or discharging him..	6013	SANITARY LAWS—CRIMES AGAINST PUBLIC HEALTH.	
custody of prisoner until judgment on return	6014	offenses against public health... 6976-6984	
notice to county attorney and persons interested	6015	(see "Animals"; "Oleomargarine.")	
order of discharge, how enforced, damages for disobedience.....	6018	pollution of sources of water supply..	430
evidence	7476	employments constituting nuisances, remedies for.....	1497
— to procure release of prisoners sentenced to state reformatory.....	3592	willful violation of health laws.....	6619
		sale of tainted food, drink, or medicine	6626
DISOBEDIENCE OF WRIT.		deposit of noisome or unwholesome substances, etc., in highway, water, etc.	6642
attachment and imprisonment to compel obedience.....	6004	regulations as to food of cows.....	6793
by sheriff, attachment directed to coroner, imprisonment of sheriff in other county	6005	warrant for refusal to grant entrance to health officer, execution.....	7053
officer executing attachment for disobedience to bring up prisoner and retain in custody.....	6006	finer for violation of law, disposition..	7064
HABITUAL DRUNKARD,		diseased eyes in infants to be reported	8010-8012
sale of liquor to, penalty.....	1999	REGULATIONS BY CITIES.	
		power of common council (pars. 22, 30)	1085
		— to abate nuisances (pars. 4, 28)..	1085
		regulations by common council (par. 12)	1085
		REGULATIONS IN VILLAGES.	
		preservation in villages (pars. 4, 30)..	1299

MINNESOTA STATUTES 1894

2274

HEALTH.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HEALTH—Cont'd,		HEALTH—Cont'd,	
sanitary measures in villages (par. 12)	1299	killing infected animals.....	1467
TIME OF BURIAL.		power of board of health to prevent..	1470
in general.....	7071	— appraisalment of value.....	1468, 1482
in case of contagious disease, disinfection	7071	establishment of quarantine.....	1469
CONTAGIOUS AND INFECTIOUS DISEASES.		duty to inform board of health concerning diseases among animals...	1473
physicians to report disease.....	7064	STATE BOARD OF HEALTH.	
physician's report of death.....	7065	report to, by local board.....	1461
report by keepers of private houses, etc.	7066	regulations concerning animals to supersede rules of local board.....	1475
duty of reporting same.....	7067	powers	1476
transportation, removal, or exposure of infected person prohibited.....	7068	to be notified concerning diseases among animals	1477
exposing person affected with contagious disease.....	6643	powers with regard to diseases among animals	1478, 1479, 1483
precautions in schools.....	7070	killing of animals to prevent diseases among, compensating owner.....	1480
fumigation and disinfection of cars, etc., liability of carrier for expense..	7077	— appraisalment of value.....	1482
notice of infection to be placed upon car, vessel, etc., penalty for failure..	7079	— sale of slaughtered animals..	1484, 1485
infected strangers and others, liability of place of settlement for expense of care, liability of state in case of nonresidence	7059	penalty for violating regulations of..	1481
— proceedings where patient cannot be removed without danger to health	7060	to keep record of doings.....	1486
preventing landing of infected person in villages (par. 44).....	1299	report to legislature.....	1486
duties of board of health.....	1463, 1464	powers with regard to local boards..	1487
<i>quarantine.</i>		appeal from orders of.....	1495
by local board, notice to state board posting notice, violation of quarantine, penalty	7062	powers with regard to trades or employments constituting nuisances..	1495
violation of duty by member of board of health, penalty.....	7063	enforcement of orders.....	1496
against introducing diseases by interstate commerce.....	7075	threatened epidemic, powers of board of health	7045
duty of transportation companies, inspection and disinfection of cars and conveyances	7076	orders, publication	7046
expense, charge on railroad company, when	7078	— enforcement by local boards....	7047
by town board of health.....	977, 978	LOCAL BOARDS OF HEALTH.	
<i>hospitals.</i>		in villages (par. 23).....	1224
to be provided when.....	979	municipal boards.....	1453
removal to, etc.....	7057	composition	1460, 7048
removal by board of health, recovery of expenses.....	7059	compensation of physician as member	1460
<i>vaccination.</i>		duties of members.....	1461
against smallpox.....	7069	election and term of office.....	1462
<i>provisions concerning animals.</i>		enforcement of regulations.....	1464
isolation of infected animals.....	1466	recording and publishing regulations	1471, 7049
		penalty for violating regulations concerning animals	1472
		penalty for neglect of duty.....	1474
		effect of regulations of state board..	1475
		to obey directions of state board, violation of duty by board and officers, penalty	7054
		to give notice to state board concerning diseases among animals.....	1477
		duty to carry out regulations of state board	1478

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HEALTH—HIGHWAYS.

2275

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HEALTH—Cont'd,			
powers over employments constituting nuisances	1480-1491		
order to remove nuisances, penalty for failure	7050	HEDGES,	
abatement of nuisance, expenses to be borne by owner	7051	cultivation of	7853-7868
notice to disinfect premises, etc., penalty for failure	7055	(see "Timber and Hedges.")	
proceedings to disinfect on failure of owner	7055	HEIRS,	
destruction of infected property, compensation, conveyances of infected property	7056	(see "Descent and Distribution"; "Wills.")	
state board may require boards to act jointly	7058	definition	4383
providing hospital by board of health	7061	liability for, and payment of, debts of ancestor	
employment of assistants and physicians, providing necessaries	7072	5918, 5919, 5924-5928, 5931, 5933-5940	
statement of expenses in controlling infectious diseases, auditing by county commissioners, appeal from disallowance, payment	7073	payment of debts of ancestor, contribution	5920, 5932
violation of act for regulation, penalty, disposition of fines	7074	proceedings against, for debt of ancestor	5929, 5930
appeal from orders to district court ..	1492	rights and liabilities of child born after making of will	5945
<i>town boards.</i>		production of pretended heir	6410
town supervisors	970	HENNEPIN COUNTY,	
examination of nuisance, regulations	971	boundaries	564
regulations, penalty for violations ..	971	publication of proceedings of commissioners	671
notice of regulations, publication and posting	972	selection of jury list	673
removal of nuisances, penalty for neglect	973	compensation of members of board of equalization	1553
— when, liability of owner for expense	974	fees of clerk of court in tax proceedings	1608
to examine buildings and vessels, complaints for refusal of entry	975	special laws regulating care of poor ..	1986
issue of warrant by a justice of the peace on complaint of member	976	summoning jurors	5600
<i>health officers.</i>		juries therein	5611-5620
duty to collect vital statistics	436	bond in lieu of recognizance	7988
to receive notice of births and deaths ..	437	HIBERNIANS,	
to receive certificate as to births and deaths	438	ancient order of	3007-3010
to forward copy of registry of births and deaths	439	(see "Ancient Order of Hibernians.")	
compensation for collecting vital statistics	439	HIGH SCHOOLS,	
to receive notice of death of lunatic ..	3459	high school board, how constituted ..	3865
obstructing performance of his duty ..	6618	— visitation of schools	3869
entrance to buildings and premises, complaint for refusal to grant	7052	— compensation and expenses	3870
HEATING PLANTS,		— rules and regulations	3871
establishment in villages (par. 11) ..	1299	— record, report to superintendent of public instruction	3872
		— powers in furnishing aid	3873
		assistant examiner appointed by board, compensation	3874
		state aid, admission of nonresident pupils	3866
		— conditions, courses of study required	3867
		— application for, appropriation, limit of aid	3868
		additional appropriation	3875, 3876
		entitled to report of geological and natural history survey	3942, 3945
		HIGHWAYS,	
		(see "Bridges"; "Plank-Roads and Turnpikes.")	

MINNESOTA STATUTES 1894

2276

HIGHWAYS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HIGHWAYS—Cont'd.		HIGHWAYS—Cont'd.	
free turnpikes	1894-1903	nished by county auditor to town supervisor	1876
(see "Free Turnpikes.")		— record in town clerk's office prima	
meaning of term	255	facie evidence.....	1877
application of statute relating to towns, to cities and villages.....	1837	<i>laying out through inclosures, cemeteries, etc.</i>	
"book of state and county roads" as evidence	1844	through inclosed lands, removal of fences	1823
roads laid out declared to be highways where no appeal taken.....	1862	through grounds of camp-meeting associations	2949
section lines to be considered public roads	1875	through grounds of reform school....	3531
vacation of towns and additions, effect on roads.....	2315-2317	through cemetery.....	3107, 3134
rivers are public highways for logs...	2385	— penalty	6967
rights of plank-road and turnpike companies	3361-3363	designation in plat of cemetery.....	3133
— use of highways, application of compensation	3363	<i>surreys.</i>	
road and bridge fund.....	2124, 4042	description and order, filing papers..	1810
fences to protect hedges.....	7858	of road not on section line, noting distances to section lines, etc....	1811
village constitutes road district, street commissioner, taxes.....	1261	<i>boundaries.</i>	
maintaining water troughs, wells and springs, supervisors to fix location..	1906	county surveyor to survey, plat, and fix	1812
ESTABLISHMENT, ALTERATION, OR DISCONTINUANCE.		application by abutter to have fixed.	1813
in unorganized counties, power of county commissioners.....	704	county surveyor to fix, on application of abutter.....	1813
power of electors in town meeting....	930	survey by county surveyor, notice of time and place.....	1814
petition of voters.....	1806	plat filed with register of deeds....	1815
— filing and posting.....	1807	— entry by register of deeds in reception index	1816
notice of hearing of petition.....	1808	establishment by county surveyor....	1817
hearing of petition, proceedings.....	1809	appeals	1817, 1818
order of supervisors, failure to file, refusal of application.....	1810	plat of survey, effect as evidence....	1819
order, effect as evidence.....	1820	<i>cartways.</i>	
refusal of application final for one year	1822	laying out, payment of costs, damages, etc.	1832
width of roads.....	1832	dedication	1832
width of bridge or culvert.....	1851	temporary, for removal of logs, laying out, limit of width.....	1833
— penalty for neglect.....	1852	— laying out, procedure	1834
vacation in villages, resolution published and recorded.....	1355	— expenses and damages payable by applicant, repairs, appeal.....	1835
— appeal, procedure, jurisdiction of district court.....	1356	— in unorganized town, notice, posting and filing, record.....	1836
vacating, through public parks.....	1845	<i>state roads.</i>	
condemnation of gravel beds and stone quarries for road purposes..	1881, 1882	damages	1844
in adjoining counties, expenditure by county for construction and maintenance	1853, 1854	<i>town-line roads.</i>	
field notes, plat, etc., of territorial, state, and county road to be fur-		supervisors to lay out or alter.....	1824
		to be divided into districts.....	1825
		districts to belong to towns to which allotted, record in clerk's office in each town	1826
		existing roads	1827
		appeal from supervisors	1828

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HIGHWAYS.

2277

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HIGHWAYS—Cont'd,		HIGHWAYS—Cont'd,	
on line between town and city or village, action of town supervisors and common council or trustees.....	1829	road in more than one judicial district	1892
— appeal from decision of supervisors, etc.....	1830	— apportionment of damages.....	1893
— application of law relating to town-line roads	1831	<i>roads for steam traction motors.</i>	
<i>roads in more than one town.</i>		proceedings to lay out, petition, duty of county commissioner	1934
petition to commissioners	1838	width of road	1935
duty of county commissioners	1839	construction of roads and bridges.....	1936
committee of county commissioners to examine proposed road	1839, 1840	agreement to operate motors, grant of right	1937
— to report to county commissioners	1841	survey of road, estimate of cost, submission to vote.....	1938
county commissioners to act on petition, assessment of damages, payment by county	1842	vote by ballot, form of ballot.....	1939
hearing of remonstrance by county commissioners, payment of damages	1843	agreement to operate road, execution by county, road to be opened, etc..	1940
<i>county roads.</i>		county bonds for construction.....	1941
defined, damages	1844	— character and limit of amount... ..	1942
opening and improving by county commissioners	1846	— tax to pay interest and principal	1943
expenditure of county road and bridge fund	1847	construction of road with private means	1944
— warrant to be drawn in favor of town treasurer	1848	<i>damages and benefits.</i>	
— bond to be taken from town treasurer	1849	how determined.....	1821
— money to be expended by town supervisors	1850	damages not allowable where title was in United States.....	1855
<i>roads in more than one county.</i>		damages where roads have been laid out, application to be made within three years.....	1856
petition, commissioners, limit of jurisdiction	1883	damages caused by location of state and county roads.....	1844
notice of petition, posting	1884	limiting time for obtaining damages..	1879
appointment and pay of surveyors, etc.	1885	<i>appeals.</i>	
commissioners' compensation	1885	to justice of the peace.....	1857
assessment and payment of damages, etc.	1885	— requisites, trial, view by jury... ..	1858
placing stakes, witness trees, and monuments	1885	— return of jury to be filed, payment of costs.....	1859
duties of surveyor, making plats, compensation	1886	to district court, notice and bond, trial, payment of costs.....	1860
report of commissioners to district court, confirmation	1887	procedure after decision of appeal, payment of damages, issue of town order	1861
appraisal of damages by commissioners, report of appraisal and releases of damages	1888	ESTABLISHMENT BY DEDICATION OR USER.	
— demand for jury trial.....	1889	dedication by user.....	1832
payment of damages, by different counties	1890	roads unlawfully laid out, highways by user.....	1878
extension of statute to pending cases	1891	use of railroad right of way, highway by user	1880
		dedication by plat.....	2308
		— effect of recording plat.....	3536
		CONTROL, IMPROVEMENT, AND REPAIRS.	
		in villages, election of overseer, collection of poll tax, etc.....	1250

MINNESOTA STATUTES 1894

2278

HIGHWAYS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HIGHWAYS—Cont'd,		HIGHWAYS—Cont'd,	
streets of village or town, improve- ment by town supervisors.....	969	overseer to keep ditches open.....	1912
county roads, repairs by town.....	1846	penalty for obstructing ditches.....	1913
care and superintendence by town su- pervisors	1775	damages for taking land, provision for payment	1914
report by town supervisors to town meeting	1776	liability of county or town for assess- ments	7755, 7815, 7833
		benefits, assessment of.....	7826
TAXATION AND WORK ON ROADS.		FLOWAGE OF HIGHWAYS.	
in unorganized counties.....	704	in erection of dam.....	2375
duty to work on, exemptions.....	1175	petition to general supervisors and common council of city.....	2376
exemption from labor of militiamen..	1700	notice of meeting of town supervisors or city council.....	2377
amount of tax and rate of levy.....	1558	— examination, testimony	2378
assessment of by supervisors.....	1782	report of supervisors or city council, contents, record	2379
persons and property subject to....	1783	when right to erect dam perfected..	2380
mode of assessment.....	1783	persons previously erecting dam may comply with act	2381
assessment against personal property	1784	cost to be paid by petitioner.....	2382
copies of assessment lists for over- seers	1785		
overseers to correct lists of assess- ments	1786	ROAD OFFICERS.	
notice to work out tax, commutation	1787	appointment of overseers in unorgan- ized counties	691
work on in emergency, allowance in payment of taxes.....	1788	to file notice of acceptance of office, effect of failure.....	953
payment or commutation of labor tax	1789	supervisors' meetings	1781
commutation of labor tax, time of paying	1790	overseers, election	928
work by substitute.....	1792	— duties	1777
neglect of road duty, penalty.....	1793	— vacancy in office, how filled.....	1778
— complaints by overseers.....	1794	— appointee to vacancy, how noti- fied	1779
— issue of warrant by justice.....	1795	— penalty for neglect of duty..	1780, 1788
— fines to be paid to overseer....	1796	— powers to call upon persons to re- pair, receipts for labor.....	1788
— excuse does not exempt from tax	1797	— may require team, cart, or plow	1791
delinquent road taxes, delivery of list by town clerk to county auditor...	1801	— compensation	1798
— collection with general taxes, payment to town treasurer, applica- tion	1801	— to deliver road-tax list and certifi- cate of payment to town clerk....	1799
three-fourths of road labor to be done before August	1802	— failure to deliver fine.....	1800
labor upon cartways.....	1903	— to render accounts	1803
maintaining water troughs, allowance therefor.	1904	— to pay to supervisor unexpended moneys	1804
maintaining wells and springs, allow- ance therefor	1905	— penalty for neglect to account for or pay over unexpended money..	1805
town-line roads, labor to be divided..	1825		
		OCCUPATION AND USE BY CORPORATIONS.	
DRAINAGE.		by water-power companies.....	2618
in general	7757	by telegraph and telephone companies	2641
affidavit, notice of meeting of super- visors	1907	by railroad companies.....	2645
notice, service and publication.....	1908	crossings by railroad company...	2685-2690
hearing and assessment of damages	1909	— removal of snow.....	2689
order laying out, opening ditches....	1910		
appeal from order laying out, proceed- ings in district court.....	1911	OBSTRUCTION.	
		penalty	1863
		jurisdiction of justice.....	1864

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HIGHWAYS—HOMICIDE.

2279

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HIGHWAYS—Cont'd,		HOMESTEAD,	
seeding by abutting owner, obstruction, compensation	1865	entry on swamp lands, relinquishment by state.....	4032, 4035
by railway cars.....	1866	descent of	4470
— penalty	1868	setting apart on death of spouse..	4493, 4494
stopping trains across, limit of time..	1867	sale by guardian, joinder by husband or wife.....	4602
fines to be expended on highway in towns	1869	rights of widow and children, effect of desertion by husband and father	5521
INJURIES TO AND DEPOSITS THEREIN.		what exempt, quantity of land, extent, etc.....	5521
injuries to, punishment.....	6780	mortgages and conveyances signed by wife, exception	5522
injury to trees, criminal liability....	6786	mechanics' liens thereon.....	5522
malicious injury to lamps, railings, etc.	6874	selection on execution, failure to select, duty of officer.....	5523
deposit of noisome or unwholesome substances, etc., punishment.....	6642	— levy of execution.....	5523
GUIDE POSTS.		— on execution, survey.....	5524
to be maintained by town.....	1014	— sale of residue of property.....	5525
town supervisors to make reports....	1015	dwelling house on land not owned....	5526
town to determine places of erecting .	1016	not exempt from taxation.....	5527
how erected and marked.....	1017	judgments not liens, exception of judgment foreclosing mortgage....	5528
penalty for neglect to maintain.....	1018	when lost by sale or removal.....	5528
LAW OF THE ROAD.		absence for more than six months, filing notice	5529
meeting vehicles to turn to right....	1945	HOMICIDE,	
passing vehicles to turn to left.....	1946	definition	6433
employment of intemperate driver by carriers of passengers.....	1947	different kinds	6434
penalty for violation.....	1948	proof necessary to convict.....	6435
horses not to be left unfastened by carriers of passengers, penalty.....	1949	of master by servant.....	6436
BRIDGES.		of husband by wife.....	6436
side roads and ford crossings near bridge	1915	petit treason abolished.....	6436
driving cattle over bridges, regulating number	1916	assault with intent to kill.....	6471
— penalty for driving excessive number	1917	resulting from setting spring guns, etc.	6854
fast driving on bridge.....	1870	provision to secure appearance of witnesses	7154
— complaint before justice, procedure	1871	wound inflicted in one county, death in another, venue of prosecution....	7259
HISTORICAL SOCIETY,		venue of prosecution in county where death ensues in all cases.....	7260
(see "State Historical Society.")		death out of state. prosecution in county where assault was made... 7261	
HITCHING POSTS,		MURDER.	
establishment in villages (par. 34)....	1299	in first degree.....	6437
"HOLE IN THE WALL,"		— punishment	6441
evading liquor laws.....	2033-2035	in second degree.....	6438
HOLIDAYS,		— punishment	6442
what are legal holidays.....	7987	— duelling	6439
election day.....	12	in third degree.....	6440
Thanksgiving day	299	MANSLAUGHTER.	
instruments payable on.....	2230	definition	6444
school teacher not required to teach	3695	in first degree.....	6445
absence of scholars on.....	3696	— killing unborn child.....	6446
business transacted on.....	7987		

MINNESOTA STATUTES 1894

2280

HOMICIDE—HOSPITALS FOR THE INSANE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HOMICIDE—Cont'd,		HORSE THIEVES—Cont'd,	
in first degree, death caused by attempting to produce miscarriage....	6447	bounties for arrest and conviction....	7869-7871
— punishment	6448	(see "Bounties.")	
in second degree.....	6449	HORTICULTURAL SOCIETY,	
— killing unborn child.....	6450	(see "State Horticultural Societies.")	
— criminal negligence	6451	appointment of superintendent to experimental tree station.....	3918
— liability of owner of dangerous animals	6452	HOSPITALS,	
— death resulting from overloading vessels	6453	(see "Hospitals for the Insane.")	
— criminal negligence or recklessness of person in charge of steamboat	6454	power of state board of corrections and charities	460
— criminal negligence or recklessness of person in charge of steam engine	6455	appropriation for by county commissioners	682
— liability of physicians or surgeons	6456	appropriation for, time and manner of payment	683
— death resulting from explosives in city or village.....	6457	to be provided by town board of health	979
— punishment	6458	establishment by city council (par. 12)	1085
		establishment in villages.....	
EXCUSE AND JUSTIFICATION.		1224 (par. 23), 1299 (par. 12)	
when excusable	6450	removal of infected persons to.....	7057
justifiable homicide	6460, 6461	to be provided by board of health in case of epidemic.....	7061
— defense of self or another.....	6308	protection against fires.....	8006-8009
— in killing convict.....	7480	HOSPITALS FOR THE INSANE,	
		commitment of inebriates to inebriate department at Rochester Asylum...	4694-4698
INDICTMENT.		(see "Inebriates.")	
for murder, form (No. 2).....	7239	location	3447
— time for finding.....	7255	names	3448
for manslaughter, forms (Nos. 6-10) ..	7239	conveyances to, confirmed.....	3447
different counts	7243	division of state between the different hospitals	3455
HONEY,		inventory of property.....	3456
adulterated, to be labeled.....	7038	insurance of property.....	3456, 3639, 3640
from bees fed on glucose, to be labeled ..	7038	letting contracts.....	3457
adulteration, etc., penalty.....	7040	entitled to copy of report of geological and natural history survey.....	3942
possession of article prohibited, evidence of intent to violate law.....	7041	appointment of guardian for inmate, service of notice on superintendent	4550
power and duty of dairy and food commissioner	7042, 7043		
costs of prosecution.....	7044	TRUSTEES.	
HORSE RACING,		board, how constituted	3447
entry of horses under assumed name, etc., prohibited	2970	political belief	3447
penalty for violation.....	2971	quorum	3449, 3491
entries, class, how determined, fraud ..	2972	appointment by governor.....	3449
on Sunday prohibited.....	6515	term of office	3449
HORSE RAILWAYS,		vacancies, how filled	3449
(see "Street Railways.")		removal	3449
HORSES,		oath	3451
lien for keeping.....	6249-6251	expenses	3451
liberating or driving away horses of another	6781	meeting	3451
HORSE THIEVES,		officers	3451
(see "Larceny.")		powers	3452

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HOSPITALS FOR THE INSANE.

2281

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

HOSPITALS FOR THE INSANE—	Sec.
Cont'd,	
appointment of officers and physicians to furnish estimate of coal required...	3452
duties with regard to probate judges..	3455
report to governor	3454
— printing and disposal.....	3494
INVESTIGATIONS BY TRUSTEES.	
powers in conducting	3497
report of results to governor	3497
duty of attorney general	3497
into alleged wrongful deprivation of liberty	3497
into treatment of insane or management of hospitals	3497
powers and duties of governor	3497
OFFICERS AND PHYSICIANS.	
treasurer	3451
— bond and duties of.....	7977
officers not to be interested in contracts	3451
compensation of officers	3452
superintendent	3452
— oath	3458
— bond	7978
— powers and duties	3458
— duties on death of patient	3459
— to answer inquiries of patient's relatives	3459
— report	3498
physicians to belong to what school of medicine	3447
PROVISIONS FOR SUPPORT OF ASYLUMS— APPROPRIATIONS.	
taking property in trust	3453
provisions for support	4030
setting apart swamp lands for support	4028, 4029
investment of proceeds of swamp lands	4030
control of swamp lands	4031
appropriations for	3450, 7972
unexpended appropriations	7985
FUNDS AND ACCOUNTS.	
drawing moneys from state treasury. accounting and report by officers to trustees	3450
system of accounting for public funds	3460
appointment of accounting officers and purchasing agents	7976
duties of accounting officer	7979
custody of funds	7979
duties of state auditor with regard to funds	7979

HOSPITALS FOR THE INSANE—	Sec.
Cont'd,	
documents, receipts, and vouchers showing expenditures	7980, 7981
documents sent to state auditor..	7981, 7983
duties with regard to goods purchased	7982
monthly expense lists	7983
approval of expense lists by state auditor	7984
drawing moneys from state treasury for expenditures	7984
disposition of surplus in any fund....	7985
appropriation of miscellaneous receipts	7986
EXPENSES AND FEES.	
expenses of coroner's inquest, how paid	3459
expense of inmates paid by state....	3493
maintenance of inmates at public expense	3461
payment by county of expense incurred in relation to insane persons	3495
fees paid for services relating to insane person	3495
fees growing out of examination in lunacy	3495
EXAMINATION AND COMMITMENT OF PATIENTS.	
who may be admitted.....	3461
definition of insane.....	3462
what to be established before committing	3463
examination in lunacy.....	3464
examiners in lunacy, qualifications..	3464
— certificate of qualification.....	3499
— appointment	3464, 3465
approval of certificate of insanity....	3465
filing copy of certificate of insanity..	3465
filing warrant for commitment to....	3465
— compensation	3488
certificate of insanity, contents.	3466, 3499
— how executed.....	3467
— approval by judge of probate court	3467
how additional information as to inmates obtained.....	3468
order and warrant for commitment to	3465, 3499, 4684
who to execute warrant.....	3465
improperly procuring commitment to, punishment	3469
filing certificate of insanity and warrant of commitment.....	3485
warrant for removal to.....	3499

MINNESOTA STATUTES 1894

2282

HOSPITALS FOR THE INSANE—HUSBAND AND WIFE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
HOSPITALS FOR THE INSANE—		HOTEL RUNNERS,	
Cont'd,		penalty for disorderly conduct.....	8004
commission to physician to examine		HOTELS,	
in lunacy.....	3499	(see "Innkeepers.")	
information of insanity.....	3499	regulations of	2251
return of superintendent on receiving		frauds on hotel keepers.....	6611
patient	3499	protection against fire	8006-8009
COMMITMENT OF CONVICTS.		HOUSE OF REPRESENTATIVES,	
commitment of one under indictment	3472	(see "Legislature"; "Members of	
commitment of insane convicts to....		Congress.")	
3484, 7343		number of members.....	214
transfer of convicts to.....	3485	representative districts	215, 216
expense incurred in committing.....	3488	how organized	221
death of insane convict, notice.....	3487	clerks, term of office.....	222
escape of convicts.....	3487	sergeant at arms, term of office.....	222
CONVEYANCE OF PATIENTS.		organization, appointment of tem-	
who to accompany female patient		porary officials	223
3465, 4685		compensation of officers and members	232
liability of persons taking patient to..	3473	— how certified	237
TRANSFER OF INMATES.		mileage of members and officers....	233
transfer of child to institute for de-		journal, compensation for preparing..	234, 236
fectives	3492	— warrant for preparing, when	
RIGHTS OF INMATES.		drawn	235
correspondence by, choice of corre-		election and terms of members.....	244
spondent	3474, 3475	HOUSES OF ILL FAME,	
— regulations	3474-3478	(see "Bawdy House"; "Disorderly	
— register of correspondence.....	3476	House.")	
— furnishing stationery.....	3477	keeping or letting premises for pur-	
— right to communicate with gov-		poses of, misdemeanor.....	6575
ernor and board of trustees.....	3479	HOUSTON COUNTY,	
— investigation of violations of law	3481	boundaries	565
— punishment for violating act....	3480	HUBBARD COUNTY,	
— regulations to be posted.....	3482	boundaries	566
permitting absence on parol.....	3490	HUNTING,	
powers and duties of superintendent		(see "Game.")	
with regard to funds of inmates....	7978	on Sunday prohibited.....	6515
who to have custody of funds of in-		HURRICANE INSURANCE COMPA-	
mates	7979	NIES	3344-3360
COMMITMENT TO RELATIVES OR PRIVATE		(see "Insurance Companies.")	
FAMILY.		HUSBAND AND WIFE,	
when given in charge of relatives....	3483	(see "Curtesy"; "Divorce"; "Dow-	
bond of relatives.....	3483	er"; "Marriage"; "Married Wom-	
care of in private families.....	3489	en.")	
RELEASE AND DISCHARGE OF PATIENTS.		homestead exemption and rights	
discharge from asylum.....	3491	thereunder	5521-5529
notifying probate court.....	4687	(see "Homestead.")	
recovery by one under indictment, re-		settlement of pauper wife.....	1954
turn to jail.....	3472	deposit by wife in savings bank....	2560
return of convicts to prison.....	3486	service of notice on wife.....	2606, 2625
PRIVATE ASYLUMS.		word "husband" in Probate Code con-	
private asylums	3496	strued to mean "wife".....	4731
license of.....	3496	title to land by descent.....	4471
		election and renunciation under will	4472
		descent of personal estate, allowance	
		to surviving spouse and children...	4477

MINNESOTA STATUTES 1894

Vols. 1 & 2]

HUSBAND AND WIFE—ILLUMINATING OILS.

2283

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
HUSBAND AND WIFE—Cont'd,	
privileged communications between (par. 1)	5662
not liable for each other's debts, except for necessaries furnished wife..	5533
desertion, insanity or conduct entitling to divorce, proceedings to debar from interest in property of the other	5535
conviction of husband, property rights of wife	4804
POWERS OF WIFE.	
to make will	4423
to be guardian	4542
marriage of female ward terminates guardianship	4543
powers to married women	4308
wife may execute power	4338
— what estate may be created	4356
WIFE'S SEPARATE PROPERTY.	
lands of wife taken for public use, payment of damages	2611, 2629
who to list property of wife for taxation (par. 5)	1515
CONVEYANCE OF PROPERTY.	
insanity of spouse, sale of real estate without joinder	4603
sale of land by guardian, joinder by husband or wife	4602
effect of insanity	4161
acknowledgments by wife	5651
separate deeds legalized	7583
CONTRACTS BETWEEN.	
acting as agent for each other, rights of creditors or bona fide purchasers	5534
antenuptial contracts	5536
ACTIONS.	
by husband for deposits in bank by wife	2561

	Sec.
HUSBAND AND WIFE—Cont'd,	
by wife, parties	5159
right of wife to sue	5159
for partition, provisions with regard to contingent interest of wife	5799
TORTS AND CRIMES OF WIFE.	
liability of husband	5536
crime of wife, duress of husband	6306
SEPARATE MAINTENANCE OF WIFE.	
causes for	4815
action for	4814
alimony and costs	4799
requisites of complaint	4816
procedure	4818
defenses	4817
counsel fees	4818
temporary alimony	4818
protection of wife pending suit	4800
orders made pending	4801
provision as to children	4802
revision of order concerning children	4803
disposition of wife's land	4804
decree	4819
— where separation is not granted	4820
— revocation	4821
ABANDONMENT AND DESERTION BY HUSBAND.	
rights and powers of wife	5165
misdemeanor	6535
omitting to provide for wife, misdemeanor	6536
CRIMINAL CONVERSATION.	
action, jurisdiction of justice	4960
limitation of action	5136
HYGIENE,	
(see "Schools.")	
to be taught in schools	3892-3896

I.

ICE,	
guarding ice cuttings	6640
IDIOTS,	
(see "Insanity.")	
distinguished from insane persons	3462, 4689
use of force in protecting (par. 6)	6477
ILLEGITIMATE CHILDREN,	
(see "Bastardy.")	
inheritance by and from	4473, 4474

ILLEGITIMATE CHILDREN—Cont'd,	
effect of subsequent marriage of parents	4784
ILLUMINATING OILS,	
(see "Inspection and Inspectors.")	
sale or use when not capable of enduring test forbidden	452
regulations of sale and inspection	453
falsely branding packages	453
powers and duties of inspector	454

MINNESOTA STATUTES 1894

2284

ILLUMINATING OILS—INDICTMENT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ILLUMINATING OILS—Cont'd,		INCOMPETENT PERSONS—Cont'd,	
oil accepted by inspector, how brand-		restoration to capacity after appoint-	
ed	454	ment of guardian	4553
oil rejected by inspector, how brand-		INDECENCY,	
ed	454	on grounds of camp meetings, etc.,	
when to be rejected by inspector.....	454	prohibition	2947
refilling empty packages marked as		open or gross lewdness or lascivious	
approved	455	behavior	6570
IMBECILITY,		INDECENT ARTICLES,	
not included in term "insane".....	4689	exhibiting or offering to sell, or fur-	
IMMORAL PUBLICATIONS, PIC-		nishing information relating thereto	6572
TURES, ETC.,		physicians' instruments are not inde-	
(see "Obscene Publications, Pictures,		cent articles	6574
etc.")		INDECENT ASSAULT,	
sale, exposure, advertisement, etc.,		definition	6534
penalty	6973	INDECENT EXPOSURE,	
search warrant for, destruction of		misdemeanor	6569
property	6974	INDEMNITY,	
prosecutions, jurisdiction	6975	contracts between manufacturers	
IMPEACHMENT,		against fire not within insurance act	3157
of officers (see "Officers").		by purchaser of land of decedent	
IMPERSONATING POLICEMEN,		where land is held under contract of	
penalty therefor	1315	purchase	4584
IMPRISONMENT,		of party injured by contempt.....	6167
(see, also, "Arrest"; "Contempt";		INDENTURE,	
"Crimes and Punishments"; "Ha-		(see "Bonds"; "Deeds"; "Mortga-	
beas Corpus.")		ges.")	
to enforce payment of fines.....	1190	of apprenticeship	4752-4756
for contempt of court.....	6156	INDEPENDENT ORDER OF ODD	
— limit	6166	FELLOWS	2985-2980
IMPROVEMENTS,		(see "Odd Fellows.")	
assessments for	1116-1171	INDEXES,	
(see "Municipal Corporations.")		of senate and house journals, and	
in villages, submission to voters	1233	transcribing	234-236
when deemed personalty for purposes		of laws and documents, duty of secre-	
of taxation	1510	tary of state	308
on waters, power of eminent domain		of records, duty of register of deeds..	768
of United States	4106	INDIANS,	
on the Mississippi, right of United		not liable to military duty.....	1698
States to overflow land.....	4121	sale of liquors to, penalty.....	2002
definition	5853	— complaints by county officers,	
allowance for, in ejectment.....	5847	charge to grand jury.....	2003
right of defeated claimant to remove	5848	jurisdiction of offenses by.....	2265
reimbursement of occupying claimant		right to leave reservation.....	2266
5849, 5851, 5852, 5855		removal from white settlement.....	2267
INCENDIARISM,		effect of Penal Code on.....	6849
(see "Arson.")		INDICTMENT,	
inquiry into	6864-6871	(see "Presentment.")	
(see "Fires.")		certain terms construed.....	6842
INCEST,		definition	7204
definition, punishment	6553	names of witnesses to be thereon....	7234
INCOME CERTIFICATES,		tests of sufficiency.....	7247
issued by railroad companies.....	2734	formal defects to be disregarded....	7248
INCOMPETENT PERSONS,		judgment, how pleaded.....	7249
appointment of guardian for....	4549-4574	private statute, how pleaded.....	7250
(see "Guardian.")			

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INDICTMENT—INEBRIATES.

2285

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INDICTMENT—Cont'd,		INDICTMENT—Cont'd,	
for offenses committed on vessels and public conveyances, where brought	7256, 7257	allegation as to persons injured, error not material	7245
— on county lines, where prosecuted	7258	for libel, showing application to party libeled	7251
dismissal, reasons to be entered.....	7346	name of defendant, defendant to be asked his true name on arraignment	7279
conviction of lesser degree of crime, or of attempt.....	6316, 7339	— proceedings where another name is given by defendant.....	7280
FOR WHAT OFFENSES.		DESCRIPTION OF PROPERTY.	
assault or affray not indictable.....	5120	ownership of property, variance.....	7263
for contempt.....	6169	ALLEGATION OF TIME.	
for compounding felony.....	7254	manner	7244
for embezzlement, sufficiency, evidence	7262	ALLEGATION OF INTENT.	
for wrongful concealment, removal, or sale of mortgaged property.....	6751	averment as to intent to defraud....	6342
FINDING, FILING, AND RECORD.		JOINER OF PARTIES AND OFFENSES.	
duty of county attorney.....	803	different counts in same indictment, degrees of offenses.....	7243
when to be found.....	7203, 7210	PLEAS, DEMURRERS, AND MOTIONS TO SET ASIDE.	
failure to find at next term after accused held to answer, dismissal of prosecution	6278	demurrer thereto	7291-7301
foreman to administer oath to witness	7206	(see "Criminal Law.")	
evidence receivable	7207	pleas	7302-7312
hearsay evidence, etc., when admissible	7208	(see "Criminal Law.")	
evidence for defendant, when received	7209	time to plead.....	7281
finding and indorsement	7232	demurrer, plea, motion to set aside..	7282
dismissal of charge no bar to subsequent proceedings	7233	pleading by defendant, demurrer or plea	7291
presentation to court, filing, record...	7235	setting aside, when.....	7283
record, certificate of clerk.....	7236	motion to set aside, objections waived by failure to make.....	7284
— effect, use of in case of loss of indictment	7237	— heard, when.....	7285
not to be disclosed until arrest of accused	7224	— demurrer or plea when motion denied	7286
disclosure of finding, punishment as contempt and misdemeanor.....	7225	— proceedings where motion is granted	7287
FORMS.		— effect of resubmission of case, custody of defendant, bail.....	7288
contents	7238	— new indictment not found, discharge of defendant, etc.....	7289
schedule of forms.....	7239	setting aside no bar to another prosecution	7290
specified sufficient, forms in other cases	7240	INDIGENT PERSONS,	
DESCRIPTION OF OFFENSE.		(see "Poor.")	
to be direct and certain.....	7241	INDORSEMENT,	
words of statute need not be followed	7246	(see "Negotiable Instruments.")	
DESCRIPTION OF PERSON.		INDUSTRIAL INSTITUTE,	
names of defendants participating in charivari	6937	provisions for support of.....	4021-4023
fictitious or erroneous name, inserting true name when discovered.....	7242	INEBRIATE ASYLUM,	
		investment of funds.....	4006, 4007
		INEBRIATES,	
		commitment to hospital for insane...	4694

MINNESOTA STATUTES 1894

2286

INEBRIATES—INFORMERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INEBRIATES—Cont'd.		INFANTS—Cont'd.	
jury to determine commitment, ap- pointment	4695	PROPERTY OF.	
notice of petition, service on guardian	4696	Lands taken for public use, payment of damages	2611, 2629
warrant of committal in duplicate. . . .	4697	— notice	4086
proceedings, fees, cost, etc., discharge of patient.	4698	sale of property by auctioneer.	2297
INFAMOUS CRIMES,		redemption of land sold for local im- provements	1142
meaning of term.	255	who to list property for taxation (par. 3)	1515
INFANTICIDE,		requiring infant to pay owelty of par- tition	5810
(see "Homicide.")		partition, paying minor's share to guardian	5811
INFANTS,		power of guardian to enter into agree- ment for partition	5813
(see "Apprentices"; "Children"; "Guardians"; "Parent and Child.")		PROTECTION OF INFANT'S HEALTH, MOR- ALS, AND MANNERS.	
adoption of.	8016-8024	abandonment of	6535
(see "Adoption.")		omitting to provide for minor child. .	6536
appointment of guardians for.	4534-4574	endangering life, health, or morals of minor child	6537
(see "Guardian.")		not permitted to gamble or play games in saloon	2012
appointment of guardian for, in emi- nent domain proceedings (par. 11). . .	1107	not to frequent concert saloons, dance houses, and liquor saloons, or to play games therein	6538
who are, age of majority.	4534	sale of liquor to, penalty.	1999
deposits with savings banks.	2560	sale of tobacco to, penalty.	6952
wages of, to whom paid.	2247	use of firearms by, prohibited, mis- demeanor	6946
service of notice on.	2606, 2625	exclusion from criminal trials. . . .	7326-7328
as executor.	4433	use in unlawful employment, commit- ment of child to orphan asylum. . . .	8013
marriage of.	4786-4788	abuse of children, penalty.	8014
who may sue for injuries to.	5163, 5164		
exclusion from court room where trial is scandalous, etc.	5401	CRIMINAL RESPONSIBILITY.	
costs against plaintiff, liability of guardian	5507	of child under seven.	6300
incompetent as witness.	5661	of child over seven, presumption, de- termination of age	6301
capacity as witnesses, court to ascer- tain	5666	punishment for offenses	6840
recognizance for appearance of wit- nesses	7152	INFECTED ANIMALS,	
diseased eyes in infants to be reported	8010	regulations of.	6976-6982
— duty of health officer.	8011	(see "Animals.")	
— penalty for neglect.	8012	INFECTIOUS DISEASES,	
proceedings against unknown heirs. . .	5841, 5842	(see "Health.")	
violation of law regulating, disposi- tion of fines.	8015	duties of local board of health. . . .	1463, 1464
ACTIONS BY AND AGAINST.		INFERIOR COURTS,	
actions by.	5160	(see "Justices of the Peace"; "Mu- nicipal Courts"; "Probate Courts.")	
— next friend.	4972	INFIDELS,	
— when guardian to give bond.	5160	form of oath administered to.	5643
— liability for costs.	4972	INFORMERS,	
actions against.	5161	suit for fine.	2129
— guardian ad litem.	4973		
— liability for costs	4973		
service of process on	5199		
limitation of action	5147		
guardian ad litem	4548, 5160-5162		
— for nonresident minors	5162		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INJUNCTION—INSANE PERSONS.

2287

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INJUNCTION,		INKEEPERS—Cont'd,	
to enforce order of railroad and warehouse commission..... 393 (par. c), 399		equal right to accommodations.....	8002
to enforce orders of state board of health..... 432, 1496		civil rights.....	8003
against order of factory inspector....	2261	INQUESTS,	
against insolvent bank.....	2511	(see "Coroner.")	
against boom or river improvement companies.....	2633	where held.....	656
by judgment creditor of co-operative association to restrain alienation of property and doing business.....	2911	when held.....	843
against sale on execution or foreclosure by advertisement, motion or order to show cause, notice to adverse party.....	5348	fees of coroner.....	5554
against judgment procured by fraud..	5434	INSANE ASYLUMS,	
against unlawful exercise of corporate powers.....	5893, 5894	(see "Hospital for the Insane.")	
against exercising corporate rights and privileges.....	5900, 5901	INSANE PERSONS,	
against corporation, sued for usurpation of franchise, etc.....	5972	(see "Guardians.")	
against use of labels, trade-marks, etc., of labor unions.....	6921, 6922	appointment of guardian for....	4549-4574
against imitation of trade-mark, label, etc.....	6928	(see "Guardians.")	
against operating public warehouse without license.....	7715	definition.....	255, 3462, 4689
issue by district court.....	4837	probate judge, examination, removal, filling vacancy in office.....	817, 4734
how issued, effect.....	5343	not liable to military duty.....	1698
temporary injunction, when.....	5344	support of insane pauper, liability of relative.....	1951
affidavit, copy served with writ.....	5345	improperly procuring adjudication of insanity, punishment.....	3469
after answer, restraining order.....	5346	arrest of insane person.....	3470
allowance on notice, order to show cause.....	5348	nonresidents to be taken to place of domicile.....	3461
motion to vacate and modify.....	5348	restoration after guardianship, incompetent person.....	4553
— counter affidavits.....	5350	discharge from hospital, probate court to be notified.....	4687
right of appeal.....	6140	marriage of.....	4786-4788
bond by plaintiff, damages how ascertained.....	5347	conversation with insane party not to be given in evidence.....	5660
bond not required of trust company (par. 10).....	2849	incompetent as witness.....	5661
INKEEPERS,		use of force in protecting (par. 6)....	6477
regulation by cities.....	1085	unlawful confinement and cruel treatment of.....	6610
to keep record of property left.....	2090	effect of insanity on limitation of actions.....	5147
property of another left with, duties concerning.....	2090, 2091	EXAMINATION INTO SANITY.	
sale of unclaimed property.....	2092-2103	certificate of.....	3466, 3499
safe-keeping of property of guests....	7997	qualifications of examiners.....	3464
locks to be provided for rooms.....	7997	— certificate of qualification.....	3499
liability for loss of goods by guests..	7998	commission to physician to examine..	3499
frauds on hotel keepers.....	6611, 7999	information of insanity.....	3499
embezzlement by.....	8000	— issue of warrant by probate court	4679
sale of goods of guest to pay board...	8001	jury, how appointed.....	4680
		oath of jury.....	4681
		examination of witness, process to compel attendance, evidence of accused.....	4682
		findings of jury.....	4683
		questions to be propounded and answered, copy to be sent to superintendent of hospital.....	4686
		fees allowed by probate court.....	4690

MINNESOTA STATUTES 1894

2288

INSANE PERSONS—INSOLVENCY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSANE PERSONS—Cont'd,		INSOLVENCY,	
fees allowed by probate court, audit and payment	4691	(see "Assignment for Benefit of Creditors"; "Fraudulent Conveyances.")	
— where person is found not to be insane	4692	of trust companies.....	2582
absence or disqualification of probate judge, court commissioner to act...	4693	of banks.....	2498, 2502, 2511, 2512
ACCUSED PERSONS AND CONVICTS.		(see "Banks and Banking.")	
rights on arrest.....	3470	of savings banks.....	2582
acquittal on ground of insanity.....	3471	order or deed of assignment invalid as conveyance unless recorded.....	4228
— disposition of prisoner.....	3471	assignment for creditors on garnishment, attachment or execution, vacation of writs, release of debtor...	4240
inquiry into sanity of person under indictment	3472	restraining debtor from collecting accounts or disposing of property, writ of ne exeat.....	4242
— of convicts.....	3484	venue of actions, new parties, dismissal	4244
persons accused of crime, commitment to insane hospital.....	7343	costs of attachment or levies dissolved, attorneys' fees of petitioning creditor	4245
acquittal of crime on ground of insanity, commitment for safe-keeping	7344	release to be filed by creditors, fraud of debtor, proceedings and distribution without release.....	4249
manner of keeping insane prisoner...	7430	attachment, garnishments, etc., from justices' courts, dissolution.....	4252
COMMITMENT AND CONVEYANCE TO ASYLUM.		OF PARTNERSHIP.	
warrant of committal, duplicate warrants, form.....	4684	of limited partnership, preference...	2346
female patient, how conveyed to hospital	4685	of general or special partner, preferences	2347
COMMITMENT TO RELATIVES AND PRIVATE FAMILIES.		preference by general or special partner, penalty	2348
to charge of relatives.....	3483	of limited partnership, special partner not to claim as creditor.....	2349
— bond for proper care and safe-keeping	4688	by partnership having minor or special partner, execution by adult or general partner	4254
care of, in private families.....	3489	PREFERENCE OF CREDITORS.	
PROPERTY AND PROPERTY RIGHTS.		penalty	4242
who to list property for taxation (par. 4)	1515	conveyance in anticipation of insolvency	4243
redemption from tax sale.....	1603	ASSIGNEE OR RECEIVER.	
condemnation of lands, notice.....	4086	petition for receiver, authority of receiver	4241
conveyance by spouse where husband or wife is insane.....	4161, 4603, 5532	application of law relating to receivers and assignments.....	4246
insane spouse, proceedings to debar from interest in property of spouse.	5535	appointment to fill vacancy, removal	4248
partition, paying share to guardian..	5812	notice of appointment, publication and mailing	4250
— power of guardian to agree to...	5813	fees	4253
personal property to be taken charge of by coroner.....	4712	actions against, leave of court.....	5174
sale of personal property by coroner..	4713	— rules of procedure	5175
property taken charge of by coroner, restoration, return of property.....	4714	— venue of	5175
RESPONSIBILITY FOR CRIME.		payment of judgment against assignee or receiver	5176
presumption and burden of proof....	6299		
not punishable while insane.....	6302		
when excused from liability.....	6303		
morbid criminal propensity	6305		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INSOLVENCY—INSPECTION AND INSPECTORS.

2289

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSOLVENCY—Cont'd,		INSPECTION AND INSPECTORS—	
		Cont'd,	
PROOF AND PAYMENT OF CLAIMS.		in store on passage of act regulating	
disallowance of claim, notice of ap-		warehouses	7703
peal to district court.....	4247	act to apply to city of St. Cloud....	7704
preferred claims, debts due state....	348	grain in cars, duty of inspectors, ex-	
— debts due United States and state		amination of cars, etc.....	7707
of Minnesota; taxes, etc.; wages of		— duty of railroads to protect cars	
servants	4251	in yard, employment of weighmas-	
lien of, and preference of, claim for		ter	7708
wages	6254, 6256	— duty of inspectors, penalty for	
INSPECTION AND INSPECTORS,		violating act	
(see "Board of Inspectors"; "In-		of shipment of grain to terminal	
spector General.")		points, shipper to affix tag showing	
of foods and liquors (par. 26).....	1085	weights, etc.....	7712
of fuel, provisions, etc. (par. 25)....	1299	appropriation	7713
of writings in possession of adversary	4984	inspection of sample by chief inspect-	
of instruments filed with register of		or on disagreement at country ele-	
deeds or clerk of court	5731	vator	7718
of documents, when ordered	5750	at public country warehouse, com-	
inspectors appointed by chambers of		plaint, duty of warehouse commis-	
commerce effect (par. 3)	2983	sioner	7719
inspectors of steam vessels and steam		<i>chief inspector and deputies.</i>	
boilers	480-494	appointment, oath, bond.....	7680
— appointment of deputies	494	appointment of deputies.....	7681
inspectors of election to change coun-		deputies, oath, bond.....	7682
ty boundaries	625	bonds of inspectors, filing and actions	
— to determine incorporation of vil-		thereon	7683
lages	1202	control and removal of deputies.....	7684
appointment of inspectors in villages		not to be interested in handling or	
(par. 26)	1299	selling grain	7686
OF FACTORIES.		removal of inspectors	7687
inspector	469	impersonating inspector, penalty....	7688
— appointment	475, 477	neglect or misconduct of inspectors,	
OF GRAIN.		penalty	7689
charges to be paid by warehousemen	7663	disposition of moneys collected by in-	
regulations for weighing grain, etc..	7678	spectors, etc.....	7699, 7700
regulations and charges for inspec-		<i>weighmasters and assistants.</i>	
tion, compensation of inspectors....	7685	appointment	7674
lien for inspection and weighing, pay-		authority, effect of certificates.....	7675
ment	7690	qualifications and bond, compensation	7677
decision of inspector as to grade, ef-		refusing access to scales, penalty....	7679
fect	7691	duties, records of weighing done....	7705
— appeal to railroad and warehouse		to furnish certificates of weighing	
commissioner	7692	done, effect as evidence.....	7706
Minnesota grades, establishment and		OF ILLUMINATING OILS.	
publication	7695	regulations of sale and inspection of	
standard samples to be furnished to		oil	453
warehousemen by inspector	7696	mode of testing oils.....	454
supervision by railroad and ware-		appointment by governor	447
house commission, establishment of		qualifications	447
rules and regulations.....	7697	term of office	447
— publication of rules, etc.....	7698	removal by governor	447
right of sale by sample.....	7702	vacancy in office of, how filled.....	447

MINNESOTA STATUTES 1894

2290

INSPECTION AND INSPECTORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSPECTION AND INSPECTORS—		INSTITUTE, FOR DEFECTIVES—	
<i>Cont'd,</i>		<i>Cont'd,</i>	
oath and bond	448	bond of superintendent.....	7978
trafficking in oils, prohibition.....	450	duties and compensation of secretary	3444
to keep record of oils inspected.....	451	treasurer	7977
report to secretary of state.....	451	— compensation of.....	3444
expense of providing apparatus for		— duties	3444
testing oil	454	— bond	3444
powers and duties of inspector of...	454	— bond and duties of.....	7977
conclusiveness of inspector's decision	454	report to board of directors.....	3446
certificate of inspection and approval	454		
— rejection	454	PROVISIONS FOR SUPPORT OF—APPRO-	
place of inspecting oils.....	455	PRIATIONS.	
power to search for oils.....	455	provisions for support of.....	4030
in tanks on railroad cars.....	456	setting apart swamp lands.....	4028, 4029
duty to prosecute for violation of laws	458	investment of proceeds.....	4030
		control of swamp lands.....	4031
<i>fees and compensation of inspector.</i>		for the deaf, dumb, and blind, appro-	
allowance	444, 454-457	priation	7971, 7972
to pay fees into state treasury.....	445	unexpended appropriations.....	7985
fees and mileage	455		
<i>deputy inspectors.</i>		FUNDS AND ACCOUNTS.	
power to appoint.....	449	drawing moneys from state treasury	3445
number	446	system of accounting.....	7975
disposition of fees received.....	446	appointment of accounting officers and	
compensation	446	purchasing agents.....	7976
powers and duties of deputies.....	449, 451	duties of state auditor with regard to	
oath and bond.....	449	funds	7979
appeal from decision.....	454	duties of accounting officer with re-	
INSPECTOR GENERAL,		gard to funds.....	7979
annual inspection of national guard..	1734	custody of funds.....	7979
report to commander in chief.....	1736	vouchers showing expenditures.....	7980, 7981
INSTITUTE FOR DEFECTIVES,			
departments	3437	documents showing expenditures sent	
gifts and conveyances to.....	3445	to state auditor.....	7981, 7983
name	3437	duties with regard to goods purchased	7982
location	3437	monthly expense lists	7983
insurance of property.....	3639, 3640	approval of expense lists by state au-	
entitled to copy of report of geological		ditor	7984
and natural history survey.....	3942	drawing moneys from state treasury	
		for expenditures.....	7984
DIRECTORS.		disposition of surplus in any fund...	7985
board of directors.....	3438	appropriation of miscellaneous re-	
how vacancies filled.....	3438	ceipts	7986
term of office.....	3438		
officers of board.....	3439	PUPILS.	
quorum	3439	who admitted.....	3442
meetings	3439	who to defray expenses of.....	3442
powers and duties.....	3440	indigent pupils	3442
report to governor.....	3446	— who to pay expenses of.....	3443
		— funds provided by county.....	3443
OFFICERS AND EMPLOYES.		— certificate of indigence.....	3443
subordinate officers.....	3441	transfer of child from insane hos-	
steward	3439	pital	3492
superintendent of departments.....	3441	custody of funds of inmates.....	7979
— accounting by.....	3443	powers and duties of superintendent	
— power to solemnize marriages....	4771	with regard to funds.....	7978

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INSTRUCTIONS—INSURANCE COMMISSIONER.

2291

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
INSTRUCTIONS,	
of court to grand jury.....	7198
requests for, time of making, regulation thereon, giving additional instructions	5403
justice not to give.....	4953
in criminal cases.....	7333
INSURANCE,	
(see "Insurance Commissioner"; "Insurance Companies.")	
act regulating, object of act, rule for construction	3136
— construction of words "the substantial provisions of this act shall be enacted".....	3137
— "oath" defined.....	3143
of insane hospital.....	3456
of property of state institution. 3639,	3640
of lottery tickets.....	6583
— advertising offers	6584
arson with intent to prejudice insurer willful injuring or destroying vessels or cargo	6754
fitting out vessel, etc., with intent to sink	6755
destroying or injuring insured property, punishment	6757
INSURANCE COMMISSIONER,	
definition of term.....	3142
office to be kept at state capitol.....	3144
penalty for failure to testify before, or for obstructing.....	3151
stipulation by foreign company authorizing service of process on.....	3183
QUALIFICATION AND APPOINTMENT.	
directors, officers, agents, etc., of insurance company, not qualified to act	3144
term of office, bond.....	3144
POWERS.	
powers	3149
to have access to books of companies and agents (par. 1).....	3149
to summon and examine witness under oath (par. 2).....	3149
to visit home office of foreign companies, etc. (par. 3).....	3149
to revoke certificates (par. 4).....	3149
to institute suits for violation of law (par. 5)	3149
party to suit or to proceeding to wind up companies (par. 5).....	3149
to institute inquiries, penalty for failure to answer.....	3150

	Sec.
INSURANCE COMMISSIONER—C'td,	
approval of insurance policy.....	3150
authentication of instruments by seal, record, copies as evidence.....	3152
access to books of state treasurer....	3156
prosecutions of companies for noncompliance with, or violation of, law... 3159	3159
to defer publication of statement of companies	3181
to authorize agent to place excess lines of insurance in unauthorized company	3161
to issue certificate to insurance company (par. 3).....	3167
registration, etc., of policies and annuity bonds of life insurance company	3287
revocation of company's license for failure to satisfy judgment.....	3190
certificate issued to manufacturers' and millers' insurance company ... 3259	3259
— to manufacturers' and millers' company entitling company to insure on the all-cash plan.....	3264
examination and certificate to fire company creating surplus fund and special reserve fund.....	3224
certificate of authority to foreign cooperative life, etc., associations, renewal, revocation, investigation... 3304	3304
refusal of certificate to corporations whose states discriminate against Minnesota companies	3304
inspection and visitation of cooperative life, etc., associations, reporting unsafe companies to attorney general	3307
inquiries as to condition of cooperative life, etc., associations.....	3308
over foreign live-stock associations... 3321	3321
license and certificate to foreign live-stock associations and agents.....	3323
DUTIES.	
to see that laws are executed (par. 1)	3148
to file charters or declaration of organization and furnish certified copies (par. 2).....	3148
to calculate value of life policies enforceable (par. 3).....	3148
— basis of calculation (par. 4)....	3148
to proceed against unsafe life companies (par. 5).....	3148
to see that assets of life companies are sufficient (par. 6).....	3148

MINNESOTA STATUTES 1894

2292

INSURANCE COMMISSIONER.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMMISSIONER—C't'd,		INSURANCE COMMISSIONER—C't'd,	
to accept valuation of other insurance commissioners, when (par. 7).....	3148	ceipts and cancellation, how regulated	3287
failure of foreign life company to furnish certificate of its state commissioner, duty to make detailed list (par. 8)	3148	transfer of duties required of state treasurer to commissioner.....	3191
to calculate reinsurance reserves for fire companies (par. 9).....	3148	to notify foreign insurance company of service of process.....	3188
to charge premiums on unexpired risks of marine and inland insurance as reinsurance reserves (par. 10)	3148	to furnish blanks for and to receive and file stipulations by foreign companies as to service of process....	3184
to proceed against company whose capital is impaired (par. 11).....	3148	to report to county attorney violations of law by insurance agent....	3168, 3325
— company to make capital good (par. 11)	3148	certificate of foreign insurance company to state amount of capital....	3212
to permit companies to reduce capital stock (par. 11).....	3148	to notify county attorney of violation of act relating to insurance.....	3336
to examine business of companies in detail (par. 11).....	3148	where hail, cyclone, etc., company is insolvent or conducting business fraudulently	3360
to examine affairs of unsafe life companies, and permit company to continue business (par. 12).....	3148	SECURITIES DEPOSITED WITH.	
to proceed against unsafe life companies (par. 13).....	3148	by life insurance companies... ..	3282, 3283
to publish results of examination of companies (par. 14).....	3148	to be held while policies exist.....	3283
to suspend business of companies, to notify commissioners of other states, and publish notice (par. 15).....	3148	surrender of securities to life insurance company	3285
to institute winding-up proceedings (par. 16)	3148	certificate of deposit by corporation undertaking to act as surety.....	5947
to report violations of law to attorney general (par. 17).....	3148	comparison by officer of company with record, acknowledgment to commissioner	3172
to furnish to companies applications for reports, etc. (par. 18).....	3148	transfer of securities, joinder of state treasurer, duty of treasurer.....	3155
to keep records (par. 19).....	3148	REPORTS AND STATEMENTS.	
to furnish copies of papers and certificates, on payment of fee (par. 20)..	3148	annual statement from companies, duty to publish on failure of company	3174
to make annual report to governor, to be printed and distributed (par. 21)	3148	may require statement at any time..	3176
to send copies of annual report, to whom (par. 22).....	3148	annual report of farmers' mutual fire insurance company	3274
to communicate facts to other insurance commissioners (par. 23).....	3148	reports by title insurance company, power of commissioner	3341
to adopt seal to be filed with secretary of state (par. 24).....	3148	to receive certificates relating to fire departments in cities, towns, and villages	3216
to see that no other than life companies issue life insurance policies (par. 25)	3148	certificate filed by foreign and live-stock insurance company of compliance with foreign law	3319
to determine assets of fire company exclusive of premium notes (par. 25)	3148	certificate as to paid-up capital and investment	3320
registration of policies and annuity bonds of life companies, renewal re-		FEES RECEIVED BY.	
		fees to be paid by companies, disposal of fees	3153
		fees paid by co-operative life, etc., associations, disposition	3309
		DEPUTIES.	
		appointment, powers, bond	3146

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INSURANCE COMMISSIONER—INSURANCE COMPANIES.

2293

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMMISSIONER—Cont'd,		INSURANCE COMPANIES—Cont'd,	
penalty for receiving other pay than salary	3146	company to be fully organized (par. 1)	3167
salary	3147	issue of certificate by insurance commissioner (par. 3).....	3167
CLERKS.		<i>failure to comply with law—penalty.</i>	
salary (par. 17)	530	service of process on companies not complying with law.....	3158
salary, appropriation (par. 29).....	7956	penalty for doing business without complying with law.....	3158
clerk hire, appropriation.....		prosecution for noncompliance or violation of law, duty of commissioner	3159
7961 (par. 14), 7964 (par. 1)		collection of penalties, payment of money into state treasury.....	3160
SALARY AND EXPENSES OF OFFICE.		penalty for violation of law.....	3173
salary, penalty for receiving other pay — appropriation (par. 9)	3145	failure to satisfy judgment, revocation of authority to do business....	3190
expenses of office, assessment on companies	3154	<i>policies.</i>	
— appropriation		approval by insurance commissioner not conforming to standard, penalty for issuing	3150
7961 (par. 8), 7964 (par. 2), 7969			3202
INSURANCE COMPANIES,		<i>advertisements.</i>	
(see "Insurance"; Insurance Commissioner.)		location and amount of risks in force to be published.....	3169
PROVISIONS APPLICABLE TO ALL COMPANIES.		false advertisements, liability for premiums received thereafter.....	3173
"company" defined	3139	<i>statemen's.</i>	
"American company" defined	3140	annual statement to commissioner, form and contents.....	3175
"company of a state, territory, or nation," defined	3141	— publication, filing affidavit of publication	3174
"directors" defined	3143	— failure to publish, publication by commissioner and collection of costs	3174
life insurance not to be granted except by companies organized solely therefor	3163	may be required at any time.....	3176
charters, etc., to be submitted to and approved by attorney general.....	3164	how verified	3177
investment of stock and accumulations, in what securities	3165	failure to file, inability to do business	3178
declarations of dividends	3165	forfeiture for failure to furnish statement	3179
transfer of duties required of state treasurer to insurance commissioner	3191	penalty for false statement.....	3180
premium, promissory note deemed payment	3203	publication of statement, power of commissioner to defer.....	3181
securities deposited with commissioner, comparison by officer of company with record, giving commissioner acknowledgment	3172	receiver or trustee of company to make statement	3182
excess lines of insurance may be authorized in companies not admitted to do business.....	3161	<i>right to hold real estate.</i>	
— license of agent to place excess lines	3161	not to be held except on conditions, disposal within five years.....	3170
— reports of agents, payment of tax, bond	3162	— section not to apply to foreign companies holding and conveying land in fiduciary capacity	3171
<i>right to do business.</i>		disposal of real estate, certificate of commissioner authorizing holding..	3170
contract of insurance forbidden except as authorized by this act.....	3157	<i>taxation.</i>	
examination before beginning business, certificate of examiner.....	3166	method of.....	1508
		commutation tax, liability of real estate	3192

MINNESOTA STATUTES 1894

2294

INSURANCE COMPANIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMPANIES—Cont'd,		INSURANCE COMPANIES—Cont'd,	
report of commissioner to state auditor of premium receipts, draft of auditor for commutation tax.....	3192	stipulation for service of process on insurance commissioner.....	3183, 3186
failure to pay commutation tax, revocation of authority to do business..	3192	— commissioner to furnish blanks for, and receive and file stipulations	3184
act not to apply to township mutual fire insurance companies, mutual aid associations, benefit associations, or co-operative life associations	3193	— not to be revoked.....	3185
application of proportion of commutation tax in towns, cities, and villages having fire departments	3216-3222	service of process, proof of.....	3187
<i>fees and expenses of commissioner.</i>		— duplicate copy to be mailed by commissioner to home office of foreign companies	3188
fees to be paid to insurance commissioner	3153	— meaning of term "process".....	3189
assessment of expenses of commissioner	3154	forfeiture of right to do business....	3423
<i>agents.</i>		prohibited from removing cause to federal court	3423
"agent" defined	3143	penalty for removing cause to federal court	3424
powers, construction	3143	penalty for doing business without authority	3424
to have certificate, penalty.....	3168	documents filed with insurance commissioner on removal of cause.....	3428
soliciting business without certificate, prosecution by county attorney....	3168	<i>fire departments of cities, towns, etc.</i>	
soliciting agents to be residents of state	3168	certificates to be filed with insurance commissioner	3216
false statements in proofs of loss, penalty	3194	report of premiums received, certificate of insurance commissioner to state auditor	3217
responsibility to companies, penalty for embezzlement and for fraud....	3194	state auditor to issue warrant to treasurer of city, etc., for proportion of tax paid by insurance companies...	3218
<i>suspending and winding up companies—insolvency.</i>		payment by state treasurer to treasurer of city, etc., of proportion of tax paid by fire companies on premiums	3219
suspending by commissioner and instituting winding-up proceedings (pars. 15, 16)	3148	disposition of fund paid to cities, etc.	3220
enjoining from exercise of rights and privileges	5900, 5901	cities, etc., entitled to benefit of act, sufficiency of fire department.....	3221
insolvency, proceedings against..	5900, 5901	certificate relating to fire departments, failure to file, waiver of rights.....	3222
forfeiture of charter	5901		
appointment of receiver	5902	FIRE INSURANCE COMPANIES.	
proceedings against insolvent companies, parties defendant	5903	Minnesota standard policy, commissioner to prepare	3200
— making directors and stockholders parties	5904	— variations allowed	3201
<i>foreign companies.</i>		home companies doing farm business only, investments for contingent and safety fund, issuing shares to increase fund	3214
retaliatory taxes, etc.....	3138	companies authorized to insure against hail, cyclones, and wind storm....	3215
to deposit copy of charter and stipulations respecting service of process, etc. (par. 2).....	3167	calculation of reinsurance reserves by commissioners (par. 9).....	3148
deposit by, with commissioner.....	3208	premium, promissory note deemed payment	3203
— not required on filing certificate of insurance commissioner of home state	3209	<i>Lloyds.</i>	
		authorized to do business	3195
		required to have license.....	3196

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
INSURANCE COMPANIES—Cont'd,	
doing business without license, penalty for violation	3197
<i>assets.</i>	
premium notes not to be counted (par. 25)	3148
registers, maps, books of records, etc., not to be considered	3229
<i>capital and surplus.</i>	
amount of capital required of joint-stock companies	3198
amount of surplus required of mutual companies	3199
capital of foreign companies defined, trustees and their powers	3211
certificate of insurance commissioner to foreign company to state amount of capital	3212
impairment of capital, making good capital, reducing (par. 11)	3148
<i>risks.</i>	
limitation as to single risks	3204
— foreign companies	3210
<i>deposits.</i>	
foreign companies	3208
— not required, when	3207
— not required on filing certificate of insurance commissioner of home state	3209
<i>profits and dividends.</i>	
dividends to be from surplus profits, reserves	3205
dividends declared contrary to law, liability of company to forfeiture, liability of stockholder to creditors	3205
scrip dividends	3205
participation of insured in profits	3206
<i>guaranty surplus fund and special reserve funds.</i>	
guaranty surplus fund and special reserve fund	3223
creation, examination and certificate by commissioner, notice on policies thereafter issued	3224
limit of dividends, surplus set aside to funds	3225
estimates of profits in making division between funds	3228
guaranty surplus fund, how held and invested, application to paying losses	3226
special reserve fund, how invested and deposited, to what applied	3227
— transfer of securities by insurance commissioner to company	3229

	Sec.
INSURANCE COMPANIES—Cont'd,	
— disposition where losses exceed capital and guaranty surplus fund ..	3229
— application to make good impairment of capital	3230
losses exceeding capital and guaranty surplus fund, special reserve fund held to protect policy holders	3229
— examination and certificates by insurance commissioner	3229
annual statement to state amount of funds	3229
limit of single risks by companies having funds	3230
<i>fire departments in cities, towns, etc.</i>	
certificates to be filed with insurance commissioner	3216
report of premiums received, certificate of insurance commissioner to state auditor	3217
state auditor to issue warrant to treasurer of city, etc., for proportion of tax paid by insurance companies ..	3218
payment by state treasurer to treasurer of city, etc., of proportion of tax paid by fire companies on premiums ..	3219
disposition of fund paid to cities, towns, and villages having fire departments	3220
cities, etc., entitled to benefit of act, sufficiency of fire department	3221
certificate relating to fire departments, failure to file, waiver of rights	3222
TOWN INSURANCE COMPANIES.	
organization and powers	3231
amendment of articles, to include adjoining towns	3232-3234
— legalized	3234
duration of company	3249
issue of policies against fire or lightning	3237
undertaking by insured to pay pro rata share of losses, cash premiums ..	3238
classification of property insured	3240
property insurable, confinement to town of location, property used for farming purposes	3243
withdrawal of members, notice	3246
annulment of policy by directors, notice to holder	3246
annual statement, reading to annual meeting and filing in town clerk's office	3245
nonresidents may become members, but not directors	3247

MINNESOTA STATUTES 1894

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMPANIES—Cont'd,		INSURANCE COMPANIES—Cont'd,	
adoption of by-laws prescribing pay of officers	3248	articles of incorporation, contents....	3266
general insurance law applicable to companies	3250	— acknowledgment, recording....	3267
commutation tax law not applicable not affected by organization of farmers' mutual fire insurance companies	3265	— approval by attorney general, record and certificate by secretary of state	3268
<i>directors and officers.</i>		— amendment	3280
directors and officers.....	3235	becomes a corporation on issue of certificate	3269
directors to file articles and by-laws in town clerk's office.....	3236	directors, term of office, election of officers	3270
directors to keep record of proceedings and persons insured, right to inspect record	3236	power to issue policies against loss by fire or lightning.....	3272
actions against directors for failure to perform, duties.....	3242	policy holders to be members, powers and liabilities.....	3273
directors, how chosen, voting.....	3244	by-laws prescribing duties and election of officers, etc., amendment....	3271
<i>proceedings in case of loss.</i>		— provision for effecting insurance, payment of losses, assessment to members, etc., binding effect on members	3274
appointment of committee to ascertain loss, administration of oaths..	3239	annual report to insurance commissioner	3274
appeal to district judge, appointment of committee of reference, authority, compensation	3239	withdrawal, suspension, or expulsion of members.....	3275
assessment to pay losses.....	3240	annual statement by secretary to members filed with insurance commissioner	3276
— notice by secretary sent by mail	3241	duration	3277
— actions for neglect to pay assessments	3242	property which may be insured.....	3278
MILLERS' AND MANUFACTURERS' MUTUAL INSURANCE COMPANIES.		inspection of books and papers by members, right to make copies....	3279
formation, purposes.....	3251		
articles, record and publication.....	3252	LIFE-INSURANCE COMPANIES.	
— contents	3253	what companies may issue life policies	3148 (par. 25), 3163
filing, amendment of articles.....	3254	examining affairs of unsafe company by commissioner (par. 12).....	3148
powers	3254, 3255	proceeding against companies by insurance commissioner (par. 13)....	3148
directors, residence, meetings.....	3256	assets of companies, ascertainment by commissioner (pars. 6-8).....	3148
prerequisites to commencing business	3257	calculation of value of policies by commissioner (pars. 3, 4).....	3148
application of general laws.....	3258	benevolent societies or secret orders exempted from general life insurance law.....	3294
approval of organization by attorney general, issuance of certificate by insurance commissioner.....	3259	beneficiary fund of benevolent societies, etc., exempt from legal process	3295
forms and conditions of policies, rates of insurance, payment of premiums	3260	<i>capital.</i>	
persons insured to become members, payment of premiums.....	3261	amount required.....	3281
losses, assessments, notice, action to enforce	3261	mutual life companies, exemption as to amount of capital.....	3293
power to incur liability.....	3262	<i>deposits.</i>	
actual and contingent funds.....	3263	securities with insurance commissioner	3282
amount of capital, insurance on the all-cash plan.....	3264		
FARMERS' MUTUAL FIRE INSURANCE COMPANIES.			
formation, purposes, powers.....	3265		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INSURANCE COMPANIES.

2297

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residus in vol. 2.

	Sec.
INSURANCE COMPANIES—Cont'd,	
by foreign company, certificate from insurance commissioner of other state to be in lieu of deposit.....	3284
surrender of securities to company....	3285
collection of dividends.....	3291
of additional securities for benefit of policy holders.....	3286
registration by commissioner of policies and annuity bonds.....	3287
— renewal receipts and cancellation of policies, how registered.....	3288
valuation of policies and annuity bonds, withdrawal of securities....	3289
state not liable to pay policies or annuity bonds.....	3290
companies organized under act of congress, certificate of insurance commissioner of other state.....	3292
exemption of mutual companies....	3293
CO-OPERATIVE LIFE, ENDOWMENT, AND CASUALTY INSURANCE COMPANIES.	
formation, purposes.....	3296
associations subject to act....	3300
certificate by insurance commissioner, filing with county clerk.....	3298
by-laws, adoption and amendment... seal	3299
deposit of securities not required....	3302
failure to pay fees, penalty.....	3302
service of process on insurance commissioner, mailing notice to company	3303
designation of principal office and person to receive service of process, change	3303
— penalty for failure.....	3303
application of general law to all associations	3310
fees to be paid commissioner, disposition of fees.....	3309
exemptions from act, right to create reserve fund.....	3314
<i>organization.</i>	
declaration of, contents, execution....	3297
— approval by attorney general, filing and recording.....	3298
statement of applicants for membership	3298
continuance of charter, abandonment, effect of organization.....	3305
existing companies, right to reincorporate under act, not obliged to reincorporate	3306

	Sec.
INSURANCE COMPANIES—Cont'd,	
<i>officers and agents.</i>	
neglect of duty or making false reports, penalty.....	3313
doing business without insurance commissioner's certificate, penalty....	3313
agents' and physicians' false representations, penalty.....	3315
election of officers, publication of by-laws regulating not necessary....	3316
<i>members.</i>	
inspection of books, etc.....	3310
annual meetings, notice, reports to members	3310
notice of assessment.....	3311
benefit or aid not liable to execution against member.....	3312
stated meetings, quorum, failure to elect officers.....	3316
<i>examination by commissioner.</i>	
inspection and visitation by insurance commissioner	3307
inquiries by insurance commissioner, duties of officers to answer.....	3308
report as to unsafety, action to restrain doing business, trial, verdict, and judgment.....	3307
<i>reports.</i>	
failure to make, penalty.....	3302
annual reports to commissioner, contents	3302
associations not required to make reports	3314
<i>foreign companies.</i>	
certificate of authority to do business, renewal, revocation, investigation..	3304
refusal of certificate to foreign companies whose states discriminate against Minnesota companies.....	3304
LIVE-STOCK INSURANCE COMPANIES OF OTHER STATES.	
foreign companies, right to do business	3317
capital required, investment, payment of fees on filing articles.....	3318
filing certificate with insurance commissioner of compliance with foreign law.....	3319
filing certificate of insurance commissioner of other state as to paid-up capital and investment thereof....	3320
filing copies of annual reports to commissioner of their own state, power of insurance commissioner.....	3321

MINNESOTA STATUTES 1894

2298

INSURANCE COMPANIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMPANIES—Cont'd,		INSURANCE COMPANIES—Cont'd,	
stipulation that service of process on insurance commissioner may be made	3322	agents not authorized to do business without procuring certificate of authority	3335
license to do business, certificates to agents, fees	3323	violation of act, penalty, prosecutions by county attorney	3336
impairment of capital stock, notice to make good, revocation of license on failure	3324	— failure of county attorney to prosecute, appointment of attorney by governor, compensation	3336
agents, certificate of authority to do business, recording, renewal	3325	application of act to what companies	3337
agent acting without certificate of authority, penalty	3325	REAL-ESTATE TITLE INSURANCE COMPANIES.	
MARINE AND INLAND NAVIGATION INSURANCE COMPANIES.		incorporation, amount of capital stock, purposes, powers	3338
impairment of capital, making good capital, reducing (par. 11).....	3148	power to act as trust companies....	3339
marine insurance reserve (par. 10)...	3148	guaranty fund to secure payment of losses and expenses, amount.....	3340
amount of capital	3326	annual statement of insurance commissioner	3341
companies of states having similar provisions to this act not required to make deposits	3327	power of commissioner over companies	3341
foreign companies, deposits required — to file certificate of commissioner of its own state in lieu of deposit	3328	certificate of authority from insurance commissioner on filing certificate of organization	3342
repeal of former acts, vested rights saved	3330	existing companies legalized.....	3343
authorized to insure against hail, cyclones, and wind storms	3215	MUTUAL HAIL, TORNADO, CYCLONE, ETC., COMPANIES.	
inland navigation, limitation as to single risks	3204	formation, purposes.....	3344
— limit of single risks by foreign companies	3210	articles of incorporation, contents....	3345
— provisions relating to fire companies to apply to inland companies..	3213	— execution and filing.....	3346
INSURANCE COMPANIES OTHER THAN LIFE, FIRE, AND MARINE.		— approval by insurance commissioner, record, issue of certificate, record	3347
authority to transact business, certificate from commissioner.....	3331	— amendment	3350
deposit of securities not required on filing evidence showing deposit in other states.....	3332	effect of certificate of authority, powers of corporation	3348
amount of paid-up capital, deposit of securities	3332	directors, election and term of office, appointment of officers	3349
revocation of authority	3333	by-laws, amendment, filing with commissioner	3350
computation of reserve fund.....	3333	power to issue policies against hail, tornado, cyclone, and hurricanes...	3351
application of general law.....	3333	policy holders, members of corporation, rights and liabilities.....	3352
condition	3333	by-laws, regulation of insurance, payment of losses and assessments....	3353
annual statements of financial condition	3333	withdrawal, suspension, and expulsion of members.....	3354
appointment of attorney to receive service of process	3333	annual statement to members by secretary filing copy with commissioner	3355
“company” or “association” defined	3334	duration	3356
		property insurable	3357
		inspection of books, etc., by members, right to make copies.....	3358

MINNESOTA STATUTES 1894

Vols. 1 & 2] INSURANCE COMPANIES—INTOXICATING LIQUORS. 2299

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INSURANCE COMPANIES—Cont'd,		INTEREST—Cont'd,	
duty of commissioner in case of doubt		on withdrawal of shares from build-	
of solvency or fraud.....	3360	ing and loan association.....	2881
INTELLIGENCE OFFICE,		RATE.	
license and regulation in villages		on municipal bonds.....	1437
(par. 1)	1299	increase after delivery of contract for-	
INTEREST,		bidden	2212
(see "Usury.")		maximum rate.....	2212
premiums by building associations		in absence of contract.....	2212
not deemed interest.....	2794, 2879	after maturity of debt.....	2212, 2216
rights of purchaser at tax sale.....		charged by banks.....	2514
1611, 1613, 1644,	1646	paid by savings banks.....	2568, 2569
repeal of statute.....	2218	exaction by trust companies, commis-	
compound interest forbidden.....	2212	sions not to be deemed interest (par.	
on assessment of benefits.....	7812	8)	2849
— for drainage	7833	recovery of excessive interest exacted	
on award in condemnation proceed-		on foreclosure of mortgage under	
ings	2632, 2651, 2652, 2656	power	6052
on bank notes.....	2503	INTERNAL IMPROVEMENTS,	
on claims allowed against decedent's		incorporation for purpose of construct-	
estate	4515	ing	2592
on county funds deposited.....	735	purchase by city from corporations..	2592
on county orders and warrants.....	755	corporations organized to construct,	
on deposit of state funds in banks		when may commence work.....	2737
(par. 3)	344	investment of funds.....	4006, 4007
on drainage bonds.....	7781, 7809	INTERPLEADER,	
on judgment	5480	when allowed.....	5273
— of justices	5038	to determine adverse claims under	
on tax judgments.....	1613	town-site act.....	4262
on Minnesota revenue bonds and		action against savings bank.....	2561
building bonds, payment.....	523	INTERPRETERS,	
on moneys refunded to purchaser at		for elector unable to speak or under-	
tax sale	1611	stand English.....	108
on municipal bonds.....	2221, 2222	form of oath.....	5641
on overdue interest	2212	INTERROGATORIES,	
on property sold to pay assessments		on taking depositions (see "Deposi-	
for local improvements	1150-1152	tions").	
on purchase money of land sold for		INTERSTATE COMMERCE,	
taxes	1613	quarantine against infectious diseases	
on purchase price of state lands..	3966, 3967	7075-7079	
on railroad bonds.....	2722, 2723	(see "Health.")	
on redemption from mortgage fore-		INTERVENTION,	
closure	6041	claim by third person of property at-	
on overdue accounts for public print-		tached	5296-5298
ing	282	(see "Attachment.")	
on sale of land for taxes.....	1644	in actions to enforce lien on logs....	2456
on sale to enforce assessments for lo-		when allowed, pleading, determination	
cal improvements	1139	of issues, liability for costs.....	5273
on state loan to meet extraordinary		INTESTATES,	
expenditures	521	(see "Descent and Distribution";	
on town orders	995, 1031, 1033, 1039	"Executors and Administrators.")	
on unpaid assessments for local im-		INTIMIDATION,	
provements	1130	criminal liability for using.....	6790
on verdict	5504	INTOXICATING LIQUORS,	
on warrants issued against state re-		definition of term.....	2000, 2032
venue fund	519, 520		

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
INTOXICATING LIQUORS—Cont'd,	
druggists, apothecaries, etc., subject to act	2005
furnishing to prisoners	7433
officials neglecting or refusing to perform duty required by liquor law, penalty	2028
high license act 1887, c. 6, application to all cities and villages	2030
violation of duty required of county officers, penalty	1995
— liability of county commissioners where judgment on bond cannot be satisfied	1996
effect of Penal Code	6850
REGULATIONS BY CITIES, TOWNS, AND VILLAGES.	
power of council to prohibit sale (par. 2)	1085
power of city to regulate sale	1085
prohibition and license in villages... 1224 (par. 17), 1299 (par. 45)	
LOCAL OPTION.	
in villages	1266
vote by township	1990
not affected by High License Act 1887, c. 5	2025
LICENSES.	
in villages	1266
by county commissioners	2025
bond of licensee	1991, 2026
— liability for breach	1992
revocation	1992
list of licensees to be kept by clerk of county commissioners	1997
payment of minimum rate fixed by state law, posting	2017
description of premises, penalty for selling elsewhere	2018
violation of license laws, certificate of conviction to be sent to licensing board	2019
revocation for violation of laws, disqualification to receive other license	2020
application, publication of notice, hearing, depositing fee	2021
license fee, amount	1991
— amount in cities of 10,000	2022
— amount in cities of less than 10,000	2023
— amount in other municipalities, return of part where license is abolished by local option	2024
not to be issued to person convicted of violating law	2027

	Sec.
INTOXICATING LIQUORS—Cont'd.	
— penalty for violation	2027
not to be issued unless minimum fee is paid	2027
— penalty for violation	2027
when to expire	2031
disposition of fees	1256
— to be devoted to schools	3768
— apportionment among school districts	3763
license and regulation in villages (par. 45)	1299
ILLEGAL SALES AND TRAFFIC.	
to minors, students, or habitual drunkards, penalty	1999
— written notice from parent, guardian, etc.; penalty	1999
— forfeiture of license	2001
to Indians, penalty	2002
— county officers to make complaint, judges to charge grand jury	2003
SALE AND TRAFFIC AT PROHIBITED PLACES.	
introducing into arsenal or armory, penalty	1768
introducing liquors at polling places	21
at capitol forbidden	2006
— penalty	2007
near state fair grounds forbidden... ..	2008
— penalty for violation	2009
within one-half mile of Hamline University forbidden	2010
— penalty for violation	2011
near state university	3923, 3924
near camp meeting, penalty... ..	6968, 6969
SALE WITHOUT LICENSE.	
penalty	1993
— prosecutions	2029
county officers to make complaint... ..	1994
SALE AND TRAFFIC AT PROHIBITED TIMES.	
on Sundays or election day, penalties	1999
not to be sold or given away on election day	22
saloons to be closed on election day.. ..	22
— proclamation	23
hours of closing saloons	2012
— penalty for violation	2013
keeping open after hours, jurisdiction of justice, revocation of license	2014
SALE BY DRUGGISTS.	
druggist may fill prescriptions of physicians without license	2029, 2037
— not to be drank on premises.... ..	2036

MINNESOTA STATUTES 1894

Vols. 1 & 2]

INTOXICATING LIQUORS—JAILS.

2301

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
INTOXICATING LIQUORS—Cont'd,		INVENTORY—Cont'd,	
REGULATION OF SALOONS.		of decedent's estate.....	4480-4492
when saloon deemed public nuisance	1088	of property levied on.....	5456
gaming in saloons prohibited, penalty	2016	INVESTMENTS,	
minors not to gamble or play games		by trust companies (par. 6).....	2849
in saloon	2012	by insurance companies.....	3165
— penalty for permitting	2013	by guardian, in what securities... 4569-4571	
children not to frequent saloons.....	6538	of proceeds of sale of public lands....	4005-4007
EVADING LIQUOR LAWS.		— agricultural college lands... 4021, 4022	
by "blind pig," "hole in the wall," and		— university lands.....	4026
other contrivances	2033	— swamp lands.....	4030
duty of officers to make complaint,		of fund of drainage district.....	7790
penalty for failure	2035	INVOICE,	
liability of owner, lessee, etc., of build-		punishment for making false invoice..	6756
ing, evidence to convict.....	2034	IN WRITING,	
physicians prescribing to evade liquor		meaning of terms.....	255
laws, penalty.....	2038	ISANTI COUNTY,	
PROSECUTIONS AND ACTIONS.		boundaries	567
jurisdiction of justices,.....	1998, 2014	ISLANDS,	
evidence	2000	survey and sale of.	3980
penalties enforced by indictment in		ISSUE,	
district court.....	2004	as applied to descent, meaning of term	255, 4383
keeping open after hours and permit-		ISSUES,	
ting gambling by minors, prosecu-		formation of, mode of trial in crim-	
tions by county attorney.....	2015	inal cases.....	7318-7346
ADULTERATION.		(see "Criminal Law.")	
adulteration and sale thereof.....	6625	arise, when.....	5355
penalty	7022	of law on demurrer	5356
duty of dairy and food commissioner,		— trial by court or referee.....	5359
expenses of enforcement of law....	7023	— judgments thereon, proceedings	5387
powers of commissioners to seize and		of fact.....	5357
open packages, duties of carrier's		"trial" defined	5358
employés to aid in discovering pro-		what issues of fact to be tried by jury	5360
hibited articles, penalty for failure		— by court.....	5361
to aid.....	7024	notice of trial, note of issue.....	5362
appropriation for enforcing law.....	7962	on calendar, order of disposition.....	5363
INTOXICATION,		either party may bring issue to trial	5364
(see "Drunkenness.")		separate trial in case of several de-	
INVENTORY,		fendants	5365
of property of insane hospital.....	3456	ITASCA COUNTY,	
of property of state institutions..	3636-3638	boundaries	568
of creditors, debts, assets, etc., filed by		additional territory, transcripts of	
assignor for creditors.....	4230	record, taxes.....	568
		ITASCA STATE PARK,	
		(see "Parks.")	

J.

JACK,		JAILS,	
lien for service fees.....	6252, 6253	plans for, to be submitted to state	
JACKSON COUNTY,		board of corrections and charities..	460
boundaries	569	to be provided by county.....	641
abatement of taxes on railroad lands	1651	powers and duties of sheriff.....	793

MINNESOTA STATUTES 1894

2302

JAILS—JOINT TENANCY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

JAILS—Cont'd,	Sec.	JAILS—Cont'd,	Sec.
appointment of jailer or turnkey by sheriff	800	provisions for moral and religious instruction	7434
compensation of jailers	800	— with regard to reading matter ...	7434
when coroner to act as jailer	839	treatment of juvenile prisoners	7435
custody of prisoners committed by city	1085	— provisions with regard to reading matter	7435
when city to use county jail	1085	punishment of jailer, etc., for violating act concerning	7436
establishment in village (par. 22)	1224	solitary confinement of prisoner	7437
— powers of keeper	1299	means of enforcing discipline	7437
confinement in what jail, where counties are attached to others for judicial purposes	4949	punishment for escaping from jail ...	7438
refusal of officer to furnish copy of warrant, etc., penalty	6021	escape from	7439
execution of sentence where there is no jail in the county	7406	disposition of prisoners in case of fire	7439
authority of county commissioners ...	7417	provisions with regard to erection or repair	7440-7444
keeping fugitives from justice	7418	erection, providing funds for	7442
— compensation for	7418	— issuance of bonds	7442, 7443
compensation of sheriff	7418	— interest, payment	7443, 7444
duties with regard to United States prisoners	7419	designation of district jails	7445
support of United States prisoners, liability for	7420	keeping prisoner sent by other counties	7446
keeping and custody of documents relating to prisoners	7421	when prisoners sent out of county for imprisonment	7446
evidence of right to retain prisoner in custody	7422	powers and duties with regard to prisoners sent by other counties ...	7446
calendar of prisoners, and record of facts relating to	7423	condemnation of	7447
— fining sheriff for neglect of duty concerning	7424	protection against fires	8006-8009
appointment of jailer, matrons, and watchmen	7425	repeal of statute	7448
compensation of persons employed about	7425	JANITOR,	
labor by prisoners	7426	of capitol (see "Capitol").	
statement by sheriff concerning prisoners' board	7427	of armory, appointment and compensation	1766
compensation of sheriff for boarding prisoners	7427	JOINDER,	
prisoners whose board is not chargeable to county, duties of sheriff ...	7428	of causes of action	5260
prisoners kept at expense of other counties	7429	JOINT DEBTORS,	
— powers and duties of sheriff ...	7429	liability on death	4521
who responsible for manner of keeping	7430	JOINT DEFENDANTS,	
separation of prisoners	7430	severance on entering judgment	5207
clothing, bedding, etc., of prisoners ...	7431	separate trial	7323
fuel provided by county	7431	JOINT OBLIGORS,	
provisions with regard to cleanliness, food of prisoners, etc.	7432	effect of releasing one or more	5167, 5168, 5170
furnishing liquor to prisoners	7433	JOINT-STOCK COMPANY,	
		Bond of, when negotiable	2220
		fraudulent issue by officers of stock or evidence of debt	6762
		JOINT TENANCY,	4404
		(see "Partition"; "Tenancy in Common.")	
		deemed tenancy, when	4405, 4406
		action against cotenant	5880
		— necessity of showing that defendant claims adversely	5843
		liability for waste	5882
		penalty for waste	5883

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JOURNALS—JUDGE OF DISTRICT COURT.

2303

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
JOURNALS,		JUDGE OF DISTRICT COURT—Cont'd,	
of senate and house, indexing and transcribing	234—236	rules of practice, adoption, annual meeting of judges	4886
— warrants for indexing and transcribing, when drawn	235	members of state canvassing board...	178
— how kept and printed	260, 270	to approve bond of deputy inspector of oils	449
of legislature, what to be omitted...	271	— bond of county commissioner...	705
— appendices to be printed	272	— bond of trustee of cemetery association fund	3112
— binding of	273	powers with reference to custody of prisoner	793
— number of copies to be printed..	279	to fix compensation of jailers	800
JUDGE,		appointment of jailers, etc	7425
oath of office, form of oath	5641	condemnation of jails	7447
taking illegal fees forbidden	5534	appointment of attorney to assist county attorney	813
power to administer oath	5636	to fill vacancy in office of clerk of court	865
— of office	5634	filling vacancy in office of court commissioner	828
power to take acknowledgment	5644	powers with reference to moneys paid into court	856
— deposition	5645	application to for order changing location of toll gate	3371
disqualification by reason of interest..	1191	powers and duties on appeal from order relating to repair of toll roads..	3377
offer of bribe to	6348	commitment of infants to reform school	3525
accepting bribe	6349	hearing argument of demurrer at chambers	5227
intimidating, punishment	6399	power in vacation to issue writs	4837
disclosing fact of indictment, punishment	6414	judge of one district to act in another district, designation by governor, power of judge	4839
powers in the prevention of commission of crimes	7091	sickness or absence, another judge of district may hold court	4842
power in vacation with reference to accused persons	7132	inability to hold court, clerk to notify governor, assignment of other judge	4843
inhabitant of village not incompetent in action where village is party...	1417	nonattendance, adjournment	4844
entitled to copy of state reports...	2280	joint session of judges, division of opinion, prevailing opinion... 4854—4857	
of municipal court, entitled to copy of supreme court report	2288	two judges in First district, joint session, process, how issued and tested	4854
vacancy or change in office not to affect proceedings	4846	— division of business, separate action	4855
JUDGE OF COMMON PLEAS COURT,		four judges in Second district, joint session, process, how tested	4857
of Ramsey county, compensation as district judges	4867	— division of business	4858
JUDGE OF DISTRICT COURT,		judges in Second district keep record of jurors and witnesses	4860
ELECTION.		Fourth district, joint session of judges, process, how tested	4869
to be elected at general election....	6	— division of opinion, prevailing opinion	4869
in First district, two judges, application of laws	4853	— division of business	4870
in Second district, four judges, application of laws	4856		
— number of judges increased	4859		
in Fourth district, six judges to be elected, application of laws	4868		
in Seventh district, two judges elected, application of laws	4878		
in Eleventh district, three judges to be elected, application of laws	4881		
DUTIES AND POWERS.			
not to practice law, residence in district	4840		

MINNESOTA STATUTES 1894

2304

JUDGE OF DISTRICT COURT—JUDGE OF PROBATE COURT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JUDGE OF DISTRICT COURT—Cont'd,	
Seventh district, joint session, division of opinion, prevailing opinion.....	4879
— joint session of judges, process, how tested	4879
— division of business, power of each judge	4880
Eleventh district, joint session of judges, division of opinion, prevailing opinion	4882
— joint session of judges, process, how tested	4882
— division of business	4883
— designation of judges, residence, election	4884
Fourteenth district, duties of judge of Eleventh district.....	4885
to approve bond to stay proceedings..	1589
execution of trusts under town-site act	4255—4273
death or incapacity to settle bill of exceptions or case, settlement by judge of adjoining district.....	5400
delay in rendering decision, complaint to legislature.....	5386
may render decisions out of term....	5388
minutes of judge, motion for new trial thereon.....	5399
COMPENSATION.	
salaries	531
— appropriation (par. 23).....	7956
of district court, compensation for viewing toll roads.....	3379
JUDGE OF ELECTIONS,	
appointment	55, 56
custody of and responsibility for ballots and boxes.....	86
failure to obtain ballots before election, delivery by special messenger, liability for expenses.....	87
initials on ballots.....	94
to be in public view.....	97
duties	100
— in receiving and depositing ballots	106
compensation	163
failure of duty or misconduct.....	164
duty to canvass, record, and return vote on change of county boundary at town meeting, oath.....	626
of village officers, appointment, powers and duties.....	936
in village elections, appointment and duties	1281, 1282

	Sec.
JUDGE OF ELECTIONS—Cont'd,	
BALLOT JUDGES.	
appointment and duties in cities of over 12,000	144
— in smaller cities and towns....	145
duties of ballot judge.....	146
special judges, powers and duties....	150
ballot judges and special judges, qualification and pay.....	151
— only at general elections.....	152
JUDGE OF MUNICIPAL COURT,	
powers and duties.....	1364
prescribing rules	1365
entitled to copy of state reports.....	2288
of village municipal court, salary....	1406
— power to act as court and practice law in other courts.....	1407
— election	1361
— term, when village annexed to city	1408
— term	1360
— qualification, oath.....	1363
— vacancy how filled.....	1362
JUDGE OF PROBATE COURT,	
ELECTION AND TERM.	
power of governor to remove.....	893
insanity of, declaring office vacant...	817
— filling vacancy.....	817
— examination, as regards.....	817
— removal and filling vacancy.....	4734
disqualification, judge of adjoining county to act.....	4412
POWERS AND DUTIES.	
not to act as attorney.....	4420
entitled to copy of state reports.....	2280
to take oath and give bond.....	818
to keep record of official acts.....	819
where office kept.....	819
to deliver books, etc.; to successor....	820
appointment of clerk.....	821
clerk of, to take oath and give bond..	822
bond of clerk, who may sue on.....	822
right of public to inspect records.....	887
furnishing certified copies of record..	888
approval of appointment of agent of society for prevention of cruelty....	3016
admission of indigent pupils to institute for defectives on certificate of.	3443
giving order for admission of pupil to state public school.....	3514
— examination of candidates.....	3514
proceedings to obtain order for admission of pupil to state public school..	3515
— examination by physician.....	3516

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JUDGE OF PROBATE COURT—Cont'd,	
when to approve bond of county treasurer	3997
<i>in relation to insane persons.</i>	
rights with regard to insane hospitals	3455
notified of death of lunatic.....	3459
appointment of examiner in lunacy...	3464, 3465
documents relating to insane persons filed with.....	3465, 3491
examination in lunacy.....	3465
approval of certificate of insanity....	3467
obtaining additional information as to lunatics.....	3468
giving insane person into charge of relatives	3483
inquiry into sanity of convicts.....	3484
documents relating to insane persons, filed with.....	3485
certifying fees of examiner in lunacy	3488
notice to, of discharge from insane hospital	3491
audit of claims for services rendered in relation to insane persons.....	3495
allowance of fees by.....	3495
ordering payment for services rendered in relation to insane persons..	3495
warrant for removal to insane asylum	3499
certificate of qualification of examiner in lunacy.....	3499
order of commitment to insane asylum	3499
commission to physician to examine in lunacy.....	3499
absence or disqualification to act as juror in proceedings to commit insane person, power of court commissioner	4693
<i>over cemetery association funds.</i>	
to approve bond of trustees of funds of cemetery associations.....	3125
appointment of trustees of permanent fund of cemetery associations.....	3125
— duties with regard thereto.....	3127
<i>incorporation of cities.</i>	
petition to, for incorporation of city..	1045
duties in connection with incorporation	1045
duties in connection with first election held in cities.....	1045, 1046
COMPENSATION.	
salary	4416, 4417
— how paid.....	534
office expenses paid by county.....	677
clerk hire.....	4418
not to take fees, exception.....	4419

	Sec.
JUDGE OF SUPREME COURT,	
to be elected at general election.....	6
salaries (par. 23)	530
— appropriation (par. 23)	7956
members of state canvassing board..	178
control of state librarian	363, 369
duties with regard to investing school fund	4005
powers with regard to certain writs..	4823
— in vacation	4827
dismissal of appeal	6137
application to, for bail.....	7163
approval of organization of society for securing homes for children ...	2032
JUDGMENT,	
(see "Appeal"; "Costs"; "Execution"; "Trial"; "Verdict.")	
in criminal cases.....	7398-7414
(see "Criminal Law.")	
of conviction, certified copies as evidence	5743
to be on merits	5409
immaterial errors in, disregarded...	5269
measure of relief to be granted.....	5413
relief awarded to defendant.....	5236
judgment debtor not liable to garnishment	5312
treble damages for trespass to personal property	5415, 5416
effect of release of property from execution	5450
interest on	1120, 5480
refusal to obey, contempt.....	5446
set-off of mutual judgments.....	5016-5018
duty of clerk of court to furnish information concerning	861
rights of surety or joint debtor on paying	5479
BY CONFESSION.	
in village municipal courts.....	1383
without action, when allowed.....	6077
— statement, contents	6078
— filing of statement, entry of judgment, judgment roll	6079
— plea of confession, authority for confession, filing	6080
— entry by clerk	6081
— effect of judgment	6082
BY DEFAULT.	
when defendant in default.....	5196
proof of cause of action.....	4986
measure of relief granted.....	5413
assessment of damages.....	5221
in action for money only, reference to ascertain damages.....	5354

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
JUDGMENT—Cont'd,		JUDGMENT—Cont'd,	
in action for money, where defendant files counterclaim.....	5354	in action to foreclose mortgage.....	6059
— where service was by publication, etc., proof of claim, bond for restitution (par. 3).....	5354	of strict foreclosure of mortgage....	6073
— where service is not personal... 5354		on award of arbitrators.....	6224-6226
— when summons personally served, entry by clerk.....	5354	— record, how filed and docketed..	6226
in action to determine boundaries... 5825		in action to enforce mechanics' liens..	6238
other actions, taking of account, ordering reference.....	5354	— on recognizance.....	7159
against garnishee, opening.....	5320		
opening defaults and setting aside in village municipal courts.....	1377	ON APPEAL.	
OFFER OF.		in condemnation proceedings.....	2615
exceptions, entry, failure to except..	5405	— by state.....	4000
in actions for tort, effect on costs... 5406, 5407		rights of surety on appeal bond to judgment against principal.....	5080
IN PARTICULAR ACTIONS.		RENDITION AND ENTRY.	
for delinquent personal property tax proceedings to collect real-estate taxes 1585, 1587, 1588		stipulation, authority of attorney to enter	6184
— when void.....	1582, 1594	on bond of state treasurer, notice....	347
declaring tax sale void, recitals....	1610	entry in cases appealed from county board to district court.....	645
in proceedings to enforce lien on logs, personal judgment where no lien exists	2445, 2457	neglect of clerk to enter, effect of entry by successor.....	864
in ejectment for land taken for railroad purposes.....	2660, 2661	against decedent's estate, on action by executor, certificate to probate court	4520
against decedent's estate, certificate of probate court.....	4518	severance of defendants.....	5207
in action against members or employes of legislature.....	5172	where some of defendants are not served	5207
— persons doing business under firm name.....	5177	not entered in district where action is brought	5227
on disclosure of garnishee, order of court necessary.....	5322	on pleadings.....	5240, 5242
against garnishee, amount.....	5331	— assessment of damages.....	5242
in garnishment, minimum amount..	5338	against plaintiff on failure to notice new matter in answer.....	5242
in action to recover possession of personal property.....	5420	power of court in vacation.....	5267
in partition.....	5778	entry on receiving verdict, stay....	5384
in action against unknown persons to determine adverse claims to land..	5818	on issues of law, proceedings, ordering reference.....	5387
— to determine boundaries.....	5827	rendition by judge out of term, notice to attorneys by clerk.....	5388
against heir for debt of ancestor....	5938	entry on dismissal.....	5408
against devisees for debt of testator..	5944	as between several parties.....	5410
against usurper of office or franchise	5969	against one or more of several defendants	5411, 5412
in action for usurping office.....	5966	entry by clerk on verdict, reservation for argument or stay.....	5414
— to vacate charter and letters patent, etc., filed with secretary of state	5973	on counterclaim	4998, 5419
in mandamus proceedings.....	5992	entry in judgment book, contents....	5421
— for plaintiff.....	5983	entry where controversy is submitted to court without action.....	6083, 6084
in prohibition proceedings.....	5993	against owners and masters of vessels	6094-6098
		STAY.	
		in action for forcible entry and detainer in municipal court, stay on transfer to district court.....	1388

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JUDGMENT.

2307

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residus in vol. 2.

JUDGMENT—Cont'd,

Sec.

ENFORCEMENT.

of judgment of supreme court.	4824, 4825
how enforced	5446
time of issuing execution.	5442
against county	646
against town, how collected.	1012
— levy of tax to pay.	1013
in prosecution for violation of village ordinance, commitment on default of payment.	1253
against village, assessment to pay.	1257
against municipal corporations, provisions for payment.	1499
against city, payment and enforcement	1502
against co-operative association.	2911
against toll gatherer, collection from toll-road company.	3382
against school trustees, how enforced	3820
against school district, levy of tax to pay	3822, 3828

OPERATION AND EFFECT.

in action for partition.	5777
in proceedings against unknown heirs title to land passed by judgment.	5841
against executors, etc.	5914
against heir for debt of ancestor.	5939
against insurance company, failure to satisfy, revocation of authority to do business	3190
legality not to be inquired into on habeas corpus	6011
collusion, penalty or forfeiture no bar to another action.	5958
on official bond, does not preclude other actions on same bond.	5954
against garnishee, effect as bar.	5339
discharge of garnishee, when not a bar	5340
assessments for local improvements, when question of benefits res judicata	1168

LIEN.

of village municipal court, filing transcript	1400
after decease of party, lien on real estate	5422
docketing, filing transcripts in other counties, lien on real estate, duration pending motion for new trial or appeal, discharge by payment into court	5426
of United States courts, lien on real estate	5427

JUDGMENT—Cont'd,

Sec.

— docketing transcripts.	5428
— attorney general to publish transcripts and furnish to clerks of court	5429
on interest acquired by purchaser at execution sale.	5476
not liens on homesteads.	5528
against executors and administrators	5915

SATISFACTION AND DISCHARGE.

satisfaction	5435
in favor of village, remission by council	1419
for personal property tax, payment and satisfaction.	1574
against school district, payment by county treasurer.	3829
discharge by foreign executor, guardian, etc.	4716
effect of release of one of several joint debtors	5167
against receivers or assignees, payment	5176
satisfaction and assignment of judgment in behalf of state by state auditor	5433
satisfaction by partnership.	5435
rights of surety on paying.	5479
rights of joint debtor on paying.	5479
against next of kin or legatees for debts of decedent, discharge.	5923

OPENING AND VACATING.

opening and vacating.	5267
restitution on vacating.	5206
right to open where defendant is not personally served.	5206
rights of bona fide purchasers.	5267
action to set aside for fraud, etc., limitation, venue, power of court.	5434
proceedings against unknown heirs, right to open	5842
in proceedings to collect taxes.	1589

ASSIGNMENT.

execution and acknowledgment	5430
filing, entry in docket	5431
rights of assignee, attorney's lien saved	5432
by auditor of state, legalized.	7630, 7631

AMENDMENT.

amendment and modification of	5287
---	------

IN JUSTICE'S COURT.

by confession, jurisdiction	4059
— proceedings before justice.	5019-5021

MINNESOTA STATUTES 1894

2308

JUDGMENT—JURISDICTION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
JUDGMENT—Cont'd,		JUDICIAL OFFICERS,	
by default	4976	(see "Judges.")	
— opening	5025	bribery of	6348
time of entering	5023	acceptance of bribe.....	6349
filing transcript in district court.....	5026	JUDICIAL SALES,	
— effect	5027, 5028	redemption from sale (see "Redemp-	
evidence of	5029	tion").	
presumption in favor of.....	5029	sale for special assessments (see "Mu-	
in replevin	5048, 5049	nicipal Corporations").	
offer of	4976	sale for taxes (see "Taxation").	
on appeal from justice	5078	sale on partition (see "Partition").	
in criminal proceedings	5110	sale on foreclosure (see "Mortgages").	
docket or transcript as evidence.....	5745	sale under mechanic's lien (see "Me-	
of justice in another state, exemplifi-		chanics' Liens").	
cation, admissible in evidence	5749	sale of ward's land (see "Guardian").	
JUDGMENT ROLL		sale of decedent's land (see "Executors	
what constitutes	5423	and Administrators").	
in condemnation proceedings by state..	4000	sales under execution (see "Execu-	
in action before justice	5021	tion").	
receipt for payment of taxes by execu-		power of county to purchase under... 638	
tion creditor	5444	sheriff not to purchase.....	791
on suspending or removing attorneys..	6208	scope of statute relating to auctions..	2301
ACTIONS ON.		certificate of sale.....	5470, 5471
limitation	5135	who may redeem from.....	5472
how pleaded.....	5249	publication of notice, in what news-	
burden of proof of jurisdictional facts	5249	paper	7990
costs in action on.....	5503	— to be in English language.....	7990
SUPPLEMENTARY PROCEEDINGS.		curative act, deeds by sheriffs on sales	
proceedings supplementary thereto...	5436-5441	by predecessor	7593
(see "Supplementary Proceedings.")		deeds by sheriff on sales by predeces-	
JUDGMENT BOOK,		sor, prior deeds legalized.....	7594
kept by clerk of court.....	861	certificate of sale and record thereof	
JUDGMENT ROLL,		legalized, effect of record.....	7606, 7607
(see "Judgment.")		JUNK DEALERS,	
JUDICIAL DISTRICTS,		license and regulation in villages (par-	
first district.....	4891	1)	1299
second district.....	4892	JURISDICTION,	
third district.....	4893	of municipal court (see "Municipal	
fourth district.....	4894, 4895	Courts").	
fifth district.....	4896	of probate court (see "Probate	
sixth district.....	4897	Courts").	
seventh district.....	4898	of district court (see "District	
eighth district.....	4899	Courts").	
ninth district.....	4900, 4901	of supreme court (see "Supreme	
tenth district.....	4902	Court").	
eleventh district.....	4903, 4904	of justices (see "Justices of the	
twelfth district.....	4905	Peace").	
thirteenth district.....	4906	of probate court (see "Probate	
fourteenth district.....	4907, 4908	Courts").	
fifteenth district.....	4909	of courts in territory affected by	
sixteenth district.....	4910, 4911	change of county boundaries.....	629
JUDICIAL NOTICE,		when acquired	5209
(see "Evidence.")		of natural persons.....	5210
		burden of proving jurisdictional facts	5249
		venue of offenses	7256-7261
		(see "Venue.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JURISDICTION—JURY.

2309

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

JURISDICTION—Cont'd,
 ceded to United States over lands conveyed to.....4105, 4109, 4115, 4117—4119

JURY,
 (see "Grand Jury.")
 petit jury defined 5597
 juror to testify in criminal cases.... 7329
 bribing jurors 6348
 bribery and corruption of jurors, definition of jurors 6357
 intimidating, punishment 6399
 sheriff to provide food for..... 5374
 illness of juror, proceedings..... 5373
 polling 5377
 in Hennepin county, application of general statutes 5619
 in Ramsey county, application of general statutes 5627

RIGHT TO JURY.

trial of issues of fact in criminal cases 7319
 waiver, trial by court..... 5385
 on trial of negligence in signing instrument 2239
 in controversy relating to order of railroad and warehouse commission 399
 on appeal from orders of state board of health 433
 in village municipal court..... 1396
 on appeal from orders of board of health 1492
 demand for, to determine amount of damages on taking land for road in more than one county..... 1889
 on appeal in condemnation proceedings 2614, 2631
 in action to determine validity of condemnation proceedings 2664
 in proceedings by railroad company to obtain right to abandon road... 2756
 in forcible entry and detainer..... 6112

COMPETENCY.

of juror 1191
 of inhabitants of counties in actions by or against counties 642
 qualifications and disabilities of jurors 5599
 inhabitant of village not incompetent where village is party 1417

EXEMPTIONS AND EXCUSES.

of members and officers of legislature 230
 extent of liability to service on jury.. 674
 of member of fire company from service on 1175
 of militiamen 1700, 1747

JURY—Cont'd,
 of discharged militiamen 1748
 in Hennepin county 5613
 — of person once serving as juror... 5617
 in Ramsey county 5623, 5625
 — of person once serving as juror... 5625
 — of firemen from jury duty..... 5628
 in St. Louis county, of person once serving as juror 5628e
 in Washington county, of person once serving as juror 5630
 of druggists 7938
 of disabled soldiers 8040
 excused from service, grounds 7181
 excuse and grounds to be recorded... 7182

SUMMONING AND IMPANELING.

misconduct of officers in drawing jurors 6353
 selection of jury list by county commissioners 673, 675
 in Hennepin county, selecting jury list 5611, 5612
 — jurors to be taken from jury list 5611
 — filing jury list 5614
 in Ramsey county, jurors to be taken from jury list 5621
 — selecting jury list 5621
 — selecting jury list, who to be selected 5622
 in St. Louis county, selecting jury list 5628a
 — jurors to be drawn from jury list 5628a
 — selecting jury list, who to be selected 5628b
 — depositing names in box..... 5628c
 — filing lists 5628c
 — special venire 5628d
 in Washington county, selection of jury list 5629, 5630
 — making and filing jury lists.. 5630, 5631
 — selecting jury list, who to be selected 5632
 — power of county commissioners.. 5633
 who to be selected as jurors..... 676
 venire 4852
 number of jurors drawn for each general term 5598
 — prescribing number by order... 5601
 directing that no jurors be drawn... 5598
 drawing and summoning..... 5600
 — proceedings on trial of indictment 5603
 depositing names of jurors in box... 5602

MINNESOTA STATUTES 1894

2310

JURY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
JURY—Cont'd,		JURY—Cont'd,	
drawing names from box.....	5604	— new jury to be summoned, when	5106
provisions with regard to ballots containing jurors' names.....	5605-5607	— challenge of jurors	5107
in Hennepin county, drawing and summoning jurors	5600, 5615	— contempt	5117
— drawing and summoning, allowance of mileage to officers.....	5615	IN MUNICIPAL COURTS.	
— supplying deficiencies	5615	method of drawing in village municipal courts	1397
— term of service.....	5615, 5616	CORONER'S JURY.	
in Ramsey county, drawing and summoning	5624	at inquest	844, 846, 850
— time of appearance of jurors....	5624	failure of juror to appear	845
— number summoned	5624	CHALLENGE.	
— time of service of juror.....	5624	in civil actions	5370
— supplying deficiencies	5624	defendants must join	552
— additional panels	5624	to panel defined.....	7353
— taking names from boxes.....	5624	— on what founded.....	7354
in St. Louis county, drawing and summoning	5628d	— when and how taken.....	7355
— number of jurors summoned....	5628d	exception, how made; entry and trial	7356
— supplying deficiencies	5628d	denial, entry, and trial.....	7358
— time of appearance of jurors...5628d		evidence on trial of challenge.....	7359
drawing in Second district.....	4863	defendant to be told when challenge to be made.....	7360
— in Fourth district	4872	to individual juror, number and kinds	7361
— in counties attached to others for judicial purposes	4945	— when taken.....	7362
how impaneled, summoning talesmen	5367	peremptory challenge defined, who may take.....	7363
impaneling, ballots, how kept, return to box	5369	— number allowed.....	7364
talesmen	5608, 5609	for cause, who may take.....	7365
— qualifications of	5610	— definition	7366
— in Hennepin county	5616	— general cause.....	7367
— in Ramsey county	5624	— particular causes.....	7368
— in St. Louis county	5628d	for implied bias, causes.....	7369
in Hennepin county, additional panels selection in proceedings to condemn property for public use in village..	1241	for actual bias, cause.....	7370
on appeal from orders of board of health	1492	exemption from jury duty not a cause causes, how stated; oral challenge, entry on minutes.....	7372
in controversy relating to order of railroad and warehouse commission	399	exception	7373
IN JUSTICE COURT.		trial by court and triors.....	7374
selecting, summoning, and impaneling	5010-5012	triors to be appointed.....	7375
jury of six	5011	— to be sworn.....	7376
failure to agree	5014	examination of juror.....	7377
form of venire	5092	citizenship of juror, evidence.....	7378
waiver by accused	5100	rules of evidence.....	7379
list to be made in criminal proceedings, striking names	5102	court to determine implied bias.....	7380
in criminal proceedings, selection, issue of venire	5103	for actual bias, instructions to triors	7381
— summoning, return of venire... 5104		— decision of triors, effect.....	7382
— summoning talesmen	5105	defendant to first challenge.....	7383
		in what order taken.....	7384
		CHARGE TO JURY.	
		charge of court.....	7198
		justice not to charge.....	4958
		CUSTODY, OATH, TAKING PAPERS TO JURY ROOM, ETC.	
		view by jury, when.....	5372

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JURY—JUSTICE OF THE PEACE.

2311

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JURY—Cont'd,	
illness of juror, proceedings.....	5373
sheriff to provide food for, when....	5374
papers taken to jury room.....	5375
polling	5377
time of appearance of jurors.....	5600
oath administered to, form.....	5641
oath of officer attending, form.....	5641
misconduct of officer having charge of jurors	6354
how kept while deliberating in criminal cases.....	7334
taking papers to jury room in criminal cases	7335
ATTENDANCE.	
enforcing attendance.....	5015
— by attachment	5603
time of appearance of jurors.....	5600
failure to attend, issue of attachment, arrest	7180
— law of contempt, applicability...	7183
— penalty	7184
MISCONDUCT.	
juror promising verdict or receiving communications, etc.....	6350
juror accepting bribes.....	6351
influencing jurors, embracery.....	6352
duty to report, failure, contempt....	7179
PROVINCE OF.	
question whether railroads are competing lines.....	2717
— of negligence in signing instrument	2239
in prosecution for libel or slander....	5768
DISCHARGE.	
final adjournment discharges jury...	5376
on disagreement in forcible entry and detainer	6117
in criminal cases without verdict....	7337
without verdict, second trial.....	7338
FEEs.	
plaintiff to pay jury fee.....	5368
fees and mileage of jurors.....	5574
— certificate of clerk of district court to be filed with county auditor	5574
daily record to be kept by judges....	4860
in village municipal court, payment by party demanding.....	1398
fees in Ramsey county, payment on certificate of clerk of court.....	5576
payment in Hennepin and Ramsey counties, certificate, receipt to clerk of court.....	5577, 5580

	Sec.
JURY—Cont'd,	
— auditor's warrant.....	5578
— payment of warrant by county treasurer	5579
in Hennepin county, fees and mile- age	5575, 5618
in Ramsey county, fees and mileage of jurors.....	5626
mileage of jurors where term of court is adjourned in Stearns county....	4920
mileage where term of court is ad- journed in Otter Tail county..	4925, 4926
JUSTICE OF THE PEACE,	
application of general laws.....	4958
place of holding office or court.....	4956
keeping office with attorney.....	4957
cannot act as county attorney.....	802
disqualification by reason of interest..	1191
disability of law partner.....	4957
ELECTION, TERM, OATH, ETC.	
election	928
— in unorganized counties.....	694
notice of election to be sent to clerk of district court.....	986
election in village.....	1219, 1221
appointment in village until next elec- tion	1222
for cities.....	1050
term of office	694, 961
oath and bond	694, 957
filling vacancy in office of.....	694
— in villages.....	1260
JURISDICTION.	
in general.....	4955
of actions against boats and vessels..	6099-6101
(see "Boats and Vessels.")	
in cities	4955
of action by town in which justice re- sides	1009
powers of city justices.....	1074, 1082
<i>in civil actions.</i>	
actions within jurisdiction.....	4959
actions not within jurisdiction.....	4960
of proceedings to condemn property for use of village.....	1240, 1241
appeal in highway proceedings.....	1857
enforcing lien on logs.....	2440
— on personal property.....	2440
entering judgment by confession....	4959
action for forcible entry and detainer	6109
<i>in criminal cases and penal actions.</i>	
jurisdiction	5093

MINNESOTA STATUTES 1894

2312

JUSTICE OF THE PEACE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
cases where punishment does not exceed fine of \$100 or imprisonment for three months.....	5094
sale of obscene literature.....	6975
power in the prevention of commission of crimes.....	7091
power to issue criminal process.....	7132
refusal of entry on premises, complaint by board of health.....	975
issue of warrant on complaint of board of health.....	976
of prosecution for violation of village ordinances	1252
proceedings against road overseers for failure to perform duty.....	1788
issue of warrant for arrest for neglect of road duty.....	1795
for obstruction of highway	1864
under intoxicating liquor law, limitation	1998
for keeping saloon open after hours and permitting gambling by minors	2014
violating rules of county agricultural society	2976
violations of law relating to animals..	6807
violation of act with regard to trespassers on moving cars.....	6858
inquiry into supposed incendiarism..	6864-6871
(see "Fires.")	
failure to destroy Canada thistles....	6898-6901
GENERAL POWERS.	
powers	4958
in villages, village in more than one county	1259
with town supervisors, to fill vacancies in town offices.....	962
enforcing laws concerning inspection of oils	458
partition fences.....	2078
with regard to estrays.....	2083, 2085
sale of unclaimed property.....	2095, 2098
— order for sale.....	2102
trespassing animals.....	2113
enforcing liability of owner of animals running at large.....	2126
meetings of corporations.....	3409
commitment of infant to reform school	3525
may solemnize marriages.....	4771
power to administer oath.....	5636
— oath of office.....	5635
power to take acknowledgment.....	5644
power to take deposition.....	5645
not authorized to suspend attorney...	6209

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
MISCONDUCT.	
buying things in action, punishment..	6405
giving reward for bringing suit before	6406
solemnizing unlawful marriage.....	6609
REPORTS AND ACCOUNTING.	
report to county attorney.....	808
city justices to report to council....	1075
members of town board to audit accounts	989
CONTEMPT.	
power to punish for contempt....	5082-5085
summary proceedings for contempt..	5085
proceedings to punish for contempt, record and docket.....	5086
warrant of commitment.....	5087
jury or witnesses in contempt, penalties	5117
CHANGE OF VENUE.	
action for wages.....	5189
appeals from change.....	5192
transfer of action to another justice..	4974
payment of fees before change.....	4974
WITNESSES AND DEPOSITIONS.	
civil liability of witness for failure to obey subpoena	5002
commitment of disobedient witnesses	5088, 5089
adjournment on refusal of witnesses to testify	5090
costs of proceedings to compel attendance of witnesses.....	5091
punishment for failure to obey subpoena	5091
taking depositions	5667-5683
(see "Depositions.")	
service of subpoena.....	4999
enforcing attendance of witness....	5000, 5001
— costs of proceeding.....	5001
admissibility of depositions.....	5005
provisions with regard to taking depositions	5003-5008
commission to take deposition..	5006, 5007
effect of deposition.....	5008
PROCEEDINGS IN CIVIL CASES.	
action by minors, next friend	4972
— guardian ad litem.....	4973
time for parties to appear.....	4975
proceedings on failure of party to appear	4976

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JUSTICE OF THE PEACE.

2313

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
— where claim is based on account or instrument for payment of money	4984
inspection of writings in possession of adversary	4984
default of defendant, necessity of proving cause	4986
adjournment	4989, 4990, 4992, 5012
— to give time for taking deposition	5009
proceedings on disclosure of controversy concerning real estate	4991
manner of commencing action	4964
actions against unknown defendant	4964
security for costs of action	4965
appeal in highway proceedings, requisites, trial, view by jury	1858
enforcement of lien on logs, security for costs	2442
charging jury	4958
<i>schedule of forms in civil actions.</i>	
summons	5092
— in case of publication	5092
execution and judgment	5092
writ of replevin	5092
subpoena	5092
venue for a jury	5092
warrant for contempt	5092
record of conviction for contempt	5092
<i>process and writs.</i>	
issuance and return of process	4956
requisites	4966
time of return	4966
service	4967
— by publication	4968, 4969
special deputation to serve, fees	4970
failure of officer to execute, or false return	4971
bond given by plaintiff where summons is not personally served	5024
<i>pleading.</i>	
pleadings	4977-4979
requisites of complaint	4980
— of answer	4981
reply	4982
denial of knowledge or information	4983
verification	4985
admission by failure to deny	4985
objections	4987
amendment	4987, 4989
variance between pleading and proof	4988
<i>set-off and counterclaim.</i>	
counterclaims	4993
against assignees	4994

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
against trustees and nominal plaintiffs	4995
set-off of mutual judgments	5016, 5017
— proceedings where set-off is refused	5018
necessity of pleading	4996
judgment	4997, 4998
<i>attachment.</i>	
provisions with regard to	5051
affidavit	5052
when returnable	5053
bond	5054
how writ executed	5055
publication of summons	5055, 5056
continuance	5056
service of summons	5056
— by publication	5056, 5058
adjournment pending publication of summons	5057
forthcoming bond by defendant	5059
bond by third person to retain possession	5060
sale of property attached	5061
compensation of officers	5062
practice	5063
dissolution by giving bond	5064
effect of dissolving	5065
execution	5066
<i>forcible entry and detainer.</i>	
proceedings	6110, 6118
restitution	6119
appeal	6120
appeal and stay of proceedings	6121-6123, 6125
amendments	6124
answer	6125
forms used in forcible entry and detainer	6127
<i>garnishment.</i>	
minimum amount for which garnishment allowed	5306
issue of summons, service, service of copy on defendant	5307
minimum judgment in garnishment proceedings	5338
<i>replevin.</i>	
issuance of writ	5042
affidavit to secure	5043
replevin bond	5044
provisions with regard to writ	5045, 5046
return of writ	5046
claims by third persons	5047
judgment where plaintiff is successful	5048

MINNESOTA STATUTES 1894

2314

JUSTICE OF THE PEACE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

JUSTICE OF THE PEACE—Cont'd,

trial by jury.

selecting, summoning, and impaneling of jury	5010-5012
— talesmen	5012
jury of less than 12.....	5011
oath and custody of jury	5012
jury list to be made, striking names	5102
jurors, how selected, issue of venire	5103
summoning jurors, return of venire..	5104
deficiency of jurors, summoning talesmen	5105
new jury to be summoned, when ...	5106
challenge of jurors.....	5107
oath of officer attending jury.....	5641
oath administered to jury	5641
trial, how conducted; jury, how kept	5108
fining juror for failure to appear....	5015
failure of jury to agree	5014
verdict of jury, judgment thereon...	5013
— entry in docket	5109
fees and mileage of jurors	5574

JUDGMENT.

offer of.....	4976
— effect on right to costs.....	4976
by confession	5019-5021
time of rendering and entering.....	5022
stay of proceedings on.....	5017
dismissal of action, judgment for costs	5023
interest on.....	5038
replevin, judgment on recovery by defendant	5049, 5050
furnishing transcript of.....	5026
filing and docketing transcript of judgment in district court ...	5026, 5027
— effect	5028
presumption in favor of.....	5029
evidence of.....	5029

EXECUTION.

awarding execution.....	5013, 5030-5032
property subject to.....	5028
renewal	5033
transcript of justice's judgment filed in district court.....	5027
after filing of transcript in district court	5033
notice of sale.....	5034
sale	5035
return	5035
accounting for proceeds of sale.....	5035
officer not to purchase at sale.....	5036
payment and receipt therefor.....	5037
stay	5038
— recognizance	5038, 5040

Sec.

JUSTICE OF THE PEACE—Cont'd,

— execution at expiration of.....	5039
— execution against bail.....	5039, 5041
replevin	5048
on judgment of predecessor.....	4963

APPEALS.

appeal from.....	5067
— provisions with regard to... ..	5067-5081
requisites	5068
effect	5069
allowance	5069
filing of return or transcript.....	5070
compelling justice to make return....	5073
compelling allowance.....	5074
compelling amendment of return....	5075
after retirement from office.....	5081
allowance of costs.....	5511, 5512
undertaking in lieu of bond.....	7989
to village municipal courts.....	1384

PROCEEDINGS IN CRIMINAL CASES.

complaint for fast driving, procedure, judgment, commitment or execution	1871, 1872
— judgment for fine and cost, commitment, execution.....	1872
acquittal, judgment for costs against complainant, stay by giving bond..	5111
complaint before justice, subscription by complainant, warrant, contents	5095
title of action, entries in docket.....	5096
time of trial, limit.....	5097
accused may give bail, commitment for want of bail.....	5098
right to admit to bail.....	7148
preliminary hearing of charge of crime, removal to another justice... ..	7169
examination of person arrested on presentment of grand jury.....	7231
arraignment, plea, entry of plea of not guilty	5099
proceedings on plea of not guilty, waiver of jury, trial.....	5100
plea of guilty, judgment of conviction	5101
prosecution for breach of the peace, penalty for failure to aid justice... ..	5121
assaults, affrays, etc., not indictable, punishment in summary manner by justice	5120
breach of peace, arrest by justice without warrant, summoning assistance	5121
proceedings on breach of recognizance, return to district court....	5122
— when trial shows want of final jurisdiction of justice.....	5123

MINNESOTA STATUTES 1894

Vols. 1 & 2]

JUSTICE OF THE PEACE—KNIGHTS OF PYTHIAS.

2315

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
summoning witnesses, attachment to enforce attendance.....	5124
judgment on conviction, commitment, execution	5125
continuance of trial, compelling attendance of witnesses.....	5126
complainant required to give security for costs.....	5127
finer, payment before commitment, to be turned over to county treasurer by justice.....	5128
— payment after commitment, collection by sheriff, turning over to county treasurer.....	5129
conviction, judgment, punishment....	5110
judgment for costs against complainant, execution, appeal.....	5111
appeals, recognizance, notice.....	5112
allowance of appeal, recognizance by witnesses	5113
costs on appeal where defendant is convicted, etc.....	5114
failure of defendant to prosecute appeal, sentence, process to bring defendant into court.....	5115
affirmance of judgment on appeal, judgment against defendant and sureties	5116
certificate of conviction by justice...	5118
— to be filed in district court.....	5119
SCHEDULE OF FORMS IN CRIMINAL PROCEEDINGS.	
warrant	5130
certificate of conviction.....	5130
execution	5130
order to bring up prisoner.....	5130
commitment on sentence.....	5130
commitment after arrest and before trial	5130
commitment where justice on trial finds that he has no jurisdiction....	5130

	Sec.
JUSTICE OF THE PEACE—Cont'd,	
FEEES AND COSTS.	
costs and fees allowed.....	5559-5566
(see "Costs.")	
fees	5558
of city justice.....	1075
compensation for appraising estrays	2033
sale of unclaimed property.....	2103
for services relating to trespassing animals	2117
— under reform-school act.....	3528
appeal in highway proceedings, return of jury, payment of costs.....	1859
on judgment by confession.....	5021
in actions by minors, liability for costs	4972
— against minor, liability for costs	4973
taxation of costs by city justice.....	1077
taking illegal fees forbidden.....	5584
DOCKETS.	
contents of.....	4961
disposition of dockets and papers at end of term....	4962
entry of appeal.....	5069
— in contempt proceedings.....	5086
— of pleadings.....	4979
— when title to land is involved....	4991
— of renewal of execution.....	5033
— of amount of debt.....	5032
docket as evidence.....	5744
transcript from docket as evidence..	5745
— certificate of clerk of court.....	5746
proceedings before justice not reduced to writing, how proved.....	5747
certificate of conviction before, admissible in evidence.....	5748
exemplification of judgment of justice in another state, admissible in evidence	5749
JUSTIFIABLE HOMICIDE,	
defined	6460, 6461

K.

KANABEC COUNTY,	
boundaries	570
KANDIYOHI COUNTY,	
boundaries	571
application of rents of state capitol lands	4042
KIDNAPPING,	
what constitutes	6467
punishment	6467
venue	6468

KIDNAPPING—Cont'd,	
effect of consent of injured person...	6469
selling services of person kidnapped..	6470
of person outside of state, bringing into state (par. 4).....	6298
KITTSOON COUNTY,	
boundaries	572
appropriation out of state treasury...	7848
KNIGHTS OF PYTHIAS,	
incorporation of subordinate lodges..	3002

MINNESOTA STATUTES 1894

2316

KNIGHTS OF PYTHIAS—LAKES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
KNIGHTS OF PYTHIAS—Cont'd,		KNIGHTS OF PYTHIAS—Cont'd,	
certificate of incorporation, contents,		exemption from general life insurance	
records	3003	laws	3294
powers	3004	improper use of badges, emblems, etc..	6954
corporate seal	3005	KNIGHTS TEMPLAR.....	2994-2997
surrender of charter, disposition of		(see "Free Masons.")	
property	3006		

L.

<p>LABEL, counterfeiting and imitating (see "Trade-Marks").</p> <p>LABOR, maximum length of working day for women and children..... 2240 — penalty for violating..... 2240 length of working day in absence of contract..... 2241 locomotive engineers and firemen, maximum length of working day... 2242 — liability for requiring excessive amount of labor..... 2243 employers to provide seats for women — evidence of violation of act..... 2245 — who to enforce laws..... 2245 — penalty for violation of law.... 2246 wages of minor, to whom paid..... 2247 precautions required to prevent per- sonal injuries to employés..... 2248-2250 regulations concerning bakeries 2251 requirement of cleanliness and pure air in workshops, mills, etc..... 2251 duty of employer to provide means of egress in case of fires..... 2252 regulations concerning stairways used by women 2252 duties of employers to provide fire es- capes 2253 duties of employer with regard to wa- ter closets 2254 employer to provide dressing rooms for women 2254 guards for dangerous machinery, right to remove 2255 report of injuries to employés to com- missioner of labor 2256 documents posted in workshops.... 2257 enforcement of laws for protecting labor 2258 records kept by factory inspectors.. 2258 duties of factory inspector in enfor- cing municipal ordinances. 2259</p>		<p>LABOR—Cont'd, violation of municipal ordinance for protection of labor 2259 enforcement of labor laws, orders, and notices 2260 appeal from order of factory inspector to district court 2261 — costs 2261 duty of county attorney to enforce labor laws 2262 punishment for violating laws for pro- tecting employés 2262 conditions precedent to beginning criminal proceedings for violating law 2263 definition of terms used in law..... 2264 law for protection of street-car driv- ers 2767-2770 action for services, double costs.... 5499 lien of and preference of claim for wages 6254 right to demand an increase of wages 6815 on Sunday prohibited 6513</p> <p>LABOR COMMISSIONER, duties in enforcement of labor law.. 2245 powers with regard to fire escapes.. 2253 power and duties in enforcing labor laws 2253, 2259</p> <p>LABOR UNIONS, adoption of labels and counterfeiting thereof 6917-6929 (see "Trade-Marks.")</p> <p>LAC QUI PARLE COUNTY, boundaries 573</p> <p>LAKE COUNTY, boundaries 574 sale of state lands, reservation of mineral rights 4084 organization for judicial purposes... 4935</p> <p>LAKES, meandered lakes not to be drained.. 6878 penalty, civil liability..... 6879 drainage of shallow or grassy lakes... 7792</p>
--	--	---

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LAKE SUPERIOR—LARCENY.

2317

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
LAKE SUPERIOR,		LAND OFFICE,	
taking fish from in spawning season,		establishment	3958
penalty	2130	commissioner of	3959
LAMPS,		assistant land clerk	3960
malicious injury to	6874	appointment of clerk by land commis-	
LAND COMMISSIONER,		sioner	3963
report to, by railroad company, of		custody of books and papers	3963
sales of land	1649	records and books kept by land com-	
proceedings by railroad company to		missioner	3963
obtain right of way over state lands		payment of expenses	3985
2672, 2676		sending blank bond to county treas-	
selection of swamp lands for railroad		urer	3999
company	2677-2679	duties with reference to county treas-	
documents relating to old site of state		urer	4000
reform school	3537	power of land commissioner	4019
sale of old site of reform school		— to seize property wrongfully re-	
3538-3544, 3546-3548, 3550		moved from state lands	4018
supervision of state parks	4049	supervision of state park by land com-	
salary, appropriation (par. 3)	7956	missioner	4049
assistant clerk, salary, appropriation		copy of state park act filed with Unit-	
(par. 34)	7956	ed States commissioner	4058
LANDLORD AND TENANT,		LAND OR LANDS,	
(see "Forcible Entry and Detain-		meaning of terms	255
er.")		LARCENY,	
lease for more than one year to be		jurisdiction of city justices	1074
in writing, execution by agent	4215	stealing logs	2419
recovery of possession on failure to		commission outside of state, bringing	
pay rent	5865	property into state (par. 2)	6298
re-entry by landlord on failure to pay		of public records	6369
rent, when tenant restored to posses-		what constitutes	6709
sion	5865	embezzlement	6710
liability of persons in possession for		obtaining money or property by fraud-	
rent	5868	ulent draft or order	6711
action for rent	5869	grand larceny in first degree	6712
— evidence	5869	— in second degree	6713
remedy for recovery of rent	5870	petty larceny	6714
premises becoming unfit for occupancy,		punishment of grand larceny in first	
relief from payment of rent	5871	degree	6715
distress for rent abolished	5872	— in second degree	6716
termination of estates at will	5873	punishment of petty larceny	6717
proceedings against tenant holding		of written instruments before delivery	6718
over	6118	severance of fixtures, trees, etc.	6719
action for forcible entry and detainer,		finding lost property	6720
adjournment	6114	bringing stolen goods into state	6721
— restitution	6119	— venue	6721
— effect of appeal	5122, 6121	bringing stolen goods from another	
mechanics' liens	6233	county	6722
LANDMARKS,		— venue	6722
establishment by county commis-		conversion of property by executors,	
sioners	698	guardians, or other trustees	6723
by whom and where located	699	purchase of property through false	
penalty for injuring	700	representations	6724
establishment in action to determine		of written instruments, how value as-	
boundaries	5827	certained	6725

MINNESOTA STATUTES 1894

2318

LARCENY—LEGISLATURE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
LARCENY—Cont'd,		LAWs,	
passenger tickets, what deemed value		(see "Statutes.")	
of	6726	distribution by secretary of state....	308
what deemed value of things stolen..	6727	publication in newspaper, what con-	
bona fide claim of title a defense....	6728	stitutes newspaper	7993, 7995, 7996
retaining property of another to off-		— affidavit to be made by publisher	7994
set demands.....	6728	LEASE,	
effect of intent to restore property....	6729	of rolling stock by railroad company	2730
receiving stolen goods.....	6730	of state fair grounds	2968, 2969
— averment and proof.....	6731	of state capitol lands	4039-4045
falsely impersonating another in or-		of mining lands from state.....	4076-4082
der to receive property.....	6745	LEGACY,	
obtaining property from livery stable		(see "Wills.")	
keepers	6814	LEGAL HOLIDAY,	
stealing at fires.....	6863	(see "Holidays.")	
stolen property to be restored to own-		LEGAL SOCIETIES,	
er, exception.....	6872	incorporation, general statutory pro-	
of dogs.....	6904	visions	2913-2923
indictment, form (Nos. 15, 16).....	7239	(see "Corporations.")	
ownership of property, variance.....	7263	LEGAL TENDER,	
embezzlement by innkeepers.....	8000	what constitutes	2510
LARD,		LEGATEES,	
sale of lard, compounds prohibited... 7023		(see "Wills.")	
substitutes or imitations must be		liability for debts of testator	
branded	7027	5921, 5927, 5931, 5933	
lard substitute, how branded.....	7028	actions against, costs.....	5922
adulterated lard, how branded.....	7029	judgment against, discharge	5923
duty of dealer, use of labels and cards	7030	payment of debts of testator, contri-	
notice of use of compound; posting by		bution	5928, 5932
manufacturer, seller, hotel keeper,		proceedings against, for debt of tes-	
etc.	7031	tator	5929, 5930
possession of adulterated article, evi-		provisions as to liability for, and	
dence of intent to violate law.....	7032	payment of, debts of testator..	5934-5937
jurisdiction to enforce penalties.....	7033	false personation	6410
state dairy commissioner to seize pro-		LEGISLATIVE MANUAL,	
hibited articles, carrier's employes		preparation and publication.....	290
to aid in discovery, penalty for re-		— advertisement for bids.....	291
fusal	7035	printing to be paid from general ap-	
costs of prosecutions, disposition of		propriation for printing, etc.....	292
finer	7036	— use of stereotype plates	293
penalty for violation of law, not to		reading matter not to go into other re-	
apply to cottoline.....	7037	ports	294
appropriation for enforcing law relat-		number of copies and distribution..	295, 296
ing to manufacture and sale.....	7962	appropriation for editorial labor.....	297
LAUDANUM,		LEGISLATURE,	
when administration of deemed as-		election of senator (see "United States	
sault (par. 2).....	6472	Senator").	
LAW OF THE ROAD,		senate, number of members.....	214
meeting vehicles to turn to right....	1945	house, number of members	214
passing vehicles to turn to left.....	1946	DISTRICTS AND APPORTIONMENT.	
penalty for violation	1948	apportionment of members of legisla-	
horses not to be left unfastened by		ture	214-216
carriers of passengers, penalty	1949	senatorial districts.....	215
liability of carriers to passengers for		representative districts.....	215
injuries caused by drivers	1950		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LEGISLATURE.

2319

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

LEGISLATURE—Cont'd,	Sec.
ELECTION AND TENURE.	
members, to be elected at general election	6
special election to fill vacancy	15-17
election and term of members	244
contest	186-189
conduct of contest	189
ORGANIZATION AND OFFICERS.	
organization	217-244
certificate of election, prima facie evidence of membership	218
oath of office, form of oath	5641
senate, how organized	219
— officer to be elected	220
house, how organized	221
— clerks, term of office	222
— sergeant at arms, term of office ..	222
appointment of temporary officials ..	223
messengers, appointment	225
election of officers, majority of votes necessary	226
COMPENSATION.	
of temporary officials assisting in organization	224
of members, how computed	231
of officers and members	232
mileage of members and officers	233
of members, how certified	237
members to be paid by deputy treasurer every ten days	238
certificates to be drawn and approved and audited by state auditor	239
accounts of moneys paid to members adjusted by auditor	240
responsibility of state treasurer for deputy making payments	242
compensation of deputy treasurer not increased	243
furnished Webster's Dictionary	3736
LEGISLATIVE MANUAL.	
preparation and publication	290-294
distribution	295, 296
appropriation for editorial labor	297
SESSIONS.	
biennial sessions	217
governor to convene extra session ..	300
duty of secretary of state to prepare halls for extra session	307
POWERS AND DUTIES.	
attendance of absent members compelled	229

LEGISLATURE—Cont'd,	Sec.
contempt, how punished	227
— place of imprisonment	228
levy of state tax	1557
power over plank roads and turnplikes ..	3389
— over corporations	3436
— of officers to administer oath of office	5635
— to administer oath	5636
right of members to visit state prison ..	7487
STATE FINANCES.	
state auditor to report condition of state finances	327
may require auditor to submit books ..	326
ELECTION OF UNITED STATES SENATOR.	
election	245-254
SUPERVISION OF OFFICERS AND CORPORATIONS.	
may require attorney general to give written opinion	360
power to require additional bond from state treasurer	340
committee to examine state treasurer's accounts	2519
REPORTS.	
state treasurer to make report to	344
of board of auditors	344
of railroad and warehouse commission to be transmitted to (par. b) ..	396
of commissioner of statistics to be transmitted to	408
of state board of health and vital statistics	426, 1486
of state board of corrections and charities to be transmitted to	460
by bureau of labor	470
of committee concerning banks	2519
of public examiner	2578
of railroad company to auditor transmitted to	2747
concerning corporations	3436
of managers of state reform school ..	3529
of trustees of Soldiers' Home	3625
members entitled to copy of report of geological and natural history survey	3942, 3945
of land commissioner	3962
of state park commissioner	4054
JOURNALS.	
how kept and printed	264, 270
what to be omitted	271
appendix to	272
binding of	273

MINNESOTA STATUTES 1894

2320

LEGISLATURE—LIBRARY ASSOCIATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
LEGISLATURE—Cont'd,		LIBEL—Cont'd,	
number of copies to be printed.....	279	CRIMINAL PROSECUTION.	
printed journal, compensation for in-		definition	6496
dexing and transcribing.....	234	misdemeanor	6497
warrants for preparing and transcrib-		presumption of malice, justification	
ing, when drawn.....	235	and excuse	5768, 6498
OFFENSES.		“publication” defined	6499
disturbing legislature while in session	6339	liability of editors, proprietors, and	
intimidating member, misdemeanor..	6340	others, defense of unauthorized pub-	
fraudulent alteration of draft or bill..	6341	lication	6500
fraudulent alteration of engrossed		true report of public official proceed-	
copy of bill.....	6342	ings not liable to prosecution..	6501, 6502
bribery of members.....	6343	by newspaper, venue of indictment...	6503
receiving bribes by members.....	6344	not liable to prosecution for same	
refusal of witnesses to attend before		libel in more than one county.....	6504
legislature or committees.....	6345	privileged communication	6505
— to testify before legislature or		threatening to publish libel for extor-	
committees, etc.....	6346	tion and blackmail.....	6506
conviction of members for violation of		giving truth in evidence.....	5768
law, forfeiture of office.....	6347	province of jury.....	5768
ACTIONS.		indictment, form (No. 26).....	7239
against members or employes.....	5172	indictment showing application to par-	
evidence in action against members or		ty libeled	7251
employes	5173	LIBRARY,	
LE SUEUR COUNTY,		(see “State Library.”)	
boundaries	575	of state, of what to consist.....	365
LETTER-PRESS COPIES,		establishment in villages.....	
of letters, use as evidence.....	5742	1224 (par. 19), 1299 (par. 46)	
LETTERS,		establishment in cities.....	1425
opening sealed letters or publishing		use by nonresidents.....	1425
contents thereof, criminal liability..	6783	directors, appointment	1426
when sending deemed complete....	6822	— term of office and removal of di-	
LETTERS OF ADMINISTRATION,		rectors	1427
(see “Executors and Administra-		— compensation	1428
tors.”)		— filling vacancies in board.....	1428
LEWD CONDUCT,		— powers and duties	1429
(see “Lascivious Cohabitation.”)		right to free use of.....	1430
LIBEL,		rules and regulations.....	1430
(see “Slander.”)		report of directors to council.....	1431
jurisdiction of justice.....	4960	imposing penalties for injuries to...	1432
limitation of actions.....	5138	donations for	1433
anonymous defamatory posters, cir-		transfer of private library to directors	
culars, etc., reflecting on candidates	199	of public	1434
pleading	5257	exemption from taxation (par. 9)....	1512
answer	5258	school libraries	3715—3717
burden of proof.....	5257	public, entitled to report of geological	
right to prove mitigating circum-		and natural history survey.....	3942
stances	5258	cities or villages to take gifts and be-	
attachment not allowed.....	5289	quests for	4284
action against newspaper, prerequi-		of state prison	7473
site, notice, retraction.....	5417	malicious injury to articles in	6787
— not to apply where female is li-		LIBRARY ASSOCIATIONS,	
beled	5417	incorporation, general statutory provi-	
— effect of retraction on damages,		sions	2013—2028
“actual damages” defined.....	5417, 5418	(see “Corporations.”)	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LICENSE—LIENS.

2321

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
LICENSE,	
(see "Fees.")	
of public warehousemen.....	7660-7662
(see "Warehousemen.")	
to construct sluice dams...2474-2476, 2478	
(see "Logs and Logging.")	
to keep ferry.....	
1922, 1924, 1925, 1927, 1929-1933	
(see "Ferry.")	
to practice dentistry.....	7906-7921
(see "Dentistry.")	
— medicine	7891-7897
(see "Physicians and Surgeons.")	
— pharmacy	7922-7941
(see "Druggist.")	
— veterinary medicine	7942-7951
(see "Veterinarians.")	
— midwifery	7898-7905
(see "Obstetrics.")	
power of common council (par. 1)....	1085
by village council.....	
1224 (par. 15), 1299 (par. 1), 1306	
auctioneer...1299 (par. 1), 2295, 2299, 2302	
butcher shops (par. 19).....	1085
dog tax.....	1085 (par. 9), 1299
engineers of steam boilers.....	489
employment bureau	1455-1457
hackmen, etc., in villages (par. 17)....	1299
insurance agent.....	3161
intoxicating liquors...1224 (par. 17), 1266,	
1990-1997, 2001, 2014, 2017-2031	
Lloyd's doing fire insurance business	3196
masters and pilots	484
milk peddlers.....	7004, 7005
pawnbrokers, necessity of.....	6600
porters, runners, hackmen, etc., in vil-	
lages (par. 12).....	1224
private insane asylum.....	3496
peddlers selling provisions, etc. (par.	
19)	1299
(see "Peddlers.")	
school teacher.....	3744, 3747-3750, 3753
ticket agent.....	2785
vessels on inland waters.....	480
for sale of home products.....	8046
to marry	4774
to sell lands by executors, adminis-	
trators, and guardians.....	4575
LIENS,	
(see "Attachment"; "Attorneys and	
Counselors"; "Execution"; "Gar-	
nishment"; "Mechanics' Liens";	
"Judgment"; "Taxation"; "Waiv-	
er.")	

	Sec.
LIENS—Cont'd,	
FOR WHAT ACQUIRED.	
of state on timber cut, notice of.....	4013
for royalties owing to state under	
lease of mining lands.....	4079
on personal property, jurisdiction of	
justice	2440
of common carrier.....	6248
for purchase price of rolling stock....	2729
of corporation on stock for stockhold-	
ers' debts.....	2799, 2819, 2830
on crops.....	4154-4159
(see "Grain.")	
on lands on which mining operations	
are being carried on.....	5833, 5837
of attorney, refusal of attorney to pay	
over moneys, etc.....	6196
of attachment on real estate.....	5302
of garnishee on property held, pay-	
ment of lien.....	5327
for care of animals, etc. (see "Agist-	
ment").	
of livery stable keeper.....	6248
for keeping animals or property used	
in connection therewith.....	6249, 6250
— enforcement	6249
— sale of personalty to satisfy.....	6249
— priorities	6250
— duty to notify mortgagee.....	6251
for service fees of animals.....	6252, 6253
— perfecting and enforcement.....	6253
for expenses in enforcing law relating	
to cruelty to animals.....	6794
for expenses on account of animals	
running at large.....	2126
FOR LABOR AND MATERIALS.	
for constructing or repairing reser-	
voirs	6230
for digging or repairing ditches, wells,	
and cisterns.....	6230
for digging or repairing vault.....	6230
for grading or excavating.....	6230
for construction or repair of railways,	
telegraph lines, etc.....	6231
for making repairs, etc., of personal	
property	6247
for wages of employes...6254, 6256, 6257	
— waiver	6258
— proceedings to perfect.....	6254
— proceedings on issue of execution	
or other writs against employer... 6255	
OF WAREHOUSEMEN.	
of warehouseman.....	2108, 6248
for keeping or storing personal prop-	
erty	6248

MINNESOTA STATUTES 1894

2322

LIENS—LIMITATION OF ACTIONS.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

LIENS—Cont'd,	Sec.	LIEUTENANT GOVERNOR,	Sec.
JUDGMENTS.		compensation	232
(see "Judgment.")		right to visit state prison.....	7487
of village municipal court, filing trans-		LIFE ESTATES,	
cript	1400	(see "Estates.")	
to secure payment of alimony.....	4807	LIFE INSURANCE COMPANIES....	3281-3295
transcript of justice's judgment filed		(see "Insurance Companies.")	
in district court, effect.....	5027	LIFE TENANT,	
against deceased party.....	5422	conveyance of greater estate than pos-	
on real estate, duration.....	5425	essed does not work forfeiture....	4164
pending motion for new trial or ap-		LIGHTHOUSE,	
peal, discharge by payment into		injuries to, punishment.....	6776, 6777
court	5426	LIGHTNING INSURANCE.....	3265-3280
of United States courts.....	5427, 5428	(see "Insurance Companies.")	
IN PARTITION.		LIGHT PLANTS,	
(see "Partition.")		establishment in villages.....	
for costs of partition.....	5779	1225, 1299 (par. 1)	
how affected by partition.....	5779	LIGHTS,	
proof of, in action for partition.....	5787	on navigable waters, punishment for	
effect of sale in action for partition..	5806	injuries to	6776, 6777
ON LOGS AND LUMBER.		LIME,	
(see "Logs and Lumber.")		regulation of sale of (par. 20).....	1085
on logs and lumber.....	2424-2471	LIMITATION OF ACTIONS,	
of surveyor general of logs for fees		(see "Adverse Possession.")	
of survey, etc.....	2402	application of statute.....	5183
for tolls for sluicing logs, etc.....	2480	by state	5142
for services in handling and driving		cause accruing in another state....	5146
logs	2633	PERIOD.	
of laborer on logs, agreement to ex-		six years' limitation.....	5136
tend time of payment to be in writ-		time within which to attack vacation	
ing, waiver of lien.....	4217	of street	1111
FOR TAXES AND ASSESSMENTS.		against savings banks to recover de-	
(see "Assessment"; "Municipal Cor-		posits	2561
porations"; "Taxation.")		against purchaser of state land.....	3552
of taxes.....	1623, 1634	for damages for erection of dam....	2369
of purchaser at sale to enforce assess-		against railroad company.....	2766
ments	1150	against boats and vessels.....	6107
reassessment for local improvements		against master on indenture of ap-	
of assessments for construction of		prenticeship	4761
sidewalk	1180	to recover real property.....	5134
of assessment for village improve-		on judgment or decree.....	5135
ments, conveyances of land subject		on contracts	5136
to	1348	relating to personal property.....	5136
for taxes paid by other than owner		to enforce statutory liability	5136
of land.....	1618	to enforce trust.....	5136
rights of mortgagee paying taxes on		by and against executors or adminis-	
land	1619	trators	4514, 5148, 5149
for taxes upon railroad.....	1667	to recover land sold by executor or	
IN DRAINAGE PROCEEDINGS.		administrator or guardian.....	4611
(see "Drainage and Drainage Dis-		claims barred by statute not allowed	
tricts.")		against decedent's estate.....	4513
of drainage bond.....	7781	to set aside titles derived from pro-	
of drainage assessments..	7788, 7811, 7832	bated wills.....	4739

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LIMITATION OF ACTIONS—LINCOLN COUNTY.

2323

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
LIMITATION OF ACTIONS—Cont'd,	
against heirs, devisees, etc., for debts of decedent.....	5927
to foreclose mortgage.....	5141
foreclosing mortgage by advertisement to set aside sale under power in mortgage	6023
— mortgage foreclosure sale.....	6054, 6055
lost instrument barred by statute, action thereon, bond on recovery.....	6055
to enforce forfeiture of lands illegally held	5737
by or against municipal corporations judgment reversed on appeal, new action	5878
to try tax titles.....	5155
time within which to attack tax sale to recover from county on account of wrongful sale for taxes.....	5821
	1594
	1597
ENFORCING LIENS.	
on logs and lumber.....	2452
on logs in First district.....	2435
of log owner driving other logs.....	2466
mechanic's lien.....	6238
TORTS.	
two years' limitation.....	5138
for death by wrongful act.....	5913
for false imprisonment.....	5138
for libel or slander.....	5138
for trespass.....	5136
for relief on ground of fraud.....	5136
to set aside judgment procured by fraud	5434
PENALTIES AND FORFEITURES.	
three years' limitation.....	5137
for penalty or forfeiture.....	5137, 5138
statutory penalty.....	5140
against sheriff, coroner, or constable..	5137
RUNNING OF STATUTES.	
when action deemed commenced or pending	5143, 5144
attempt to commence action, when equivalent to commencement.....	5144
on ground of fraud, accrual of cause of action.....	5136
on mutual current accounts.....	5139
effect of repeal by General Statutes of 1866	7518
DISABILITIES AND EXCEPTIONS.	
disabilities and exceptions.....	5152, 5153
absence from state.....	5145
action stayed by injunction or statutory prohibition.....	5151

	Sec.
LIMITATION OF ACTIONS—Cont'd,	
effect of death.....	5148, 5149
infancy	5147
insanity	5147
period of war.....	5150
rights of convicts.....	5147
acknowledgment or new promise.....	5154
CRIMES AND MISDEMEANORS.	
criminal prosecution.....	6744
time within which indictments must be found.....	7255
for adultery.....	6556
assault and battery.....	5138
embezzlement	7262
seduction	6532
violating laws regulating camp meetings	6971
violation of game and fish laws.....	2189
LIMITED PARTNERSHIP,	
formation, not for banking or insurance	2330
general partners, liability; special partners, liability.....	2331
general partners, powers.....	2332
certificate, contents.....	2333
— acknowledgment	2334
— filing and recording.....	2335
— record in what county, transcript	2335
— affidavit, contents.....	2336
— copy to be published in newspaper	2338
— proof of publication, filing.....	2339
certificate and affidavit essential, effect of false statements.....	2337
renewal, how made.....	2340
alteration of names of parties, nature of business, etc., effect as dissolution	2341
name, sign to be posted.....	2342
actions by and against, how conducted capital not to be withdrawn or reduced	2344
preferences by insolvent partnership..	2346
preferences by insolvent partner....	2347
preference on insolvency, penalty....	2348
insolvency or bankruptcy, special partners not to claim as creditors..	2349
dissolution by active partners, notice, record and publication.....	2350
accounts between partners.....	2351
fraud in conduct of, penalty.....	2352
LIMITING LIABILITY,	
power of telegraph companies.....	2630
LINCOLN COUNTY,	
boundaries	576

MINNESOTA STATUTES 1894

2324

LIQUORS—LOGS AND LUMBER.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
LIQUORS,		LOAN COMPANIES—Cont'd,	
(see "Intoxicating Liquors.")		offices to be established within and	
LIS PENDENS,		without state.....	2839
filing in proceedings against unknown		power to hold and convey real estate.	2839
persons	5818	powers, amendment of articles.....	2839
concerning actions relating to land,		record of stock in loan companies, re-	
new notice on amendment of plead-		ports to company, declaration of	
ings	5866	dividends	2839
discharge of notice.....	5866	statement to be posted.....	2839
notice of action to enforce mechanic's		transfer of shares of stockholders....	2839
lien	6238	— lien for debts of stockholders....	2839
LITERARY SOCIETIES,		existing corporations, powers con-	
incorporation, general statutory provi-		ferred by statute.....	2840
sions	2913-2928	LOCAL IMPROVEMENTS,	
(see "Corporations.")		(see "Drainage and Drainage Dis-	
LITERATURE,		tricts"; "Municipal Corporations.")	
(see "Obscene Publications, Pic-		assessments for.....	1116-1162
tures, etc.")		in villages, what may be made, as-	
LIVERY STABLE KEEPERS,		sessment	1247
lien of, and enforcement thereof....	6248	— of over 3,000.....	1337-1353
lien for keeping animals.....	6249	LOCAL OPTION,	
— enforcement	6249	in villages.....	1266
— effect of parting with possession	6250	in towns.....	1990
— priorities	6250	not affected by High License Act 1887,	
sale of animals to pay charges, duty		c. 5.....	2025
to notify mortgagee.....	6251	LOCOMOTIVES,	
criminal liability of person obtaining		exemption from act requiring inspec-	
property from.....	6813, 6814	tion of boilers.....	493
LIVE STOCK,		LOGS AND LUMBER,	
(see "Animals.")		wrongful intermingling of logs, rule	
LIVE STOCK DETECTIVES,		as to confusion of goods to apply...	2472
(see "Detectives.")		accidental intermingling of logs, ac-	
LIVE STOCK INSURANCE COMPA-		tion by owner.....	2473
NIES	3317-3325	lumber districts, number.....	2390
(see "Insurance Companies.")		"lumber districts" defined.....	2391
LLOYDS,		mill waste, etc., in Mississippi river	
authorized to do fire insurance busi-		prohibited	2388
ness	3195	— penalty for depositing.....	2389
required to have license.....	3196	stealing and injuring logs, penalty...	2419
penalty for doing business without li-		receiving stolen or mutilated logs, pen-	
cense	3197	alty	2420
LOAN COMPANIES,		SURVEYOR GENERAL.	
formation, purpose, powers.....	2838	location of office.....	2393
capital stock, amount and par value.	2839	bond and oath filed with county com-	
duration of corporation.....	2839	missioners, action on bond.....	2395
articles of incorporation, filing and		oath and bond.....	2394
record	2839	appointment of deputies.....	2396
contents of articles, publication....	2839	not to survey own logs.....	2397
amendment of articles.....	2839	written rules for surveying to be post-	
— publication, filing, and record...	2839	ed, Scribner's rule adopted.....	2399
individual liability of stockholders...	2839	scale bill for boom owners, contents,	
— property, when to be levied on..	2839	effect as evidence.....	2400
— execution against property of		transfer of logs, scale mark, delivery	
stockholders	2839	of scale bill, record.....	2401

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LOGS AND LUMBER.

2325

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
LOGS AND LUMBER—Cont'd,		LOGS AND LUMBER—Cont'd,	
books of record, record and copies as evidence	2403	— new records as evidence...	2416, 2418
orders for scaling, record and effect..	2404	injury to marks and false marks, penalty	2410
survey not made by surveyor general not evidence.....	2406		
to make report to legislature.....	2407	DRIVING LOGS.	
to record instruments affecting ownership of logs.....	2408	rivers public highways for logs.....	2385
to file statements and papers as to liens on logs.....	2462		
of First district to scale all rafts and logs, record.....	2411	BOOMS AND BOOM COMPANIES.	
— deputies to be appointed on recommendations	2410	injury to booms, etc., penalty.....	2423
— to keep record of lumber districts to file papers required to perfect lien, fees	2432	boom companies to assort railroad ties and cedar poles, and deliver to owners	2460
— compensation, certified copy as evidence	2449	charges by corporations for handling and driving logs	2633
		powers of river improvement or boom companies	2633
SURVEYS AND SURVEYORS.		booms and weirs preventing passage of logs declared a nuisance, abatement, penalty, disposal of fines....	2387
surveyors, appointment, powers and duties, seal of office.....	2392	side booms, intermingled logs, removal or appraisalment by surveyor	2422
rules for surveying, record of survey	2398	rate of toll to be established, limitation	2479
penalty against surveyor for scaling stolen or mutilated logs.....	2421	rate of toll to be charged on Snake river dam	2479
instruments recorded in office of surveyor of logs and lumber.....	4014	lien of boom and log companies.....	2633
timber cut on state lands, duty of surveyor of logs and lumber.....	4015	— enforcement	2480
duties of surveyor, scaling of logs, etc., recording scale bill, effect as evidence	2397	— assorting ties and cedar poles, fees, enforcement	2470
		— assorting railroad ties, etc., exception	2471
COMPENSATION.			
surveyor general, fees for scaling, by whom paid.....	2412	SLUICE WAYS.	
— fees and mileage; lien, how enforced	2402	dam and boom to have sluice way... 2386	
		Second district provision relating to side booms not applicable	2422
MARKS.		sluice dams, license to construct, when and to whom granted	2474
certificate of records or transfer of mark, effect as evidence of ownership	2405	— when stream runs between two counties	2475
transfer of logs, mark of all logs invalid unless recorded	2405	— how executed	2476
logs not to be scaled unless mark is recorded	2406	— notice of application	2477
logs not marked, effect	2413	— bond of licensee	2478
marks to be recorded before logs are cut	2413		
sale of mark	2413	LIEN.	
— previous sales legalized	2414	of laborers on logs.....	2424
log marks, record, transfer from old to new record book in Second district	2415, 2417	conditions precedent, filing contract..	2425
		not defeated by taking note.....	2447, 2460, 4217
		agreements to extend time of payment to be in writing.....	4217
		waiver void.....	2451
		discharge	2433
		release by defendant giving bond....	2455
		claim to be filed, contents.....	2426

MINNESOTA STATUTES 1894

2326

LOGS AND LUMBER—LUMBER.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
LOGS AND LUMBER—Cont'd,		LOGS AND LUMBER—Cont'd,	
claim to be filed, time of filing, limitation of action.....	2435, 2452	CUT ON STATE LAND.	
limitation of action to enforce.....	2452	cutting of timber on state lands..	4011-4014
priority, enforcement, limitation.....	2427, 2457	— log marks	4013, 4014
— order of filing.....	2430	timber wrongfully cut, disposition of..	4015
on logs in the St. Croix and tributaries, priorities, retrospective effect of act	2434	collection of moneys due state.....	4016
of log owner driving other logs mingled with his own.....	2466	fraudulent log marks	4017
— enforcement	2466, 2467	seizure of logs wrongfully cut on school lands	4018, 4019
— booms for logs, not to be interfered with.....	2468	LOST INDICTMENT,	
not to hinder or delay driving, exception in First and Second districts..	2454	use of record	7237
attachment to protect lien.....	2428	LOST INSTRUMENTS,	
attachment to enforce, affidavit and complaint	2436, 2453	duplicates	2225-2227
— contents of writ	2437	— affidavit and bond given to obtain	2228
— amount in controversy.....	2438	copy may be filed, when.....	2327
— of attachments.....	2454	lost plats may be replaced by new plats, when	2328
— before justice of the peace, attachment, affidavit.....	2440	certificates of stock	3417
— form of attachment.....	2441	establishment of lost will.....	4442-4444
— service of return of attachment..	2443	copies of lost pleadings or papers may be filed	5424
officer to pay boorage, taxation as costs	2446	proof of loss to admit other evidence of contents	5735
— collection as costs.....	2446	evidence of contents of lost bill and other instrument, recovery	5736
enforcement, security not required of plaintiff, exceptions	2439, 2455	action on, bond to be given, instrument barred by limitations.....	5737
— parties, intervention.....	2456	evidence of contents, bond to be given before recovery	5737
— pleadings in.....	2461	LOST PROPERTY,	
requisites of complaint, denial by defendant	2443	when finder guilty of larceny.....	6720
in justice court; procedure; security for costs, when required.....	2442	LOT,	
who to be defendants.....	2444	definition for purpose of taxation....	1511
form of verdict, findings, judgment and execution	2445, 2457	LOTTERIES,	
personal judgment where no lien exists	2457	definition	6576
execution, levy and sale, notice, title acquired	2429, 2458	public nuisance	6577
boorage and scalage, payment and collection by officer.....	2459	prohibition in villages (par. 17).....	1224
fees paid to surveyor recoverable as costs	2431	contriving, drawing; etc., punishment	6578
assignment of claim for lien, rights of assignees	2463	selling or furnishing lottery tickets..	6579
— filing, action by assignee.....	2450	advertising lotteries.....	6580
act to apply only to laborers for hire..	2464	offering property for disposal depending on drawing of any lottery.....	6581
when act takes effect, repeal of inconsistent acts	2465	keeping office, etc., for registry of tickets, etc.	6582
		insurance of lottery tickets, etc.....	6583
		advertising offers of insurance, lottery tickets, etc.....	6584
		advertisement by persons out of state	6587
		letting or permitting building to be used for lottery purposes.....	6585
		application of law.....	6586
		LUMBER,	
		(see "Logs and Lumber.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

LUNATIC—MANSLAUGHTER.

2327

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
LUNATIC,		LYCEUMS,	
(see "Insane Persons.")		incorporation, general statutory provisions	2913-2923
service of notice on.....	2606, 2625	(see "Corporations.")	
lands taken for public use, payment of damages	2611, 2629	LYON COUNTY,	
		boundaries	577

M.

MACHINERY,		MALICIOUS PROSECUTION,	
injuries to, criminal liability.....	6780	against school director for neglect of duty	3781
McLEOD COUNTY,		jurisdiction of justice of the peace....	4960
boundaries.....	580	MANDAMUS,	
partition fences	2077	to enforce duties of common carriers..	400
McPHERSON, TOWN OF,		compelling county officers to perform duties with regard to drainage assessments	7787
partition fences	2076	powers and duties of supreme court ..	4823
MAIL,		power of supreme court judge in vacation	4827
(see "Postage Stamps"; "Post Office.")		costs, right and liability of relator....	5510
service of notice and papers by..	5215-5217	jurisdiction of district court	5985
MAIMING,		how regulated	5974
what constitutes	6463	to whom and for what purpose issued	5975
one's self to escape performance of duty	6463	not to issue where there is adequate remedy at law	5976
— to obtain alms.....	6464	on whose information to issue	5976
MAYHEM.		proceedings	5982
defined	6462, 6465	alternative and peremptory writ, form and contents	5977
evidence of intent.....	6462	peremptory, when allowed	5978
effect of subsequent recovery of injured person.....	6466	allowance and indorsement of writ, service	5979
punishment	6462	answer, when and how made.....	5980
MAJORITY,		— setting up new matter	5981
when persons arrive of age.....	4534	default, peremptory writ to issue....	5981
authority conferred on three or more persons, exercise by majority.....	5395	trial of issues of fact, venue, jury....	5986
MALICIOUS MISCHIEF,		judgment for plaintiff, damages, costs and disbursements.....	5983
injury to railroad property..	6772, 6891 6892	against public officer, etc., imposition of fines for neglect of duty.....	5984
— to highways, guideposts, etc.....	6780	to district court or judge thereof, jurisdiction of supreme court, order to show cause.....	5985
various kinds of injuries designated as crimes	6780, 6781, 6786	appeal from district court to supreme court	5987
injury to standing crops, fruits, or vegetables	6785	MANKATO NORMAL SCHOOL.....	3833
— to articles in library, gallery, museum, collection, fair, or exhibition..	6787	(see "Normal Schools.")	
— to houses of worship, school-houses, etc., or articles therein....	6789	MANOMIN COUNTY,	
general provision as to injuries to property	6791	boundaries, abolition.....	540
injury to signboards, buildings, lamp-posts, lamps, etc.	6874	MANSLAUGHTER,	
— to dogs	6904	(see "Homicide.")	
how punished	6893, 6894		

MINNESOTA STATUTES 1894

2328

MANUFACTURERS—MARRIED WOMAN.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MANUFACTURERS,		MARRIAGE—Cont'd,	
listing property for taxation.....	1529	remarriage of divorced persons.....	4811
MANUFACTURING COMPANIES....		certificates and records of...4772, 4777, 4778	
(sec "Corporations.")	2805-2826	— effect as evidence.....	5760
railroads, side tracks to mill...7730-7732		proof of.....	5762
for manufacture of bricks, stone, iron,		compensation of clerk of court...4775, 4778	
steel, and other metals.....	2827-2837	solemnized by persons without author-	
MAPS,		ity, validity	4782
(sec "Plats.")		effect as to children born before....	4784
of lands sought to be condemned for		invalid marriages, rights of children..	4784
public use.....	2623	of party to action, abatement and re-	
official map of state.....	3936	vival	5171
geological map of state	3938	what marriages deemed void without	
of public lands	3983	judicial decree.....	4785
of site of federal buildings. 4110, 4113, 4120		what marriages voidable.....	4786
of fish hatchery.....	4116	ANNULMENT AND PROCEEDING TO AN-	
MARINE INSURANCE COMPANIES..		NUL.	
(sec "Insurance Companies.")	3326-3330	grounds for annulling.....	4788
MARITIME LIENS,		with persons incapable of contracting,	
(sec "Boats and Vessels.")		when annulled.....	4788, 4789
MARK,		proceedings to annul.....	4787
(sec "Logs and Lumber.")		— orders made pending suit.....	4801
MARKETS,		— protection of wife pending suit... 4800	
regulation by cities (pars. 5, 18).....	1085	— provision as to children	4802
regulation in villages (par. 13).....	1224	revision of order relating to children..	4803
MARRIAGE,		disposition of wife's land.....	4804
(sec "Divorce"; "Husband and		restoration of property of wife.....	4805
Wife"; "Married Women.")		PENALTIES AND CRIMINAL LIABILITY.	
agreement on consideration of to be		penalty for failure to deliver or record	
in writing.....	4209	certificate	4779
second marriage, power to bind chil-		— for illegally solemnizing or mak-	
dren of former marriage as appren-		ing false certificate.....	4780, 4781
tices	4751	compelling woman to marry by force,	
declared a contract.....	4768	duress, etc.....	6528
who capable of contracting.....	4769	abducting female for.....	6529
persons prohibited from marrying... 4770		solemnizing unlawful marriage.....	6609
by whom solemnized.....	4771	MARRIED WOMAN,	
authority of clergyman to solemnize..	4771, 4772	(sec "Husband and Wife"; "Mar-	
powers and duties of persons called		riage.")	
on to solemnize	4773	separate legal existence, right of ac-	
license	4774	tion, not entitled to vote or hold office	5530
— powers and duties of clerk of		property rights, separate property... 5531	
court	4775	contracts, deeds, mortgages, etc., of	
— liability of clerk of court for		land, joinder of husband.....	5532
wrongfully issuing	4775	conveyance of land after judgment of	
requisites of ceremony.....	4776	divorce	5532
among Quakers.....	4783	conveyance where husband is insane.	5532
of infants or insane persons.....	4786-4788	contracts between husband and wife,	
of minors, consent of parent or guard-		acting as each other's agents, rights	
ian	4775	of purchasers and creditors.....	5534
— proceedings necessary to obtain		proceedings to debar spouse from	
license	4775	interest in property of the other... 5535	
		antenuptial contracts.....	5536
		not liable for husband's debts... 5531, 5533	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MARRIED WOMAN—MECHANICS' LIENS.

2329

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MARRIED WOMAN—Cont'd,		MASTER AND SERVANT—Cont'd,	
liability for torts.....	5532	consecutive hours of labor on railroad trains	6965
liability of husband for wife's torts..	5536	— penalty for violating law.....	6966
responsibility for crime, duress of husband	6306	protection of children.....	6539, 6541
recognizance for appearance as witness	7152		
CURATIVE ACTS.		APPRENTICES.	
power of attorney by	7553, 7563	(see "Apprentices.")	
deed executed under power from husband, record before 1869.....	7582	apprenticing poor minors.....	1966
MARSHALL COUNTY,		— under town system (par. c)....	1976
additional territory.....	578	right to use force in correcting (par. 4)	6477
boundaries	578	MASTERS OF VESSELS,	
appropriation out of state treasury ...	7848	examination and license.....	484
MARSHAL OF SUPREME COURT,		on inland waters, license.....	480
salary, appropriation	7956 (par. 26), 7961 (par. 20), 7963 (par. 11), 7963	MATRON,	
MARTIN,		appointment for county jail.....	7425
protection of.....	6795	MAYHEM,	
MARTIN COUNTY,		(see "Maiming.")	
boundaries	579	MAYOR,	
abatement of taxes on railroad lands	1651	(see "Municipal Corporations.")	
MASONIC SOCIETIES.....	2994-2997	MEADOW LARK,	
(see "Free Masons.")		protection of	6795
incorporation, general statutory provisions	2913-2928	MEANDERED LAKES,	
(see "Corporations.")		not to be drained, penalty.....	6878, 6879
MASTER AND SERVANT,		MEATS,	
(see "Apprentices"; "Labor.")		regulation by cities.....	1085
voting by employé.....	114	preventing traffic in unsound meats (par. 10).....	1299
— intimidation.....	114	MECHANICS,	
— liability of employer for refusing right	114	lien of, and preference of, claim for wages	6254
employment of intemperate driver by carrier of passengers.....	1947	MECHANICS' LIENS,	
liability of carrier for injuries caused by drivers.....	1950	who may claim, and for what obtained	6229, 6230
— of railroad company for neglect of fellow servant.....	2701	construction or repair of railways, telegraph, telephone, or electric light lines, gas pipes, or subway conduits work done, etc., at instance of others than landowners, necessity of disclaimer to avoid liability.....	6231
action for wages, change of venue... ..	5189	— when owner deemed to have consented	6233
— costs, double costs.....	5499	liability of vendor	6233
lien of employé for wages..	6254, 6256-6258	work done at instance of vendee, liability of vendor	6232
protection of employé in case of executions or other writs issued against employer	6255	repairs made at instance of lessee, liability of lessor.....	6233
violation of duty by railroad employés when master guilty of extortion, refusal to pay wages.....	6736	extent of property affected by... ..	6229, 6230
right to demand increase of wages... ..	6815	on homestead	5522
combination of employés to obtain increase of wages.....	6815	limit as to amount for which lien can be claimed	6234
requiring abandonment of rights of citizenship	6962, 6963	amount limited by claim in lien statement	6237
— who to prosecute violations of law	6964	in case of single contract relating to several buildings	6235
		duration of lien	6236

MINNESOTA STATUTES 1894

2330

MECHANICS' LIENS—MIDWIFERY.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
MECHANICS' LIENS—Cont'd,		MEDICAL COLLEGES,	
when contractor subrogated to rights		delivery of corpses for dissection.....	
of subcontractor	6238		8031-8034
withholding money from contractor to		MEDICAL SOCIETIES,	
pay subcontractor	6242	incorporation, general statutory provi-	
release and discharge	6246	sions	2913-2928
penalty for refusal to discharge.....	6246	(see "Corporations.")	
waiver, effect of taking evidence of		MEDICINE,	
indebtedness	6243	(see "Drugs"; "Druggists.")	
fraud of contractor upon material		practice of.....	7891-7897
man, penalty	6244	(see "Physicians and Surgeons.")	
rights and liabilities of executors and		MEDO, TOWN OF,	
administrators	6245	partition fences.....	2076
PROCEEDINGS TO PERFECT—NOTICE BY		MEEKER COUNTY,	
SUBCONTRACTOR TO OWNER.		additional territory.....	581
notice by subcontractor of intention		boundaries	581
to claim lien	6242	obligation to maintain partition fences	2056
— service	6242	MEMBERS OF CONGRESS,	
— effect	6242	to be elected at general election.....	6
— effect of failure to give.....	6242	statement of votes, determination of	
lien statement	6236	title	180
— notice of intention to claim lien..	6236	MEMBERS OF LEGISLATURE,	
— verification of	6236	(see "Legislature.")	
— recording	6236	MEMORIAL ASSOCIATIONS,	
— time of filing	6236	incorporation, general statutory provi-	
— when filed with secretary of state	6236	sions	2913-2928
— effect of inaccuracy in.....	6237	(see "Corporations.")	
ACTIONS TO ENFORCE—SALE TO SATISFY		MENDICANCY,	
LIEN.		(see "Beggars.")	
action to enforce	6238	employment of child in begging or re-	
time of commencing action.....	6238	ceiving alms.....	6539
summons	6238	MERCHANDISE,	
parties	6238	what constitutes, for purpose of taxa-	
continuance to bring in additional par-		tion	1528
ties	6238	MERCHANTS,	
notice of lis pendens.....	6238	who are, for purpose of taxation....	1528
pendency of other action.....	6238	MESSAGES,	
pleadings	6238	of governor, number of copies to be	
judgment	6238	printed	279
judgment by default.....	6238	MESSENGERS,	
protecting rights of all lien claimants	6238	of legislature, appointment.....	225
adjudicating as to rights of all claim-		compensation	232
ants of liens.....	6238	of capitol (par. 22).....	530
claims not due.....	6238	— salary, appropriation (par. 28)..	7956
consolidation	6238	METEOROLOGICAL STATISTICS,	
when receiver appointed.....	6238	collection by regents of state univer-	
sale of improvements and removal		sity	3936
from premises.....	6240	METHODIST EPISCOPAL CHURCH,	
<i>sale to satisfy lien.</i>		conveyance in trust for.....	3041
sale of improvements.....	6240	MIDWIFERY,	
of premises	6238, 6241	license to practice	7898, 7899
of railways, telegraph lines, etc., on		license by state medical board.....	7898
execution	6239	practitioners to register names..	7899, 7900
redemption	6239, 6241	examinations of applicants to prac-	
distribution of proceeds of sale.....	6238	tice	7901

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MIDWIFERY—MILITIA.

2331

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
MIDWIFERY—Cont'd,		MILITIA—Cont'd,	
licenses may be refused, revoked, etc.	7902	drills, number	1737
payment of fee	7900	dues, power to sue or collect.....	1753
definition of practitioner, application		encampment	1743
of act	7903	— place and time of holding	1769
penalty for practicing without license	7904	— per diem while in camp, trans-	
repeal of former acts, when act takes		portation	1744
effect	7905	enrollment, duty of assessors and	
MILEAGE,		county auditor	1699
of members of legislature.....	233	enlistment, term, re-enlistment	1724
allowed to inspector of illuminating		inspection	1734
oils	455	inspection in manual and tactics, roll	
of county commissioners	665	and roster	1735
of county treasurer	757	inspector general, report to command-	
allowance to state treasurer.....	1677	er in chief.....	1736
— justice of the peace.....	2083	national guard, how constituted.....	1714
of surveyor general of logs.....	2402	regiment, how constituted.....	1715
allowance for serving process.....	4970	power of commander in chief.....	1701
of garnishee, tender of payment.....	5308	rules and regulations by commander	
of witnesses	5547-5549	in chief	1756
of appraisers, commissioners, etc....		term of service of privates and non-	
	2113, 5573	commissioned officers	1700
allowance for services in summoning		uniforms, adoption and change of	
jurors	5615	present uniforms	1755
— to jurors	5626	who liable to military duty, exemption	1698
— to managers of state prison	7451	— exemption of member of fire com-	
MILE BOARD,		pany	1175
wrongful removal of or injury to,			
criminal liability	6780	ARMS AND STORES.	
MILITARY,		arms and ammunition, how issued..	1741
exemption from military duty	1175	bond for safe-keeping and return of	
power to inflict punishment, effect of		arms	1708
Penal Code	6849	issue of arms to Sons of Veterans,	
MILITARY ORDER OF LOYAL LE-		bonds	1770, 1773
GION,		— requisitions	1771
improper use of rosette	6953	— adjutant general may demand re-	
MILITARY RESERVATION,		turn, when	1772
rights surrendered by state ...	4118, 4127	— penalty for wanton injury.....	1774
MILITARY STOREKEEPER,		boards of survey.....	1709
duties and compensation.....	1705, 1706	— sale of condemned arms and	
salary, appropriation		stores	1709
	7956 (par. 13), 7961 (par. 15)	— disposition of proceeds.....	1710
MILITIA,		vouchers paid from funds to be cer-	
active militia, how constituted.....	1700	tified and approved.....	1711
battalion, how constituted	1717	blanks to be prepared by adjutant	
battery, how constituted	1717	general	1712
brigade, election of brigadier general;		abstracting state arms and stores....	1713
appointment of staff	1718		
commander in chief	1700	ARSENALS AND ARMORIES.	
company, how constituted	1716	board to erect and rent in cities, etc.	1763
— organization	1700	expenses of erecting, altering, duties	
— disbandment	1707	of armory board	1764
constitution and by-laws, contents,		erected or rented, use and control..	1765
when evidence.....	1751, 1752	staff officers, etc., to have access to	
discharges	1725	armories	1765
		janitor and engineer.....	1766

MINNESOTA STATUTES 1894

2332

MILITIA—MILL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.	Sec.
MILITIA—Cont'd,		MILITIA—Cont'd,
armorer, appointment and duty.....	1766	— allowance for each horse of bat-
expenses charged upon municipality	1764, 1766	tery and troop.....
rules and regulations concerning....	1767	— to whom payable, how expended
penalty for injury to property in....	1768	— how drawn and paid.....
— for introducing liquor into.....	1768	appropriation
exemption from taxes.....	1742	annual appropriation.....
		1758-1762
		1758-1762
OFFICERS.		EXEMPTIONS AND PRIVILEGES.
noncommissioned officers	1700	exemption from jury duty.....
governor as commander in chief, staff		— of discharged militiamen.....
officers	1700	— from labor on public highways
commander in chief and staff.....	1732	and personal taxation.....
— assistants to general officers, ap-		— of uniforms, arms, and equip-
pointment	1733	ments
power of commander in chief.....	1701	armory exempt from taxes.....
adjutant general, term.....	1733	militiamen not liable to arrest, excep-
— custodian of records, etc., pow-		tions
ers and duties.....	1702	1750
— seal of office, certification of pa-		NEGLECT OF DUTY.
pers	1703	penalty for.....
— to be pension agent.....	1704	complaint by commanding officer....
brigadier general, appointment of staff		disposition of fines
company and battery officers.....	1718	1754
field and staff officers.....	1720	
elections of officers, how ordered, no-		COURT MARTIAL.
tice	1721	appointment and conduct.....
— who to preside at election.....	1722	approval of fines.....
— vote to be by ballot, majority vote		record to be kept.....
1723		right of appeal to commander in chief
commissions of officers.....	1726	power to punish.....
who to determine qualifications. 1726,		6849
1729		
canceling commissions	1729	MILK,
officer not to hold two commissions..	1730	impure or unwholesome milk, term de-
professor of military science.....	1727	finer
staff officer not to command troops,		6809, 7003
exception	1731	care and food of milch cows.....
resignations of officers.....	1728	— products of impure milk.....
report of inspector general to com-		6993
mander in chief.....	1736	sale of impure, prohibited.....
right of access to armories.....	1765	6992
compensation of officers in service un-		— to butter and cheese factories,
der order of commander in chief... 1746		penalty
		6994
MILITARY STOREKEEPER.		sale of impure cream, penalty.....
duties and compensation.....	1705, 1706	7002
salary, appropriation	7956, 7961	skimmed milk to be labeled.....
		7003
ALLOWANCES, COMPENSATION, AND AP-		requirement of license to sell.....
PROPRIATIONS.		7005
per diem while in camp.....	1744	peddler's license, sale without license,
per diem of enlisted men in actual		penalty
service	1745	7004
compensation of officers.....	1746	violation of law regulating, jurisdic-
— of military storekeeper.... 1705, 1706		tion of courts.....
annual allowance.....	1738	7008
		evidence of violation of law.....
		7006
		seizure and sale, disposition of pro-
		ceeds
		7007
		MILK PEDDLERS,
		reports to dairy commissioner, blanks
		to be furnished.....
		7001
		MILL,
		definition
		2264
		erection of milldams.....
		2353-2384
		(see "Dams.")
		maximum toll of mills for bolting
		grain
		7643

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MILL—MISSISSIPPI RIVER.

2333

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
MILL—Cont'd,	
— for grinding, penalty for violating act	7644
railroads, side tracks to mill.....	7730-7732
MILLDAMS,	
(see "Dams.")	
MILLE LACS COUNTY,	
boundaries	582
MILLERS' AND MANUFACTURERS' MUTUAL INSURANCE COMPANIES	3251-3264
(see "Insurance Companies.")	
MILL WASTE,	
In Mississippi river, prohibited.....	2388
— penalty	2389
MINERALOGY,	
investigations by authorities of state university	3929-3932
MINES AND MINING,	
mining corporations.....	2827-2837
(see "Corporations"; "Mining Companies.")	
mining on public lands.....	4059-4082
(see "Public Lands.")	
mining iron ore under contract with state	4076-4081
development of mineral deposits on lands belonging to plurality of owners	5830-5838
fees of register of deeds.....	4072
MINING COMPANIES.....	2827-2837
(see "Corporations.")	
report to state auditor.....	1690
taxation	1689-1691
state geologist not to favor, in making investigations	3933
MINNEAPOLIS,	
exemption of officers from jury service	5613
MINNESOTA BUILDING BONDS,	
issue	522
payment, annual tax, redemption....	524
— of interest.....	523
MINNESOTA DRIVING CLUB,	
lease of state fair grounds.....	2969
MINNESOTA FLAGS.....	8035-8039
(see "Flags.")	
MINNESOTA NATIONAL GUARD...	1714-1774
(see "Militia.")	
MINNESOTA REVENUE BONDS,	
issue	522
payment, annual tax, redemption....	524
— of interest	522

	Sec.
MINNESOTA RIVER,	
BRIDGES OVER.	
who may construct, conditions.....	1918
governor to approve location and plan	1919
rates of toll.....	1920
restriction on change of rates.....	1921
MINNESOTA SOCIETY FOR PREVENTION OF CRUELTY,	
powers, privileges, and duties.....	3016
power to hold property.....	3020
appointment of agents.....	3016
— approval of appointment by probate judge	3016
power of agents to make arrests, taking offender before magistrate....	3016
duty of officers to make arrests.....	3021
— requiring services of sheriffs, etc.	3021
organization of county societies.....	3017
— record of proceeding with secretary of state, powers.....	3018
election of officers, rules and regulations	3019
fees of police officers and of agents..	3021
collection of costs from violator of law	3021
right to fines for violating law relating to children.....	8015
MINNESOTA STANDARD FIRE INSURANCE POLICY,	
form	3200, 3201
MINORS,	
(see "Apprentice"; "Children"; "Guardian"; "Infants"; "Parent and Child.")	
MISCARRIAGE,	
procurement of	6545-6549
(see "Abortion.")	
MISDEMEANOR,	
(see "Crimes and Punishments.")	
definition	6260
division and definition.....	6288, 6289
punishment when not fixed by statute	6297
participants are all principals.....	6312
MISNOMER,	
of savings bank, effect.....	2588
MISPRISION,	
or treason	6320
MISSIONARY SOCIETIES,	
incorporation, general statutory provisions	2913-2928
(see "Corporations.")	
MISSISSIPPI RIVER,	
deposit of mill waste, etc., prohibited	2388
— penalty	2389
improvements on, right of United States to overflow land.....	4121

Miscellaneous Briefs 7979.

MINNESOTA STATUTES 1894

2334

MODERATOR—MORTGAGES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MODERATOR,		MORTGAGES—Cont'd,	
of town meeting.....	934	for gambling debt void, rights of bona fide purchaser	6594
MONEY,		general rules relating to execution...	4160-4187
definition for purpose of taxation....	1511	(see "Deeds.")	
levy of execution on.....	5457	given to building associations, taxation	1530
evidence in prosecutions for counterfeiting, or passing counterfeit, money	5763, 5764	grantor to make known existing incumbrances	4194
MONONGALIA COUNTY,		liability of grantor covenanting against incumbrances	4195
consolidation with Kandiyohi county	571	interest of deceased mortgagee deemed personal assets	4502
MONOPOLIES AND TRUSTS,		of estates of deceased and of wards..	4593-4596
prohibition of.....	6955	(see "Executors and Administrators.")	
— penalty for violation.....	6956	of garnishee on property, payment of lien	5327
pooling business by public country elevators unlawful.....	7722	of homestead, joinder of wife.....	5522
prosecution for, competency of witnesses, privilege of witness.....	6957	of log mark or log, effect of record...	2405
testimony not to be used against witness	6957	of married women	5532
MONTH,		of ward's property by foreign guardian	4622
meaning of term.....	255, 3094, 3695	on crops	4154
MONUMENTS,		payment of debt against decedent's estate	4533
at government corners, re-establishment by county commissioners....	697	payment of taxes by mortgagee....	1619
lost monuments, supplying place of..	836	— reimbursement by county...1620, 1621	
wrongful removal of or injury to, criminal liability.....	6780, 6786	power of sale part of security, who may execute	4359
MOORHEAD NORMAL SCHOOL....	3834	railroad mortgages, power to execute	2722, 2723
(see "Normal Schools.")		— after-acquired property	2724
appropriation		— record of	2725, 2726
7963 (par. 15), 7964 (par. 6), 7974 (par. 3.)		— effect of record as to rolling stock and personal property	2725
MORAL SCIENCE,		removing property from real estate, penalty	6880
instruction in public schools....	3889-3891	— court may order restoration of property and award damages.....	6881
MORGUE,		right of mortgagee to possession....	5861
to be provided by county commissioners	684	sale of mortgaged property by executor of mortgagor	4588
regulations concerning.....	685	tenancy in common or joint tenancy..	4406
inquest and post mortem examination to be held at.....	686	term "conveyance" defined	4185
MORRISON COUNTY,			
additional territory.....	583	RECORD.	
boundaries	583	of railroad mortgages.....	2725, 2726
MORTGAGES,		effect to be deemed notice to parties..	4187
chattel mortgages.....	4129-4147	— mortgage of log mark or log....	2495
(see "Chattel Mortgages.")		— of record of assignment, payment to mortgagee	4183
absolute deed not to be defeated by unrecorded defeasance.....	4182	term "purchaser" defined.....	4184
assignment, payment to assignor....	4183		
by executors and administrators and guardians	4617		
conveyances with defective certificate of acknowledgment	7560		
effect of, on powers.....	4319		
execution out of state according to law of other state, etc., not to affect bona fide purchaser	7546		

MINNESOTA STATUTES 1894

Vois. 1 & 2]

MORTGAGES.

2335

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
MORTGAGES—Cont'd,	
necessity of execution and acknowledgment according to law.....	4191
execution out of state according to law of other state.....	7536
effect of failure, mortgages in unorganized counties.....	4180
DISCHARGE AND SATISFACTION.	
acknowledgment of satisfaction, duty of register.....	763
discharge, duty of register.....	766
— how made.....	4196
refusal of mortgagee to discharge when satisfied, action by mortgagor..	4197
discharge by foreign executor, guardian, etc.....	4716
FORECLOSURE.	
of chattel mortgages (see "Chattel Mortgages").	
where mortgagee is deceased... 4502, 4503	
by foreign executors and administrators, filing copy of appointment... 6053	
pending action by mortgagor to determine validity of payment; deposit; bond, etc., for redemption; notice..	4198
FORECLOSURE BY ADVERTISEMENT.	
limitation	6023
requisites	6029
foreclosure for installments of principal or interest.....	6031
— effect of redemption.....	6030
sale, how, when, where, and by whom made	6034
notice of sale.....	6032
— what to specify.....	6033
publication of notice, in what newspaper and language.....	7990, 7995
postponement of sale, notices, publication	6035
sale in separate tracts.....	6036
certificate of sale.....	6038
— execution by sheriff after expiration of term.....	6040
— operates as conveyance, when... 6039	
— evidence of legality of sale and of title	6054, 6056
mortgagee, etc., may purchase.....	6037
purchase by personal representative of deceased mortgagee.....	4503
interest of purchaser liable to attachment or execution.....	6045
application of proceeds on foreclosure for installments, etc.....	6031
disposal of surplus purchase money..	6046

	Sec.
MORTGAGES—Cont'd,	
excessive costs or interest exacted, recovery by mortgagor.....	6052
passing of title.....	6050
perpetuating evidence of sale, procuring affidavits of publication and of sale	6047
— record of affidavits, effect of affidavits as evidence.....	6048, 6050
— note by register on margin of record of mortgage.....	6049
— effect of record to pass title....	6050
setting aside or attacking sale, limitation of time.....	6054-6056
injunction against sale.....	5348
<i>redemption.</i>	
time, amount to be paid, interest....	6041
how made, record of documents showing right to redeem.....	6042
certificate, acknowledgment and record	6043
by creditors, time, notice of intention	6044
where mortgagee is deceased.....	4503
effect	6030, 6043
<i>costs and attorney's fees.</i>	
attorney's fees, schedule of amounts allowed	6074
— charged only when attorney is employed	6075
— may be collected on foreclosure..	6076
affidavit filed with register of deeds..	6051
FORECLOSURE BY ACTION.	
what rules govern.....	6057
venue	5182
limitation of action.....	5141
service of process by publication....	5204, 6058
— right of defendant.....	6058
foreclosure for installment of principal or interest.....	6065
— proceedings stayed on bringing in amount due, judgment.....	6070
— what may be sold, application of proceeds	6065
— dismissal on bringing into court amount due, with costs.....	6069
judgment, contents, direction as to sale	6059
transcript of judgment, to furnish sheriff	6060
entry of satisfaction of judgment..	6063
sale in separate tracts.....	6065
sale of whole of mortgaged premises	6071
purchase by mortgagee and privies..	6061

MINNESOTA STATUTES 1894

2336

MORTGAGES—MUNICIPAL CORPORATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MORTGAGES—Cont'd,		MORTGAGES—Cont'd,	
purchase by personal representative		recorded instrument defectively executed, etc	7564
of deceased mortgagee.....	4503	by foreign executor	7575
report of sale.....	6061, 6062	execution and acknowledgment outside of state; record, when...	7576, 7577
certificate of sale.....	6065	by husband as attorney for wife, Dakota and Ramsey excepted.....	7580
ordering resale.....	6062	foreclosure by foreign executors, etc.,	7588, 7589
final decree after expiration of period for redemption, form and effect....	6066	foreclosure where mortgage is to partnership in firm name.....	7590
execution for deficiency.....	6063	not entitled to record, or defectively recorded, and foreclosures thereof..	7592
disposition of surplus of sale.....	6067	certificate of sale on foreclosure by advertisement	7595-7602
application of proceeds on foreclosure for installments, etc.....	6065	order confirming sale.....	7603
surplus to be invested, when.....	6068	certificates of sale with but one witness	7604
interest of purchaser liable to attachment or execution.....	6065	certificates of sale under foreclosure by advertisement	7605
delivery of possession, order compelling	6072	certificate of sale, and record thereof; effect of record.....	7606, 7607
strict foreclosure; final decree, when to be rendered.....	6073		
foreclosure not to be called in question after 20 years.....	6055	MOTIONS,	
<i>redemption.</i>		(see "Practice.")	
how made.....	6065	defined	5225
by mortgagor or those claiming under him, time, amount to be paid, interest	6064	notice of	5226
by grantor or mortgagor, notice of intention, filing.....	6064	time and place of making and hearing	5227
certificate, acknowledgment and record, effect.....	6065	for judgment on pleadings.....	5227
where mortgagee is deceased.....	4503	to strike out.....	5248
<i>attorney's fees.</i>		to vacate or modify injunction.....	5349
schedule of amounts allowed.....	6074	on receiving verdict, for new trial, arrest of judgment, or to set aside verdict, etc.	5384
to be charged only when attorney is employed	6075	for new trial.....	5399
may be collected on foreclosure.....	6076	oaths and affidavits taken out of state used on arguments.....	5687
CURATIVE STATUTES.		MOUNTBANKS,	
with one subscribing witness.....		licensing in villages (par. 15).....	1224
7524, 7540, 7548,	7557	MOWER COUNTY,	
— right to record, effect of record..		boundaries	584
7525, 7526		MUNICIPAL CORPORATIONS,	
records and copies of records to be received as evidence. 7529, 7530, 7552, 7565, 7566, 7579, 7584		(see "Counties"; "Drainage and Drainage Districts"; "Towns"; "School Districts"; "Villages"; "Villages of Over Three Thousand Inhabitants.")	
no subscribing witnesses.. 7534, 7549, 7578		application of statute regulating towns	1029
execution out of state according to law of other state	7535	organization	1045
without seal, record.....	7545, 7567	division into wards.....	1048
effect of record as evidence.....	7551	corporate name	1049
defective attestation	7553, 7570	effect of including villages or boroughs within boundaries.....	1045
partnership in firm name, foreclosure under power of attorney by married women	7558	consolidation of municipalities, unfinished business	1506, 1507
defective execution in other states ...	7559		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MUNICIPAL CORPORATIONS.

2337

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residu in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd,		MUNICIPAL CORPORATIONS—C't'd,	
annexation of villages, transfer of		regulation of places for bathing (par.	
functions of officers.....	1423	7)	1085
— assessments	1424	regulations concerning animals (pars.	
mode of conducting general elections	1054	7, 8)	1085
election districts	1054	regulation of dogs (par. 9).....	1085
beginning of fiscal year.....	1066	with reference to hackmen, etc. (par.	
city printing	1079	11)	1085
appropriations	1087	with reference to lighting (par. 11)..	1085
what deemed public nuisances.....	1088	providing for water supply (par. 11)..	1085
remedies for nuisances.....	1088	construct public pound (par. 11)....	1085
charging railroad companies for use		providing for hospitals (par. 12)....	1085
of bridge (par. 2).....	1094	health regulations (pars. 12, 22, 30)..	1085
fines, enforcing payment.....	1190	in regard to foul matters, unsound	
— who to collect	1563	meats, etc. (par. 10).....	1085
— dispositions of	1074, 1465	regulations concerning bread (par. 13)	1085
disposition of revenue from public		regulations concerning firearms and	
hall	1436	fireworks (par. 15).....	1085
armories for national guards.....	1764	to prevent drunkenness and disorderly	
when poor persons to be a charge on		conduct (par. 16).....	1085
partition fences	2078	regulation of runners and soliciting	
ordinance for protection of labor,		agents (par. 17).....	1085
duties of factory inspector.....	2259	regulation of butcher shops (par. 19)	1085
rights as stockholder.....	1447, 2777	regulating sale of hay, fuel, and lime	
necessity of giving bond on appeals,		(par. 20).....	1085
etc.	7989	regulation of public auctions (par. 23)	1085
enforcement of act with regard to		with reference to police and watch-	
getting on or off of moving cars...	6859	men (par. 24).....	1085
criminal liability of person keeping		regulation of weights and measures	
explosives	6457	(par. 25).....	1085
conversion or wrongful disposal of		inspection of foods and liquors (par.	
property of, punishment	6422	26)	1085
destruction of grasshoppers.....	7884-7890	inspectors, measurers, weighers, and	
(see "Grasshoppers.")		gaugers (par. 26).....	1085
GOVERNMENT AND POWERS—POWERS OF		to punish vagrants (par. 31).....	1085
COMMON COUNCIL.		— violation of ordinances (par. 32)	1085
powers	1045, 1085	regulations relating to streets (par. 7)	1085
proclamation by mayor closing sa-		to abate obstruction of streets or pub-	
loons on election day.....	23	lic grounds (pars. 6, 29).....	1085
to acquire and convey property.....	1192	with regard to trees in streets (par.	
acquisition of property of corporations		27)	1085
serving public use	2592	compelling removal of objectionable	
sell market property	1193	matter from streets and premises	
purchase of waterworks.....	1095	(par. 21).....	1085
construction of waterworks.....	2622	regulations concerning sidewalks (par.	
erect public hall.....	1436	14)	1085
maintain peace, etc....	1082, 1085 (par. 3)	assignment of locality for pursuing	
establishment of city prison.....	1085	certain trades	1489
disorderly houses (par. 3).....	1085	— revocation	1491, 1494
markets (par. 5).....	1085	building regulations and fire limits...	1173
— establishment and regulation of		supervision of savings bank.....	2577
(par. 18)	1085	<i>gambling, liquor selling, etc.</i>	
nuisances (pars. 4, 28).....	1085	gambling and liquor selling (par. 2)..	1085
slaughterhouses (par. 5).....	1085	application of High License Act 1887,	
regulating sale and storage of gun-		c. 6.....	2030
powder, etc. (par. 5).....	1085		

MINNESOTA STATUTES 1894

2338

MUNICIPAL CORPORATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd,		MUNICIPAL CORPORATIONS—C't'd,	
destruction of gambling implements		effect of regulations of state board..	1475
(par. 3).....	1085	duty to carry out regulations of state	
regulation of breweries and distil-		board	1478
leries (par. 5).....	1085	appeal from orders of state board....	434
<i>licenses.</i>		enforcement of regulations of state	
power to grant	1085	board	1495
of ferries	1933	joint action by two or more boards...	1487
sale of home products.....	8046	<i>powers and duties with regard to animals,</i>	
		contagious or infectious diseases	
ORDINANCES, RESOLUTIONS, AND BY-		among animals.....	1466, 1470
LAWS.		killing of animals to prevent diseases	1467
enactment	1063, 1087, 1090	— appraisalment and payment of	
resolution concerning proposed im-		value	1468, 1482
provements, how enacted	1120	establishment of quarantine.....	1469
— approval by mayor.....	1120	penalty for violating regulations con-	
style of ordinances	1083	cerning animals	1472
publishing and posting ...	1087, 1090, 1109	duty to inform board of health con-	
recording	1087, 1090	cerning diseases	1473
proof of	1087	— to notify state board.....	1477
— publication	1079, 1090	payment of expenses incurred in pre-	
effect of	1085	venting diseases	1466, 1479
admissible in evidence	5719	POLICE DEPARTMENT—SERVICE OF CRIM-	
procedure for violation	1189	INAL PROCESS.	
— pleading	5252	power of common council (par. 24)...	1085
power to punish violation (par. 32)..	1085	chief of police, appointment and du-	
		ties	1070
HEALTH.		powers and duties of police officers	
(see "Health.")		and watchmen.....	1070
health regulations	1085	process in criminal cases, who to serve	1071
pollution of sources of water supply		arrest by policemen outside of coun-	
forbidden	430	ty, compensation.....	1071
— proceedings in case of.....	431	FIRES AND FIRE DEPARTMENT.	
duty to collect vital statistics.....	436	powers with reference to preventing	
duties and compensation of health		and extinguishing fires.....	1173, 1174
officer	439	building regulations and fire limits...	1173
payment for collecting vital statistics		fire department, certificate relating	
— certificate of amount due	442	thereto filed with insurance commis-	
<i>boards of health.</i>		sioner	3216
municipalities to have boards of health	1459	— right to tax paid by fire insurance	
powers and meetings of	1459	companies	3216-3222
composition of	1460	privileges accorded members of fire	
election and term of office.....	1462	company	1175
duties of members.....	1461	power of common council with refer-	
duties with regard to contagious or in-		ence to fire apparatus and fire com-	
fectious diseases.....	1463, 1464	panies	1175
powers with reference to occupations		appointment of officers of fire depart-	
or trades constituting a nuisance or		ment	1176
injurious to health.....	1489-1491	summary arrests at fires.....	1177
— powers of state board of health..	1495	PUBLIC LIBRARIES AND READING ROOMS.	
punishment for violation of regula-		<i>public libraries.</i>	
tions	1464	establishment of.....	1425
recording and publishing regulations..	1471	use by nonresidents.....	1425
penalty for neglecting duty.....	1474	appointment of directors.....	1426, 1427
appeal from orders of, to district court	1492		
duty to report to state board.....	435		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MUNICIPAL CORPORATIONS.

2339

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd,		MUNICIPAL CORPORATIONS—C't'd,	
term of office of directors.....	1427	vacation of street within, or near, boulevard	1113
removal of directors.....	1427	— petition for.....	1114
filling vacancies in board of directors.	1428	SIDEWALKS—CONSTRUCTION OR REPAIR.	
compensation of directors.....	1428	regulations concerning (par. 14).....	1085
powers and duties of directors.....	1429	construction or repair at expense of abutting owner.....	1180, 1181
authority of treasurer to pay out library fund.....	1429	compelling abutting owners to main- tain	1179
rules and regulations governing use of	1430	assessments for	1180
right to free use of.....	1430	— collection of	1182
report of directors to council.....	1431	prescribing width and material.....	1183
imposing penalties for injuries to....	1432	PUBLIC OR LOCAL IMPROVEMENTS.	
donations for.....	1433	reimbursement of persons making ad- vances for	1086, 1172
transfer of private libraries.....	1434	proceedings with regard to local im- provements, evidence of validity...	1149
<i>reading rooms.</i>		— evidence of publication of notice	1157
power to establish.....	1434	— effect of change in office of treas- urer	1146
EMPLOYMENT BUREAU.		— penalty against officer for neglect of duty	1148
necessity of having license.....	1455	preliminary proceedings before order- ing work done	1120
granting license to.....	1456	notice of meeting to take action with regard to proposed improvement...	1120
bond given to obtain license....	1456, 1457	postponement of decision	1120
— liability on bond of.....	1458	duties of city engineer in regard to..	1120, 1122
effect of license by municipality.....	1457	preliminary plans and specifications	1120
ROADS AND STREETS AND OTHER PUBLIC PLACES.		opportunity to present arguments for or against	1120
control by common council.....	1106	resolution concerning proposed im- provement	1120
control of parks.....	1106	duty of city recorder	1120
laying out, altering, or discontinuing roads, application of statute relating to towns.....	1837	duties of city clerk	1120
road on line between towns, location, alteration, etc.....	1829-1831	when work done by city.....	1120
regulations relating to (pars. 7, 21, 27)	1085	acceptance of act relating to local im- provements	1160
power to prevent obstruction (pars. 6, 29)	1085	— option of city.....	1160
powers with reference to laying gas and water pipes.....	1185, 1186	— effect	1161, 1162
establishment of grade of street....	1178	effect of annexing one municipality to another	1506
right of corporation to occupy streets	2592	<i>assessments for local improvements.</i>	
occupation of streets by water-power companies	2618	power to make	1116, 1117, 1558
— by railroad companies.....	2642	what may be included in assessment for street paving	1118
power of council to open, vacate, and alter	1107	method of making.....	1119
laying out or widening streets, etc...	1108	city engineer to assess cost.....	1122
<i>vacating streets and public grounds.</i>		assessment filed with city clerk or re- corder	1123
power of council.....	1107	meeting of council to consider assess- ments	1123, 1124
resolution to vacate.....	1109		
duties of city clerk.....	1107, 1109, 1115		
proceedings to vacate.....	1109		
— appeal to district court.....	1110		
attempted vacation ineffectual, fresh proceedings	1110		
record of proceedings.....	1115		
compensating city.....	1113		

MINNESOTA STATUTES 1894

2340

MUNICIPAL CORPORATIONS.

[Index

§§ 1 to 4821, Inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd,		MUNICIPAL CORPORATIONS—C't'd,	
meeting of council, notice of.....	1123	procedure under new warrants.....	1155
power of council with regard to assessments by city engineer.....	1124	manner of collecting from railroad company	1125
conclusiveness of decision of council assessment upon railway company...	1124	<i>sale to enforce assessments.</i>	
assessment set aside, new assessment	1125	order of sale	1135
effect of errors not causing substantial injury	1149	who to make.....	1136
effect of report of treasurer as evidence	1149	process	1136
duty of treasurer to certify payment of assessments	1159	notice of	1136, 1137
lien of	1129	certificates of sale	1139
interest on unpaid assessments.....	1130	time and place	1147
curative statutes	1505	purchase price	1139
improving streets before establishing grade	1163	redemption from	1139, 1142, 1150
annexation of villages.....	1424	— notice of expiration of time for..	1142
<i>contracts for improvements.</i>		payment by purchaser	1140
contracts for improvements.....	1121	when purchaser entitled to deed....	1142
letting contracts for.....	1120	executing deed to purchaser	1142
including more than one improvement in one contract.....	1118	effect of deed to purchaser	1145
mayor to sign.....	1121	when resale had	1140
suspension of work, reletting contract	1150	duties of city treasurer	1141
<i>collection and enforcement of assessments.</i>		— on redemption from sale for assessments	1142
powers and duties of different city officers	1155	record of sale	1141
warrant for collection.....	1126	effect on lien of state for taxes	1142
warrants to be delivered to treasurer	1127	assignment of certificate of purchase	1143
proceedings to collect assessments... 1128, 1133		made by mistake, remedy	1144
— notice given by treasurer.....	1128	reimbursement of purchaser ...	1144, 1145
— papers filed with clerk of district court	1132	grounds for holding sale invalid	1145
duties of city treasurer.....	1128-1132	new sale	1145
report of unpaid assessments to district court	1131	to set aside, effect as payment of assessment	1145
application for judgment on assessment	1131	certificate of sale, effect as evidence..	1149
— notice of application	1131	when purchaser entitled to deed	1150
— duties of district court.....	1134	lien of purchaser	1150
— procedure	1134	liability for interest	1150-1152
— objections	1134	sale to city	1140
— manner of conducting hearing... 1134		— resale by city	1151
— declaring decision as to part of owners	1130	— assignment of certificate of sale	1153
— decision postponed as to part of owners	1134	<i>reassessments.</i>	
judgment on assessments	1134	new assessments.....	1154, 1158, 1164
demand for payment	1131	manner of collection	1154
costs of enforcing	1135	procedure	1165
use of letters and figures.....	1138	notice of application for appraisers ..	1166
when new warrants issued.....	1155	appointment of appraisers.....	1167
		oath taken by appraisers.....	1167
		assessment roll.....	1168
		when question of benefits res judicata	1168
		notice of meeting to make assessment	1168
		duties of appraisers.....	1168
		notice of application for confirmation of assessment.....	1169
		hearing of application for confirmation	1170
		objections to confirmation.....	1170
		effect of decision of appraisers.....	1170

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MUNICIPAL CORPORATIONS.

2341

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd.		MUNICIPAL CORPORATIONS—C't'd.	
decision upon application for confirmation	1170	power to borrow money and issue bonds	1090
lien	1170	limitation of indebtedness.....	1090, 1092, 1095, 1096, 1441, 1639, 2771
how enforced.....	1170	contracts made in violation of restriction on indebtedness.....	1639
appeal to supreme court.....	1171		
TAKING LAND FOR IMPROVEMENTS—		BONDS.	
POWER OF EMINENT DOMAIN AND CONDEMNATION PROCEEDINGS.		power to issue	1090, 1092, 1095, 1096, 1100, 1441
power of eminent domain.....	2620	— water and light bonds.....	1091, 1094 (par. 3)
condemnation of property for water-works	2620-2632	— permanent improvement bonds (par. 1).....	1093
disposition of buildings on lands taken (par. 10).....	1107	— bridge bonds (par. 2).....	1094
damages for taking (pars. 4-6, 11)....	1107	— city hospital bonds (par. 3).....	1094
payment of damages for (par. 9)....	1107	— general fund bonds (par. 4).....	1094
necessity of paying damages before taking (par. 9).....	1107	— for erection of public buildings..	1435
<i>condemnation proceedings.</i>		— necessity of obtaining consent of voters	1092, 1095, 1096
duties of common council.....	1107	election on question of issuing bonds 1092, 1095, 1096, 1100, 1435	2221-2224
duties of city clerk... 1107 (pars. 1, 8),	1115	refunding bonds	2221-2224
appointment of commissioners (par. 1)	1107	execution of bonds	1439, 2223
liability of commissioner for refusal to attend meetings (par. 1).....	1107	duties of recorder with regard to...	1066
oath taken by commissioners (par. 2)	1107	provisions of	1437
notice of meeting of commissioners (par. 3).....	1107	regulations as to provisions, execution, and sale of.....	1093
survey and plat to be made (par. 3)..	1107	city clerk or recorder to attest.....	1439
view of premises, and hearing by commissioners (par. 4).....	1107	mayor to sign.....	1093, 1439
assessment of damages by commissioners (par. 4).....	1107	comptroller to countersign.....	1093
report by commissioners to council (par. 7).....	1107	record of bonds issued	1439
removal of buildings from lands taken (pars. 8, 10).....	1107	not to be sold below par.....	1440
power of common council over report of commissioners (par. 8).....	1107	disposition of proceeds of	1095, 1096
when guardian appointed for owner (par. 11)	1107	right to pay before maturity.....	2223
appeal from award to district court (par. 12)	1107	provisions for payment of.....	1436, 1438
conclusiveness of judgment of court on appeal from award (par. 12)....	1107	taxation to pay.....	1090, 1438
record of proceedings.....	1115	binding force of municipal bonds....	1096
CONTRACTS—LIMITATION ON POWER TO CONTRACT DEBTS.		bonds unlawfully issued, effect.....	1095
requisites of contracts of.....	1067	bonds issued in excess of limited indebtedness	1095, 1096
duties of city recorder.....	1067	acceptance of statute relating to issuance of.....	1097
signing of deed, by clerk or recorder	1142	— option of city.....	1097
— by mayor.....	1142	— effect	1097
letting contract for city printing....	1079	<i>municipal aid bonds.</i>	
for lighting streets.....	1184	execution	1450, 2780
power to incur debts.....	1099	registry	1692, 1693
		liability of state.....	1695
		nature of liability on.....	1448, 2778
		taxation to pay.....	1448, 1694, 2778
		redemption of interest coupons.....	1696
		<i>curative statute.</i>	
		bonds issued after approval of electors	7632

MINNESOTA STATUTES 1894

2342

MUNICIPAL CORPORATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
MUNICIPAL CORPORATIONS—C't'd,	
bonds issued under special laws.....	7633, 7633a
soldiers' bounty bonds.....	7634, 7636
GRANTING AID TO RAILROADS, CANAL COMPANIES, ETC.—ISSUING BONDS AND TAKING STOCK.	
nature of liability on aid bonds..	1448, 2778
rights of municipality as stockholder	1447, 2777
<i>aiding canal or waterway companies.</i>	
power to aid.....	1441, 1451
issuing bonds and taking stock.....	1442, 1443, 1445, 1453
taxation in order to aid.....	1453
duty to act upon request for municipal aid	1454
proposition submitted to obtain municipal aid.....	1444
method of arriving at agreement to furnish aid.....	1445
submitting question to voters.....	1445 (par. 1), 1454
— who to pay expenses (par. 1)....	1445
— count, return, and canvass of votes (par. 2).....	1445
— when second election had (par. 3)	1445
when agreement deemed to be perfected (par. 4).....	1445
when bonds to be issued (par. 4)....	1445
effect of affirmative vote on question of furnishing.....	1454
conditions precedent to issuing bonds	1446
time of earning aid.....	1452
taxation to pay aid bonds.....	1448
liability of city officers for neglect of duty	1449
“proper officers” to carry out provisions of act.....	1450
<i>aiding railroad companies.</i>	
power to aid.....	2771, 2781
form of aid granted.....	2772, 2782
subscribing to stock.....	2783
taking stock in consideration of bonds issued	2772, 2773
taxation to pay subscription to stock..	2783
necessity of mutual agreement.....	2773
how agreement arrived at.....	2775
application for aid.....	2774
— duty of municipality to act on... 2784	2784
submission of question to voters..	2775, 2784
— notice and ballots.....	2775
— count, return, and canvass of votes	2775
— second election.....	2775

	Sec.
MUNICIPAL CORPORATIONS—C't'd,	
— payment of expenses.....	2775
effect of affirmative vote (par. 4)....	2775
when obligation to issue bonds accrues	2773, 2774, 2784
completion of road as condition precedent	2776, 2783
time allowed to earn aid.....	2782
waiver of right to take stock (par. 4)..	2775
taxation to pay aid bonds.....	2778
proper officers to carry out provisions of act	2780
liability of city officers for neglect of duty	2779
granting lands to company	2680
rights acquired by granting aid, change of route	2750
forfeiture by abandonment of road..	2757
SUBMISSION OF QUESTIONS TO VOTERS.	
question of issuing bonds.....	1092, 1095, 1096, 1109
granting municipal aid	1445, 2775, 2784
of establishing public library.....	1425
TAXATION.	
property of city exempt from taxation	1192, 1512
levy of taxes.....	1557
special taxes and assessments.....	1067
power to levy taxes.....	1098
— to pay bonds and other indebtedness	1100
for current expenses and public improvements	1098
special taxes for public improvements	1099
power to apportion special taxes for improvements between wards	1099
levy to pay bonds.....	1090
to pay municipal aid bonds.....	1694, 2773
levy to pay judgment.....	1500
levy of poll tax.....	1105
manner of levying taxes.....	1101
power of officers appointed to levy... 1504	1504
who to act as board of review of assessments	1547
taxes levied in excess of amount required	1101
— disposition of surplus.....	1101
collection of taxes	1102
collection of poll tax	1195
CLAIMS AGAINST—AUTHORITY FOR DISBURSEMENTS.	
authority for disbursements by treasurer	1103

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MUNICIPAL CORPORATIONS.

2343

§§ 1 to 4821, Inclusive, are comprised in vol. 1; the residue in vol. 2.

MUNICIPAL CORPORATIONS—C't'd,	Sec.	MUNICIPAL CORPORATIONS—C't'd,	Sec.
<i>claims against.</i>		— effect of general election law....	203
to be audited by city recorder.....	1067	special election	1057
presentation of false claims	6812	when new election ordered.....	1060
auditing and paying fraudulent		notice to officers of their election....	1050
claims	6421	appointment by council.....	1050, 1081
— punishment	6422	power of council to prescribe duties..	1081
		term of office.....	1050, 1059
ORDERS AND JUDGMENTS—PAYMENT		— of officer appointed by common	
AND ENFORCEMENT.		council or mayor.....	1081
limitation as to amount of orders is-		— not affected by general election	
sued upon city treasurer	1099	law	203
payment of city orders, cancellation..	1104	oath and bond.....	1061
power to forgive judgment in favor of		officers of the peace.....	1082
city	1188	appointment of city sealer (par. 25)...	1085
<i>judgment against.</i>		vacancy in offices, how filled.....	1052
provisions for payment	1499	matters creating vacancies.....	1058
enforcement of	1502	vacancies filled by common council..	1058
execution on	1499, 1501	rights and liabilities of appointee to	
taxation to pay	1500, 1503	vacancy	1052
officer appointed to levy tax to pay..	1503	duty of officers to deliver books, etc.,	
— powers	1504	to successor	1080
		powers and duties of council with	
MUTILATED OR LOST BONDS, ORDERS,		regard to accounts and delinquent	
OR WARRANTS.		officers	1089
duplicates	2225-2227	removal of officers.....	1051
affidavit and bond given before ob-		— by council for misconduct....	1089
taining duplicate.....	2228	liability on official bond.....	1148
record of duplicates	2229	— of officers making contracts in	
		violation of restriction on indebted-	
ACTIONS—SERVICE OF NOTICES, ETC.		ness	1639
competency of citizen to act as judge,		when officers deemed to have partici-	
juror, etc.....	1191	pated in making unlawful contracts	1639
notice of pendency of action against	1498		
service of notice on.....	1498	<i>compensation.</i>	
service of process on.....	1049, 1498	power to fix.....	1081
appointment of counsel to defend ac-		of aldermen	1081
tion	1498	of mayor	1081
payment of counsel fees for defending		of city surveyor.....	1078
action	1504	<i>mayor.</i>	
action for neglect of duty by railroad		election and term of office.....	1050
company concerning highway cross-		powers and duties	1062
ings	2690	— with reference to ordinances and	
limitation of actions.....	5155	resolutions	1063
		to act as officer of the peace.....	1082
OFFICERS.		appointment of directors of library..	1420
general provision	1050	power in proceedings to collect as-	
election of	1053, 1055	essments	1155
— first election	1046	proclamation closing saloon on elec-	
— time and place of holding.....	1047	tion day	23
— notice of	1047	power to administer oath.....	1064
— time of keeping polls open.....	1047	absence of, who to take place of....	1064
— votes required to elect.....	1053	compensation	1081
— determination of tie vote.....	1053	<i>common council.</i>	
— who entitled to vote.....	1054	constitution of	1083
— count, canvass, and return of		what constitutes quorum.....	1083
votes	1056		

MINNESOTA STATUTES 1894

2344

MUNICIPAL CORPORATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL CORPORATIONS—C't'd,		MUNICIPAL CORPORATIONS—C't'd,	
to pass upon right of membership..	1084	when to prosecute proceedings with	
meetings of	1084	regard to local improvements.....	1146
power over its members.....	1084	powers in proceedings to collect as-	
officers of	1061	sessments	1155
— powers and duties	1064	not to be interested in contracts of	
powers of president of council.....	1064	city	1067
powers in general.....	1085	oath of city officers filed with.....	1061
control over public places and streets.	1106	to act as officer of the peace.....	1082
power to open, vacate, and alter		<i>city clerk.</i>	
streets and public places.....	1107, 1109	duties in eminent domain proceedings	
powers in protecting city against fire.	1173	(pars. 1, 8).....	1107
powers with reference to fire appa-		duties in proceedings by city to take	
ratus and fire companies.....	1175	land or vacate streets.....	1115
power to appoint officers.....	1050, 1081	duty with regard to local improve-	
to elect city attorney.....	1068	ments	1120
appointment of inspectors, measurers,		when to prosecute proceedings with	
weighers, and gaugers (par. 26)....	1085	reference to public improvements..	1146
appointment of officers of fire depart-		power in proceedings to collect assess-	
ment	1176	ments	1155
filling vacancy in city offices....	1052, 1058	bond of keeper of employment bureau	
when to fill vacancies in office of coun-		filed with.....	1457
ty commissioner.....	670	report in eminent domain proceed-	
power to remove officers.....	1051	ings filed with (par. 7).....	1107
to approve bond of city officers.....	1061	filing execution with.....	5452
— of street commissioner.....	1072	duties with regard to levy of execu-	
report to, by city recorder.....	1066	tion	5453
to determine disputes as to election		power to administer oaths and take	
expenses	163	acknowledgments	5639
powers and duties with regard to oth-		<i>city treasurer.</i>	
er officers.....	1081, 1089	election and term of office.....	1050
— power to fix compensation.....	1081	to give bond.....	1061
duties with regard to letting contract		city recorder to examine books and	
for city printing.....	1079	accounts of	1067
contracts for lighting.....	1184	duties	1069
duties in eminent domain proceedings	1107	powers and duties in proceedings to	
power to rescind action.....	1187	collect assessments..1128, 1131, 1141,	1155
compensation of aldermen.....	1081	effect of change in office of.....	1146
<i>city attorney.</i>		authority for paying out money.....	1145
election and powers.....	1068	authority to pay out library fund....	1429
duties of.....	1068	liability for neglect of duties.....	1148
<i>city marshal.</i>		— for failure to pay judgment	
to give bond.....	1061	against city	1499
<i>city recorder.</i>		<i>city assessor.</i>	
place of keeping office.....	1065	election and duties of.....	1073
powers and duties.....	1065-1067	term of office	1073
duties with regard to contracts.....	1067	<i>city surveyor.</i>	
report to common council.....	1066	election and duties of.....	1078
papers and accounts of city treasurer		eligibility to office of.....	1078
to be examined by.....	1067	where office kept.....	1078
audit of claims against city.....	1067	establishment of street grade and fil-	
duties with regard to local improve-		ing profile thereof	1178
ments	1120	survey of streets, etc., filed with....	1108
to attest contracts.....	1121	ownership and custody of surveys,	
		etc., made by	1078

MINNESOTA STATUTES 1894

Vols. 1 & 2]

MUNICIPAL CORPORATIONS—MUNICIPAL COURTS.

2345

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
MUNICIPAL CORPORATIONS—C't'd,	
to deliver over papers of office to successor	1078
compensation	1078
<i>city engineer.</i>	
duties in regard to local improvements	1120, 1122
<i>street commissioners.</i>	
election of	1072
bond	1072
term of office and duties of.....	1072
powers and duties.....	1195
<i>city justices.</i>	
term of office	1050
jurisdiction and powers	1074, 1076, 1077, 4955
duties	1075, 1076
powers and duties with regard to partition fences	2078
to act as officer of the peace.....	1082
proceedings before	1074
taxation of costs by.....	1077
compensation	1075
<i>city printer.</i>	
how chosen.....	1079
MUNICIPAL COURTS,	
venue in civil cases.....	5191
action for wages, change of venue... ..	5189
jurisdiction of violations of law relating to animals.....	6808
— of act with regard to trespassers on moving cars.....	6858
IN VILLAGES.	
establishment	1357
limits of jurisdiction.....	1358
powers to carry jurisdiction into effect	1359
rules	1365
prosecutions by village and county attorney	1370
terms	1374
term calendar.....	1375
civil actions, how commenced and conducted	1376
time to serve notice, pleadings, motions, etc.....	1377
transfer of certain actions to district court	1378
attachment, replevin, garnishment..	1379
depositions	1380
tenders	1381
stays of execution.....	1382
confession of judgment.....	1383

	Sec.
MUNICIPAL CORPORATIONS—C't'd,	
appeals from justice courts.....	1384
action for forcible entry and detainer, certifying cause to district court where title involved.....	1385-1387
— stay of judgment on transfer to district court.....	1388
process	1389
summons and subpoenas, by whom served, time of service.....	1390
criminal proceedings, examination of offenders charged with indictable offenses	1391
— complaint, warrants, and process; pleas.....	1391
costs	1392, 1394
disbursements	1393
clerk's and officers' fees.....	1395
trial by jury.....	1396
method of drawing jury.....	1397
fees of juror, advancement by party demanding	1398
appeals to supreme court.....	1399
transcript of judgment filed in district court, lien.....	1400
duty of sheriff to serve process.....	1401
police officers to serve process.....	1402
appointment of police officers and bailiffs	1403
fees of police and bailiffs, accounting; penalty for failure.....	1404
village judge to act as court.....	1407
annexed to city.....	1408
<i>judge.</i>	
term of office.....	1360
election	1361
vacancy, how filled.....	1362
qualification, oath.....	1363
powers and duties.....	1364
salaries	1406
may practice law in other courts....	1407
<i>clerk.</i>	
oath, bond.....	1366
deputy, appointment and removal, oath and bond.....	1367
duties of clerk.....	1368
to procure books, blanks, etc.....	1369
deputy to act as bailiff.....	1405
fees	1395
salary	1406
<i>stenographer.</i>	
appointment and duties.....	1371
oaths and duties.....	1372
fees	1373

MINNESOTA STATUTES 1894

2346

MUNICIPAL COURTS—NEGOTIABLE INSTRUMENTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
MUNICIPAL COURTS—Cont'd,			
CITY JUSTICES.			
term of office.....	1050	MURRAY COUNTY,	
proceedings before.....	1074	boundaries	585
powers and duties.....	1074-1076	abatement of taxes on railroad lands	1651
jurisdiction	1077, 4955	MUSEUM,	
taxation of costs by.....	1077	malicious injury to articles in.....	6787
powers and duties with regard to partition fences.....	2078	MUTUAL BENEFIT INSURANCE...	3296-3316
MURDER,		(see "Insurance Companies.")	
(see "Homicide.")		MUTUAL BUILDING AND LOAN ASSOCIATIONS	2895-2902
		(see "Building and Loan Associations.")	

N.

NAME,		NATIONAL GUARD	1714-1774
action against unknown defendant... 4964, 5268		(see "Militia.")	
corporate name.....	1049, 2794, 3048	NATURAL HISTORY,	
effect of misnomer.....	2588	collections for scientific purposes....	2184
of asylum for deaf, dumb, and blind..	3437	NATURAL HISTORY SURVEY,	
of banks.....	2524	duty of regents of state university...	3928
of hospitals for the insane.....	3448	scope of	3934
of savings banks, change.....	2585	printing and publication of report...	3939-3944
of soldiers' home.....	3604	distribution of reports of.....	3942
of towns.....	916	commissioners appointed to publish report, compensation	3944
— when changed.....	919	moneys available to pay expenses....	3948, 3949
CHANGE.		appropriation for	3955
jurisdiction of district court exclusive applicant how to proceed, witnesses..	8025 8026	NAVIGABLE WATERS,	
application, contents.....	8027	buoys or beacons established by United States, criminal liability for removing or mooring to.....	6778
proof, interest in land, decree.....	8028	punishment for injuries to lighthouses or lights on.....	6776, 6777
false statement, misdemeanor.....	8029	NAVIGATION,	
granting application, certificate.....	8030	impeding by private fish pond.....	2135
name of town.....	919	inspection of steam vessels.....	480-494
name of savings bank.....	2585	NE EXEAT,	
NAPHTHA,		restraining debtor from leaving state	4242
regulations concerning sale of.....	453	issue by district court.....	4837
duty of inspector of illuminating oils storage of, when deemed public nuisance	454 1088	NEGLECT,	
NARCOTICS,		liability of carriers to passengers for injuries caused by drivers.....	1950
effect of use to be taught in schools..	3892-3896	in signing instruments, province of jury	2239
when administration of deemed assault (par. 2).....	6472	failure of railroad company to build fences	2693
NARROW-GAUGE RAILROADS,		in respect to fires, misdemeanor....	6630
width	2728	term defined	6842
NATIONAL BANKS,		of drainage districts.....	7786
taxation of stock.....	1532	NEGOTIABLE INSTRUMENTS,	
NATIONAL BUILDING AND LOAN ASSOCIATIONS,	2862-2868	acceptance to be in writing.....	2233
(see "Building and Loan Associations.")			

MINNESOTA STATUTES 1894

Vols. 1 & 2]

NEGOTIABLE INSTRUMENTS—NEW TRIAL.

2347

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

NEGOTIABLE INSTRUMENTS—C't'd,	Sec.	NEWSPAPERS,	Sec.
bonds of joint-stock company.....	2220	(see "Publication.")	
— corporate bonds.....	2220	designating official village paper	1308
— railroad bonds.....	2723	designation of, to publish list of de-	
days of grace.....	2237	linquent taxes	1581
— instruments payable on demand..	2238	service of process by publication ...	5205
debtor not liable to garnishment....	5312	fees for printing notices, etc	5581
demand notes, when dishonored....	2231	PUBLICATION OF VARIOUS MATTERS.	
— time of making demand in order		publication of laws and legal notices,	
to charge indorsers.....	2231	in what newspapers	7990
— liability of indorsers.....	2232	— in daily newspaper	7992
— days of grace.....	2238	— curative statute	7991
fraud in obtaining signature.....	2239	— what constitutes newspaper ...	7993, 7995, 7996
— trial of question of negligence of		— affidavit to be made before re-	
maker	2239	ceiving pay for publishing	7994
note for gambling debt, rights of bona		in probate proceedings.....	4719-4723
fide purchaser.....	6594	of annual statement of insurance	
note for patent right.....	8048	companies	3174
notes payable to maker's order....	2236	of copy of certificate of limited part-	
— to order of fictitious person....	2236	nership	2338
payable on Sundays, holidays, or Good		of notice of application for liquor	
Friday	2230	license	2021
— notice and protest.....	2230	of notices, statements, etc.....	5223
protest and notice thereof.....	2274	of proceedings of county commission-	
— evidence	2274, 2275	ers	671
— notes payable on Sunday or holi-		of report of judicial proceedings,	
day	2230	criminal contempt	6407
— power of notary.....	2271	of details of execution prohibited....	7412
protest of foreign bills, liability ac-		— violation, misdemeanor.....	7413
cruing	2234	affidavit of publication of notice, etc.,	
protest of inland bills, liability of		filing, admissibility in evidence...	5720-5723
drawer or indorser.....	2235	— affidavit of officer of historical	
usurious instruments, liability of payee		society, effect as evidence.....	5724
after transfer.....	2214	PUBLISHING MATTERS RELATING TO TAXA-	
— bona fide purchaser.....	2214	TION.	
warehouse receipts and bills of lading	7649	printing delinquent tax list....	1581, 1628
BONA FIDE PURCHASERS.		— effect of errors on right to com-	
of usurious instruments.....	2214	penetration	1629
of note given for gambling debt....	6594	matters relating to lands sold for	
ACTIONS.		taxes	1655
actions by assignee, set-off and coun-		— compensation	1656
terclaim	4994	NEW TRIAL,	
— defenses	5157	appeal from order granting or refus-	
parties defendant	5166	ing	6140
action on lost instrument, recovery,		bill of exceptions or case, how pre-	
bond	5736, 5737	pared and settled	5400
by corporation or partnership, evi-		for what causes granted.....	5398
dence of corporate existence, etc..	5761	in condemnation proceedings.....	2667
possession prima facie evidence of in-		in ejectment	5845
дорsement	5751	— for land taken by railroad.....	2662
indorsement, of payment, prima facie		motion, how made	5399
evidence	5752	— in village municipal courts.....	1377
NEW PROMISE,		power of supreme court to order....	6136
to take debt out of statute of limita-			
tions	5154		

MINNESOTA STATUTES 1894

2348

NEXT FRIEND—NORMAL SCHOOLS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
NEXT FRIEND,		NORMAL SCHOOLS,	
appointment in action by minors....	4972	normal training schools.....	3727-3733
NEXT OF KIN,		(see "Training Schools.")	
liability for debts of ancestor.....	5918, 5919, 5933	names and location.....	3833, 3834
liability for, and payment of, debts of ancestor	5934-5937	board of directors, appointment, etc.	3835-3837
— right to contribution on paying..	5920	— superintendent of public instruction to be secretary.....	3837
actions against, costs	5922	— members to take oath.....	3838
judgment against, discharge	5923	— powers.....	3839
NICOLLET COUNTY,		— to prescribe studies, to grant diplomas, visit schools, report to governor	3840
boundaries	586	contract for erection of building....	3839
NOBLES COUNTY,		appointment of teachers and fixing salary	3839
boundaries	587	limit of principal's salary.....	3839
NOMINATIONS FOR PUBLIC OFFICE,		diploma, effect as certificate of teacher	3840, 3841
(see "Elections and Voters.")		— indorsement	3841
by an assembly, certificate to be filed	36	— suspension of certificate by county or city superintendent, right of appeal	3842
certificate of	37	annual report of principals to state superintendent	3843
certificate, how authenticated	38	model school, limitation of number of teachers	3844
— of candidate nominated otherwise than by convention	40	tuition	3845
— to contain only one candidate..	41	treasurer, powers, accounts, bond....	3846
— containing more than one candidate invalid	43	— salary.....	3847, 3848
elector signing certificate for more than one candidate not to be counted as petitioner	44	institution treasurer, bond and duties of	7977
form of oath to be appended to certificate	42	expenses of board, warrants, how drawn	3850
new certificate, how executed.....	45	— to be repaid.....	3849
vacancy after nomination, how filled..	45	board not to exceed appropriation, penalty for violation.....	3852
death, removal, or resignation of candidate after printing ballots, use of pasters	46	saving of vested rights.....	3851, 3853
certificates for members of congress, etc.	47	appointment of teachers for teachers' institutes, salaries.....	3863
— to be filed with county auditor..	47	entitled to report of geological and natural history survey.....	3942, 3945
error or omission in certificate, how corrected	48	to be furnished geological specimens by state university.....	3956
time of filing certificates and inspection thereof, necessity of tendering fees	49	provisions for support of.....	4030
fees for placing names on official ballots, and division of fees among counties	50	setting apart swamp lands for..	4028, 4029
placing names on ballots after certificate has been presented, and schedule of fees.....	50	investment of proceeds of swamp lands	4030
NON COMPOS,		control of swamp lands set apart for..	4031
(see "Insane Persons.")		insurance of property.....	3639, 3640
NONRESIDENTS,		APPROPRIATION, DISBURSEMENTS, AND ACCOUNTS.	
insane nonresidents to be taken to place of domicile.....	3461	standing appropriation	3861, 3862
security for costs.....	5518-5520	— for school at Winona, how disbursed	3854, 3855

MINNESOTA STATUTES 1894

Vols. 1 & 2]

NORMAL SCHOOLS—NOTICE.

2349-

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
NORMAL SCHOOLS—Cont'd,		NOTARY PUBLIC—Cont'd,	
— for school at Mankato, how dis-		— effect of	2277
bursed	3856-3858	fees	5557
— for school at St. Cloud, how dis-		acts without seal, legalized.....	7555, 7581.
bursed	3859, 3860	NOTE OF ISSUE,	
— for school at Moorhead, how dis-		filing in village municipal courts.....	1377
bursed	3864	in Second district.....	4861
appropriation..	7964 (par. 7), 7974 (pars. 2, 5)	when to be given.....	5362
— for St. Cloud school (par. 14)....	7963	NOTES,	
— for Winona school (par. 8).....	7964	(see "Negotiable Instruments.")	
custody of funds of.....	7979	NOTICE,	
system of accounting.....	7975	amendment	5219
appointment of accounting officer and		before bringing action against sealer	2207
purchasing agents.....	7976	before granting injunction.....	5348
duties of accounting officer.....	7979	extension of time for filing or serving	5219
duties of state auditor with regard to		forbidding hunting on inclosed field..	2163
funds	7979	forbidding smoking, defacing notice	6876, 6877
documents, receipts, and vouchers		given by members of labor bureau... 2260-	
showing expenditures	7980, 7981	in proceedings to change county seat	647, 655.
documents showing expenditures sent		of acceptance of office by overseers of	
to state auditor.....	7981, 7983	highways and pound masters....	953
duties with regard to goods purchased		of action relating to land.....	5866
monthly expense lists.....	7982	of appeal.....	2612, 5068, 6134
drawing moneys from state treasury		— from orders of board of health..	1492
for expenditures	7984	— from probate to district court..	4668
approval of expense lists by state au-		— in criminal cases in justice's court	5112
ditor	7984	of assessment by co-operative life,	
disposition of surplus in any fund... 7985		etc., associations.....	3311
appropriation of miscellaneous re-		of assignment for benefit of creditors	4232
ceipts	7986	of bids for sale of village bonds....	1236
unexpended appropriations	7985	of claim of homestead.....	5529
NORMAN COUNTY,		of death or escape of insane convict..	3487
boundaries	588	of decision rendered out of term by	
transcript of records from Polk coun-		clerk of court.....	5388
ty	588	of dissolution of limited partnership	2350
appropriation out of state treasury..	7848	of distraint of trespassing animals..	2119
NOTARY PUBLIC,		of entry of lands under town-site act	4257
appointment by governor	2268	of examination of teachers.....	3744
fee for issuing commission to.....	2268	of holding adjourned and special	
oath and bond	2269	terms of court.....	4850
term of office	2269	of intention to change name of bank	2585
seals	2211	— to claim mechanic's lien.....	6242
seal of, and official register.....	2270	— to foreclose chattel mortgage....	4138
powers	2271	— to redeem from foreclosure sale..	6044, 6064
— on taking depositions.....	2276	— to sell mortgaged property.....	4143
— to take deposition.....	5045	of issuance of duplicate state war-	
— to take acknowledgment.....	5044	rants	334
certificate to acts of, by clerk of court	2272	of lien of state on timber cut.....	4013
record of commission of.....	2272	of mining claim.....	4066
punishment for misconduct.....	2273	of orders.....	5227
protest of bank notes.....	2495	of personal injuries to be given vil-	
protest of negotiable instruments,		lage	1422
and notice thereof	2274		
instrument of protest as evidence... 2275			
service of process issued by.....	2276		
removal from office.....	2277		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

NOTICE—NUISANCE.

2351

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

NOTICE—Cont'd,	Sec.
RELATING TO CONDEMNATION PROCEEDINGS AND ASSESSMENTS FOR LOCAL IMPROVEMENTS.	
of condemnation proceedings.....	2606, 2625, 4086, 4094, 4095
— of meeting of commissioners in (par. 3).....	1107
— of award in.....	2610, 2628
— of confirmation of assessment of damages in (par. 8).....	1107
— by villages.....	1240, 1325
of meeting to consider proposed improvements by city.....	1120
concerning assessments for local improvements	1131, 1168
— of application for appraisers....	1166
— of meeting of council to act on..	1123
— of application for confirmation of	1169
— in proceedings to collect.....	1128
— of sale to enforce assessments... 1137	
— in villages.....	1245, 1248, 1330, 1343
IN PROCEEDINGS TO ERECT DAMS.	
of meeting of commissioners....	2357, 2358
of filing of report of commissioners..	2300
RELATING TO TAXATION AND TAX SALES.	
to taxpayers.....	1564, 1580
— publication	1581
of tax sale.....	1591
of proceedings relating to redemption from tax sale.....	1604
to limit time for redemption from tax sale	1142, 1654, 1659
CONCERNING ELECTIONS.	
of election.....	314
posting of notices.....	51
of hour of time of closing polls.....	90
of election to change county seat....	649
of first election held in cities.....	1045
of city election.....	1060
of election to determine incorporation of villages, posting.....	1202
— publication	1203
of village election.....	1282, 1283, 1285
of election of officers in national guard	1721
— to change system of relieving poor of annual elections by trust companies	1985, 2347
of election of trustees of religious societies	3024, 3034
— of cemetery association.....	3100
of election contest.....	186, 188
— city or county election.....	190
— contest of county-seat election, etc.	195, 196

NOTICE—Cont'd,	Sec.
CONCERNING SALES.	
execution sale.....	5034, 5466
— in proceedings to enforce lien on logs	2458
partition sale.....	5791
sale of animals by pound master....	2118
sale of estray.....	2086
sale by executors and administrators or guardians.....	4599, 4600, 4606
— adjournment	4608
sale of state lands.....	4003
sale of unclaimed property.....	2093, 2096, 2104, 2109
sale under power contained in mortgage	6032, 6033
— postponement of sale	6035
CONCERNING DEPOSITIONS.	
of time and place of taking.....	5669
service of notice.....	5670-5672
waiver of notice	5673
of taking depositions out of state ...	5688
of deposition to perpetuate testimony,	5694, 5701
CONSTRUCTIVE NOTICE.	
records of deeds, etc., as notice.....	4187
effect of record of land-office receipt	5757
plat and survey of highway boundaries, effect of entry in reception index by register of deeds.....	1816
NOTICE OF TRIAL,	
service in village municipal courts... 1377	
in Second district	4861
when to be given, note of issue, placing cause on calendar	5362
NOXIOUS WEEDS,	
(see "Canada Thistles, Burdocks, and Wild Mustard.")	
NUISANCE,	
(see "Canada Thistles, Burdocks, and Wild Mustard"; "Health.")	
powers of local board of health.....	1480
abatement by board of health... 7050, 7051	
— expense to be borne by owner	974, 7051
— penalty for neglect	973
warrant for abatement on complaint of member of board of health	976
power of common council (par. 28)..	1085
— to abate (par. 4).....	1085
obstruction of streets or public grounds (par. 29)	1085
what deemed public nuisances.....	1088

MINNESOTA STATUTES 1894

2352

NUISANCE—OATH.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
NUISANCE—Cont'd,	
abatement in village.....	
1224 (par. 23), 1299 (pars. 4, 28, 29)	
— no bar to actions or proceedings at law	1303
trades or employments, private action for	1493
assignment of locality for pursuing certain trades, revocation	1494
remedies for	1497, 5881
obstructing passage of logs by booms and weirs, abatement, penalty.....	2387
defined	5881
“public nuisance” defined	6613
unequal damage to different persons, effect on question of nuisance.....	6614
maintenance a misdemeanor	6615
letting or permitting building to be used for	6616

	Sec.
NUISANCE—Cont'd,	
keeping explosives unlawfully, injuries to other persons.....	6617
depositing noisome or unwholesome substance, etc., in highway, water, etc.	6642
exposing person affected with contagious disease	6643
Canada thistles, burdocks, etc.	6896-6901
(see “Canada Thistles, Burdocks, and Wild Mustard.”)	
NUNCUPATIVE WILLS	4427
(see “Wills.”)	
probate	4445
NURSERYMEN,	
listing of property for taxation.....	1528
license on sale of home products....	8046

O.

OATH,	
meaning of term	255
when held to be an affirmation.....	1511
when includes affirmation	6372
of appraisers, in proceedings relating to trespassing animals.....	2115
— in assessment proceedings	1167
— of land to be sold by executors and guardians	4600
— of persons appointed to appraise public lands	3976
of commissioners, appointed to hear charges against officers.....	895, 909
— in condemnation proceedings....	2609, 2626, 4086
— appointed in proceedings to erect dam	2356
— in proceedings to acquire sites for schoolhouses.....	3656
of employes of cemetery associations of executor or administrator or guardian, license to sell land.....	4604
of guardian	4545
of jurors, in action before justice..	5012
— in coroner’s inquest	846
— determining insanity of person..	4681
of commissioner appointed in other states to take acknowledgments, etc.	5649
of arbitrators	5634, 6216
of witness, at coroner’s inquest.....	848
— before arbitrators	6228
— in proceedings to inquire into charges against officer	910

OATH—Cont'd,	
of deponent.....	5674
(see “Deposition.”)	
of witnesses to deposition.....	5689
— administration to suit witness..	5664
— according to his religion.....	5665
verification of pleadings	5245
verification of claims on assignment for benefit of creditors.....	4234
examination in supplementary proceedings	5490
verification of claims against county..	688
how administered	5640
forms of	5641
form of oath varied by religious scruples	5642
form administered to infidels	5643
taken out of state used on motions, certificate of clerk	5687
OF PUBLIC OFFICERS.	
officers required to be sworn.....	5634
<i>officers in relation to elections.</i>	
of judges and clerks of election.....	59
administered by judges of election at town meeting	936
for registration of voters in cities....	61
form of registration oath of absent electors	68
of voter when challenged.....	102, 103
— refusal to take	103
<i>of state officers.</i>	
necessity of oath	5634

MINNESOTA STATUTES 1894

Vols. 1 & 2]

OATH.

2353

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
OATH—Cont'd,	
of assistant secretary of state.....	306
of state treasurer	340
of state auditor	319
of state librarian	366
of clerk of the supreme court	374
of deputy clerk of the supreme court..	374
of railroad and warehouse commission- er (par. d)	387
of secretary of railroad and warehouse commission	397
of public examiner	410
of assistant public examiner	2532
of inspector of illuminating oils	448
of deputy inspector of oils	449
of inspectors of steam vessels and steam boilers	481
of state capitol commissioners	497
of state board of equalization	1555
of deputy examiners of property as- sessed for taxes	1635
of notary	2269
of reporter of the supreme court.....	2278
of surveyor general of logs.....	2394
— filing	2395
of peace officers of state agricultural society	2959
of trustees of insane hospital	3451
of superintendent of insane hospital..	3458
of officers of state reformatory	3588
of state superintendent of public in- struction	3718
of members of state normal school board	3838
of state park commissioners	4052
of officers of state prison	7456
of chief inspector of grain	7680
of deputy inspectors of grain	7682
of trustees of soldiers' home.....	3607
of appraisers of land occupied by state reform school	3538
of commissioners appointed to erect school building	3505
<i>of county officers.</i>	
necessity of oath	5634
of appraisers of county buildings on creation of new county.....	634
of county commissioners.....	664
of justices and constables.....	694
of county auditor	708, 712
of deputy county auditor.....	715
of county treasurer.....	723
of register of deeds.....	761
of deputy register of deeds.....	771
of sheriff.....	783

	Sec.
OATH—Cont'd,	
of county attorney.....	801, 816
of assistant county attorney.....	813
of judge of probate.....	818
of clerk of judge of probate.....	822
of court commissioners.....	825, 828
of county surveyor.....	829
of deputy county surveyor.....	831
of coroner.....	838
of deputy coroner.....	854
of clerk of district court.....	856
of deputy clerk of district court.....	860
of assessors.....	1538
of deputy assessors.....	1539
of county board of equalization.....	1552
of shorthand reporter of district court	4888
<i>of town officers.</i>	
necessity of oath.....	5634
in general.....	950
certificate to be filed.....	951
effect of failure to file.....	952
penalty for entry on duties before tak- ing	959
of constable.....	956
of justices of the peace, filing.....	957
of town clerk	984
of deputy town clerk.....	982
of town officer on delivery of records, etc., to successor.....	1025
<i>of city officers.</i>	
necessity of oath.....	5634
in general.....	1061
<i>of village officers.</i>	
necessity of oath.....	5634
in general.....	1219, 1234
of constables.....	1259
of justices of the peace.....	1259
of commissioners to condemn proper- ty for village use.....	1324
of judge of municipal court in villages over 3,000.....	1363
of clerk of municipal court.....	1366
of deputy clerk of municipal court...	1367
of stenographer of municipal court..	1372
POWER TO ADMINISTER.	
who may administer in the absence of other provisions	5635, 5636
judges, of supreme court.....	5635, 5636
— of district court.....	5635, 5636
— of probate court.....	5635, 5636
— of the municipal court....	5635, 5636
— of the court of common pleas...	5635, 5636
clerks of courts, of supreme court....	5636

MINNESOTA STATUTES 1894

2354

OATH—OFFICERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
OATH—Cont'd,		OBSCENE PUBLICATIONS, PICTURES, ETC.—Cont'd,	
clerk of courts, of district court.....	5636	sale, exposure, advertisement, etc.;	
— deputy clerk of district court to administer	859	penalty	6973
— of probate court.....	5636	search warrant for, destruction of property	6974
— of court of common pleas.....	5636	prosecutions, jurisdiction	6975
— of federal courts.....	5638	search warrant to seize.....	7081
justices of the peace.....	5635, 5636	OBSCENITY,	
notary	2271	(see "Obscene Language"; "Obscene Publications, Pictures, etc.")	
commissioners appointed to take acknowledgments in other states.....	5648	prevention in villages (par. 16).....	1299
state auditor.....	327	OBSTRUCTING JUSTICE,	
public examiner.....	419, 2579	resisting officers enforcing game laws	2183
presiding officers of legislature.....	5635	obstructing insurance commissioner in discharge of duty.....	3151
clerks of legislature.....	5635	resisting public officer.....	6329, 6396
officers of bureau of labor.....	472	combination to resist execution of process	6651
state board of corrections and charities	460	OBSTRUCTIONS,	
railroad commissioner (par. f).....	387	(see "Obstructing Justice.")	
secretaries of legislature.....	5635	of highways, penalty.....	1863
trustees of insane hospital.....	3497	— jurisdiction of justice.....	1864
state park commissioner.....	4055	— by railroad cars.....	1866-1868
drainage commissioners	7749	— draining ditches	1913
by attorney general on examination into condition of corporation.....	3436	OCCUPYING CLAIMANTS,	
assessor	1544	(see "Adverse Claims.")	
city recorder	1065	ODD FELLOW SOCIETIES,	
city clerks	5639	incorporation, general statutory provisions	2913-2928
mayor of city.....	1064	(see "Corporations.")	
president of city council.....	1064	— of subordinate lodges.....	2985
vice president of city council.....	1064	certificate of incorporation, contents, record	2986
town clerks	5639	powers of corporation.....	2987
village recorder.....	1264	corporate seal	2988
county auditor	5637	surrender of charter by subordinate lodges, disposition of party.....	2989
but not deputy county auditor.....	5637	exemption from general life insurance laws	3294
register of deeds.....	775, 5636	improper use of badges, emblems, etc.	6954
county surveyor	829	OFFER OF JUDGMENT,	
deputy county surveyor.....	831	proceedings, effect on costs.....	5405
county officers, verification of claims against county.....	688	OFFICERS,	
county commissioners.....	5636, 5639	for particular officers, see specific heads.	
commissioners appointed to examine into charges against officers.....	896	"vacancy in office" defined.....	18
commissioners in condemnation proceedings	2609	term of officer elected or appointed to fill vacancy	19, 902
appraisers to determine damages by trespassing animals	2115	vacancy occurring during recess of legislature, how filled.....	899
OBSCENE LANGUAGE,		effect of failure to qualify.....	392, 1538
use of, penalty.....	6940, 6972	appointment by governor during recess of legislature.....	990
OBSCENE PUBLICATIONS, PICTURES, ETC.,		— to fill vacancy, term of office....	901
possessing, selling, showing, etc., obscene books, prints, etc.; punishment	6571		
mailing, carrying, etc., obscene prints, etc.	6573		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

OFFICERS.

2355

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.
OFFICERS—Cont'd,	
— under game and fish laws, preference of union veterans.....	2194
to file notice of acceptance of office, effect of failure.....	953
oath of office.....	5634
(see "Oath.")	
— who may administer.....	5635
— form of oath.....	5641
communications to in official confidence, incompetent to testify (par. 5)	5662
right to impeach, etc., not affected by Penal Code	6348
effect of repeal of statutes by General Statutes of 1866, tenure of office preserved	7519
RESIGNATION, SUSPENSION AND REMOVAL.	
resignations	891
suspension, who to perform duties of office	902
power of governor to remove.....	893
appointment of commissioners to hear charges against.....	894, 907
oath of commissioner appointed to hear charges against.....	895
proceedings to remove, administering oath to witness.....	896
compensation of commissioners appointed to hear charges against.....	897, 898
drunkenness, cause for removal.....	903
removal for improper interest in contracts	3647
POWERS, DUTIES, AND LIABILITIES.	
duty to furnish information to commissioner of statistics.....	405
— make returns to public examiner	418
authority conferred on three or more persons, exercise by majority.....	5395
when justified in killing person.....	6460
right to use force in performing duties (par. 1).....	6477
COMPENSATION.	
(see "Compensation"; "Fees"; "Salaries.")	
compensation of one performing duties of suspended officer.....	902
to post table of fees.....	5583
taking illegal fees forbidden.....	5584
not to exact fees for services not actually performed.....	5585
to give account and receipt for fees, penalty for failure.....	5591
performing service for other officer, allowance of fees.....	5592

	Sec.
OFFICERS—Cont'd,	
ACTIONS AND PROCEEDINGS.	
venue of action against.....	5184
against persons usurping or forfeiting office	5963
— complainant to be joined as party with state.....	5965
— complaint, judgment.....	5966
— claimant to have possession of office, etc.....	5967
— all claimants may be joined in one action.....	5968
— judgment against usurper, fine..	5969
mandamus to, what purpose.....	5975
OFFICIAL BONDS.	
obligation of, and actions thereon....	5947-5955
(see "Bonds.")	
who may sue on bond.....	2530
OFFENSES.	
neglect of duty, punishment.....	6266, 6390, 6412
— duty required by liquor law, penalty	2028
acting as officer without qualifying, misdemeanor	6325
asking or receiving bribes, punishment, forfeiture of office, disqualification	6327
taking unlawful fees.....	6330
asking or receiving reward for omitting or delaying official act.....	6331
taking compensation for services not rendered	6332
misappropriation of property.....	6387
refusal to execute process, punishment	6390
resisting	6396
intimidating, punishment.....	6399
misappropriation, etc., and falsification of accounts.....	6663
willful disobedience of law regulating official conduct, punishment.....	6664
misappropriation by, and malfeasance of, county treasurer.....	6665
interest in contracts, misdemeanor...	6666
oppression, acts committed under color of office.....	6737
— by officer or person pretending to be such.....	6737
extortion by.....	6738
false personation of.....	6746
preference of soldiers, etc., in appointment	8041

MINNESOTA STATUTES 1894

2356

OFFICERS—ORDERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
OFFICERS—Cont'd,		OLEOMARGARINE—Cont'd,	
giving or offering bribes to, punishment	6326	analysis of suspected articles, certificate of analysis as evidence in prosecutions	6989
attempting to prevent officers from performing duty.....	6328	possession of, evidence of intent, seizure by state dairy commissioner, sale and disposition of proceeds....	6990
resisting officers.....	6329	"butter" defined.....	6991
offering reward for appointment to office	6333	imitation butter, penalty for making or selling.....	6995
asking or receiving reward for appointment to office.....	6334	adulteration, manufacture or sale of butter	6996, 6997
sale of right to exercise official authority, misdemeanor.....	6335	violation of law regulating jurisdiction of courts.....	7008
appointment avoided by conviction of asking or receiving reward for appointment or selling right to exercise official authority	6336	OLMSTEAD COUNTY,	
intrusion into public office, continuance in office after expiration of term	6337	boundaries	589
refusal to surrender concealed papers, etc., misdemeanor.....	6338	OMNIBUS DRIVERS,	
misconduct of officers drawing juror..	6353	licensing in villages (par. 12).....	1224
in charge of juries, misconduct.....	6354	OPERA-HOUSES,	
giving or offering bribe to public officer	6355	provisions with regard to doors of....	6860, 6861
bribing public officers, offender competent witness not liable to prosecution	6356	protection against fires.....	8006-8009
OFFICIAL BONDS,		OPIUM JOINTS,	
obligations of and actions thereon....	5947-5955	maintenance and resort thereto, misdemeanor	6950
(see "Bonds.")		OPPRESSION,	
OFFICIAL REPORTS,		acts committed under color of office..	6737
(see "Reports.")		ORCHARDS,	
OFFICIAL SEALS.....	2208-2211	criminal trespass.....	6781
(see "Seals.")		ORDERS,	
OILS,		of court (see "Appeal"; "Practice").	
(see "Inspection and Inspectors.")		of state or municipalities, duplicates..	2225-2229
storage of, when deemed public nuisance	1038	— bond and affidavit given to obtain duplicate	2228
OLEOMARGARINE,		of counties, payment, interest.....	755
making and selling without branding	6641	— deposit when redeemed, cancellation	756
penalty for failure to brand.....	6983	of town, authority to issue.....	1031
sale, evidence of knowledge of character	6984	— conditions of issue.....	1032
patent butter to be stamped, penalty for violation.....	6985	— to secure payment of damages for laying out road	1861
sale of patent butter, printed statement showing ingredients to be given	6986	— interest and sinking fund.....	1033
use by hotels, restaurant, and boarding houses, posting notice thereof, penalty for violation.....	6987	— refunding bonds	1030
must be colored pink, penalty for failure	6988	— authority to issue refunding bonds	1034, 1035
		— limit of issue and use of refunding bonds	1036
		— limitations as to negotiation of refunding bonds, interest and time of payment	1037
		— register	1038
		— interest on unpaid town orders..	995
		— order of paying town orders....	996
		power of village to issue.....	1231

MINNESOTA STATUTES 1894

Vols. 1 & 2]

ORDERS—PARENT AND CHILD.

2357

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ORDERS—Cont'd,		OVERSEERS OF HIGHWAYS,	
on municipal funds received for taxes	1500	(see "Highways.")	
of school districts	3688-3692	appointment and term of office	691
of school districts having no trustees,		election	928
proceedings for collection	3830	to file notice of acceptance of office,	
ORDINANCES,		effect of failure	953
(see "Municipal Corporations.")		duties	1777
powers and duties of mayor	1063	vacancy, how filled	1778
enactment	1063	appointee to vacancy, how notified	1779
style of	1083	penalty for neglect of duty	1780, 1788
publication admissible in evidence	5719	correction of lists of assessments of	
of villages	1224	road tax	1788
— enactment and effect	1267	notice to work out tax, commutation	1787
of villages of over 3,000, passage over		power to call upon persons to remove	
president's veto, indorsement by re-		obstructions and repair roads, re-	
corder	1236	ceipts for labor	1788
— copies, when evidence; pleading	1301	may require team, cart, or plow	1791
— enactment	1300	complaint against delinquent for neg-	
— enactment by council, force and		lect of road duty	1794
effect	1299	compensation	1798
imprisonment at hard labor for viola-		to deliver road-tax list and certificate	
tion	1307	of payment of taxes to town clerk	1799
pleading in proceedings for violation	5252	fine for neglect to deliver	1800
ORGANIC ACT,		to render account, contents	1803
for index to act, see vol. 1, p. xxi.		to pay to supervisors unexpended	
ORPHAN ASYLUMS,		money	1804
appointment as guardian, when not to		penalty for neglect to account for or	
give bond	2929	pay over unexpended money	1805
guardianship of destitute minor with		affidavit of necessity of draining high-	
consent of parents, power of minor		ways	1907
of 14 years to choose guardian	2930	OVERSEERS OF POOR,	
powers as parents and guardian, ap-		appointment and removal	1957
prenticing child	2931	bond, action thereon	1958
commitment of child to	6543, 8013	powers and duties	1959
OTTERTAIL COUNTY,		to receive poor persons, when	1961
boundaries	590	under town system to receive poor	
additional territory	590	persons and discharge same	1978
compensation of commissioners	665	OWELTY,	
allowance to county auditor for clerk		of partition	5810
hire	720	provision for, on partition of dece-	
treasurer, compensation	758	dent's estate	4655, 4656

P.

PAGES,		PARDON—Cont'd,	
of legislature, appointment and com-		return to warrant, copy to be filed	
pensation	223, 224	with clerk of court	7416
PAPERS,		effect	4791
(see "Documents"; "Evidence"; "Pro-		PARENT AND CHILD,	
duction of Books and Papers.")		(see "Bastardy"; "Children"; "Cru-	
PARDON,		elty to Children"; "Guardian";	
governor may grant, when; condi-		"Infants.")	
tions; issue of warrant	7415		

MINNESOTA STATUTES 1894

2358

PARENT AND CHILD—PARTIES.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.	
PARENT AND CHILD—Cont'd,		
adoption of child.....	8016-8024	
(see "Adoption.")		
liability for support of poor parent or child	1951, 1952	
right of parent to wages of child....	2247	
powers of orphan asylum	2931	
effect of order for admitting child to state public school	3514	
how to bind children as apprentices..	4751	
power to sell services of children....	4767	
children legitimized by marriage....	4784	
right to sue for seduction.....	5163	
— injuries to child	5164	
substituting one child for another....	6411	
use of force in correcting child (par. 4)	6477	
abandonment under 10 years, misdemeanor	6535	
omitting to provide for child.....	6536	
endangering life, health, or morals of child	6536	
permitting child to frequent gambling houses, etc.....	6538	
prohibition of certain employments for children	6539	
cruelty to children	6540	
(see "Cruelty to Children.")		
concealing birth of child, misdemeanor	6548	
power to commit child to orphan asylum	8013	
consent to adoption.....	8017	
PARKS,		
state park	4048	
— name	4048	
— location	4047	
— care and supervision of.....	4049	
— acts prohibited in	4050	
— prosecution and punishment of offenses committed in	4050	
— transfer of school lands.....	4051	
— appointment of commissioners to acquire lands for.....	4052	
— acquisition of lands for	4052	
— chart of	4054	
— oath taken by state park commissioner	4052	
— compensation of state park commissioner	4053	
— report by state park commissioner to governor	4054	
— duties of state park commissioner	4055	
— power of state park commissioner	4055	
PARKS—Cont'd,		
— acceptance of grant of lands....	4056	
— cutting or injuring of trees forbidden	4057	
— penalty for cutting or injuring trees	4057	
— copy of state park act, filing..	4058	
in villages, acquirement by village (par. 27)	1299	
— establishment, maintenance, and regulations	1224 (pars. 11, 14), 1299 (par. 42)	
— power to levy special assessment for improvements	1338	
injuries to, criminal liability.....	6786	
PARLIAMENTARY LAW,		
quorum .. 3412, 3439, 3449, 3491, 3521, 3905		
what constitutes quorum	2554	
powers of less than quorum.....	2554	
quorum of board for making jury list	5629	
quorum of managers of state prison	7451	
transaction of business at town meeting	935	
rescinding and reconsidering votes by village council	1418	
authority conferred on three or more persons, exercise by majority.....	5395	
PAROLE,		
allowing inmates of state reformatory to go upon.....	3594	
PARTIES,		
how styled	5132	
real party in interest.....	5156	
who to prosecute actions.....	5156	
executors, trustees, etc., may sue alone	5158	
action by trustee of express trust....	5158	
— wife	5159	
who may maintain action for seduction	5163	
right to sue for injuries to infants..	5164	
joinder, persons severally liable on same instrument	5166	
action against persons doing business under firm name	5177	
bringing in additional parties defendant	5178-5181	
effect of bringing in additional parties	5181	
designation of unknown defendant..	5268	
intervention	5273	
action to confirm title of grantor, rights of other claimants under same grantor to come in.....	5820	
bringing in additional parties, in action to determine boundaries.....	5825	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PARTIES—PARTITION.

2359

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PARTIES—Cont'd,		PARTITION—Cont'd,	
in proceedings against insolvent banking or insurance companies.....	5903	proof of liens	5787
proceedings against insolvent corporations, bringing in directors or stockholders	5904	sale of incumbered property.....	5787
in actions against next of kin to recover debts of ancestor.....	5918	— application of proceeds.....	5788
— legatees for debts of testators..	5921	effect of proceedings relating to the determination of liens	5789
— heirs for debt of ancestor..	5924, 5929	— to determine rights to funds in court	5789
— devisees for debt of testator....	5944	determination of claims to proceeds of sale	5790
who may bring action on official bond	5952	sale	5791, 5800
in action for fines and forfeitures....	5956	— how made.....	5791
— to enforce mechanics' liens.....	6238	— notice	5791
— to enforce lien on logs, intervention	2456	persons prohibited from purchasing..	5801
— against banks to recover deposits	2561	report of referee	5802
in condemnation proceedings.....	2606	order on confirming sale by referee..	5803
counties, how named in suits.....	643	purchase by part owner or lien holder	5804
action in name of town.....	1006	decree as to life estate, etc., where sale is ordered.....	5792
PARTITION,		provisions on sale with regard to dower, curtesy, or other estates for life or years	5792-5796
venue	5182	— rights of unknown persons.....	5797
who may bring action.....	5770	provisions with regard to inchoate right of dower, or other future rights or estates	5798
summons	5771	provisions with regard to contingent interest of wife of party.....	5799
complaint	5772	interest of wife of party, payment to husband	5799
service of summons by publication...	5773	release of interest by wife of party..	5799
right of appeal.....	5773	record and effect of conveyance....	5805
rules of procedure.....	5773	effect of conveyance as to liens....	5806
dispute between defendants, proceeds of sale paid into court.....	5774	investment of proceeds of sale... 5807-5809	
necessity of giving evidence of title..	5774	provisions with regard to dower, curtesy, and other estates for life or years, investment of proceeds....	5807-5809
defenses, dispute between defendants	5774	owelty of partition.....	5810
judgment where dispute exists between defendants.....	5775	to whom share of infant paid.....	5811
judgment for.....	5775	paying share of insane person to guardian	5812
powers and duties of referee in making partition	5776	power of guardian to enter into agreement for	5813
report of referees.....	5777	proceedings where state is party....	5813
action by court on report of referee..	5777	costs	5815
appointing new referees to make partition	5777	— enforcement.....	5815
effect of judgment of.....	5777, 5778	decree where mining operations are being carried on by part owners....	5838
how liens affected by.....	5779	of property on distribution of decedent's estate, appointment of commissioners, powers of commissioners	4653
lien for costs of.....	5779	— shares, how set out.....	4654
allowance and payment of costs....	5780	— when land cannot be divided, provision for owelty.....	4655
when sale ordered.....	5781, 5782		
appointment of referees to sell property	5781		
assigning property, incapable of division, to cotenant	5783		
assigning occupancy of property to cotenants in alternation.....	5783		
— rights and liabilities	5784, 5785		
decree as to life estates, etc., where sale is ordered	5786		

MINNESOTA STATUTES 1894

2360

PARTITION—PAYMENT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PARTITION—Cont'd,		PATENT RIGHTS—Cont'd,	
on distribution, not to be established until owelty is paid or secured.....	4656	— form of promissory note, defense	8048
— not to be made until appointment of guardians for minors, etc., and agents for nonresidents; notice.....	4657	— penalty for violation of act, misdemeanor	8049
— report of commissioners and proceedings thereon.....	4658	— false swearing in affidavit.....	8050
— report of commissioners, decree in accordance therewith.....	4659	— fees of clerk of court.....	8051
— expenses, payment by executor or administrator	4660	— clerk not to file patent when, penalty for violation.....	8052
— expenses to be paid by parties in interest	4661	— venue of action on patent-right notes, etc.....	8053
— to nonresidents, appointment of agent to take charge.....	4662	— "patent right" defined.....	8054
— agent for nonresident heirs, bond, compensation	4663	PATENTS,	
of real estate of ward, powers and duties of guardian.....	4564	of public lands.....	3971
of town commons or other lands.....	1011	— record of.....	3984
repeal of statute, c. 56.		action to vacate letters patent.....	5964
PARTITION FENCES,		vacation or annulment of patents, copy of judgment to be filed with secretary of state.....	5973
(see "Fences.")		PAUPERS,	
PARTNERSHIP,		(see "Poor.")	
(see "Limited Partnership.")		PAWNBROKERS,	
who to list property for taxation, (par. 9).....	1515	license and regulation in villages (par. 1).....	1299
with minor or special partner; execution of assignment.....	4254	pawnbroking without license, misdemeanor	6000
claims against, effect of release of one partner	5167-5170	refusal to exhibit stolen goods to owner	6601
actions against.....	5177	selling before time to redeem has expired, etc., refusal to disclose purchaser and price.....	6602
actions by, burden of proving partnership	5255	PAYMENT,	
— denial and proof of partnership	5255, 5256	of debts of decedent (see "Executors and Administrators").	
satisfaction of judgment, how executed	5435	of judgment (see "Judgment").	
evidence of existence, production of instruments given to, prima facie evidence	5761	of money into court (see "Deposit in Court").	
mortgages in firm name, curative act.....	7554	of mortgages (see "Mortgage").	
mortgages to, in firm name, foreclosure legalized.....	7590	by state treasurer, method of making (par. 4).....	344
PARTY WALLS,		of treasury dues.....	349
erection on land of ward.....	4566	of salary of public examiner.....	421
PASSENGER CARS,		by county treasurer to be made by check	735
method of heating and lighting.....	401	of contractor constructing village improvements	1340
equipment with fire extinguishers, etc.	402	of judgment against municipal corporations	1499
PATENT BUTTER,		evidence of payment of tax.....	1594
(see "Oleomargarine.")		of damages in condemnation proceedings.....	2611, 2629, 2630, 2640
PATENT RIGHTS,		promissory note for premium constitutes payment.....	3203
sale of patent rights, application of clerk of court, certificate from clerk	8047	of judgment against receiver or assignee	5176

MINNESOTA STATUTES 1894

2362

PENALTIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PENALTIES—Cont'd,		PENALTIES—Cont'd,	
unlawfully driving away estrays....	2088	attorney permitting use of his name	
violating law concerning estrays.....	2089	by others.....	6182
wrongfully retaking trespassing ani-		violation of act, permitting private	
mals distrained.....	2123	consultation between prisoners and	
allowing animals to run at large...	2124	attorneys	6189
neglect of duty relating to animals...	2129	fraud of contractor upon material man	6244
liability of notary public.....	2273	refusal to discharge mechanics' lien..	6246
liability of auctioneer.....	2297	failure to give certain notice to holder	
selling without license.....	2299	of mortgage on animals.....	6251
violating law relating to auctions....	2300	conductor, etc., neglecting to arrest	
selling town lots without complying		swindlers	6598
with law relating to platting.....	2312	obstructing, or attempting to obstruct,	
preferring creditors on insolvency of		engines on railroads.....	6855, 6856
limited partnership	2348	violating law with regard to doors of	
fraud in conducting limited partner-		theaters or other public buildings...	6861
ship	2352	— act concerning extradition of	
entry of horses under assumed name		criminals	7085
fraud in entering horses.....	2972	breach of recognizance, remission...	
violating rules of county agricultural		7108, 7159	
society	2976	— disposition of.....	7161
failure to keep record of burials....	3093	giving false warehouse receipts....	7646
injuring monuments, trees, etc., in		impersonating inspector of grain....	7688
cemeteries	3104	violating act regulating public coun-	
discharging firearms in cemeteries...	3103	try elevators.....	7723
false representations, advertisements,		practicing medicine without license..	7896
etc.	3173	defrauding innkeepers or boarding-	
excluding children entitled to attend		house keepers.....	7999
public schools	3777	violating law relating to civil rights..	8003
failure to send children to school....	3779	disorderly conduct by hotel or other	
trespass on public lands.....	3990	runners	8004
offenses committed in state parks....	4050	violating act regulating protection	
cutting or injuring trees in state parks	4057	against fire.....	8009
defacing notice of mining claim....	4070		
injuring monuments, etc., of govern-		REGULATION OF STEAM BOILERS AND	
ment survey	4126	VESSELS.	
fraudulent sale of mortgaged proper-		violating law regulating inspection of	
ty by mortgagor.....	4142	steam vessels.....	484
subscribing witnesses to deeds refus-		failure to have steam boilers and ves-	
ing to obey subpoena.....	4176	sels inspected.....	483
preferring creditors	4242	imperfect construction of steam boiler	
failure of custodian to deliver will to		operating unsafe and unrepai red boil-	
probate court	4431	er	487
wrongfully issuing marriage license..	4775	failure to permit and assist inspection	
failure to deliver or record certificate		of steam boiler.....	489
of marriage	4779	granting false certificate of inspection	
making false certificate of marriage..	4780	of steam boilers, machinery, or	
illegally solemnizing marriage.....	4780	steam vessels.....	490
wrongfully solemnizing marriage....	4781	when law not to apply.....	493
contempt	5083		
removing or defacing notice of execu-		LABOR REGULATIONS.	
tion sale	5467	obstructing bureau of labor in per-	
waste	5882, 5883	formance of duty.....	473
appearance as attorney of person not		refusing employé time to vote.....	114
admitted to the bar.....	6179	requiring more than 10 hours' work	
deceit or collusion of attorney.....	6181	in a day.....	2240
		violating law concerning day's work..	2243

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PENALTIES.

2363

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PENALTIES—Cont'd,	
violating labor laws.....	2246
— laws for protection of employes.....	2263
REGULATIONS AS TO WEIGHTS AND MEASURES.	
for violation of duty by sealer of weights and measures.....	2193
for illegal weights.....	2203
for failure to have weights and measures sealed.....	2205
for neglect of sealer to procure weights and measures.....	2206
LOGS AND LOGGING REGULATIONS.	
for obstructing passage of logs by booms and weirs.....	2387
for depositing mill waste in Mississippi river.....	2389
for injury to log marks and making false marks.....	2419
for stealing logs.....	2419
for receiving stolen or mutilated logs against surveyor for scaling stolen or mutilated logs.....	2420
for injury to booms, etc.....	2421
for failure to mark logs cut on state lands.....	2423
fraudulently marking timber cut on state lands.....	4013
HEALTH REGULATIONS.	
violations of regulations of board of health.....	1495
971, 1464, 1472, 1481, 1490, 1491, failure to report to state board of health.....	435
refusal to give notice of births and deaths.....	437
failure to make certificate as to births and deaths.....	438
failure to collect vital statistics.....	439
failure to perform duties with regard to collecting vital statistics.....	441
violating regulations concerning animals.....	1485
for failure to disclose information concerning diseases among animals.....	1473
UNDER GAME AND FISH LAWS.	
taking white fish, trout, and pike from Lake Superior in spawning season..	2130
for taking fish from Lake Superior in spawning season.....	2130
for killing fowl by use of artificial light.....	2133
for maintaining private fish ponds without proper fish ways.....	2135

	Sec.
PENALTIES—Cont'd,	
for injuring private fish pond.....	2136
for destroying fish in private fish pond	2139
for placing nets, etc., near mouth of stream flowing into Lake Superior..	2140
for placing fish other than trout in protected water.....	2142
for catching or having in possession trout out of season.....	2143
for violation of fish laws.....	2148
for killing harmless birds.....	2154
for violating close season for game birds.....	2154
for killing birds with traps, snares, etc.....	2156-2158
for killing game with traps, snares, etc.....	2156-2158
for violating close season for deer, elk, etc.....	2159
for violating law as to shooting deer, elk, etc.....	2160
for hunting deer, etc., with dogs, and setting traps.....	2161
violating close season for mink, muskrat, beaver and otter.....	2162
for hunting on another's land without permission.....	2163
for violating close season for fishing.	2164
for violating law regulating manner of taking fish.....	2165
for fishing near fish ways.....	2166
for taking fish with poison, trot lines, wires, etc.....	2167
for catching small fish.....	2168
for wanton destruction of fish or game.....	2169
for shipping fish and game out of state.....	2170
for having in possession game caught outside of state contrary to law....	2171
against common carriers for failure to notify fish commissioners of game and fish offered for shipment	2173
for resisting officer enforcing game laws.....	2183
for depositing sawdust in stream containing fish.....	2186
REGULATIONS AS TO INTOXICATING LIQUORS AND SALOONS.	
for illegal sale of liquor.....	1999
for selling liquor without license....	1993, 2029
for selling liquor to Indians.....	2002
for selling liquor at capitol.....	2007
for selling liquor near state university	3924

MINNESOTA STATUTES 1894

2364

PENALTIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PENALTIES—Cont'd,	
for selling liquor near state fair grounds	2009
for selling liquor within one-half mile of university, Ramsey county.....	2011
introducing liquor into armory or arsenal	1768
for permitting minor to gamble in saloon	2013
for keeping saloon open after hours..	2013
for permitting gaming in saloon.....	2016
for selling liquor in place other than that named in the license	2018
for issuing liquor license to person not paying minimum fee or convicted of violation of law.....	2027
for evading liquor laws by "blind pig" or "hole in the wall"	2033
for sale of liquor by druggists without license	2037
against physician for prescribing to evade liquor laws	2038
violation of duty by officers	1995, 2028
— failure to complain of person violating liquor laws	2035
OFFENSES IN CONNECTION WITH ELECTIONS.	
falsely personating registered voter, intentional false swearing, etc.....	76
registering in more than one election district	76
taking or defacing posted lists of voters	77
removing ballots from polling room..	95
persuasion of voter	113
refusing employé time to vote.....	114
removal of supplies from polling places	115
attempting to cast more than one ballot	116
voting with unlawful intent.....	117
voting by nonresident.....	118
voting more than once.....	119
influencing elector.....	120
aiding unqualified voters to vote....	121
bringing unqualified voters into district	122
failure of duty or misconduct of election officer.....	164
removal or defacement of poll lists, ballots, lists or registers.....	165
anonymous defamatory posters, circulars, etc., reflecting on candidates for office.....	199

	Sec.
PENALTIES—Cont'd,	
HIGHWAYS, TOLL ROADS, BRIDGES, FERRIES, AND DRAINS.	
neglect of road duty.....	1793
obstructing highways.....	1863
— with railroad car.....	1868
failure of town to determine places of erecting guideposts.....	1016
neglect to maintain guideposts.....	1018
violating law of road.....	1948
toll roads, refusal to pay toll.....	3387
— disobeying order to open toll gate	3378
— liability of toll gatherer.....	3381
— obstructing or injuring toll roads	3386
— running tolls	1874
bridges, fast driving on.....	1870
— driving excessive number of cattle over	1917
ferry, overcharge on	1928
drains, injuring or delaying construction of	7784
— delay in paying drainage assessments	7813, 7834
— obstructing drain or diverting water therefrom	7817
— obstructing ditches, draining highways	1913
MISFEASANCE AND NONFEASANCE OF OFFICERS.	
failure of officer to deliver books to successor	1080
neglect of duty in eminent domain proceedings (par. 1).....	1107
election officers	164
in connection with proposed constitutional amendments	315
state auditor	331
oil inspector, dealing in oils.....	450
state capitol commissioners, violation of oath and bond.....	497
— not to be interested in contracts	500
liability of revenue officers.....	1641
neglect of duty by assessor.....	1638
failure of officers to complain of person evading liquor laws.....	2035
neglect of duty by fence viewer....	2074
insurance commissioners receiving other pay than salary.....	3145
deputy insurance commissioner receiving other pay than salary.....	3146
liability of officers of insane hospital	3451
violating act relating to correspondence of lunatics.....	3480
liability of officers of soldiers' home	3618

MINNESOTA STATUTES 1894

Vols. 1 & 21

PENALTIES.

2365

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PENALTIES—Cont'd,	
for being improperly interested in contracts of state institution.....	3647
failure to execute, or false return of, process	4971
selling on execution without notice..	5467
neglect of officers to post table of fees	5583
taking illegal fees and exacting fees when service is not performed....	790, 5586
failure of officer to give account and receipt for fees received.....	5591
refusing to grant writ of habeas corpus	6001
disobeying order of discharge on habeas corpus	6018
transfer or concealing person entitled to writ of habeas corpus.....	6020
refusal of officer having custody of prisoner to deliver copy of warrant, etc.	6021
failure of officer to return warrant of arrest against person charged with contempt	6163
false answer by officers as to grounds of arrest	6272
neglect of officer to exclude minors from criminal trials	7328
violation of duty in regard to United States prisoner	7419
violating act concerning jails.....	7436
misconduct or neglect of inspectors of grain	7689
health officers	1461, 1464, 1474
poor officers, superintendents of the poor interested in contracts or acting as physician or overseer.....	1955
— having a pecuniary interest in relief	1975
road officers, neglect of duty by overseers of highways.....	1780, 1788
— failure to account for or pay over unexpended money	1805
— failure to have bridge or culvert made of proper width	1852
school officers, director's failure to prosecute neglect to send children to school	3780
— refusal to serve or perform duties	3782
— failure of school-district clerk to make report.....	3783
— liability of clerk of school district for drawing illegal order.....	3784
— neglect of school-district clerk to keep books and deliver to successor..	3785

	Sec.
PENALTIES—Cont'd,	
— failure of county superintendent of schools to make report.....	3786
— teachers and school officers dealing in school supplies.....	3788
city officers.....	1148
town officers, entry on duties before taking oath.....	959
— neglect to make return by town clerk	987
— town treasurer.....	1002
— town supervisors, failure to make report of guideposts.....	1015
— neglect of duty by town supervisors with regard to drains.....	7816
village officers, failure to deliver property to successor.....	1293
— failure of commissioners to condemn land for village use to attend..	1323
— failure of bailiff of village municipal court to account for fees received	1404
<i>county officers.</i>	
county officers.....	872
refusal to act in creating new county	637
improperly allowing claim against county	690
deposit of county funds in personal capacity	733
refusal to execute process against delinquent county treasurer.....	747
county board of auditors.....	738
county auditor.....	1638
— issuance of warrants for excessive amounts.....	665
— failure to report to superintendent of public instruction.....	3787
county treasurer, failure to make settlement with state treasurer.....	743
— failure to make return and settlement	744
— speculation in orders or warrants	751
— loan or use of county funds.....	752
— making false statement of county affairs	753
register of deeds, refusal to deliver records to successor.....	762
— improperly recording instruments and deeds.....	774, 1159
sheriff, neglect of duty.....	789, 795, 1571
— failure to pay over moneys.....	788
— taking illegal fees.....	790
constable, failure to execute warrant..	845
judge of probate, failure to deliver books to successor.....	820

MINNESOTA STATUTES 1894

2366.

PENALTIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PENALTIES—Cont'd,		PENALTIES—Cont'd,	
violation of duties under intoxicating liquor law.....1995,	2028	— violation of law with regard to carrying stock	2711
failure to comply with law relating to plats	2313	— violation by street-car companies of law concerning drivers...	2769
CORPORATIONS.			
liability of corporate officers.....	2793	— violating act concerning sale of transportation tickets.....2787,	2789
diversion of corporate property or failure to comply with articles of incorporation	2796	— refusal to redeem transportation tickets	2791
false certificate under manufacturing companies act	2821	— disposition of penalty recovered (par. a).....	394
paying dividends when corporations insolvent	2823	— defrauding carrier by improperly disposing of tickets.....	2792
neglect of duty by officers of manufacturing company	2824	railroad companies, failure to return gross earnings	1676
fraudulent issue or disposal of stock..	2836	— improper construction of railroad switches	2682
acting as trust company, guaranty or safe-deposit company, without being incorporated	2842	— neglect of duty concerning highway crossings	2690
agents of trust companies becoming indebted thereto	2851	— neglect to fence track.....	2699
selling stock by foreign building and loan association not authorized to do business	2877	— violation of law by officers of railroad company	2745, 2746
— by building and loan association not complying with law.....	2878	— unlawful abandonment of road by railroad company.....	2758
imposition by camp-meeting association, etc.....	2947	— neglect of railroad company to maintain certain offices.....	2762
violating by-laws of corporation....	3412	— when penalty paid to state....	2704
removal of cause by foreign corporation to federal court	3421-3424	insurance companies, failure to answer inquiries of insurance commissioner	3151
resort to federal courts by foreign corporations	3426, 3427	— failure to testify before insurance commissioner, or obstructing commissioner	3151
telegraph or telephone companies, failure to report to state auditor... 1687		— soliciting insurance without complying with law.....	3158
carriers, violation of law.....390,	403	— soliciting insurance by agent without certificate	3168
— unreasonable charges by (par. e)	381	— violation of law and false advertisements by insurance companies..	3173
— carrying excessive number of passengers on vessel	482	— false statement by insurance company	3180
— leaving horses unsecured by carrier of passengers	1949	— false statements in proofs of loss by insurance agents.....	3194
— failure to notify commissioners of game and fish offered for shipment	2173	— embezzlement and fraud of insurance agent.....	3194
— neglect of duty with regard to waiting rooms	2703	— doing fire insurance business without license.....	3197
— failure to stop passenger trains at county seat	2705	— issuing fire insurance policies not conforming to Minnesota standard policy	3202
— violating law with regard to stopping trains.....	2706	— failure of co-operative life insurance association to designate principal office and person to receive service of process.....	3303
— neglect of duty with regard to transfer of passengers.....	2707		
— failure to furnish facilities for handling freight	2709		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PENALTIES—PERSONAL PROPERTY.

2367

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PENALTIES—Cont'd,		PERJURY—Cont'd,	
— failure of co-operative life insurance associations to make reports or pay fees.....	3302	false statements to public examiner..	418
— misconduct of officers and agents of co-operative life, etc., associations	3313	violation of oath by state capitol commissioner	497
— false representations by agents and physicians of co-operative life, etc., associations.....	3315	falsely swearing to truth of claim against county.....	688
— doing of business by insurance agent for company not authorized or without certificate of authority....	3325	false affidavit that orders and warrants received by county treasurer were received at par.....	751
— violation of act regulating insurance companies other than life, fire, and marine.....	3336	false affidavit on listing property for taxation	1527
BANKS AND BANKING.		in verification of answer.....	1647
excessive issue of bank notes.....	2497	false swearing in tax proceedings...	1667
issuing illegal currency.....	2513	false statements in report of mining corporation to state auditor.....	1690
failure of bank to make reports.....	2515	false affidavit to report of savings bank	2375
liability of bank officers and employees	2520	in affidavit for sale of patent right...	8050
violating act with regard to banks..	2524	false certificate under manufacturing companies act	2821
failure of savings bank to report....	2576	making of depositions or certificate... 6371, 6375	
improperly doing business as savings bank	2583	power of court where perjury is suspected	6377, 6378
improper investment by savings banks	2586	summarily committing suspected witness	6377
ENFORCEMENT		binding over suspected witnesses....	6377
enforcing payment of.....	1190	punishment	6380
who to collect.....	1563	subornation of perjury.....	6379
action for amount recoverable.....	5957	— punishment	6380
limitation of actions.....	5137-5140	attempt to induce another to commit.	6384
venue of action for.....	5184	testimony of defendant on former trial	6839
action for collusive recovery no bar to another action.....	5958	indictment form (No. 24).....	7239
against public officer for neglect of duty, action for barred by imposition of fine in mandamus proceedings	5984	— sufficiency	7253
PENITENTIARY,		PERPETUATION,	
(see "State Prison.")		of testimony of witnesses within state	5693-5698
PENSIONS,		(see "Deposition.")	
adjutant general to act as pension agent	1704	of evidence of sale under power in mortgage	6047-6050
PEREMPTORY MANDAMUS,....	5977-5987	PERPETUITIES,	
(see "Mandamus.")		creation of trusts.....	4284
PERISHABLE PROPERTY,		suspension of power of alienation... 4354, 4375, 4376	
sale of.....	2102, 2104	accumulation of rents and profits.... 4398, 4399	
PERJURY,		"PERSON,"	
what constitutes.....	6371-6376	definition	255, 2187, 6842
before board of registration.....	76	— for purpose of taxation.....	1511
by voter, when challenged.....	103	PERSONAL INJURIES,	
false affidavit to secure issuance of duplicate warrants.....	338	on streets and sidewalks of village, notice to village.....	1422
		PERSONAL PROPERTY,	
		definition	6842

MINNESOTA STATUTES 1894

2368.

PERSONAL PROPERTY—PLANK ROADS AND TURNPIKES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PERSONAL PROPERTY—Cont'd,		PHYSICIANS—Cont'd,	
for purpose of taxation....	1510, 1518, 1519	intoxicated physician, acts endangering patient's life.....	6603
bank shares.....	2494	state board of medical examiners, appointment, term.....	7891
claim and delivery of.....	5274-5286	— officers' meetings, record.....	7892
(see "Claim and Delivery.")		applications for license, examination fee, revocation of license, appeal...	7893
lien for repairs, etc.....	6247	filing license with clerk of court, record, report of clerk.....	7894
PERSUASION,		license, application of act.....	7895
of voters.....	113	practicing without license, penalty...	7896
PETITION,		licenses, repeal of acts, licenses formerly granted.....	7897
for change of boundaries of county..	622	appointment in towns, cities, and villages	1976
— form	623	criminal liability.....	6456
for change of county seat.....	647	PHYSIOLOGY,	
— signatures, striking off names....	648	to be taught in schools.....	3802-3896
— several petitions treated as one..	653	PIERS,	
to determine as to incorporation of village	1201	injuries to, criminal liability.....	6780
— posting	1202	PILE,	
to add or detach territory of village..	1212, 1278	injuries to, criminal liability.....	6780
for dissolution of village.....	1274	PILOTS,	
for local improvements in village....	1339	examination and license.....	484
to lay out, alter, or discontinue highways	1806	PINE COUNTY,	
— filing and posting.....	1807	boundaries	592
— in more than one town.....	1838	PINE LANDS,	
— in more than one county.....	1883	willful trespass on state lands.....	6908
— posting notice.....	1884	PINKERTON,	
to establish free turnpikes.....	1895	employment as peace officer.....	6958-6961
by land owner to establish description from defective town plat.....	2321	PIPESTONE COUNTY,	
to overflow highway by erection of dams	2376	boundaries	593
for condemnation of land.....	2605, 2624	PLAN,	
for organization of new school districts	3667	for new state capitol, rules governing competition	502
PETIT JURORS,		limitation	503
(see "Jury.")		PLANK ROADS AND TURNPIKES,	
PETIT TREASON,		(see "Free Turnpikes.")	
rule of common law abolished.....	6436	right to incorporate.....	3361
PEWS,		powers of corporation.....	3361
effect of reorganizing religious societies	3060	when incorporation effected.....	3361
deeds to be recorded	4181	articles of incorporation.....	3361
PHARMACIST,		— amendment	3361
(see "Druggists.")		reorganization of existing corporations	3361
PHYSICIANS,		occupation of streets in cities.....	3361
(see "Dissection.")		power to condemn land.....	3361, 3362
to give notice of births and deaths...	438	liability of stockholders.....	3361, 3372
compensation of, as member of board of health.....	1460	— enforcing	3361
prescribing liquors to evade liquor laws, penalty.....	2038	compensation for land taken, how fixed	3365
holding post mortem, allowance of fees	5554	appraisalment of damages for taking lands, who to pay expenses.....	3365
privileged communications to (par. 4)	5662	power to hold land.....	5877
		power to hold, or deal in, lands.....	3362

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PLANK ROADS AND TURNPIKES—PLATS.

2369

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PLANK ROADS AND TURNPIKES—	
Cont'd,	
how necessary lands acquired.....	3363
acquiring right to use highways.....	3363
when right to begin construction ac-	
cruces	3364
survey of road.....	3364
— record	3364
width and manner of construction of	
plank roads.....	3366
— of turnpikes.....	3367
supervision by state.....	3361'
power of legislature over.....	3389
control by cities.....	3361
acquisition of roads by municipalities	
limit of indebtedness.....	3372
report to secretary of state.....	3373
fees for viewing road.....	3379, 3380
place of taxing personal property of..	1519
effect of failure to construct road....	3388
TOLLS AND TOLLGATES.	
erection of tollgates.....	3368, 3369
rates of toll.....	3370
— on plank roads.....	3368
— on turnpike roads.....	3369
who exempt from paying toll.....	3370
change of location of tollgate.....	3371
— appeal to district court.....	3371
penalty for collecting excessive toll..	3381
judgment against toll gatherer, collec-	
tion from corporation.....	3382
posting rates of toll.....	3383
how payment of toll enforced.....	3384
REPAIR OF ROAD—ENFORCING DUTY.	
power of town supervisors in enforce-	
ing repair of road.....	3374
— as inspectors.....	3374
compelling opening of tollgate until	
repairs are made.....	3374-3377
appeal from order of town supervisors	
relating to repairs of road.....	3377
penalty for disobeying order to open	
gate	3378
fees of supervisors and judges for	
viewing road.....	3379
fees of viewers, by whom paid..	3379, 3380
— collection	3380
liability for failure to keep road in re-	
pair	3385
OFFENSES AND PENALTIES.	
penalty for obstructing or injuring	
road	3386
— refusal to pay toll.....	3387
— unreasonably delaying traveler..	3381
GEN. ST. '94—149	

	Sec.
PLANK ROADS AND TURNPIKES—	
Cont'd,	
— for collecting excessive toll.....	3381
— for disobeying order to open gate	3378
PLATS,	
of villages, corrected plat to be re-	
corded	1223
— surveyor's affidavit to be attach-	
ed to corrected plat.....	1229
of streets, alleys, etc., laid out by vil-	
lage, to be filed.....	1335-
record	1624
of highways showing boundaries on	
application of abutting owner..	1812-1820
of highway boundaries to be filed with	
register of deeds by county survey-	
or	1815-
of survey showing highway boundary,	
entry by register of deeds in recep-	
tion index.....	1816-
of roads in more than one county,	
record	1886-
town or addition to be platted.....	2303-
what to show.....	2304-
monuments to be fixed at certain cor-	
ners	2305-
certification by surveyor, acknowl-	
edgment and record.....	2306
approval by city council.....	2306
certificate of county surveyor, duty	
to make surveys.....	2307
execution and record, effect as dedi-	
cation and donation.....	2308
of town or addition, where recorded..	2309
invalid execution and record, powers	
of county commissioners to com-	
plete	2310
— subsequent completion.....	2310-
record, how made, in what book pre-	
served	2311
selling lots without complying with	
law relating to platting, penalty....	2312
county officers neglecting to comply	
with law relating to plats, penalty..	2313-
forfeiture incurred under law relating	
to plats, how collected.....	2314
of cemeteries.....	3130-3133-
— power to alter or vacate.....	3135-
of old site of reform school.....	3532
fees of surveyors and registers..	2307, 2311
legalized plats as evidence.....	2322
of surveys, etc., from land office,	
prima facie evidence.....	5758
ALTERING AND VACATING.	
towns and additions	2315

MINNESOTA STATUTES 1894

2370

PLATS—PLEADING.

[Index

§§.1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PLATS—Cont'd,		PLEADING—Cont'd,	
towns and additions, notice of applica- tion, posting and publication.....	2316	COMPLAINT.	
— proceedings on hearing of applica- tion, judgment, payment of dam- ages	2317	defined	5230
LOST OR DESTROYED PLATS.		contents	5231
copy to be filed when.....	2327	in action before justice.....	4980
to be replaced by new plats, when...	2328	effect of laying wrong venue.....	5183
new plat or copy, effect as evidence..	2329	filing with clerk, notifying defendant	5196
DEFECTIVE PLATS.		in divorce.....	4795
legalizing defective plats.....	2318, 2326	in action for separate maintenance of wife	4816
defective description, surveyors' cer- tificate, record, evidence.....	2319-2325	in partition.....	5772
— proprietors' certificate, effect....	2320	ANSWER.	
— petition of real-estate owner to es- tablish description, procedure.....	2321	answer	5236
PLEADING,		objections taken by.....	5234
(see "Parties.")		time for answering.....	5194, 5196
in criminal cases (see "Crimes and Punishments"; "Indictment"; "Pre- sentment").		— where defendant is not personally served	5206
designations of parties.....	5132	— in divorce proceedings.....	4797
— unknown defendant.....	5268	in action before justice.....	4981
immaterial defects.....	5219, 5269	— denial of knowledge or informa- tion	4983
extension of time for doing things....	5219	admission implied from failure to deny	4986
relief against mistakes.....	5219	statement of defense and counter- claims	5239
regulating by statute.....	5228	demurring and answering at same time	5239
what pleadings allowed.....	5229	failure to notice new matter, judgment	5242
relief awarded to defendant.....	5236	in forcible entry and detainer.....	6125
sham, irrelevant, or frivolous pleading	5240	in proceedings to collect taxes.....	1647
how subscribed.....	5244	— real-estate taxes.....	1584
how account pleaded.....	5246	REPLY.	
bill of particulars of account.....	5246	reply	5241
rule of construction.....	5247	demurring and replying at same time	5241, 5243
how judgment pleaded.....	5249	in action before justice.....	4982
performance of conditions precedent..	5250	necessity of controverting new matter in	5261
averments as to corporate existence..	5253	allegations not controverted deemed admitted	5261
joinder of causes of action.....	5260	DEMURRER.	
failure of proof.....	5264	time and place of arguing.....	5227
motion for judgment on.....	5227	to complaint.....	5232, 5233
effect of pleading set-off or counter- claim	5233	to answer.....	5241
extension of time.....	5267	demurring and answering at same time	5239
STATUTES AND ORDINANCES.		demurring and replying at same time	5241, 5243
private statute.....	5251	sustained, right to amend.....	5265
village ordinances.....	1252, 1301	overruled, pleading over.....	5265
SERVICE.		appeal from order on demurrer.....	6140
of complaint.....	5196	VERIFICATION.	
proof of.....	5208	verification	5244, 5245
FILING.		of answer.....	1647
filing	5220		
copies, when original lost.....	5424		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PLEADING—POLL LISTS.

2371

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PLEADING—Cont'd,		PLEDGE—Cont'd,	
action before justice.....	4985	lien of garnishee on property, pay- ment of lien.....	5327
SUPPLEMENTAL PLEADINGS.		levy of execution on interest of pled- or	5458
supplemental pleading.....	5270	rights of purchaser at execution sale..	5458
IN PARTICULAR ACTIONS AND PROCEED- INGS.		PLEURO-PNEUMONIA,	
before justice.....	4977-4979, 4987	powers and duties of local board of health	1466
in attachment.....	5063	POISON,	
to enforce lien on logs.....	2448, 2461	administration to another, when deemed assault	
to determine adverse claims under town site act.....	4262	6471 (par. 2), 6472 (par. 1)	
against unknown defendants.....	4964	mingling poison with food, medicine, etc., or placing poison in well, etc..	6604
release of joint obligors, action against remaining obligors.....	5168	sale by druggists without recording sale	6621
against persons doing business under firm name.....	5177	sale by druggists without labeling... 6623	
in proceedings for violating ordinance	5252	sale by druggist without labeling or ascertaining purpose	7935
in libel or slander.....	5257, 5258	POLICE,	
to recover animals distrained.....	5259	(see "Municipal Corporations"; "Vil- lages.")	
to determine boundaries.....	5825, 5826	in voting room.....	85
relating to real property.....	5850	appointment, duties, and compensa- tion in villages (par. 20).....	1224
to enforce mechanics' liens.....	6238	creation and establishment in vil- lages (par. 24).....	1299
in intervention.....	5273	duty to arrest and complain of person violating liquor laws, penalty for failure	2035
in mandamus proceedings, amend- ment	5982	duty to make arrests at request of members of Society for Prevention of Cruelty	3021
MOTION TO STRIKE OUT OR MAKE MORE CERTAIN.		POLICE DEPARTMENT,	
matters struck out on motion.....	5248	(see "Municipal Corporations.")	
uncertainty or indefiniteness.....	5248	mayor to be head of.....	1062
striking out pleading on motion.....	5248	powers and duties.....	1070
AMENDMENT.		power of common council (par. 24)..	1085
amendments.....	5219, 5248, 5265, 5266	POLICE DEPARTMENT RELIEF ASSOCIATIONS,	
as of course.....	5265	not subject to garnishment.....	5313
conforming pleadings to proof.....	5262, 5263, 5266	POLITICAL PARTIES,	
name of defendant.....	5268	(see "Elections.")	
time of answering amended pleading..	5265	judges of election selected from lists submitted by parties.....	58
in action before justice.....	4989	POLK COUNTY,	
VARIANCE.		boundaries	594
variance	5263	appropriation out of state treasury..	7848
amendment	5262, 5263	POLLING JURY.....	5377
in action before justice.....	4988	in criminal cases.....	7341
OBJECTIONS TO.		POLL LISTS,	
taken by answer.....	5234	how kept	124
waived by failure to demur or an- swer	5235	entries	125
PLEAS,		certificate attached, form.....	127
to indictment.....	7302-7312		
(see "Criminal Law.")			
PLEDGE,			
(see "Brokers.")			
payment of debt against decedent's estate	4538		

MINNESOTA STATUTES 1894

2372

POLL LISTS—POOR.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
POLL LISTS—Cont'd,		POOR—Cont'd,	
filing, right to inspect.....	155	poor persons to be a county charge..	1972
at town meeting to be kept.....	943	when to be a charge on towns, cities,	
POLL TAX,		and villages.....	1973
levy by city.....	1105	TOWN SYSTEM OF RELIEF.	
collection of.....	1195	how given.....	1974
exemption of member of fire com-		poor officers not to have a pecuniary	
pany.....	1175	interest, penalty for violation.....	1975
— disabled soldiers.....	8040	appointment of physician of the poor	1976
POLLUTION,		duties of town supervisors and com-	
of sources of water supply.....	430	mon councils.....	1976
— powers and duties of state board		removal of person without settlement	
of health.....	431	(par. b).....	1976
PONDS,		settlement.....	1977
(see "Fish.")		establishment and maintenance of	
POOLS.....	6955-6957	poor-house.....	1978
(see "Monopolists and Trusts.")		commitments and discharge of in-	
agreements between carriers forbid-		mates.....	1978
den.....	382	care of persons having relatives lia-	
pooling business by public country		ble for support or settlement else-	
elevators unlawful.....	7722	where.....	1979
POOL SELLING,		taxes for support and relief, how lev-	
(see "Gaming.")		ied.....	1980
POOR,		levy of taxes, duties of county audit-	
what constitutes legal residence....	1954	or.....	1981
paupers without legal settlement to		county treasurer to refund to treas-	
leave county, deportation.....	1964	urers of towns, cities, and villages	
relief of sick pauper without settle-		amount of poor funds collected....	1982
ment.....	1963	remaining county poor fund, how dis-	
penalty for bringing poor person into		posed of.....	1983
county.....	1968	change from county system to town	
superintendents of poor.....	1973	system, submission to vote, election,	
county commissioners to be superin-		cavass of votes.....	1984
tendents of poor.....	1955	— notice of election.....	1985
— powers and duties of.....	1956	— statute not to affect special laws	
power of single county commissioner		in Hennepin, Ramsey, or Dakota	
to grant relief, limit to relief.....	1962	counties.....	1968
order of county commissioner admit-		POORHOUSE AND POOR FARM.	
ting person to relief.....	1962	procurement of poorhouse and poor	
appointment of overseer, term of of-		farm by county commissioners....	1956
fice, removal.....	1957	issue of county bonds for poor farm	
bond of overseer, action thereon....	1958	1987, 1988.	
powers and duties of overseer.....	1959	conveyance of poor persons to poor-	
overseer to receive poor persons....	1961	house by sheriffs and constables....	1963
county physicians, appointment, du-		notice to be given of births and	
ties.....	1960	deaths.....	437
SUPPORT.		MINORS.	
liability of relatives.....	1951	to be apprenticed.....	1960
order in which relatives are liable...	1952	town system, admission of minors to	
liability of county.....	1953	state public school and binding as	
support of convict pauper discharged		apprentices (par. c).....	1976
from state's prison, claim of county		appointment of orphan asylum as	
against state.....	1970	guardian for minor.....	2929
— claims by county against state to			
be made annually.....	1971		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

POOR—POWERS.

2373

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
POOR—Cont'd,		POUNDS,	
admission of poor child into state public school	3509-3511	(see "Animals"; "Estrays.")	
sending neglected child to state public school	3512	location determined in town meeting to be under care of town pound masters	930
POOR FUND.		discontinuance	1019
taxation for	1558, 1969	public, power of common council to erect (par. 11).....	1020
issue of county bonds for poor farm..	1987	establishment and regulation in villages (par. 12).....	1085
— limitations	1988	trespassing animals.....	1224, 2117, 2118
— annual tax for payment.....	1989	POWER OF ALIENATION,	
moneys available for use of poor.....	2583	suspension	4375, 4376
BURIAL.		(see "Estates.")	
burial at expense of county.....	1967	POWER OF ATTORNEY,	
POOR DEBTORS,		not deemed conveyances, acknowledgment and record.....	4186
discharge of person committed in bastardy proceedings.....	2046-2048	recorded, not revoked unless revocation also recorded.....	4188
POOR FARM,		deeds under blank powers of attorney, effect	4203
construction by county commissioners	1956	sale of land by foreign executors, appointment of attorney.....	4589, 4717
issue of bonds therefor by county....	1987	foreign guardians may mortgage or sell under power of attorney.....	4622
POORHOUSE,		CURATIVE ACTS.	
construction by county commissioners	1956	containing but one witness.....	7547
establishment and maintenance under town system.....	1978	not attested by witnesses.....	7578
POPE COUNTY,		by married women.....	7558, 7568
boundaries	595	deed of married woman under power from husband.....	7582
PORTERS,		conveyances by husband as attorney for wife, Dakota and Ramsey counties excepted.....	7580
licensing and regulation in villages... 1224 (par. 12), 1299 (par. 17)		absence of seal.....	7567
POSSESSION,		execution in Canada.....	7569
definition	2187	record as evidence, copies of record..	7579, 7584
POSTAGE STAMPS,		POWERS,	
forgery of.....	6698	(see "Power of Attorney.")	
POSTHUMOUS CHILDREN,		abolition, except as authorized by statute	4301
rights in future estates limited to heirs and children.....	4391	definition	4302
birth after will, right to share in estate	4446	who may grant.....	4303
right of representation.....	4476	general or special, beneficial or in trust	4304
POST-MORTEM EXAMINATION,		general power.....	4305
where made.....	686	special power.....	4306
POST OFFICE,		creation of by devise of land.....	4285
cession of jurisdiction by state. .4109,	4111	reservation in conveyance.....	4333
selection of site for.....	4109	how granted.....	4334
filing map of site.....	4110	when a charge on land against creditors or purchasers.....	4335
acquisition by United States of lands for	4119	when revocable.....	4336
POSTS,			
for posting notices in towns.....	1030		
POUND MASTER,			
appointment by village council (par. 7)	1224		
to file notice of acceptance of office, effect of failure.....	953		
fees and duties.....	1004		

** Unlawful to place in poor house*

MINNESOTA STATUTES 1894

2374

POWERS—PRACTICE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
POWERS—Cont'd,		POWERS—Cont'd,	
directing insufficient conveyance does not avoid power.....	4344	execution by will.....	4342
definition of terms "grantor of power," "grantee of power".....	4361	— by grant and not by will.....	4343
powers of attorney excepted.....	4360	death of trustee with right of selection, execution by district court....	4328
BENEFICIAL POWERS.		trustee not designated, execution by district court.....	4329
when	4307	death of trustee, trust how executed	4330
not valid, except as defined in statute	4320	conveyance with power of revocation	4206
to married women.....	4308	— under power of revocation..	4207, 4208
particular estate with power of disposition changed into fee.....	4309	— of land by agent.....	4160-4162
when power of disposition creates fee	4310	payment to trustee, effect of misapplication by trustee.....	4330
power of disposition without limitation of remainder creates absolute fee	4311	in trust, execution in favor of creditors	4331
particular estate with power to devise fee.....	4312	may be decreed in favor of creditors..	4321
what powers of disposition deemed absolute	4313	omission to recite power by grantee, effect	4350
grantor reserving power of revocation deemed absolute owner.....	4314	directions of grantor as to execution, when immaterial	4345
special and beneficial, who may take of tenant for life to make leases, not assignable, passes by conveyance of estate	4316	— nominal conditions to be disregarded	4346
— release to remainder-man.....	4317	— when must be observed.....	4347
— power bound by mortgage.....	4318	consent of third person to execution..	4348
— effect of mortgage on power....	4319	execution of power in excess thereof not void	4349
when passes by general assignment..	4332	fraud in execution.....	4351
IN TRUST.		general devise, when deemed execution of power	4352
general power, when in trust.....	4322	gift under power, when deemed advancement	4353
special power, when in trust.....	4323	suspension of right of alienation by execution of power.....	4354
express trust to be power in trust....	4287	execution by married woman, what estate may be created.....	4356
title to land held under power in trust	4288	power of sale in mortgage deemed part of security, who may execute	4359
imperative and enforceable in equity	4324	defective execution, remedy in equity	4357
effect of right of selection.....	4325	purchasers under defective execution, entitled to relief when.....	4358
beneficiaries, when to share alike....	4326	who may not take under power....	4355
— when trustee may discriminate..	4327	PRACTICE,	
district court to remove and appoint trustees, etc.....	4330	see specific heads.	
removal of trustee.....	4330	(see "Intervention"; "Parties"; "Production of Books and Papers"; "Issues.")	
resignation of trustee.....	4330	in actions by or against towns.....	1005
estate of trustee ceases when trust ceases	4330	in village municipal courts.....	1376
EXECUTION.		transfer of actions from village municipal court to district court....	1378
who may take and execute.....	4337	in action against heirs, etc., for debt of decedent	5929, 5930
execution by married woman, effect of infancy	4338	extension of time for pleading, etc...	5219
in several persons, execution by survivor	4339	time for answering where defendant is not personally served.....	5206
how executed, necessity of writing...	4340		
instruments in execution of powers deemed conveyances.....	4341		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PRACTICE—PRINCIPAL AND AGENT.

2375

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PRACTICE—Cont'd,		PREMIUMS,	
time and place of arguing demurrer..	5227	for designs for new state capitol building	502
time and place of making and hearing motions	5227	PRESENTMENT,	
bringing in additional parties defendant	5178-5180	when found	7203
effect of bringing in additional parties	5181	definition	7205
proceedings where some of defendants are not served	5207	evidence receivable	7207
filing of pleadings, bonds, etc.....	5220	how found	7218
amendment of papers.....	5219, 5266	presentation to court, filing by clerk..	7219
ORDERS AND MOTIONS.		depositions and minutes of testimony to be returned therewith.....	7220
(see "Motions.")		— to be filed, right of exception....	7221
provisions with regard to motions and orders	5227	inspection of depositions, violation of law relating to contempt.....	7222
"order" defined.....	5224	defendant to have copy of depositions	7223
— necessity of giving notice.....	5227	not to be disclosed until arrest of accused	7224
— not made in district where action is brought.....	5227	disclosure of finding, punishment as contempt and misdemeanor.....	7225
— place of making ex parte orders	5227	bench warrant; clerk to issue, when..	7226
— vacating or modifying.....	5267	— how issued	7227
"motions" defined	5225	— form	7228
— notice of.....	5226	— how served	7229
SERVICE OF PLEADINGS, NOTICES, ETC.		proceedings on arrest.....	7230
service of papers in actions against town	1008	magistrate to have copy of presentment and depositions.....	7231
time to serve notice, pleadings, etc., in village municipal court.....	1377	dismissal of charge, no bar to subsequent proceedings	7233
notice of filing complaint with clerk	5196	PRESERVATION OF GAME,	
service of complaint.....	5196	(see "Game.")	
furnishing adversary with copy of account	5246	PRESIDENTIAL ELECTORS,	
service of papers on railroad company	5202	to be elected at general election....	6
service of notice or papers on parties	5212-5218	statement of votes; tie vote, how determined	180
sufficiency of papers served.....	5219	time and place of meeting.....	181
proof of service of complaint or notice	5208	notification of presence to governor..	182
"PRECEDING,"		vacancies in board, how filled....	182, 183
meaning of term.....	255	— notice of vacancy filled.....	184
PRE-EMPTION,		compensation	185
entries on swamp lands under federal laws, relinquishment by state.....	4035	PRESIDENT OF SENATE,	
PREFERENCE,		compensation	232
by insolvent limited partnership....	2347	PRESIDENT OF VILLAGE,	
by insolvent, general or special partner	2347	election	1219
PREFERRED STOCK,		duties	1286
issuance by railroad company.....	2734	member of village council.....	1295
— by corporations	3415	power over police.....	1309
PRELIMINARY EXAMINATION,		PRIESTS,	
of accused.....	7137-7147, 7155, 7156, 7169	privileged communications to (par. 3)	5662
(see "Crimes and Punishments.")		PRINCIPAL AND AGENT,	
		(see "Attorney and Counselor"; "Brokers"; "Consignee"; "Power of Attorney.")	
		listing of property for taxation by agent	1515
		conveyance of land by agent..	4160-4162

MINNESOTA STATUTES 1894

2376

PRINCIPAL AND AGENT—PROBATE CODE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec
PRINCIPAL AND AGENT—Cont'd,		PRISONERS,	
letters of attorney not deemed con-		duties of sheriff.....	793
veyances, acknowledgment and rec-		powers of sheriff with regard to....	794
ord	4186	provision for spiritual advice and re-	
— recorded, not revoked unless rev-		ligious instruction.....	3633, 3634
ocation also recorded.....	4188	securing liberty of conscience.....	3635
deeds under blank powers of attor-		power of officers of other states.....	7090
ney, binding effect.....	4203	PRISONS,	
execution of contracts within statute		(see "Jails"; "State Prison.")	
of frauds, record of power of agent	4215	power of state board of corrections	
powers of attorney, exceptions from		and charities.....	460
act relating to powers.....	4360	(see "Board of Corrections and	
sale of land by foreign executors, etc.,		Charities.")	
appointment of attorney.....	4589	establishment by city.....	1085
appointment of agent for nonresident		PRIVATE SECRETARY,	
heirs on distribution of estate..	4662, 4663	of governor.....	301
foreign guardian may mortgage or		— salary (par. 9).....	530
sell real estate by power of attorney	4622	— appropriation (par. 14).....	7956
foreign executors, guardians, etc., may		PRIVILEGE,	
act by attorney.....	4717	of members of legislature (see "Leg-	
husband and wife acting as each		islature").	
other's agent.....	5534	of witnesses (see "Witnesses").	
appointment, by nonresident, of agent		when verification of pleading may be	
to accept services of process.....	5816	omitted	5245
PRINCIPAL AND SURETY,		excuse from giving incriminating tes-	
(see "Bail"; "Bonds.")		timony	5495
right of surety to ask for new bond..	883	PRIVILEGED COMMUNICATIONS,	
effect of county officer giving new		5662, 6505	
bond	886	(see "Libel"; "Witnesses.")	
discharge of sureties on probate bond,		PRIZE FIGHTING,	
furnishing new bond.....	4700	aiding therein, sending or carrying	
judgment against surety on appeal		challenges, etc., misdemeanor..	6652, 6947
bond	5078	what is a challenge.....	6653
execution against sureties on appeal		betting or stakeholding.....	6654
bond	5079	fight out of state, punishment.....	6655
— rights of surety on paying.....	5080	— place of trial.....	6656
action by surety against two persons		apprehension of persons about to	
to compel one to satisfy debt due		fight, bond accepted by magistrate	6657
the other for which he is surety....	5272	— bail or commitment.....	6658
rights of surety on paying judgment	5479	betting or holding stakes on fight....	6948
execution on official bond, collection		PROBATE CODE.....	4408-4749
first from principal and then from		(see "Descent and Distribution";	
surety	5955	"Executors and Administrators";	
recognizance to keep the peace, sur-		"Guardians"; "Wills.")	
render of principal by surety.....	7109	title of act.....	4408
PRINCIPALS AND ACCESSORIES,		probate courts.....	4408-4422
6261-6268, 6309-6314		(see "Probate Courts.")	
(see "Crimes and Punishments.")		wills and probate thereof.....	4423-4468
PRINTER,		(see "Wills.")	
fees for printing notices, etc.....	5581	term "executor" defined.....	4453
affidavit of publication of notices in		commitment of insane persons..	4679-4693
newspapers, filing and evidence....	5720-5723	(see "Insane Person.")	
PRINTING,		publications, where and how made..	
of laws and documents (see "Public		4719, 4720	
Printing").			

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PROBATE CODE—PROCESS.

2377

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PROBATE CODE—Cont'd,		PROBATE COURTS—Cont'd,	
— to be in English language in any newspaper, application to what counties	4721, 4722	service of process, powers and duties therefor	4735
word "husband" construed to mean "wife"	4731	notice of proceedings, power of court to order when not prescribed by statute	4736
repeal of certain laws	4737	appeals, jurisdiction of district court	4833
repeals, saving vested rights	4738	PROBATE JUDGE,	
wills probated and recorded, legalized	4739, 4740	(see "Judge of Probate.")	
PROBATE COURTS,		PROBATE OF WILLS.....	4423-4468
repeal of statute, c. 49, p. 1258		(see "Wills.")	
establishment and organization.....	4409	PROCESS,	
exclusive jurisdiction.....	4410	definition	2865, 3189
proof of wills and letters testamentary or of administration granted in what county.....	4411	powers and duties of supreme court..	4823
disqualification of judge, judge of adjoining county to act.....	4412	power of supreme court judge in vacation	4827
office to be at county seat, to be kept open for business, terms of court..	4413	refusal to execute, punishment.....	6389
record books to be kept.....	4414	— to aid officer in executing, punishment	6394
record books to have index.....	4415	killing person in execution of (par. 2)	6460
clerk hire.....	4418	ISSUANCE AND FORM.	
judge and clerk prohibited from taking fees, exception.....	4419	from district court, how to be tested	4847
judge or clerk not to act as attorney	4420	sealing, when returnable.....	4848
law partner of judge not to practice..	4421	issue by notary.....	2276
clerk of court not to practice.....	4422	power of public examiner to issue... 2579	
appointment of guardians.....	4534-4574	indorsement with name of attorney or person demanding.....	4849
(see "Guardian.")		summons, requisites	5194
— of insane or incompetent person	4549-4574	— contents	5195
(see "Guardian.")		to bring in additional parties defendant	5178, 5179
appeals to district court.....	4665-4678	recital where complaint is not served	5196
(see "Appeal.")		amendment	5266
commitment of insane persons..	4679-4693	— supplying name of defendant... 5268	
(see "Insane Person.")		designation of unknown defendant..	5268
bonds to run to judge of probate, who may prosecute.....	4699	issue and service in supplementary proceedings	5436-5441
additional bonds may be required, discharge of sureties, new bond... 4700		(see "Supplementary Proceedings.")	
power to examine witnesses, compel attendance, preserve order, and punish contempts.....	4726	in proceedings to enforce ordinances	1189
— issue citation, subpoena, or attachment, and make orders, etc., and issue commissions for depositions	4727	in forcible entry and detainer.....	6110
depositions, how taken.....	4728	— form	6127
adjournments, how and when taken	4729	in action to enforce mechanics' liens	6238
power to correct and amend records	4730	in partition	5771
duty to furnish certified copies of files or records.....	4733	for apprehension of accused persons..	7132
insanity of probate judge, examination, filling vacancy by governor..	4734	in criminal actions, filing with clerk of court	808
		<i>in justice's court.</i>	
		issued by justice.....	4956, 4967
		form	5092
		requisites	4966
		return	4966
		<i>in municipal courts.</i>	
		in villages, issue and form.....	1389

MINNESOTA STATUTES 1894

2378

PROCESS—PROHIBITION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

PROCESS—Cont'd,	Sec.	PROCESS—Cont'd,	Sec.
SERVICE.		PUBLICATION.	
no civil process to be served on election day	12	in criminal cases in cities, who to serve	1071
not to be served on legal holiday...	7987	RETURN.	
retirement of sheriff pending execution	792	effect as evidence.....	792
service of summons.....	5199, 5218	liability of sheriff for neglect of duty	789
on cities	1049	false return, action before justice....	4971
on municipalities	1498	return of summons.....	5197
in condemnation proceedings.....	2667	FEEES.	
on railroad companies.....	2759, 5202	fees for serving.....	5198
on foreign railroad companies.....	2751, 2752	PROCLAMATION,	
on corporations	5199	time of closing polls.....	126
on officer of mining corporation.....	2833	of opening and closing polls at town meeting	939
on foreign corporations...3420, 5200, 5201		submitting change of county boundaries to electors.....	622
on corporations having no resident officers	5203	of result of election to change county boundaries	628
evidence as to whether corporation has resident officers.....	5203	— effect	629
service on lands of United States....	4105, 4111, 4114, 4117	PRODUCTION OF BOOKS AND PAPERS,	
in divorce proceedings.....	4796	power of public examiner.....	2579
of copy of complaint with summons	5196	when ordered	5750
on minors	5199	PROHIBITION,	
on state in partition proceedings....	5814	issuance by supreme court....	4823, 5988
actions relating to land, service of process on nonresidents.....	5816	power of supreme court judge in vacation	4827
appointment, by nonresident, of agent to accept service.....	5816	service and return of writ.....	5989
proceedings against unknown persons to determine adverse claims to land	5818	adoption by party of return by court or officer, issues.....	5990
in forcible entry and detainer..6111, 6113		proceedings when returns are not adopted by party, controverting return	5991
actions against persons doing business under firm name.....	5177	judgment, writ of consultation, costs	5992
when attempt to commence action deemed equivalent to commencement	5144		
<i>municipal courts.</i>			
in village municipal courts, by whom served, time of service.....	1390		
WHO MAY SERVE.			
by whom	5197		
power of city police and watchmen..	1070		
in proceedings to enforce ordinance	1189		
in village municipal courts.....	1390		
— service by village police.....	1402		
in prosecutions for violating village ordinances	1252		
of probate court, service by the sheriff	4735		
special deputation to serve, action before justice	4970		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PROHIBITION—PUBLICATION.

2379

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PROHIBITION—Cont'd,	
— absolute prohibition, writ of consultation	5993
costs, right and liability of relator..	5510
PROMISSORY NOTES,	
(see "Negotiable Instruments.")	
PROOF,	
burden of proof (see "Evidence").	
pleading and proof (see "Pleading").	
failure of.....	5264
PROPER AUTHORITIES,	
definition for certain purposes.....	1450
PROPERTY,	
definition	6842
PROSTITUTE,	
restraining and punishing (par. 31)..	1299
PROSTITUTION,	
abducting female for.....	6529
PROTEST,	
of negotiable instruments (see "Negotiable Instruments").	
PROTESTANT EPISCOPAL CHURCH,	
(see "Religious Societies.")	
provisions relating to.....	3049-3054
PROVISIONS,	
regulating sale in villages (pars. 19, 25)	1299
PROXY,	
voting by.....	2763, 3045, 3412
PUBLICATION,	
(see "Newspapers"; "Public Printing.")	
of statement of terms of court.....	289
of statistics	406
of financial condition of county.....	680
of statement of county affairs.....	753
of supreme court reports...2281, 2282, 2284	
of report of banks.....	2515
of articles of incorporation....2594, 2796	
— of manufacturing company.....	2813
— of loan companies.....	2839
— of trust companies.....	2842
— legalized	2795
of amendment of articles of incorporation	2804
— of building and loan associations	2871
of annual statement of insurance companies	3174
of by-laws regulating election by cooperative life, etc., associations....	3316
of report of trustees of soldiers' home	3622
of inventory of property of state institution	3638

	Sec.
PUBLICATION—Cont'd,	
of order for hearing petition to acquire sites for school houses.....	3655
of geological and natural history survey	3939, 3940
in probate proceedings.....	4719, 4720
— to be in English language in any newspaper	4721, 4722
— proof, how made, effect.....	4723
of rules of court.....	4824
of syllabus of supreme court decision	4826
of notices, statements, etc.....	5223
of report of judicial proceedings, criminal contempt.....	6407
of criminal libel, definition.....	6499
fees of printer.....	5581
OF LAWS AND ORDINANCES.	
of laws and documents (see "Public Printing").	
of laws, certificate of secretary of state	278
— what constitutes newspaper for purpose of publishing...7993, 7995,	7996
— affidavit by newspaper proprietor to secure right to publish.....	7994
of general law before taking effect... 257	
of ordinances.....	1087, 1090
— of villages.....	1267
OF PROCEEDINGS AND REGULATIONS OF BOARDS.	
of proceedings of county commissioners	671
— of county board of equalization (par. 5).....	1552
— of state board of equalization... 1556	
of regulations of board of health.... 1471	
— of orders of state board.....	7046
RELATING TO TAXES AND TAX SALES.	
of delinquent tax list....1581, 1583,	1628
of notice of tax sale.....	1591
of notice relating to lands sold for taxes	1604, 1654, 1655
OF NOTICES.	
general provision.....	5223
of petition to change county seat.... 647	
of election	1045
of intention to organize bank.....	2541
of condemnation proceedings.....	2606, 2625
of meeting of corporation.....	3408
of meetings of manufacturing company	2808
to foreign building and loan association to cease to do business.....	2874

MINNESOTA STATUTES 1894

2380

PUBLICATION—PUBLIC EXAMINER.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PUBLICATION—Cont'd,		PUBLIC EXAMINER—Cont'd,	
of sale of state lands.....	4003	term of office.....	410
of intention to foreclose chattel mortgage	4138	oath and bond.....	410
of application for discharge of assignee for creditors.....	4235	vacancy in office, how filled.....	410
of entry of land under town-site act..	4257	powers and duties with regard to state institutions.....	411
of hearing for appointment of administrator	4480	— with regard to state and county officers	412
of special term of court.....	4831	report to governor.....	412, 413, 420
of adjourned and special terms of court	4850	to report to attorney general refusal of officers to obey instructions.....	412
of application for appointment of guardian	5162	approval of bond of treasurer of state institution	7977
of execution sale.....	5466	— of superintendent of state institutions	7978
of taking deposition to perpetuate testimony	5694, 5701	— of officer of state prison.....	7456
of foreclosure of mortgage under power of sale.....	6032	documents transferred from state auditor's office.....	414
of postponement of mortgage sale....	6035	power and duties with regard to officers of city of St. Paul.....	415
of legal notice, in what newspaper... 7990		services performed in city of St. Paul, liability for.....	416
— in daily newspaper.....	7992	duty of officers to make returns to....	418
— what constitutes newspaper for purpose of.....	7993, 7995, 7996	penalty for making false statements to power to administer oaths.....	419
— affidavit by proprietor of newspaper to secure right to publish....	7994	— examine books, papers, etc.....	419
— curative statute.....	7991	— examine officers or other persons..	419
		— issue subpoenas.....	419
SERVICE OF PROCESS BY.		punishment for refusal to furnish information to.....	419
service of process by.....	1569, 4968, 4969, 5204, 5205	— obstructing in performance of duties	419
in attachment proceedings.....	5055-5058	duties of attorney general.....	424
foreclosure of mortgage by action....	6058	to prepare blank forms for official bonds	874
PROOF.			
filing	2339	ASSISTANT EXAMINER AND DEPUTIES.	
evidence of publication of notice....	1157	assistant examiner.....	2532
affidavit, filing, admissibility in evidence	5720-5722	may appoint deputy.....	422
affidavit of officer of historical society, effect as evidence.....	5724	deputy to take oath and give bond... 422	
PUBLIC AUCTIONS,		duties of deputy.....	422
(see "Auction and Auctioneer.")		salary of deputy, appropriation. 423,	7958
PUBLIC BATHS,			
regulation in villages (par. 1).....	1299	MATTERS RELATING TO BANKS—POWERS AND DUTIES WITH REGARD TO.	
PUBLIC BUILDINGS,		powers and duties.....	413
injuries to, or to articles therein; criminal liability.....	6789	supervision of state banks.....	414
PUBLIC DOCUMENTS,		extending time to bank within which to commence business.....	2550
(see "Public Printing.")		<i>savings banks.</i>	
number of copies to be printed.....	279	duties with regard to organization of.. 2543, 2544, 2547	
printing and publication, when official duty to furnish copies.....	328	— certificates relating to.....	2546
report of public examiner.....	420	powers and duties with regard to supervision of.....	2579, 2580
PUBLIC EXAMINER,		duties with regard to investments of..	2565
appointment by governor.....	410		
qualifications for filling office.....	410		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PUBLIC EXAMINER—PUBLIC LANDS.

2381

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PUBLIC EXAMINER—Cont'd,		PUBLIC EXAMINER—Cont'd,	
information given by.....	2549	moneys available for keeping up of-	
valuation of assets of.....	2570	fice	2576.
report to, by.....2572-2574,	2581	disposal of fees received from build-	
verification of report of.....	2575	ing associations.....	2893.
extending time for report by.....	2576	PUBLIC HALLS,	
penalty for failure to report.....	2576	provisions with regard to doors of...	
report to legislature concerning.....	2578	6860, 6861	
reducing or increasing number of sav-		PUBLIC IMPROVEMENTS,	
ings bank's trustees.....	2584	(see "Drainage and Drainage Dis-	
change of name of.....	2585	tricts"; "Municipal Corporations.")	
TRUST COMPANIES.		assessments for	1116-1162
approval of securities of.....	2844	(see "Municipal Corporations.")	
annual report of, publication.....	2852	on waters, power of eminent domain	
duties in relation to.....	2853	of United States.....	4106.
to admonish companies violating law,		PUBLIC INSTITUTIONS,	
and report to attorney general.....	2854	approval of bonds of treasurers...525, 526.	
BUILDING AND LOAN ASSOCIATIONS.		PUBLIC LANDS,	
by-laws to be filed.....	2857	(see "Surveys.")	
duty with regard to securities depos-		state land agent, employment by gov-	
ited by.....	2860	ernor	465.
papers to be filed by foreign.....	2863	— powers and duties.....465, 466	
service of process on foreign, mailing		— to give bond.....	467
duplicate by examiner.....	2864-2866	— compensation	468.
notice to foreign, violating law.....	2868	transfer of internal improvement land	
to receive reports from.....	2872	contracts to school fund.....	510, 511
examination of, fees.....	2873	— transfer to university fund.....	513
duty with regard to bonds of officers		— fractional adjustment.....	517
of	2875	occupant held to be owner within act	
notice by, of intention to confine busi-		providing for laying out highways..	1821.
ness to local business.....	2887	homesteaders and pre-emptors are	
execution of papers required by act		freeholders, within meaning of	
regulating	2893	school laws.....	3674.
fees received from, disposal.....	2893	rights of claimant to damages for lay-	
supervision of local associations, ex-		ing out or altering road.....	1855.
ception	2895	— limitation of actions for damages	
certificate issued to local association..	2896	for erection of dams.....	2369.
compensation for services under act		plattling and sale of old site of re-	
regulating	2902	form school.....	3532, 3551
COMPENSATION—APPROPRIATIONS AND		railroad right of way over...2670, 2671	
FUNDS FOR SUPPORT OF OFFICE.		transfer to state university.....	3949.
compensation	417, 421	custody of documents pertaining to	
— for services under act regulating		title of.....	350, 3964
building associations.....	2902	taxation after transfer by state.....	3982
fees for examining building and loan		record of patents.....	3984, 5756
associations	2873	damages for injuries to.....	3989
criminal liability for receiving com-		penalty for injuries to.....	3990.
pensation other than provided by		damages for trespass on.....	3992
law	421	when purchaser deemed trespasser...3973.	
appropriation for expenses of office		charge to grand jury concerning...3991	
423, 7961 (par. 6)		recovery from person wrongfully de-	
appropriation for salary (par. 32)...7956		taining	3993
— of deputy.....	423, 7958	duty of county attorney.....	803, 3994
contingent fund to support office....	2532	duties of attorney general.....	3995.

MINNESOTA STATUTES 1894

2382

PUBLIC LANDS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PUBLIC LANDS—Cont'd,		PUBLIC LANDS—Cont'd,	
compensation of county auditor for services	3998	salary of commissioner (par. 4).....	530
filing and custody of bond of county treasurer	3999	salary of clerk (par. 13).....	530
sending blank bond to county treasurer	3999		
disposition of moneys accruing from	4004	SURVEYS.	
— funds realized from sale of right of way.....	2673	surveys	3981
seizure and sale of property wrongfully removed from.....	4018	survey and sale of islands.....	3980
— powers in litigation arising.....	4019	government surveys.....	4122-4126
state park.....	4047-4058		
(see "Parks.")		LAYING OUT INTO LOTS, AND APPRAISEMENT.	
lease of hay and grass privileges... ..	4083	laying out into lots.....	3975
acquisition of property under power of eminent domain.....	4085-4091	— record of map.....	3983
erroneously conveyed to state, relinquishment	4128	— appraisalment	3976
town sites and execution of trusts under act.....	4255-4273	compensation of appraisers.....	3976
(see "Town Sites.")		oath of appraisers.....	3976
land-office receipts, etc.....	5753, 5757	reappraisalment	3977
certificate of entry.....	5754		
patents and duplicates recorded.....	5756	SALE.	
plats of surveys, etc., from land office as evidence.....	5758	provisions concerning.....	3966-3968
land-office receipts may be recorded..	5757	notice of	4003
action to vacate letters patent.....	5964	advertising lands for, withdrawal before day of sale.....	3967
— copy of judgment to be filed with secretary of state.....	5973	rights of holders of certificates of purchase, division of certificate.....	3969
rights of persons taking up claims on government lands without authority.	6128-6131	— right to new survey and subdivision	3969
willful trespass on pine lands.....	6907	requiring further security from purchaser	3970
		rights of purchaser at execution or mortgage sale.....	3971
LAND OFFICE AND LAND COMMISSIONER.		when patents issued.....	3971, 3972
(see "Land Office.")		state to retain title until payment... ..	3973
state land office.....	3958	when purchaser deemed trespasser... ..	3973
commissioner of land office.....	3959	action for purchase money.....	3974
— powers and duties.....	3959	sale of appraised lots.....	3977
assistant land clerk.....	3960	effect of certificate of purchase.....	3977; 3978
records and accounts kept by commissioner	3961, 3963	record of certificate of purchase.....	3978
books and papers committed to custody of commissioner.....	3963	delinquent purchaser, redemption... ..	3979
report of commissioner to legislature	3962	report to county auditor of land sold	3982
appointment of clerk by commissioner	3963	taxation after transfer by state.....	3982
seal of commissioner.....	3963	illegal sales.....	3986
duty of commissioner with reference to county treasurer.....	4000	— refunding purchase money.....	3986
supervision of state park.....	4049	rights of assignees of purchasers.....	3987
payment of expenses of land office... ..	3985	description of land sold.....	3988
		limit as to amount sold.....	3988
		payment by purchasers.....	3996
		— receipts for.....	3996
		bond of county treasurer to secure proceeds of.....	3997
		powers and duties of county auditor..	3998
		sale in certain counties, reservation of mineral rights.....	4084
		survey and sale of islands.....	3980
		of agricultural college lands.....	4021
		sale for taxes, refunding money to purchaser on canceling sale.....	1610

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PUBLIC LANDS.

2383

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

PUBLIC LANDS—Cont'd,

Sec.

EVIDENCE OF TITLE.

land-office receipt, etc..... 5753, 5757
 certificate of entry..... 5754
 patents and duplicates recorded..... 5756
 plats of surveys, etc., from land office 5758

RAILROAD LANDS.

lists transmitted by company to registers of deeds..... 4199
 — to be certified by state auditor.. 4200
 — to be public record, evidence of title 4201
 — application of act to all land grants 4202

SCHOOL LANDS.

pre-emption, duties of attorney general 358
 condemnation of..... 2625
 — notice 2606
 railroad right of way over..... 2670-2672
 laying out into lots and appraisalment 3975-3977, 4002
 — record of map..... 3983
 control and disposition of moneys received for..... 4001
 investment of proceeds of..... 4005
 seizure and sale of property wrongfully removed from..... 4018
 — powers in litigation arising..... 4019
 transfer for park purposes..... 4051

sale.

provisions concerning..... 3965-3968
 minimum price..... 3965, 4002
 notice 4003
 certificate of purchase..... 3967, 3968
 rate of interest paid by purchaser.. 3966, 3967
 effect of failure to pay interest..... 3968
 division of certificate of purchase.... 3969
 right of purchaser to new survey and subdivision 3969
 requiring further security from purchaser 3970
 when patents issue..... 3971
 title retained by state until payment 3973
 action for purchase money..... 3974
 redemption by delinquent purchaser 3979
 report of sale to county auditor..... 3982
 payment for, and receipts therefor... 3996
 powers and duties of county auditor.. 3998
 sale of appraised lands..... 4002
 limit as to amount..... 4002
 sale in St. Louis county..... 3972
 compensation of county treasurer for collecting moneys..... 3997

PUBLIC LANDS—Cont'd,

Sec.

taxation.

after transfer by state..... 3982
 — rights of purchaser at tax sale.. 3982
 agricultural college lands..... 4021

UNIVERSITY AND COLLEGE LANDS.

transfer to state university..... 3948, 3949
 provisions with regard to lands donated for university and college purposes 4026
agricultural college lands.
 acceptance of gifts from United States 4020
 provisions with regard to sale of... 4021
 investment and application of proceeds 4021, 4022, 4025
 taxation after transfer..... 4021
 — rights of purchaser at tax sale.. 4021

SWAMP LANDS.

right of way over..... 2675
 grant of, to railroad companies.. 2677-2679
 setting apart for state institutions... 4028, 4029
 — record of 4029
 provisions concerning sale and investment of proceeds..... 4030
 control of lands set apart for state institutions 4031
 relinquishment by state... 4032, 4036, 4037
 — indemnity 4036, 4037
 relinquishment by state in favor of actual settlers.... 4032, 4033, 4035, 4037
 — indemnifying state 4033
 — indemnifying grantee of state... 4034, 4038

STATE SALT LANDS.

transfer to University of Minnesota.. 3948

STATE CAPITOL LANDS.

lease 4039-4046
 — disposition of rents..... 4042
 — right to terminate.... 4042, 4043, 4045
 — covenants against waste..... 4043
 reservation of site for capitol..... 4046

TIMBER AND TIMBER LANDS.

provisions concerning sale of pine lands 3965
 powers and duties of land commissioner with regard to timber lands.. 4008-4010
 provisions with regard to cutting and sale of timber..... 4011-4014
 — log marks 4013
 — fraudulent log marks..... 4017
 permit to cut timber..... 4012-4014

MINNESOTA STATUTES 1894

2384

PUBLIC LANDS—PUBLIC PRINTING.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
PUBLIC LANDS—Cont'd,		PUBLIC LANDS—Cont'd,	
permit to cut timber, record of permit	4014	Ft. Ripley reservation, relinquishment	
bond executed by purchaser of timber	4013	of lands to.....	4127
notice of lien of state.....	4013	purchase by	4107
duties of surveyor of logs and lumber	4015	consent of state to acquisition of land	
timber cut but not paid for.....	4013	by	4112, 4119
disposition of logs wrongfully cut....	4015	cession of jurisdiction by state to....	
payment for timber cut.....	4016	4105, 4109, 4111-4115, 4117-4119	
— enforcing payment	4016	map of site of federal buildings.....	
release of claim of state to timber cut	4016	4110, 4113, 4120	
rights of lessee of mining lands to		exemption from taxation.....	4104, 4108
timber	4079	on Mississippi, right of United States	
to overflow lands.....		to overflow lands.....	4121
MINING ON—LEASE OF MINING LANDS.		overflow by acts of United States, re-	
regulations with regard to.....	4059-4064	lease of damages by state.....	4121
“mines” defined	4061	rights of persons taking up claims on	
“mining claims” defined.....	4061, 4071	lands of, without authority....	6128-6131
size of mineral districts.....	4063	PUBLIC LIBRARY,	
rights of discoverer of mineral.....	4065	(see “Libraries”; “State Library.”)	
notice of claim.....	4066	PUBLIC MARKETS,	
proceedings to perfect right to claim..		power of common council (par. 18)...	1085
4066, 4067		established in villages (par. 18).....	1290
— sinking of shaft.....	4067	PUBLIC OFFICERS,	
effect of failure of claimant to sink		(see “Officers” and special heads.)	
shaft	4063	PUBLIC OR PRIVATE WORKS,	
certificate of right to mining claim...	4067	defined	473, 2264
what is necessary to retain possession		PUBLIC PARKS,	
of mining claim.....	4069	(see “Municipal Corporations”;	
penalty for defacing notices of claim	4070	“Parks.”)	
record of description of claim.....	4073	in villages, power to levy special as-	
claims in unorganized counties.....	4074	essment for improvements.....	1338
rights of persons making develop-		territorial or state road running	
ments under mistake as to right...	4077	through, vacation	1845
duties of register of deeds.....	4067-4075	PUBLIC PEACE,	
fees of register of deeds.....	4072	(see “Breach of the Peace”; “Chari-	
<i>lease of mining lands.</i>		vari”; “Disorderly Conduct”; “Dis-	
lease of mining lands.....	4076-4078	turbance of Assemblage”; “Dis-	
fees paid by applicants.....	4077	turbance of Religious Worship”;	
rights of lessee on termination of		“Disturbance of Schools”; “Unlaw-	
lease	4078	ful Assembly.”)	
rights reserved	4079	offenses against	6644-6662, 6930-6946
form and contents of contract.....	4079	PUBLIC PLACES,	
subcontracts	4079	in towns, for posting notices.....	1030
payment of taxes.....	4079	PUBLIC POLICY,	
payment of royalties.....	4079, 4080	offenses against	6947-6966
disposition of royalties accruing under	4080	PUBLIC PRINTING,	
right of re-entry.....	4081	(see “Newspapers”; “Publication.”)	
lease to mine iron ore, discovery of		commissioners	259
other minerals	4082	classification of printing	260
right of lessee to timber.....	4079	advertisement for bids, maximum	
prices, requisites of bids.....		prices, requisites of bids.....	261
commissioners to act on and award		bids	262
bids		bills and resolutions, how printed..	263
UNITED STATES.			
record of documents relating to land			
of	4107		
conveyance to	4103		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

PUBLIC PRINTING—QUARANTINE.

2385

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
PUBLIC PRINTING—Cont'd,	
journals, how printed.....	264, 270
— appendixes, how printed.....	272
public documents and reports, how printed	265
laws, how printed.....	266
for executive departments.....	267
rules for estimating composition....	268
notice of acceptance of bids.....	269
binding of laws, journals, and documents	273
contractors to exercise diligence in, time for completion of work.....	274
rejection of work, new contract....	275
paper for printing.....	276
paper and work at risk of contractor, waste of paper.....	277
number of copies of different documents to be printed.....	279
state printing expert, appointment, duties, etc.....	280
copy of job and bill to be delivered to expert	281
accounts for work, payment, allowance of interest.....	282
laws, journals, etc.; when official....	285
commissioners to determine number of copies to be printed.....	286
payment for composition on executive documents	287
definition of "charge for binding"...	288
of legislature manual, advertisement for bids	291
— to be paid from general appropriation	292
— use of stereotype plates.....	293
— number of copies printed, and distribution	295, 296
county printing, letting contracts for publishing statement of county affairs	671, 753, 758
city printing	1079
village printing, bids therefor, designating official newspaper.....	1308
of order for hearing petition to acquire site for school house.....	3655

	Sec.
PUBLIC PRINTING—Cont'd,	
letting contract to furnish blanks for school registers, reports, etc.....	3735
publication of notices, statements, etc.	5223
affidavit to secure right to do.....	7994
compensation of newspaper....	1629, 1656
LAWS AND ORDINANCES.	
how printed	266
when official	285
in what newspaper, etc.	7993, 7995, 7996
ordinances	1087, 1090
— of villages	1267
PROCEEDINGS AND REGULATIONS OF BOARDS.	
proceedings of county commissioners	671
— of county board of equalization..	1552
— of state board of equalization..	1556
regulations of board of health.....	1471
— of orders of state board.....	7046
REPORTS.	
how printed	265
statement of county affairs.....	680, 753
of directors of institute for defectives	3446
of trustees of insane hospital.....	3494
of trustees of soldiers' home.....	3622
of public examiner	420
of state board of corrections and charities	462
of bureau of labor.....	476
supreme court reports....	2281, 2282, 2284
INVENTORIES, SURVEYS, AND TAX LISTS.	
inventory of property of state institutions	3638
geological and natural history survey	3939, 3940
delinquent tax list	1581, 1583, 1628
— effect of errors on right to compensation	1629
PUBLIC SCHOOLS	3648-3832
(see "Schools"; "State Public School.")	
PUNISHMENT,	
(see "Crimes and Punishments.")	

Q.

QUAKERS,	
marriage among.....	4783
QUARANTINE,	
(see "Health.")	
established	7045-7079

QUARANTINE—Cont'd,	
power of state board of health.....	426
of persons infected with contagious disease, by town board of health..	977, 978

MINNESOTA STATUTES 1894

2386

QUARANTINE—RAILROAD AND WAREHOUSE COMMISSION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
QUARANTINE—Cont'd,	
power of common council (pars. 22, 30)	1085
powers and duties of local boards of health	1463
QUARRY COMPANIES.....	2827-2837
(see "Corporations.")	
QUIETING TITLE—REMOVAL OF CLOUD,	
(see "Adverse Claims"; "Real Property.")	
by executor or administrator.....	4497
venue	5182, 5183
service of process on nonresidents..	5816
— appointment of agent to accept services	5816
actions to try tax titles.....	5821
QUI TAM AND PENAL ACTIONS,	
(see "Penalties.")	
against town supervisors.....	2129
against railroad company.....	2706
limitation of actions.....	5137, 5138, 5140
QUITCLAIM DEED,	
effect	4163
QUORUM,	
of legislature, compelling attendance	229
of railroad and warehouse commission (par. f).....	387
of board of county commissioners..	666
of town supervisors	981
of common council	1083
of village council	1295
of board of review.....	1547
of board of trustees.....	2554, 3491
of board of trustees of insane hospital	3449
of meeting of corporation.....	3412
of board of directors.....	3439

	Sec.
QUORUM—Cont'd,	
at directors' and stockholders' meeting of manufacturing companies...	2814
of board of managers of reform school	3521
of board of education in independent school district.....	3798
of regents of state university.....	3905
of board for making jury list.....	5629
of board of managers of state prison	7451
QUO WARRANTO,	
powers and duties of supreme court..	4823
power of supreme court judge in vacation	4827
actions to annul or vacate charter and prevent usurpation of franchise	5961-5973
(see "Corporations.")	
actions against persons usurping office or franchise.....	5963
action to vacate charters and prevent usurpation of office.....	5965
action for usurping office, complaint, judgment	5966
— claimant to have possession of office, etc., refusal to deliver, contempt, action for damages.....	5967
— all claimants to be joined.....	5968
— judgment against usurper, fine..	5969
judgment dissolving corporation, when	5970
usurpation of franchise by corporation, etc.; costs, how collected....	5971
judgment against corporation for usurping franchise, etc., injunction, appointment of receiver.....	5972
judgment against corporation or for vacation of letters patent, judgment roll to be filed with secretary of state	5973
costs, right and liability of relator..	5510

R.

"RAILROAD,"	
(see "Railroad and Warehouse Commission"; "Railroad Companies.")	
meaning of term.....	256
definition as used in act providing for railroad and warehouse commission (par. b).....	379
RAILROAD ADJUSTMENT BONDS,	
cancellation and destruction, record thereof	512, 513

RAILROAD AND WAREHOUSE COMMISSION,	
scope of act providing for.....	379
making rules to govern transfer of traffic between connecting lines (par. b).....	381
when to establish through joint rates for traffic over connecting lines (par. c).....	381

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RAILROAD AND WAREHOUSE COMMISSION.

2387

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RAILROAD AND WAREHOUSE COMMISSION—Cont'd,		RAILROAD AND WAREHOUSE COMMISSION—Cont'd,	
when to establish rules for transfer of traffic between connecting lines (par. c).....	381	power of commissioner to administer oath (par. f).....	387
presumption in favor of schedule of rates (par. c).....	381	right of parties to appear in person (par. f).....	387
when to apportion joint rates between connecting lines (par. d)....	381	when proceedings to be public (par. f)	387
power to suspend rules governing charges	384	when special sessions held (par. g)..	387
terminal charges for switching or transferring cars, power to apportion between companies (par. c)...	385	place of holding special sessions (par. g).....	387
copies of certain documents to be filed with (par. d).....	386	prosecution of inquiries through individual members (par. g).....	387
when to make new tariff of rates (par. e).....	386	power to employ counsel (par. h)....	387
proceedings where charges of carrier are claimed to be unreasonable (par. e).....	386	power to require services of county attorney (par. h).....	387
notice of hearing before (par. e)....	386	attorney general to be attorney of (par. h).....	387
power to summon witnesses (par. e)..	386	powers and duties (par. a).....	388
power to require production of books, papers, etc. (par. e).....	386	power to require repair of railroad (par. a).....	388
enforcing tariff of rates made by it (par. f).....	386	power to require change in mode of operating railroad (par. a).....	388
creation of (par. a).....	387	complaint by one injured through carrier's violation of law (par. b)....	389, 391
appointment of members by governor (par. a).....	387	power to compel production of books, papers, etc. (par. b).....	391
commissioners forbidden to engage in other business (par. b).....	387	right to have charges against carrier investigated by (par. b).....	391
effect of vacancy in commission (par. b).....	387	proceedings when called upon to investigate charges against carrier (par. b).....	391
power of governor to remove commissioner (par. b).....	387	power to require attendance of witnesses (par. b).....	391
term of office of commissioners (par. b).....	387	refusal of carrier to obey subpoena, power of district court (par. c)....	391
disqualification to act as commissioner (par. c).....	387	report of results of inquiry into charges against carriers (par. a).....	392
political belief of members (par. c)..	387	duties on determining that carrier has violated the law (par. b).....	392
how vacancies filled (par. c).....	387	refusal of carrier to obey orders, reporting fact to attorney general (par. c).....	392
power of majority (par. d).....	387	effect of report as evidence (par. b)..	393
oath taken by commissioner (par. d)..	387	method of enforcing orders (par. c)..	393
bond given by commissioner (par. e)..	387	appeal from orders to district court (par. d).....	393
record of proceedings (par. f).....	387	duty to prosecute suits against carrier for violation of law (par. a)....	394
making rules to govern proceedings of (par. f)	387	to require reports from carriers (par. a).....	395
what constitutes quorum (par. f)....	387	power to interrogate carriers (par. a)	395
general session, where held (par. f)..	387	power to require uniform system of accounts (par. b).....	395
when commissioner disqualified from acting (par. f).....	387	to make report to governor (par. a)..	396
manner of conducting proceedings (par. f).....	387	when to make special reports to governor (par. b).....	396
to have seal (par. f).....	387		
place of principal office (par. f)....	387		

MINNESOTA STATUTES 1894

2388

RAILROAD AND WAREHOUSE COMMISSION—RAILROAD COMPANIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

RAILROAD AND WAREHOUSE COMMISSION—Cont'd,	Sec.	RAILROAD AND WAREHOUSE COMMISSION—Cont'd,	Sec.
effect of act providing for, existing remedies preserved (par. c).....	396	— publication of rules, etc.....	7698
authority to fix compensation of employes	397	disposition of moneys collected by grain inspectors, weighmasters, etc..	7699, 7700
office expenses paid by state.....	397	attorney general to act as counsel, and institute prosecutions and suits....	7701
fees of witnesses summoned before..	397	establishing rules and regulations for public country elevators.....	7716
oath taken by secretary.....	397	complaint as to weights and grades at public country warehouse, duty of commissioner	7719
compensation of commissioners.....	397	annual report of public country elevators	7721
to appoint secretary.....	397	location of railroad side track to warehouses, mills, manufacturies, etc...	7730-7732
bond to be given by secretary.....	397	salaries of secretary and clerk and incidental expenses, appropriation (par. 13).....	7961
expenses paid by state.....	397	RAILROAD COMPANIES,	
act providing for, repeal of inconsistent acts.....	398	(see "Carriers"; "Eminent Domain"; "Railroad and Warehouse Commission.")	
enforcement of orders by district court	399	as warehousemen of grain (see "Warehousemen").	
appeal from district court in controversy relating to order of.....	399	definition of term "railroad".....	256, 379 (par. b)
jury trial in controversy relating to order of.....	399	duty to furnish facilities to railroad and warehouse commission in gathering information (par. a).....	388
effect of report as evidence.....	399	suits against, instituted by railroad and warehouse commission (par. a)..	394
method of enforcing orders.....	399	equipment of cars with implements for use in case of accident.....	402
powers with reference to sleeping cars to report to legislature on subject of heating and lighting cars.....	401	use of safety appliances on sleeping cars	401
powers and duties with regard to heating and lighting of cars.....	401	method of heating and lighting cars..	401
power to suspend provisions of act...	403	appointment of inspector of railroads	475
enforcement of orders (par. a).....	388	regulation in villages.....	1299 (pars. 7, 47)
to be notified before opening of new railroad	1670	assessments for village improvements	1342
map of railroad to be filed with.....	1670	forfeiture of franchise for failure to make certain report.....	1649
report to, of gross earnings of railroad	1678	report to railroad and warehouse commission before opening road.....	1670
duties with regard to railroad taxes, report to state auditor.....	1679	to file map and statement of physical characteristics of road.....	1670
report to, of railroad lands sold.....	1680	use of right of way by public not to constitute highway.....	1880
approval of safety appliances to be used at crossings of one railroad by another	2706	unclaimed goods, disposition of.....	2104
obtaining consent to increase of capital stock.....	2739-2742	— sale and disposition of proceeds..	2105
report to legislature as to propriety of increasing capital stock of railroad company	2740	— retrospective effect of statute....	2106
documents filed with, on removal of cause by foreign company.....	3428	— delivery to warehousemen.....	2107
to license public warehousemen.....	7660	transportation of trout out of season, enforcement of penalties against....	2143
secretary to act as warehouse registrar	7670		
appointment of weighmasters and inspectors of grain.....	7674-7713		
(see "Inspection.")			
appeal from decision of inspectors...	7692		
general supervision of grain, notice, establishment of rules and regulations for weighing and inspecting, etc....	7697		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RAILROAD COMPANIES.

2389

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.
RAILROAD COMPANIES—Cont'd,	
regulating consecutive hours of labor on trains, etc.....	6065
maximum length of working day for engineers and firemen.....	2242
— liability for violating statute....	2243
construction of branch lines.....	2592
right to operate telegraph lines.....	2592
right to incorporate.....	2592
duration of corporate life.....	2596
charges for transportation, use of canals	2617
right to enter on land to make preliminary surveys.....	2643
power to take, hold, and convey property	2644, 2645, 2648
power to hold land.....	5877
ejectment for land taken by....	2657-2662
manner of constructing switches....	2681
liability for violating law relating to switches	2682, 2683
liability for killing or injuring animals	2693
— where action is brought to enforce	2694
— effect of erection of gates and furnishing locks.....	6889
liability for damages caused by fires..	2700
— burden of proof of negligence....	2700
liability for neglect of fellow servants	2701
duties with regard to waiting rooms..	2702
— liability for neglect of.....	2703
action to recover penalty from.....	2704
duty to stop trains at county seats...	2705
duty to stop trains at stations and crossings	2706
— liability of employé.....	2706
— evidence as to violation of law..	2706
use of appliances at crossings of another railroad to prevent accidents..	2706
— proceedings to obtain right to use	2706
transfer of passengers at railroad junctions	2707
accommodations to be provided for handling freight.....	2708
— liability for failure to furnish....	2709
duties with regard to carrying stock and furnishing stock cars.....	2710
— liability for neglect of duty.....	2711
charges for carrying stock.....	2712
when elevator charges unlawful.....	2713
discrimination against persons shipping from private warehouses.....	2713
narrow gauge railroad width.....	2728
income certificates.....	2734

	Sec.
RAILROAD COMPANIES—Cont'd,	
agreements with bondholders or other creditors as to purchase, lease, or control of road.....	2736
— securing consent of stockholders..	2736
amendment of articles of association..	2738
fictitious debts forbidden.....	2743
punishment of officer for issuing unpaid stock or fictitious evidences of debt	2743, 2745, 2746
annual report to state auditor.....	2747
rights and privileges in other states..	2748
extension of road and building branches	2749
right to receive municipal or other aid	2749
alteration of route.....	2750
— rights of municipalities.....	2750
to have officer on whom process may be served.....	2759
to have general office.....	2759
documents kept on file at general office	2760
to keep for inspection documents relating to railroad lands.....	2761
failure to maintain certain offices....	2762
municipal aid.....	2771-2784
(see "Municipal Corporations.")	
— right to receive.....	2749
rights of municipality as stockholder..	2777
regulations as to ticket agents and sale of tickets.....	2785-2792
fraud on, by improperly disposing of tickets	2792
penalty for removing cause to federal court	3427
service of process and papers on....	5202
grounds and proceedings for dissolution	5899
contracts between telegraph and railroad companies legalized.....	7637
authority of conductor to arrest, etc..	6945
side tracks to warehouses, mills, etc..	7730-7732
signing petition for formation of sub-drainage district.....	7789
CONSTRUCTION OR REPAIR—PROTECTION OF LABORERS, MECHANICS, ETC.	
when authorized to commence work..	2737
construction of branch lines.....	2592
extension of road and building branches	2749
manner of constructing switches....	2681
lien for construction or repair.....	6231
— filing lien statement with secretary of state.....	6236

MINNESOTA STATUTES 1894

2390

RAILROAD COMPANIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RAILROAD COMPANIES—Cont'd,		RAILROAD COMPANIES—Cont'd,	
execution sale to satisfy mechanic's lien	6239	— and build cattle guards.....	2692
liability for debts owed by contractors to laborers and mechanics..	2765, 2766	duty to maintain fence between track and highway	2698, 2699
to take bond from railroad contractor to secure laborers.....	2764	— enforcement	2699
— liability on failure to take bond..	2764	effect of failure to build.....	2698
liability on bond given by contractor..	2764	liability for damages caused by failure to build.....	2695
notice to, of claim of laborers or mechanics	2765	penalty for breaking down gates, etc...	6886, 6888
EMINENT DOMAIN—TAKING OR USE OF PROPERTY OF ANOTHER COMPANY—RIGHT OF WAY.		penalty for leaving gates or bars open	6887, 6888
power of eminent domain.....		BRIDGES, FARM CROSSINGS, AND DRAINAGE.	
2645, 2646, 2648,	2668	liability to city for using public bridge (par. 2)	1094
right to enter on land to make preliminary surveys.....	2643	railroad bridges, liability of town or county for repairs.....	2691
use of property of another railroad..	2645	— charging toll for use by others..	2691
right to appropriate property of another company	2645, 2647	walking or riding on bridges forbidden	6890
right to use or cross another road.....	2642, 2647	duty to build farm crossings.....	2696
acquiring right to use or cross another road, proceedings.....	2642	power of adjoining owner to build farm crossings.....	2697
— duties of court.....	2647	construction of drains for benefit of adjoining owners.....	2697
right of way over state land... 2670,	2671	rights of adjoining owners with regard to draining lands.....	2697
— proceedings to obtain.....	2672	RIGHTS AND POWERS WITH REGARD TO OTHER RAILROADS—CONSOLIDATION.	
— curative statute	2674	rights to secure control of other roads	2714, 2716
right of way over swamp lands.....	2675	purchase of property and franchises of another company.....	2715
— proceedings to obtain.....	2676	right to purchase or lease other roads	2721
alteration of route.....	2750	right to combine with other roads....	2721
use of right of way by public.....	1880	right to aid in construction of another road	2721
ejectment for land taken by... 2657-	2662	consolidation	2715-2719
HIGHWAYS, HIGHWAY CROSSINGS, FENCES, AND CATTLE GUARDS.		— when permitted.....	2715-2718
obstructing highways.....	1866	— procedure	2715, 2718
— penalty	1868	— articles of consolidation.....	2715
stopping trains across highway, limit of time.....	1867	— effect	2719
right to appropriate highways.. 2642,	2645	— rights, powers, and liabilities of new corporation.....	2715, 2718, 2720
<i>highway crossings.</i>		— rights of nonconsenting stockholders	2718
duty to place signs at.....	2684	— provisions with regard to unpaid stock	2743
penalty for failure to signal near....	6637	who to determine issue as to whether railroads are competing lines.....	2717
duty to build or repair.....	2685	same officers on competing lines.....	2717
what constitutes sufficient crossing..	2686	consent of stockholders to acts of directors relating to other roads.....	2721
enforcing duty to build or repair.....	2687, 2688	LANDS.	
removal of snow.....	2689	power to hold.....	5877
liability for neglect of duty in regard to	2690		
liability for damages caused by failure to build.....	2695		
<i>fences and cattle guards.</i>			
duty to fence track.....	2684		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RAILROAD COMPANIES.

2391

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
RAILROAD COMPANIES—Cont'd,	
grant of lands to, by municipalities...	2680
grant of swamp lands to.....	2677
— selection	2677-2679
taxation... 1643-1645, 1648, 1650, 1651,	1667
rights of purchaser at tax sale.....	1644
to make report to state auditor.....	1643
duty to report transfer of interest...	1649
report to railroad commission of lands sold	1680
to keep for inspection documents re- lating to.....	2761
lists transmitted to registers of deeds	4199
— to be certified by state auditor...	4200
— to be public record, evidence of title	4201
— application of act to all grants...	4202
ejectment for land taken by	2657-2662
TAXATION.	
of railroad lands.....	1643, 1645, 1648
— rights of bona fide settlers.....	1650
— relief of bona fide settlers.....	1651
— rights of purchaser at tax sale...	1644
when railroad lands become taxable	1644, 1667
sale of lands for taxes, refunding money to purchaser on canceling sale	1610
to make report to state auditor.....	1643
duty to report transfer of interest in lands to state officers.....	1649
report to railroad commissioner of lands sold.....	1680
method of taxation.....	1508
exemption from taxation in considera- tion of paying percentage of gross earnings	1667
to pay percentage of gross earnings in lieu of other taxes.....	1669
report of gross earnings to railroad commissioner	1678
failure to return gross earnings.....	1676
collection of taxes, payments, etc....	1676
who to collect taxes.....	1671
enforcement of taxes.....	1673, 1675
penalty for delay in paying taxes...	1674
existing laws not affected.....	1681
when statute goes into effect.....	1681
of foreign companies.....	2753
ASSESSMENTS FOR LOCAL IMPROVEMENTS AND DRAINAGE ASSESSMENTS.	
assessment for local improvements...	1125
— for village improvements.....	1342
— by drainage district.....	7778, 7779

	Sec.
RAILROAD COMPANIES—Cont'd,	
liability for drainage assessments....	7754, 7814, 7815, 7826, 7827, 7835
collection of drainage assessment from	7815, 7835
PROVISIONS WITH REGARD TO GRAIN, GRAIN ELEVATORS, ETC.	
giving receipts for grain, and deliver- ing quantity receipted for.....	7653
— penalty for failure.....	7654
— prosecutions by attorney general for failure.....	7655
grain in cars; inspection; examina- tion of cars, seals, etc.....	7707
— duty to protect cars in yard, em- ployment of weighmaster.....	7708
— duty of warehousemen, etc., to protect cars until delivered to rail- road company.....	7709
— penalty for breaking seals on cars	7710
— penalty for violating act.....	7711
shipper of grain to terminal points, duty to affix tag showing weights, etc.	7712
grain elevators on right of way, loca- tion, condemnation of land.....	7724-7732
(see "Warehousemen.")	
CONTRACTS RELATING TO EQUIPMENT AND ROLLING STOCK.	
purchase of rolling stock, terms of con- tract	2720
lease of, terms of contract.....	2730
record	2731
validity as against third persons....	2731
acknowledgment	2731, 2733
retrospective effect of statutes.....	2732
BORROWING MONEY—BONDS AND MORT- GAGES.	
power to borrow money and give se- curity therefor.....	2722
power to issue bonds.....	2715, 2723
— refunding bonds.....	2722
contents of bonds.....	2736
bonds to represent actual value re- ceived	2743
sale of bonds below par.....	2723
interest on bonds.....	2722, 2723
defense of usury in action on bonds..	2723
issuing bonds convertible into stock..	2723
putting bondholders in directorate....	2722, 2735
agreement with bondholders as to pur- chase, lease, or control of road....	2736
<i>mortgages.</i>	
power to execute.....	2723

MINNESOTA STATUTES 1894

2392

RAILROAD COMPANIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RAILROAD COMPANIES—Cont'd,		RAILROAD COMPANIES—Cont'd,	
may include after-acquired property..	2724	— to acts of directors relating to	
record of.....	2725, 2726	other roads.....	2721
effect of record as to rolling stock and			
personal property.....	2725	ABANDONMENT OF ROAD, ETC.	
		right to abandon.....	2755
PURCHASE AT FORECLOSURE SALE AND		— proceedings to obtain.....	2756
ORGANIZATION OF NEW COMPANY.		unlawful abandonment, forfeiture of	
rights of purchasers.....	2727	aid given by municipalities or indi-	
organization of new company by pur-		viduals	2757
chasers	2727	— penalty for.....	2758
— rights, duties, and liabilities.....	2727	enforcement of penalty for abandon-	
purchase by another railroad com-		ing	2758
pany, rights acquired.....	2727		
		FOREIGN CORPORATIONS.	
STOCK AND INCOME CERTIFICATES.		filing of articles of incorporation by..	
power to issue stock.....	2715	2751-2753	
filing resolution authorizing issue of		— effect of.....	2754
stock	2715	rights and liabilities of.....	2751, 2753
consideration for sale of stock.....	2715	authorized to build on certain condi-	
right to sell for less than par.....	2715	tions	2753
issuing bonds convertible into stock..	2723	Iowa companies authorized to build	
certificates of stock, contents.....	2736	on certain conditions.....	2751
taking subscriptions to capital stock..	2737	rights and liabilities of Illinois com-	
increase of capital stock.....	2738	panies	2752
— obtaining consent of warehouse		taxation of, "gross earnings" defined..	2753
commission	2739-2742	documents filed with railroad com-	
— powers and duties of railroad		missioner on removal of cause.....	3428
and warehouse commission.....	2740		
stock issued to represent actual value		CRIMINAL LIABILITY FOR ACTS OR OMIS-	
received	2743	SIONS AFFECTING RAILROADS — PEN-	
stock to be fully paid before issuance	2740	ALTY FOR INJURING OR OBSTRUCTING.	
punishment of officer for issuing un-		violation of act relating to carriers,	
paid stock.....	2743, 2745, 2746	and providing for railroad commis-	
consolidated companies, provisions		sion	403
with regard to unpaid stock.....	2743	punishment of officer for issuing un-	
income certificates and special or pre-		paid stock or fictitious evidence of	
ferred stock.....	2734	debt	2743, 2745, 2746
statement as to capital stock.....	2744	fraud by improperly disposing of tick-	
— punishment for making false		ets	2792
statement	2745	mismanagement of steam boiler.....	6608
— punishment of officers for violat-		employment of engineer who cannot	
ing law with regard to.....	2745, 2746	read	6634
		person acting as engineer who cannot	
DIRECTORS AND STOCKHOLDERS.		read	6635
directors, who may be.....	2735	intoxication of persons running trains	6636
putting bondholders in directorate...	2722, 2735	failure to signal near highway cross-	
		ing	6637
election of directors.....	2763	willful violation of duty by officer,	
right to vote for directors.....	2735	agents, or servants.....	6638
meeting of stockholders.....	2763	provisions with regard to trespassers	
— voting by proxy.....	2763	on cars or engine while in motion...	6857, 6859
— who deemed stockholders.....	2763	consecutive hours of labor on trains,	
— notice	2763	etc	6965
rights of municipality as stockholder..	2777	— penalty for violating law.....	6966
consent of stockholders to certain			
agreements	2736		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RAILROAD COMPANIES—REAL PROPERTY.

2393

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RAILROAD COMPANIES—Cont'd,		RAPE—Cont'd,	
profanity and firearms prohibited on cars	6941, 6942	physical ability of defendant, when must be proved.....	6526
disorderly conduct on cars.....	6944	penetration sufficient.....	6527
— authority of conductor to arrest, etc	6945	indictment, form (Nos. 11, 12).....	7239
offenses against property, obstruction, etc	6772	REAL ACTIONS,	
misleading engineer by false signals, etc	6775	(see "Adverse Claims"; "Covenants"; "Ejectment"; "Forcible Entry and Detainer"; "Partition"; "Quieting Title—Removal of Cloud"; "Specific Performance.")	
penalty for injuring or obstructing... ..	6772, 6885	REAL-ESTATE TITLE INSURANCE COMPANIES	3338-3343
punishment for obstructing, or attempting to obstruct, engines. .6855,	6856	(see "Insurance Companies.")	
malicious injury to property.....	6891	REAL PROPERTY,	
— presumption of malice.....	6892	(see "Adverse Claims"; "Boundaries"; "Covenants"; "Deeds"; "Forcible Entry and Detainer"; "Landlord and Tenant"; "Mortgages"; "Partition;" "Quieting Title—Removal of Cloud"; "Specific Performance"; "Trespass"; "Vendor and Purchaser.")	
willful or careless injury to baggage, etc	6895	actions relating to (see "Ejectment").	
breaking down gates, fences, etc.....	6886, 6888	meaning of term "real estate".....	255
leaving gates or bars open.....	6887, 6888	definition of "real property".....	6342
walking or riding on bridges forbidden	6890	defined for purpose of taxation.....	1509
OFFENSES COMMITTED ON CARS.		separate tracts claimed under common grantor, action to confirm title of grantor.....	5820
arrest and ejection of swindlers. .6596-6598		right to test validity of tax title....	5321, 5322
disorderly conduct.....	6944	action to determine boundary lines..	5823-5829
— authority of conductor to arrest, etc	6945	action by part owners to obtain right to develop mineral deposits, etc...	5830-5832
jurisdiction, venue.....	7257	lands belonging to plurality of owners, development of mineral deposits or beds of clay, sand, gravel, or peat	5830-5838
RAM,		proceedings against unknown heirs..	5830-5842
lien for service fees.....	6252, 6253	action for dower or against cotenant, evidence of hostile claim.....	5843
RAMSEY COUNTY,		right of defeated claimants to remove buildings and fences.....	5848
boundaries	596	right of occupying claimant to reimbursement for improvements.....	5849
additional territory.....	596	actions relating to, pleadings.....	5850
publication of proceedings of commissioners	671	— verdict or findings of court.....	5850
excepted from provisions of act relating to county commissioners.....	677	— allowance of interest.....	5850
duty of register of deeds to make abstracts of title.....	773	— practice relating to determination of rights of occupying claimants	5850
compensation of member of board of equalization	1553		
fees of clerk of court in tax proceedings	1608		
special laws regulating care of poor not affected by general poor law act	1986		
conveyance of state fair grounds to state	2962		
provisions with regard to jury...5621-5628			
bond in lieu of recognizance.....	7988		
RAPE,			
what constitutes.....	5705, 6523		
carnal knowledge of children, age of consent, punishment.....	6524		
— construction of act.....	6525		

MINNESOTA STATUTES 1894

2394

REAL PROPERTY—RECOGNIZANCE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
REAL PROPERTY—Cont'd,		RECEIVERS—Cont'd,	
actions relating to service of process on nonresidents	5816	of insurance companies, duty to make statements	3182
— appointment, by nonresident, of agent to accept service.....	5816	appointment, after dissolution of corporation, to manage its affairs....	3432, 3434, 3435
— judgment against occupying claimant, conditions precedent to execution for possession.....	5851	appointment for insolvent debtor, powers, collection and distribution of property, powers of court.....	4241
— refunding purchase money.....	5851, 5852, 5856	under insolvent act of 1881, actions by, application of laws.....	4246
— conditions precedent to execution for possession.....	5852	— fees	4253
— payment of value of land by occupant	5852	appointment in proceedings to enforce payment of alimony.....	4810
— "improvements" defined.....	5853	actions against, leave of court.....	5174
— right of claimant to remove crops	5854	— venue of action.....	5175
— allowance to occupying claimants for improvements, taxes, etc.....	5855	— rules of procedure.....	5175
— presumption of good faith of occupant	5857	payment of judgment against.....	5176
— application of act with regard to occupying claimants.....	5858	appointment, when.....	5351
— order for survey.....	5859	of property in litigation.....	5351
— right of purchaser at execution sale	5862	court may order deposit of money, etc., when.....	5352
— conveyance of title by judgment	5864	proceedings to compel deposit, etc..	5353
— notice of lis pendens.....	5866	appointment in supplementary proceedings	5492
— costs	5867	— to manage corporate affairs on removal of officers.....	5895
— notice of no personal claim on defendant	5867	— for corporations.....	5897, 5899, 5906
rights of aliens.....	5874, 5875, 5878	— for banking and insurance companies	5902
rights of corporation having alien stockholders	5876	— for corporation sued for usurpation of franchise, etc.....	5972
power of corporation to hold....	5877, 5878	— in action to enforce mechanic's lien	6238
rights in property formerly owned by aliens	5878	bond, premium paid to company acting as surety, chargeable to trust fund	5948
forfeiture of lands illegally held by alien or corporation.....	5878	conversion of property by, criminal liability	6723
liability for waste.....	5882	RECEIVING STOLEN GOODS,	
damages for forcible eviction or forcible entry and detainer.....	5887, 5888	what constitutes.....	6730
right to enter on lands.....	6108	punishment	6730
rights of persons settling on government lands without authority..	6128-6131	averment and proof as to principal..	6731
REASONABLE DOUBT,		— person stealing goods.....	6731
of guilt of accused.....	6273	receiving stolen or mutilated logs....	2420
RECEIPTS,		refusal of pawnbroker to exhibit stolen goods.....	6601
tax receipts as evidence.....	1594	RECOGNIZANCE,	
for payment of fees by corporation..	3393	(see "Bail.")	
for payment for school lands.....	3996	power of justice of the peace to require	458
land-office receipt, evidence of title..	5753	of accused in bastardy proceedings, refusal to give.....	2042
— may be recorded, effect.....	5757	appearance of persons bound on, omission to hold term of court.....	4845
RECEIVERS,		given to stay execution	5038-5041
of insolvent banks.....	2512		
trust company not required to give bond (pars. 4, 9, 10).....	2840		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RECOGNIZANCE—RECORDS.

2395

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RECOGNIZANCE—Cont'd,		RECORDS—Cont'd,	
corporation may be surety on.....	5947	deposit of instruments with register	
breach, certifying, and return to dis-		of deeds and clerk of court...5723,	5729
trict court.....	5122	on appeal to supreme court.....	6135
actions on, venue.....	5187	right of public to examine.....	765, 887
in contempt proceedings.....	6170	— record of burials.....	3004
taken from witness who has commit-		of description of cattle brands.....	772
ted perjury.....	6377	duty to furnish certified copies.....	888
binding over to prevent violation of		of attached unorganized counties....	889
law relating to fighting of animals	6801, 6802	of ordinances.....	1087, 1090
binding over fugitive from justice...	7087, 7088	of municipal bonds issued.....	1439
taking from witnesses.....		of municipal aid bonds.....	1692, 1693
7101, 7150-7152,	7154	of location, etc., of state or county	
to keep the peace....7096, 7106, 7107,	7109	roads.....	1844
— filing in district court.....	7105	of notice concerning estrays.....	2083
— remission of penalty.....	7108	of duplicates of bonds, warrants, or	
— surrender of principal by surety	7109	orders.....	2229
— and be of good behavior by per-		of commission of notary.....	2272
son convicted of crime.....	7404	of auctioneer's license.....	2295
— by person convicted, proceed-		of certificate of limited partnership..	2335
ings on breach.....	7405	as notice of title.....	2616
on change of venue.....	7315	of contract relating to rolling stock..	2731
right of accused person to be re-		of documents designating route of	
leased on.....	7135	railroad.....	2749, 2750
for appearance of accused at prelim-		of burials.....	3093
inary examination.....	7140	of death of lunatic.....	3459
— proceedings on breach.....	7141	of examination of school teacher...	3751
taken from accused persons, return		of certificate of mining claim.....	4067
to clerk of district court.....	7156	of description of mining claim.....	4073
proceedings on breach of.....	7157	of mining claim on public lands....	4074
discharge of surety on making pay-		of assignment for benefit of creditors	4237
ment.....	7158	of assignment or of order for decree	
remission of penalty.....	7159	under insolvency laws.....	4228
judgment in action on.....	7159	of credentials of ministers.....	4772
what matters will defeat actions on	7160	of certificate of marriage.....	4778, 4783
disposition of penalty for breach....	7161	of appointment of guardian of insane	
bond in lieu of.....	7988	person.....	4549
RECORDER,		on conviction for contempt.....	5086
of city (see "Municipal Corpora-		of verdict.....	5378
tions").		of deposition to perpetuate testi-	
duty to notify newly-elected officers		mony.....	5696, 5704
of election.....	1056	of notice of lis pendens.....	5866
of village (see "Village Recorder").		of sale of poison by druggists..	6621, 6622
duties with reference to passage of		of mechanic's lien.....	6236
ordinances.....	1286	of trade-marks, labels, etc.....	6920, 6927
RECORDING CLERK,		of recognizance to keep the peace....	7105
of secretary of state, compensation..	317	of indictment.....	7235-7237
RECORDS,		TRANSCRIPTS ON CHANGING COUNTIES.	
(see "Register of Deeds.")		on creation of new counties.....	632, 4189
of chattel mortgages.....	4129-4147	territory detached from Cass and	
(see "Chattel Mortgages.")		added to Itasca county.....	568
of conditional sales.....	4148-4153	territory detached from Polk county	
(see "Conditional Sales.")		and annexed to Norman county....	588
		KEPT BY OFFICERS.	
		of oils inspected.....	451

MINNESOTA STATUTES 1894

2396

RECORDS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
RECORDS—Cont'd,		RECORDS—Cont'd,	
of county officers, transcribing damaged records	677	— of trust companies	2842
of county surveyor, of surveys	832	— of corporations not for pecuniary profit	2918
of clerk of court, right of public to examine	861	of certificate as to changes in corporation	3399
of town officers to be delivered to successor in office	1025	of stock and business of corporations	2800
— delivery on death of officer	1026	of certificate of election of trustees	3026
of city recorder	1067	of meeting of stockholders and board of directors	2831
of boards of health	1471, 1486	RELATING TO PUBLIC LANDS.	
of county board of equalization (par. 5)	1552	of documents relating to public lands	3963
of state board of equalization	1556	certificate of purchase	3545, 3978
of factory inspectors	2258	of patents for public lands	3984
of society for prevention of cruelty	3018	of land-office receipts, effect as notice	5757
of clerk of school district	3703	RELATING TO TAX SALES.	
of probate court to be indexed	4414, 4415	of certificate of tax sale	1593, 1654, 1659
— amendment and correction	4730	of certificates or assignment of tax titles	1615
OF ARTICLES OF INCORPORATION, ETC., RELATING TO CORPORATIONS.		when instruments evidencing tax titles entitled to record	1660
of articles of incorporation	2593, 2796, 2829, 3045	of certificate of redemption from tax sale	1664
— of foreign railroad company	2751-2753	RELATING TO MORTGAGE FORECLOSURES, REDEMPTION.	
— of loan companies	2839	of certificate of sale under power	6038
— of trust companies	2842	of documents showing right to redeem	6042
— of co-operative associations	2904	of certificate of sale on foreclosure by action	6065
— of camp-meeting associations, etc.	2943	of final decree in action to foreclose, effect as conveyance	6066
— of Independent Order of Odd Fellows	2986	of papers and affidavits showing sale under power	6047-6050
— of Ancient Order of United Workmen	2991	of certificate of redemption	6043, 6065
— of Masonic bodies	2995	RELATING TO EXECUTION SALES.	
— of Grand Army Posts	2999	of sheriff's certificate of sale	779-781, 5470
— of Knights of Pythias	3003	of certificate of redemption from execution sale	5475
— of Ancient Order of Hibernians	3008	RELATING TO BANKS.	
— of Scandinavian Aid and Fellowship Society	3012	of bank notes	2483
— of religious societies	3046, 3055, 3064, 3079	of certificate of organization of bank	2491
— of cemetery associations	3088	of list of bank shareholders	2501
— of millers' and manufacturers' mutual insurance companies	3252	of bond of trustee of savings bank	2539
— of farmers mutual fire insurance companies	3267, 3268	RELATING TO LOGS AND LUMBER.	
— of hail, tornado, and cyclone insurance companies	3346	of scale bill of logs	2397
— of hail, tornado, and cyclone insurance company, and certificate of authority	3347	of survey of logs	2398
of certificate of incorporation	3051, 3394, 3395	of delivery of scale bill by surveyor general	2401
of amendment of articles	2804, 3077	of orders for scaling logs, effect	2404
— of loan companies	2839	of log marks and transfers	2405
		of log mark, necessity to entitle logs to scaling	2406

MINNESOTA STATUTES 1894

Vols. 1 & 2]

RECORDS—REDEMPTION.

2397

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
RECORDS—Cont'd,	
of scaling by surveyor general of	
First district.....	2411
of sale of log mark.....	2413
of log marks.....	2413
— in Second lumber district... 2415,	2418
of assignment of claims for liens on	
logs	2450
of statements and papers pertaining	
to liens on logs.....	2462
OF CONVEYANCES, MORTGAGES, ETC.	
deeds, mortgages, etc.....	763, 766
when instrument considered as re-	
corded	763, 777
tract index.....	764
consecutive numbering of instruments	
filed for.....	767
indexes	768
time of taking effect of act relating to	
instruments not entitled to record... 774	774
indorsement on instruments recorded.	777
certificate as to recording.....	778
right to have deed recorded.....	1145
— necessity of showing payment of	
assessments	1159
— certificate of auditor as to pay-	
ment of taxes.....	1624
of conveyance by state of lands forfeit-	
ed for taxes.....	1617
of conveyance by state of land bid in	
at tax sale.....	1601
of railroad mortgages.....	2725, 2726
of conveyances of cemetery lots.....	3108
— to United States.....	4107
of deeds, in registry of deeds for	
county where lands lie.....	4160
— necessity of certificate of ac-	
knowledgment	4179
— effect of failure to record deeds	
in unorganized counties.....	4180
— of pews.....	4181
of assignment of mortgage, not notice	
to mortgagor.....	4183
of letters of attorney and contracts	
for sale of land.....	4186
of deeds, etc., necessity of execution	
and acknowledgments.....	4191
of conveyances, copy of record may	
be recorded	4192
— ordered in partition proceedings	5805
necessity of paying fees in advance..	765
OF PLATS, MAPS, AND SURVEYS.	
of plats	1626
of plats and surveys of highway	
boundaries	1816

	Sec.
RECORDS—Cont'd,	
of town plats.....	2306, 2309
of certificates of surveyors and propri-	
etors correcting description of town	
plats	2319-2325
of plat of cemetery.....	3132
of survey of plank road or turnpike..	3364
of plat of old site of reform school...	3533, 3534
of map of public lands.....	3983
of map of site of federal buildings...	4110, 4113, 4120
of map of fish hatchery.....	4116
of map of cemetery.....	3096
AS EVIDENCE.	
of foreign courts as evidence.....	5706
books of surveyor general of logs....	2403
of conveyance, copy of record, notice	4193
certified copies admissible in evidence	5733
of United States government offices,	
copies admissible	5734
of land patents and duplicates, effect	
as evidence	5756
of conveyances and instruments, ad-	
missibility in evidence.....	5759
of marriage, effect as evidence.....	5760
effect as evidence.....	7551
CRIMES RELATING TO.	
removal, manipulation, destruction,	
etc., punishment	6369
mutilation, falsification, etc., of rec-	
ords	6387
falsely certifying to felony.....	6419
offering false or forged instruments	
for record, felony.....	6370
REDEMPTION,	
of state warrants.....	342
of state bonds.....	344a
of Minnesota revenue bonds and	
building bonds	524
rights of purchaser of state lands....	3549, 3979
of county orders and warrants.....	755
distrain and sale of trespassing ani-	
mals	2119
by carrier of tickets sold but not used	2789
FROM EXECUTION SALE.	
from execution sale.....	5469, 5472-5475
from execution sale made to satisfy	
mechanic's lien	6239, 6241
from sale made to satisfy mechanic's	
lien	6241

MINNESOTA STATUTES 1894

2398

REDEMPTION—REGISTER OF DEEDS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
REDEMPTION—Cont'd,		REFERENCE—Cont'd,	
FROM TAX SALES.		<i>misconduct.</i>	
from tax sale..1590, 1600, 1602, 1603,	1644	referee promising verdict, etc, misde-	
amount required to redeem.....	1600	meanor	6350
of lands forfeited to state for taxes...	1616	bribing referee	6348
to enforce assessments.....	1139	intimidating, punishment	6399
to satisfy assessments for local im-		REFORM SCHOOL,	
provements	1142	(see "State Reformatories"; "State	
		Reform School.")	
FROM MORTGAGE SALES.		REFUNDING BONDS,	
of chattel mortgages.....	4136, 4137	(see "Bonds.")	
of mortgaged premises sold under		REGENTS OF STATE UNIVERSITY,	
power	6041-6044	(see "University of Minnesota.")	
(see "Mortgages.")		report of	3921
from foreclosure sale by action..	6064-6066	REGIMENT,	
expiration of time to redeem from		how constituted	1715
mortgage pending action by mort-		REGISTER OF ACTIONS,	
gagor to determine validity of mort-		kept by clerk of court.....	861
gage, deposit, bond, etc.....	4198	REGISTER OF DEEDS,	
RED RIVER VALLEY,		ELECTION AND QUALIFICATION.	
appropriations for drainage purposes	7848-7852	vacancy in office, how filled.....	679
		term of office.....	760
REDWOOD COUNTY,		where office kept.....	760
boundaries	597	to take oath and give bond.....	761
REFEREE,		liability on official bond.....	762
(see "Reference.")		when act concerning to take effect...	770
REFERENCE,		deputy, appointment of.....	771
by consent, when ordered.....	5391	— oath taken by.....	771
compulsory, when ordered.....	5392	— power	775
of action for divorce.....	4798	power of governor to remove.....	893
to state account in application for		DUTIES AND POWERS—INSTRUMENTS	
judgment by default.....	5354	FILED WITH.	
to take disclosure of garnishees.....	5323	to have seal.....	776
trial, application of provisions relat-		transcribing records on creation of	
ing to jury trial.....	5404	new counties.....	632, 4189
— effect of report, proceedings when		filing official papers with.....	695
report is set aside.....	5393	certificate as to recording.....	778
examination in supplementary pro-		may administer oath and take ac-	
ceedings	5490	knowledge.....	775, 5636, 5644
		to act as town clerk of disorganized	
REFEREE.		town	966
to take oath.....	5634	power to take deposition.....	5645
power to administer oath.....	5636	duty to make list of taxable property..	1537
— form of	5641	of Ramsey county, duty to furnish list	
number and qualifications of referees	5393	of mortgages and securities to coun-	
several referees, number required to		ty auditor	5571
act, powers of majority.....	5395	recording sheriff's certificate of sale..	779
death or incapacity of referee to settle		record of certificate of tax sale or as-	
bill of exceptions or case, settlement		signment of tax title.....	1615
by judge	5400	plats and field notes of government	
appointed to make partition.....	5775	surveys to be filed with.....	835
— powers and duties.....	5770	of town bonds and orders.....	1038
— appointment to sell property....	5781	survey of public ground and streets	
fees	5391 (par. 3), 5572	filed with	1108
expenses in partition proceedings....	5780		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

REGISTER OF DEEDS.

2399

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

REGISTER OF DEEDS—Cont'd,	Sec.
when transcript of resolution of city council filed with.....	1109
record of papers showing village incorporation	1207
to file papers showing election to add or detach territory to village..	1214, 1215
filing plat of highway boundary...	1815
entry of plat and survey of highway boundaries in reception index.....	1816
notice concerning estrays filed with..	2082, 2083
duties concerning estrays.....	2083
to record description of cattle brands	772
record of certificates of surveyors and proprietors correcting description of town plats	2319-2325
putting on record evidence of title of condemning party.....	2616, 3096
documents filed with in condemnation proceedings	2623
record of railroad mortgages.....	2725
record of contract relating to rolling stock	2731
record of certificate of election of trustees	3026
record of patents for public lands..	3984
record of map of cemetery.....	3096, 3132
filing agreement relating to use of public highways.....	3363
record of survey of plank road or turnpike	3364
filing and recording of plat of old site of reform school.....	3533, 3534
privileges to be accorded state park commissioner	4055
issuing and recording certificate of mining claim.....	4067
record of description of mining claim	4073
record of mining claim on public lands	4074
duties with regard to mining claims on public lands.....	4074, 4075
filing chattel mortgages in unorganized counties.....	4132
deposit of indenture of apprenticeship with	4754
record of deposition to perpetuate testimony	5696
instruments may be deposited with, giving receipt therefor.....	5728
— indorsement and filing.....	5729
— right to examine on paying fee	5731
instruments on file, how withdrawn, use in evidence.....	5730

REGISTER OF DEEDS—Cont'd,	Sec.
filing and recording of mechanic's lien statement	6236
filing notice of lis pendens.....	6238
filing claim for wages.....	6254
recording statement relating to construction of drains.....	7811, 7832
record of lis pendens.....	5866
<i>as to banks.</i>	
record of organization certificate of bank	2491
record of list of bank shareholders..	2501
certificate of association filed with..	2540
filing certificates relating to savings banks	2546
notice to, of refusal to issue certificate relating to savings banks.....	2547
filing of documents relating to savings banks.....	2550, 2585
<i>as to corporations and associations.</i>	
record of certificate as to changes in corporation	3309
filing articles of incorporation...3402-3405	
record of articles of incorporation... 2590, 3045	
filing of articles of incorporation by foreign railroad companies.....	2753
to record copy of declaration, building and loan association.....	2855
record of certificate of incorporation — documents relating to organization of religious societies.....	3051
3046, 3055, 3072, 3079	
— proofs of power of religious societies to convey real estate..	3038, 3057
— certificate of organization of cemetery associations.....	3088
<i>abstracts.</i>	
duty to make abstracts of title.....	773
<i>as to books and indexes.</i>	
to deliver books, records, etc., to successor	762
to permit public to examine records..	765
what books to be kept.....	763, 766
method of keeping books, and matters to be entered therein.....	763, 766
books to be furnished by county....	764
method of keeping tract index.....	764
to number consecutively instruments filed	767
to keep indexes.....	768
duties with regard to keeping indexes	768
<i>oaths and bonds filed with.</i>	
of sheriff	783

MINNESOTA STATUTES 1894

2400

REGISTER OF DEEDS—REGISTRATION OF VOTERS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
REGISTER OF DEEDS—Cont'd,		REGISTRATION OF VOTERS,	
of deputy sheriff.....	796	board of registration and form and contents of register lists.....	59
of county attorney.....	801	list, how made, posting and correction	60
of county auditor.....	708	form of oath in cities of less than 12,000	61
of judge of probate.....	818	comparison of registers, signature of lists and certificate.....	62
of clerk of judge of probate.....	822	duplicate registers.....	63
of court commissioners.....	825	in cities, population of cities, how determined	64
of county surveyor.....	829	when registered elector may not vote	65
of coroner.....	838	unregistered elector, when may vote	65
of deputy coroner.....	854	rules for determining residence of electors	66
of clerk of court.....	856	in cities of over 12,000.....	67
of deputy clerk of court.....	860	registers of electors in cities of over 12,000, number required to be made	67
of town treasurer.....	955	board of registration, first meeting, preserving order and filling vacancies	67
of trustees of cemetery association fund	3125	form of registry in cities of between 12,000 and 40,000.....	68
of trustee of savings bank.....	2539	entries in register from poll list, from appearance in person, from affidavit	68
when to approve bond of county treasurer	3097	form of registration, oath of an absent elector	68
<i>what not to be recorded.</i>		certificate for absent person from district of former residence.....	69
when forbidden to record deeds.....	1159	form of affidavit on removal of voter	69
when to refuse to admit instrument to record	1624	removal from another election district, certificate	69
duty to refuse articles of association conflicting with law regulating trust companies	2842	removal within district.....	69
not to record instruments defectively executed	774	in cities of over 40,000, entries how made	71
COMPENSATION.		in cities of over 12,000, questions, entries in registers, name between lines, comparison at end of first day, form of certificate, where deposited	72
compensation	764, 769	form of oath in cities of over 12,000..	72
fees	5567	second meeting of board in cities of over 12,000, duties, posting list of notice of next meeting.....	73
office expenses paid by county....	677	third meeting of board, fourth meeting in certain cities, duties, erasure of names, final posting.....	74
payable in advance.....	765	necessity to entitle elector to vote, exception	75
for filing notice concerning estrays..	2083	false swearing before board of registration, penalty	76
for recording sheriff's certificate of sale	780	penalty for registering in more than one district	76
for record of town plats.....	2311		
for recording statement relating to construction of drains.....	7811		
for services with regard to mining claims	4072, 4074		
for recording documents relating to organization of religious societies..	3026		
fees in counties where compensation does not exceed \$800.....	5568		
fees in Dakota county.....	5569		
— of Hennepin county, salary, fees	5570		
— Ramsey county, fees.....	5571		
MISCONDUCT.			
neglect of duty concerning estrays..	2089		
liability for improperly admitting instrument to record	1624		
REGISTRAR,			
warehouse registrar.....	7670		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

REGISTRATION OF VOTERS—RELIGIOUS SOCIETIES.

2401

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residus in vol. 2.

	Sec.
REGISTRATION OF VOTERS—Cont'd, penalty for falsely personating reg- istered voter	76
filing registers after canvass, right to inspect	155
RELATOR, right to, and liability for, costs.....	5510
RELEASE AND DISCHARGE, (see "Mortgages.") of lien on logs by bond.....	2455
of claim of state to timber cut on state lands	4016
effect of release of one of several joint obligors	5165, 5168-5170
of attachment on real estate.....	5302-5304
of attachment of personal property..	5305
of property from levy of execution..	5450
of dower	5799
power of guardian to execute.....	5813
of notice of lis pendens.....	5866
of mechanic's lien.....	6246
of lien on animals.....	6253
of lien of drainage assessment..	7813, 7834
RELIEF OF THE POOR.....	1951-1939
(see "Poor.")	
RELIGIOUS LIBERTY, crimes against	6510-6522
preventing performance of religious act, misdemeanor	6520
RELIGIOUS SOCIETIES.....	2940-2949
(see "Camp Meeting Associations"; "Young Men's Christian Associa- tions.")	
term "society" defined.....	3038
existing societies confirmed.....	3039
method of incorporation.....	3022-3026, 3043-3045, 3055
articles of incorporation.....	3045
meeting of corporation or directors, voting by proxy	3045
incorporation of existing churches, corporate name	3048
reorganization of existing corpora- tions, procedure	3046, 3055
— powers	3046
— proof of.....	3056
— passing title of property to new organization	3056
— vesting and control of property..	3056
— effect on constitution and by- laws	3058
amendment of articles of.....	3076, 3077
consolidation	3078-3080
— procedure	3079, 3080
— powers of new corporation.....	3081

GEN. ST. '94—151

	Sec.
RELIGIOUS SOCIETIES—Cont'd, defective organization, curative stat- utes	3082
defective incorporation, curative stat- utes	3084
— curative statute relating to deal- ings in property.....	3082
proceedings to change name, curative statutes	3083, 3085
payment of fees on filing articles of incorporation	3391
approval of articles of incorporation by attorney general.....	3397
dissolution of corporation, reorgan- ization	3039
powers of religious corporation..	3049, 3055
corporation to have seal.....	3027, 3055
retrospective effect of statute.....	3061
repeal of laws.....	3061
curative acts	3047
INCORPORATION BY BISHOP, VICAR GEN- ERAL, ETC., AND LAYMEN.	
incorporation	3045
— term of office of laymen.....	3045
— how laymen chosen.....	3045
— provisions for filling vacancies..	3045
— term of office of lay corporators..	3045
— resignation of laymen.....	3045
— membership terminating with of- fice	3045
— membership by virtue of office..	3045
DIOCESAN COUNCIL, SYNODS, ETC.	
incorporation of diocesan council, syn- ods, etc.....	3062-3064
— amendment of articles of incor- poration	3065
— powers	3067, 3068
— to have seal.....	3067
— property held in trust.....	3067
— power to incumber property held in trust.....	3068
— meetings of.....	3069
— notice of meetings of.....	3069
— curative statutes.....	3066
PROTESTANT EPISCOPAL CHURCH.	
incorporation of parishes of Protestant Episcopal Church	3049-3051
parish as body corporate.....	3051
meeting of corporation.....	3052
election of wardens and vestrymen	3052
term of office of wardens and vestry- men	3052
who may vote at election of vestry- men	3052

MINNESOTA STATUTES 1894

2402

RELIGIOUS SOCIETIES—REPLEVIN.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2

	Sec.		Sec.
RELIGIOUS SOCIETIES—Cont'd,		REMAINDER,	
rector ex officio member of vestry...	3053	definition	4372
meetings of vestrymen.....	3053	on estate for life of another....	4379, 4380
presiding officer of vestry.....	3053	(see "Estates.")	
retrospective effect of statute.....	3054	REMAINDER-MAN,	
OFFICERS AND TRUSTEES.		right to sue for injury to inheritance..	5879
election of trustees.....	3022	REMEDY,	
— notice of.....	3024	of person injured by carrier's violation	
who may vote at election of.....	3025	of law (par. b).....	389
certificate of election.....	3025, 3026	when deemed cumulative.....	
when trustees deemed to be incorpo-		393 (par. d), 396 (par. c), 400	
rated.....	3026, 3043, 3044	REMOVAL,	
to have seal.....	3027	(see "Attorneys and Counsellors.")	
powers of trustees.....	3027-3030	of attorneys.....	6197-6209
duty of clerk of board of trustees....	3031	REMOVAL OF CAUSES,	
appointment of collector by trustees..	3031	of certain actions from village munic-	
appointment of clerk and treasurer by		pal court to district court.....	1378
trustees	3031	of action for forcible entry and detain-	
meetings of trustees.....	3032	er from municipal court to district	
power of majority of trustees.....	3032	court where title involved.....	1385
term of office of trustees.....	3033	of preliminary hearing of charge of	
election of trustees after incorporation	3034	crime	7169
— notice	3034	right of foreign railroad companies..	2752
— who may vote.....	3035	by foreign corporation.....	3421, 3429
— qualification of voters determined	3036	— documents filed.....	3423
duties of clerk of trustees.....	3036	foreign insurance companies prohib-	
power of trustees.....	3037	ited from removing.....	3423.
trustees not to determine salary of		— penalty for removal.....	
minister	3037	3422, 3424, 3426, 3427	
certificate of election or appointment		RENEWAL,	
of trustees.....	3043	of chattel mortgages.....	4146, 4147
incorporation of ministers, elders, and		of execution.....	5445
deacons	3044	RENT,	
election of president.....	3023	(see "Landlord and Tenant.")	
PROPERTY, CONTRACTS, ETC.		of land bid in by state at tax sale....	1606
descent of lands held by trustees....	3040	RENVILLE COUNTY,	
conveyances in trust for Methodist		boundaries	598
Episcopal Church, control of lands..	3041	REPEAL,	
— for Evangelical Association of		of statute, effect.....	258
North America.....	3042	schedule of laws repealed General	
conveyances to trustees as body cor-		Statutes of 1866.....	7521
porate	3043	REPLEVIN,	
conveyance or incumbrance of real es-		(see "Claim and Delivery.")	
tate.....	3038, 3045, 3057	in village municipal court.....	1379
— who may vote on question of....	3038	bond not required of trust company	
— notice of meeting to confer au-		(par. 10).....	2849
thority upon trustees.....	3038, 3057	issuance of writ by justice and pro-	
— how authority conferred upon		ceedings relating thereto.....	5042-5050
trustees	3038	(see "Justices of the Peace.")	
proof of authority to convey land....	3057	— judgment and execution....	5048, 5050
appropriations and contracts.....	3039	— form	5092
reorganization of existing corporation,		venue	5182
effect on rights in pews.....	3060	verdict, what to contain.....	5383
incorporation of existing churches,		action for failure to redeliver wheat	
vesting and control of property....	3048	stored	7648

MINNESOTA STATUTES 1894

Vols. 1 & 2]

REPLY—REPORTER.

2403

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
REPLY,		REPORT—Cont'd,	
(see "Pleading.")		— state reform school.....	3529
REPORT,		— state reformatory.....	3586
of accidents, to labor commissioner..	2256	official reports, number of copies to be printed	279
annual report of town insurance companies	3245	— when to be filed.....	283
— foreign live-stock insurance company	3321	of plank-road and turnpike companies	3373
annual statement by secretary of hail, cyclone, etc., insurance companies..	3355	of president of state university.....	3922
by banks	2577	of principals of normal schools.....	3843
— to public examiner....2572-2574,	2581	of public country elevators to railroad and warehouse commission.....	7721
— to state auditor.....	2515	of public examiner	420
of board of auditors in village.....	1262	of referee, effect as judgment.....	5394
— of control of state public school	3520	— on sale in partition proceedings	5802
— of education in independent school district	3809	— setting aside proceedings.....	5394
— of examiners in law to supreme court	6175	— in partition proceedings.....	5776
— of game and fish commissioners	2151	of regents of state university.....	3921
by boards and officers of state institutions, when due, fiscal year.....	284	of results of geological and natural history survey.....	3939-3943
of building and loan associations to public examiner.....	2872, 2896	of sale under judgment of foreclosure	6062
concerning mines on public lands....	4075	of school-district clerk.....	3706, 3607
of contagious diseases.....	7064-7067	— to county superintendent of schools	3705
of co-operative life, etc., insurance association to insurance commissioner	3302	by secretary of state agricultural society to governor.....	2957
to corporation by directors.....	2800	by shorthand reporter, approval by, effect	4889
of county agricultural society.....	2978	of societies for securing homes for children	2936
of county superintendent of schools to county auditor	3742, 3756	by state dairy commissioner.....	6999
— to state superintendent.....	3755	of state geologist.....	3932
of directors of institute for defectives of earnings of railroad company.....	3446	statements of insurance companies... 3174-3182	
exchange of state reports for reports of other states.....	370	of state normal school board.....	3840
by farmers' mutual fire companies to insurance commissioner.....	3274	of state superintendent of public instruction	3734
fiscal report by town board read to town meeting.....	993	of superintendent of insane hospital.. 3458, 3498	
— of town by town board.....	992	of supervisors of subdrainage district	7776
of geological and natural history survey	3946, 3957	of surveyor general to legislature....	2407
of gross earnings of railroad company	1678	of treasurer of school district.....	3701
of high-school board.....	3872	of trust company to public examiner	2852
of insurance commissioner (pars. 21, 22)	3148	of trustees of cemetery association... 3102	
of land commissioner to legislature..	3962	— cemetery association fund..3124, 3125	
to legislature concerning banks.....	2578	— colleges and seminaries to superintendent of public instruction....	2925
of legislature and of officers of executive departments and of public institutions, how printed.....	265	— insane hospital.....	3454, 3494
by managers of state prison.....	7452	— soldiers' home.....	3622, 3625
		of warden of state prison to board of managers (par. 11).....	7457
		REPORT AND CASE MADE,	
		(see "Agreed Case.")	
		REPORTER,	
		of municipal and district courts (see "Shorthand Reporter").	

MINNESOTA STATUTES 1894

2404

REPORTER OF SUPREME COURT—RIOT.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
REPORTER OF SUPREME COURT,		RETURN—Cont'd,	
oath and bond.....	2278	of writ of attachment.....	5301
powers and duties.....	2279	of deposition taken out of state.....	5689
publication of reports.....	2281, 2282	of writ of prohibition.....	5989
compensation.....	2283	to writ of habeas corpus.....	6002
salary, appropriation (par. 25).....	7956	of habeas corpus, when.....	6026
REPRESENTATION,		of summons in forcible entry and detain- er.....	6111
right of (see "Descent and Distribu- tion").		RETURNS OF ELECTION,	
REPRESENTATIVES,		form, preliminary statement.....	156, 158
(see "Legislature"; "Members of Congress.")		sealing, form of indorsement.....	157
REQUISITION,		In unorganized counties.....	159
(see "Extradition.")		limit of time to file.....	160
RESCUE,		delivery in larger cities, record, limit of time, violation a misdemeanor....	161
of prisoner, felony or misdemeanor..	6358	compensation for carrying.....	162
of one arrested by private person....	7130	failure of judges to make, sending spe- cial messenger to obtain.....	166
taking and destroying property in cus- tody of officer.....	6359	refusal to receive.....	167
RESERVATIONS,		REVENUE,	
military reservation, rights surrender- ed by state.....	4118, 4127	(See "Funds"; "Taxation.")	
RESERVOIRS,		crimes against revenue.....	6663-6607
regulation in villages (par. 24).....	1224	REVENUE BONDS,	
lien for construction or repair.....	6230	issue.....	522
RESIDENCE,		REVENUE FUND,	
of electors, rules for determining....	66	sale of warrants to meet appropria- tions on fund.....	519
— statement, refusal to state.....	112	interest on warrants, appropriations..	520
of poor person.....	1954, 1977	state loan payable therefrom.....	521
RESIGNATIONS,		REVENUE STAMPS.....	6698
of officers.....	891	REVERSIONS.....	4370-4373
RESISTING OFFICERS.....	6329	(see "Estates.")	
enforcing game laws.....	2183	actions by reversioner.....	5879
public officer.....	6396	REVIVAL,	
obstructing health officer in the per- formance of his duties.....	6618	of actions (see "Abatement").	
RESOLUTIONS,		of statutes.....	258
of legislature, how printed.....	263	REVOCAION,	
of city council.....	1063	of power of attorney (see "Power of Attorney").	
— powers and duties of mayor....	1063	of powers (see "Powers").	
RESPITE,		of wills.....	4430
of death sentence.....	7407	REWARD,	
RESTAURANTS,		(see "Bounties.")	
regulations concerning.....	2251	right of village policemen pursuing criminal outside of village.....	1313
civil rights.....	8002, 8003	for escaped convicts.....	7485, 7486
RESTITUTION,		RICE COUNTY,	
on vacating judgment.....	5206	boundaries.....	599
upon reversal or modification of judg- ment by supreme court.....	6136	RIOT,	
judgment on second trial in ejectment	5846	power of city officers to suppress....	1082
awarded in forcible entry and detain- er.....	6109, 6116, 6119, 6121, 6122	ordinances passed to prevent (par. 3)..	1085
form of writ.....	6127	in villages, suppression by peace of- ficers.....	1294
RETURN,		definition.....	6645
(see "Execution"; "Process"; "Sher- iffs.")		punishment of participants.....	6646

MINNESOTA STATUTES 1894

2406

ST. LOUIS COUNTY—SAVING FUND ASSOCIATIONS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
ST. LOUIS COUNTY—Cont'd,		SALE—Cont'd,	
provisions with regard to jury.....		contracts to be in writing.....	4210
5628a-5628e		of illuminating oils below certain test	452
ST. PAUL;		— without inspection.....	453
powers and duties of public examiner		— false representations as to quality	453
with regard to officers of.....	415	— rejected by inspector.....	454
liability for services of public exam-		of gasoline, naphtha, or benzine, reg-	
iner	416	ulations	453
payment of assessments against site		of logs, scale mark and scale bill....	2401
of state reform school.....	3535	of log mark or logs, effect of want of	
payment of assessments and taxes on		record	2405
old site of reform school.....	3580	of log marks, record.....	2413
exemption of officers from jury service	5623	— legalization	2414
ST. PAUL, S. & T. F. R. R. CO.		of railroad rolling stock, conditional	
to pay percentage of gross earnings		sale	2730
in lieu of other taxes.....	1667	— lien	2729
SALARIES,		— terms of contract.....	2729
(see "Compensation"; "Fees.")		in trust for grantor void.....	4213
of state officers (par. 26).....	530	of chattels without delivery, etc., pre-	
— standing appropriation.....	7956	sumed fraudulent	4219
of state railroad and warehouse com-		of property through false representa-	
missioners	397	tions as to financial ability.....	6724
of district judges.....	531	wrongful sale of mortgaged property,	
of county officers.....	532-534	punishment	6750
— of auditor.....	720	of borrowed property, punishment..	6752
of judge and clerk of village muni-		fraud of seller, use of false weights,	
cipal court.....	1406	etc.	6758
of insurance commissioner.....	3145	selling packages marked with false	
of state superintendent of public in-		weights or tare.....	6760
struction	3720	of diseased animals, criminal liability	6805
— of clerk of superintendent of pub-		of grain, etc., placing fictitious value	
lic instruction.....	3720	on grain, penalty	7639
— of assistant superintendent.....	3721	of grain subjected to fumigation pro-	
of treasurer of normal schools.....	3847	hibited	7641
of superintendent of farmers' insti-		of grain by sample.....	7702
tutes	3885	of foreign-grown trees, etc.....	7865-7868
of probate judge.....	4416, 4417	SALOONS,	
of register of deeds of Hennepin		(see "Intoxicating Liquors.")	
county	5570	when deemed public nuisance.....	1088
of chemist appointed by state dairy		license and regulation in villages	
commissioner	7025	(par. 1).....	1299
SALE,		minors not to be permitted to gamble	
(see "Partition;" "Vendor and Pur-		therein	2012
chaser.")		SALT LANDS,	
of decedent's lands (see "Executors		transfer to state university.....	3948
and Administrators").		SALT SPRINGS,	
on foreclosure (see "Chattel Mortgag-		investigation by authorities of state	
es"; "Mortgages").		university	3953
under execution (see "Execution").		SAND,	
conditional sales.....	4148-4153	development of beds on lands belong-	
(see "Conditional Sales.")		ing to plurality of owners.....	5830-5838
of patent rights.....	8047-8054	SANITARY REGULATIONS,	
(see "Patent Rights.")		(see "Health.")	
grain delivered for storage a bailment		SAVING FUND ASSOCIATIONS,	
and not a sale.....	7645	(see "Building and Loan Associa-	
		tions.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SAVINGS BANKS—SCHOOL DISTRICTS.

2407

§§ 1 to 3821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SAVINGS BANKS, (see "Banks and Banking.")		SCHOOL DISTRICTS—Cont'd,	
SAWDUST,		— in territory located in two coun-	
deposit in stream containing fish.....	2186	tics, duplicate petition to each coun-	3670
SCALE BILLS AND MARKS....	2392-2412	ty	
(see "Logs and Lumber.")		— may include contiguous territory	
SCALPS,		in special, independent, or common-	
of wild animals, bounties for (see		school district.....	3671
"Bounties").		— not to include buildings of exist-	
SCANDINAVIAN AID AND FEL-		ing district, liability for prior obli-	
LOWSHIP SOCIETY,		gations	3672
incorporation	3011	change of district boundaries, peti-	
certificate of incorporation, contents,		tion, notice and service.....	3673
record	3012	— hearing of petition, order, mail-	
powers	3013	ing copy to clerks of old districts...	3674
corporate seal.....	3014	— duplicate petition when territory	
surrender of charter, disposition of		located in more than one county, de-	
property	3015	termination by commissioners of	
SCANDINAVIAN LANGUAGE,		each county.....	3674
professorship of.....	3908, 3909	— petition for rehearing.....	3674
SCARLET FEVER,		— setting off one petitioner to ad-	
(see "Health.")		joining district.....	3674
SCHOOL DISTRICTS,		— division of assets.....	3674
effect of attaching to a newly-created		— actual residents under homestead	
county, fractional divisions.....	631	or pre-emption deemed freeholders..	3674
power to contract debts.....	1639	— petitions and remonstrances may	
organization, districts declared to be		be signed by women.....	3674
corporations	3648	— recommendation of county super-	
classification of districts.....	3649	intendent	3675
to be numbered, plats to be kept by		changes not to affect contracts, ac-	
county auditor.....	3650	tions, etc.....	3676
power to hold property, exemption		change of boundaries of independent	
from taxes.....	3651	districts	3791
title to property in doubt or in third			
person, duties of trustees to procure		MEETINGS.	
title	3652	women may vote.....	3665
limit of area, rights of nonresidents in		powers, restriction on change of site	
districts	3675	(par. 4).....	3677
nominal districts, attachment to ad-		to vote money to be raised by tax	
joining district, distribution of fund		(par. 5).....	3677
to old district.....	3675	to purchase or lease site for school	
presentation of false claims against..	6812	house (par. 5).....	3677
necessity of giving bond on appeals,		to build or hire school house, and re-	
etc.	7989	pair and furnish same (par. 5).....	3677
		limitation on taxing power (par. 6)...	3677
		new district, meeting for organiza-	
NEW DISTRICTS, ALTERATION AND		tion, election of officers.....	3678
CHANGES.		notices to be given by clerk, failure of	
formation of new districts.....	3663, 3664	clerk	3702
— alteration and union.....	3659		
organization of new districts, petition		DISTRICT OFFICERS.	
— hearing of petition, notice, publi-		term of office.....	3678
cation and posting.....	3668	qualifying, filling vacancies on failure	
— hearing of petition, order of com-		to qualify.....	3680
missioners, mailing copy to clerk of		director to represent districts in ac-	
old district.....	3669	tions by or against it.....	3699

MINNESOTA STATUTES 1894

2408

SCHOOL DISTRICTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
SCHOOL DISTRICTS—Cont'd,	
malicious prosecution against school director, liability of complainant for costs	3781
refusal to serve or perform duties, penalty	3782
dealing in school supplies, penalty...	3788
duty to report violations of law, prosecutions of county attorney.....	3789
<i>trustees.</i>	
vacancy in board, how filled.....	3679
director, treasurer, and clerk to constitute, majority to have power to act powers, contracts, purchase or lease site, build or hire school house, and sell or exchange site.....	3681
duty to submit to annual meeting estimate of expense.....	3686
power to levy tax on neglect of district to vote tax.....	3686
powers, duty to provide schools for entire time for which school is ordered and funds provided by district, limit of power to incur debts..	3686
determination to open more than one school in district, duty of.....	3687
to provide fuel for schools, and things necessary	3694
<i>clerk.</i>	
duties, records to be kept.....	3703
to give notice of district meeting....	3704
reports to county superintendent....	3705
reports to be examined by county superintendent and county auditor...	3706
compensation for reports.....	3707
to report tax voted to county auditor..	3708
failure to draw orders, office of clerk declared vacant.....	3712
failure to make report, penalty.....	3783
penalty for drawing illegal order....	3784
neglect to keep books and deliver to successor, penalty.....	3785
<i>treasurer.</i>	
bond, filing with clerk, action for breach	3700
failure to give bond, appointment of other treasurer, require new bond..	3700
annual report, examination by director and clerk.....	3701
to pay over money on consolidation of districts	3701
duties, keeping accounts.....	3702
BONDS AND ORDERS.	
issue of refunding bonds.....	2222, 2223

	Sec.
SCHOOL DISTRICTS—Cont'd,	
mutilated or lost, duplicates.....	2225-2229
to be issued by trustees on vote of two-thirds of legal voters.....	3688
not to be negotiated for less than par value, proceeds to be used for school purposes	3689
presentation to county auditor, auditor's certificate.....	3690
auditor's certificate, legalizing act...	3690
levy of tax for payment.....	3691
certain bonds and orders legalized..	3692
orders on treasurer to be drawn by clerk, form of order, record.....	3711
order for payment of teachers, interest on overdue orders.....	3711
orders on treasurer may be drawn by director, when.....	3712
TAXES.	
certifying, to county auditor.....	1557
amount and rate of levy.....	1558
how levied and collected.....	3693
county auditor to file reports of clerk and levy tax.....	3709
districts in two counties, levy of taxes	3710
certain taxes legalized.....	3692
ACTIONS BY AND AGAINST TRUSTEES.	
actions by.....	3817
actions against.....	3818
— service of process and papers....	3819
judgment against trustees, how enforced, liability of treasurer for nonpayment	3820
— nonpayment, presentation of copy at next meeting of school district..	3821
— levy of tax to pay.....	3822
— issue and levy of execution.....	3823
COLLECTIONS FROM DISTRICTS HAVING NO TRUSTEES.	
actions against districts without trustees	3824
service of process on county auditor..	3825
affidavit to be filed before service of process on county auditor.....	3826
actions against, county auditor or any tax payer may defend.....	3827
judgment against, how enforced, levy of tax to pay.....	3828
satisfaction of judgment by county treasurer	3829
issue of bonds, orders, etc.; proceedings for collection; filing by holder with county auditor.....	3830

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SCHOOL DISTRICTS—SCHOOL FUNDS.

2409

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
SCHOOL DISTRICTS—Cont'd,	
— levy of tax by county auditor, publication of notice, notice of defense to bonds, etc.....	3831
— certifying list by county auditor to county treasurer after levy of tax, delivery of bonds, etc., to owners...	3832
INDEPENDENT SCHOOL DISTRICTS.	
organization, restrictions as to area, to what cities, towns, etc., applies..	3790
— notice of meeting.....	3792
— election, ballots.....	3793
meeting to elect directors, notice, term of office.....	3794
inspection of records, books, etc., by voter	3803
records and copies to be prima facie evidence	3803
purchase and erection of school-houses, etc., meeting of voters, notice	3806
taxes, how levied and collected.....	3811
limit of tax for school buildings and sites	3807
voting for purchase of sites and erection of school buildings, certifying to county auditor, levy of tax.....	3807
length of school year.....	3809
appointment of examiners, examination of teachers, revocation of license, visitation of schools.....	3810
general school law applicable.....	3812
dissolution of district, election, vote required	3813
— ballots	3814
issue of bonds, legalization.....	3815
— for purchase of site and construction and improvement of school-house	3816
change of boundaries.....	3791
<i>board of education.</i>	
directors to form a corporation, powers	3795
organization, election of officers, superintendent, removal of officers and members	3796
members of board not to receive compensation	3797
quorum	3798
vacancies, how filled.....	3799
meetings of board.....	3805
to direct by resolution payment of all moneys	3805
powers and duties.....	3808

	Sec.
SCHOOL DISTRICTS—Cont'd,	
to determine amount of tax and report same to county auditor, to keep accounts, and make reports...	3809
<i>officers.</i>	
to file acceptance, duties of president..	3801
duties of clerk; records and accounts; to give notices of meetings, draw orders, report to county superintendent	3802
compensation of clerk and treasurer..	3797
bond of treasurer, additional bond, duties	3804
<i>superintendent.</i>	
term of office, compensation.....	3796
duties	3800
report to superintendent of public instruction	3800
SCHOOL ELECTIONS,	
women to vote at school elections....	3665
separate ballots and ballot boxes for women	3666
women, right to vote for county superintendent	2
right to fines for violation of election laws	202
SCHOOL FUNDS,	
(see "Schools.")	
investment of	344
transfer of internal improvement land contracts thereto	510
transfer of bonds held in internal improvement land fund.....	511
transfer of internal improvement land contracts, fractional adjustments...	517
proceeds of sale of estrays.....	2087
proceeds of sale of trespassing animals	2121
disposition of interest accruing on school-fund bonds	4005
school-fund bonds	4005
investment of proceeds of school lands	4003
appropriations for investment in bonds	4006, 4007
application of rents of state capitol lands	4042
MONETS DERIVED FROM LICENSES, FINES, ETC.	
liquor license in villages.....	1256
fines for selling liquor without license	1993
fine for violating fish law.....	2131
fines for failure to have weights and measures sealed	2205
penalty for taking usury.....	2213

MINNESOTA STATUTES 1894

2410

SCHOOL FUNDS—SCHOOLS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SCHOOL FUNDS—Cont'd,		SCHOOL FUNDS—Cont'd,	
penalty recovered from railroad company	2706	bond to be executed by county or school district, deposit by state auditor, indorsement and transfer....	3774
finest for violation of law regulating Texas and Indian cattle.....	6982	application to be approved by attorney general	3775
finest, liquor licenses, and sale of est-rays	3768	state auditor to be secretary of board of investment, and keep records....	3776
finest for malicious mischiefs, etc....	6779	SCHOOL HOUSES AND SITES.	
seizures from trespassers on public lands	4018	schoolhouse used for religious worship, Sabbath schools, and other purposes	3682
APPORTIONMENT AMONG DISTRICTS.		— bond for use for worship, etc....	3683
apportionment among districts.....	3763	— rent, payment to treasurer.....	3684
local mill tax by counties for support of schools	3768	— application of act to independent or special free district.....	3685
withholding for failure to instruct in physiology and hygiene.....	3895	injury to building or articles therein..	6789
failure of county auditor to report to superintendent of public instruction, penalty	3787	PROCEEDINGS TO ACQUIRE SITES.	
STATE SCHOOL FUNDS.		proceedings to acquire sites.....	3653
apportionment among counties, teachers' registers and reports of attendance of scholars.....	3759	petition to district court, order thereon	3654
— copy of apportionment to be sent to state auditor.....	3760	service of copy of order, publication..	3654
state auditor to draw warrant, warrant to be applied on payments due for state taxes by county.....	3761	appointment of commissioners, oath..	3656
appropriation of amount of current school funds	3762	— notice of meeting, service.....	3656
apportionment among districts.....	3763	meeting of commissioners, appraisalment of value and damages, filing of report, judgment.....	3657
— county auditor to report to state superintendent of public instruction	3764	appeal from appraisalment of commissioners, judgment	3657
— report by clerk to county superintendent of enumeration of scholars, etc.	3766	fees of commissioners.....	3658
county treasurer to pay to district treasurer, notice of filing oath and bond	3767	SCHOOL LANDS,	
apportionment of funds, withholding from county or district excluding children	3777	(see "Public Lands.")	
state school tax, current school fund..	3768	SCHOOL LIBRARIES,	
LOAN OF PERMANENT SCHOOL FUNDS.		selection of books, bids for furnishing	3715
application by county.....	3769	statement by district, contribution to expense by state.....	3716, 3717
vote at district meeting, adoption of rules, report to state auditor.....	3770	"SCHOOL MONTH,"	
to independent school districts and boards of education.....	3771	meaning of term.....	3695
board of investment to consider application, proceedings	3772	SCHOOL OF MINES,	
principal and interest, when due....	3773	appropriations for.....	7973
		(see "University of Minnesota.")	
		SCHOOLS,	
		(see "High Schools"; "School Districts"; "School Elections"; "School Funds"; "School Houses and Sites"; "School Libraries"; "School Teachers"; "School Text Books"; "Teachers' Institutes"; "Training Schools.")	
		farmers' institutes.....	3877-3888
		(see "Farmers' Institutes.")	
		state normal schools.....	3833-3864
		(see "Normal Schools.")	
		"public schools" defined.....	3648
		use of English language.....	3697

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SCHOOLS—SCHOOL TEXT-BOOKS.

2411

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
SCHOOLS—Cont'd,	
school to be kept at least three months in each year.....	3694
opinions of attorney general on disputed questions.....	3714
blanks for registers, reports, etc., appropriation and distribution by superintendent of public instruction..	3735
contract to furnish blanks to be let to lowest bidder by commissioner of printing	3735
Webster's Dictionary to be furnished by superintendent of public instruction	3736
precautions against contagious or infectious diseases.....	7070
IN UNORGANIZED COUNTIES.	
power of county commissioners.....	703
establishment of schools.....	3660
jurisdiction of superintendents of organized counties to which attached	3661
status of schools.....	3662
PUPILS, ATTENDANCE AND DISCIPLINE.	
admission without charge.....	3648
attendance of scholars, absence on holidays	3696
all persons between ages of 5 and 21 to be received.....	3694
admission of adults and nonresidents on payment of tuition.....	3697
tuition of children of residents to be gratuitous	3697
expulsion of pupil for insubordination, immorality, or disease.....	3697
exclusion of children under six by vote of majority of board of trustees....	3698
district in two counties, report of scholars in each district.....	3710
excluding children entitled to attend school, penalty.....	3777
parents, guardians, etc., required to send children to school, when excused	3778
penalty for failure to send children to school, prosecution, application of fines	3779
— inquiry by school director, etc., penalty for neglect to prosecute....	3780
WHAT TO BE TAUGHT IN SCHOOLS.	
instruction in moral and social science	3889
— mode of instruction.....	3890
— purpose of instruction.....	3891
instruction in physiology and hygiene, effect of stimulants and narcotics..	3892, 3893

	Sec.
SCHOOLS—Cont'd,	
— failure of teacher, annulment of certificate	3893
— teacher to be qualified to teach..	3894
— failure to afford, withholding apportionment of current school fund..	3895
SCHOOL REGISTERS.	
teachers to keep registers.....	3694
register to be kept and filed, teacher not to be paid until filed with clerk..	3711
DISTURBANCE OF SCHOOLS.	
disturbance of, misdemeanor.....	6939
SCHOOL TEACHERS.	
contracts with teachers, specification of wages and time, meaning of term "month"	3694
— meaning of term "school months," allowance of holidays.....	3695
board of education and trustees to visit teacher and give her advice....	3697
payment, preference, liability of treasurer for nonpayment.....	3713
to be qualified to teach physiology and hygiene	3894
teachers dealing in school supplies, penalty	3788
right to use force in correcting pupil (par. 4)	6477
EXAMINATION AND CERTIFICATES.	
examination of teachers, record.....	3751
— by county superintendent in independent districts	3752
— in independent school districts... 3810	
— use of schoolhouses.....	3745, 3746
re-examination of teachers and revocation of licenses.....	3753
teachers to have certificates of qualification	3694
qualified teachers, certificates.....	3748
examination, grade of certificates... 3744, 3747	
professional state certificate, how obtained	3749
— branches of learning required....	3750
diploma of normal school, effect as certificate of qualification of teacher	3840-3842
SCHOOL TEXT-BOOKS,	
to be selected for study of physiology and hygiene	3896
purchase and sale by board of trustees or board of education, limitation of change.....	3897

MINNESOTA STATUTES 1894

2412

SCHOOL TEXT-BOOKS—SECRETARY OF STATE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SCHOOL TEXT-BOOKS—Cont'd,		SEAL—Cont'd,	
sample copy to be filed by purchaser with superintendent of public instruction, limit of price.....	3898	OF CORPORATIONS.	
list of books and prices to be furnished by state superintendent of public instruction	3899	of corporations	2595, 3407
free text-books, petition by voters, district meeting, notice.....	3900	of manufacturing companies.....	2816
— payment, funds	3901	of savings banks.....	2537
SCIENTIFIC SOCIETIES,		OF RELIGIOUS SOCIETIES.	
incorporation, general statutory provisions	2913-2928	of religious societies.....	3027
(see "Corporations.")		— corporations	3055, 3067
SCOTT COUNTY,		BALLOT BOXES AND ELECTION RETURNS.	
boundaries	602	placed on ballot boxes after canvass	153
SCRIP,		on ballot boxes, additional seals....	154
for soldiers' families, validated..	7634-7636	on election returns.....	157
meaning of term.....	253	unsealed election returns, refusal to receive	167
SEAL,		SEALER,	
device on official seals to be that on great seal of state, size of seals....	2209	of weights and measures.....	2196-2207
use of scroll or device in deeds.....	4190	SEARCH WARRANT,	
use of, in taking acknowledgment... 5644		when issued.....	7080, 7081
of notary public.....	2211, 2270	to whom directed.....	7082
of officer certifying copies of papers.. 5725, 5726		contents	7082
of register of deeds.....	776	keeping and disposition of property seized	7083
conveyances without, curative act... 7545		for game and fish killed contrary to law	2177
OF STATE.		misconduct in executing.....	6393
when governor to provide new one... 302		maliciously procuring search warrant	6417
who to have custody.....	305	SECOND-HAND MEN,	
to be deposited with secretary of state	2208	license and regulation in villages (par. 1).....	1299
OF STATE OFFICERS.		SECRETARY,	
of state auditor.....	320	of governor	301
of state treasurer.....	339	of railroad and warehouse commission	397
of railroad and warehouse commission (par. f).....	387	of state board of health.....	427-429
of land commissioner.....	3963	of state board of corrections and charities	461
of office of surveyor general of logs and lumber.....	2392	of board of state capitol commissioners, appointment, compensation, and qualification.....	499
of commissioner appointed in other states to take acknowledgments, etc	5649	of board of directors of institute for defectives	3444
of adjutant general.....	1703	SECRETARY OF INTERIOR,	
OF COURTS.		copy of state park act filed with....	4058
judge to authorize use of temporary seal	2210	SECRETARY OF SENATE,	
on writ of habeas corpus.....	6022	compensation for indexing and transcribing journal.....	234, 236
OF MUNICIPAL CORPORATIONS.		to draw certificates of pay due members	239
of municipal corporations.....	1045	SECRETARY OF STATE,	
of villages (par. 2).....	1224	to account for fees received.....	318
— of over 3,000, on contracts and instruments	1420	filing receipt for payment of fees by corporation	3393

MINNESOTA STATUTES 1894

2414

SECRETARY OF STATE—SEED-GRAIN NOTES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SECRETARY OF STATE—Cont'd,		SECRETARY OF STATE—Cont'd,	
to make indexes to laws and documents	308	to obtain approval of attorney general of official bonds.....	527
to publish constitution and amendments	309	oath and bond of state auditor filed with	319
publication of geological and natural history survey	3939-3941	bond and oath of state treasurer deposited with	340
to prepare and publish legislative manual	290	oath and bond of librarian to be filed with	366
distribution of legislative manual, receipt and report	296	oath and bond of clerk of supreme court to be filed with.....	374
commissioner of public printing....	259	bond of railroad and warehouse commissioner to be filed with (par. e)..	387
to notify successful bidder for public printing of acceptance of bids..	269	oath of public examiner filed with...	410
MATTERS PERTAINING TO RELIGIOUS SOCIETIES.		oath and bond of deputy public examiner filed with.....	422, 2532
record of documents relating to organization of religious societies....		bond of inspector of illuminating oils filed with	448
3046, 3053, 3064,	3079	oath and bond of warden of state prison filed with.....	7456
to keep list of religious corporations duties with regard to incorporation of religious societies.....	3064	oath of school building commissioners filed with.....	3505
filing documents relating to organization of religious societies.....	3072	bonds of officers of board of regents filed with	3906
MATTERS PERTAINING TO ELECTIONS.		bonds of county officers to be sent to duties with regard to bonds of county officers	878, 879
notice of officers to be elected to be sent by	13	bonds of county officers not to be removed therefrom	880
uniform election blanks and copies of law to be provided by.....	14	bond and oath of register of deeds to be sent to.....	761
to furnish instructions to voters to county auditors	20	oath and bond of county attorney sent to	801
REPORTS AND DOCUMENTS FILED WITH.		oath and bond of notary filed with..	2269
of inspector of oils.....	451	bond of trustee of savings bank filed with	2539
copy of ordinance accepting provision of statute	1097	SECRET SOCIETIES,	
copy of proceedings of city council... by plank roads and turnpike companies	1160	improper use of badges, emblems, etc.	6954
record relating to inmates of state reformatory	3373	SECURITY,	
concerning mines on public lands...	3596	for costs (see "Costs").	
documents in condemnation proceedings	4075	SEDUCTION,	
map of site of federal buildings filed with	4097	jurisdiction of justice.....	4960
filing lien statement with.....	4110	who may sue for.....	5163
OFFICIAL OATHS AND BONDS.		attachment not allowed.....	5289
preparing blank forms for official bonds	874	under promise of marriage, punishment	6531
duty with regard to furnishing blank forms for official bonds.....	875	subsequent marriage or lapse of two years bar to prosecution.....	6532
to file and record bonds of state officers	526	conviction cannot be had on unsupported testimony of seduced female	6533
		SEED GRAIN	7733-7740
		(see "Grain.")	
		SEED-GRAIN NOTES	4155-4159
		(see "Liens.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SEIZURE—SET-OFF AND COUNTERCLAIM.

2415

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SEIZURE,		SENTENCE—Cont'd,	
of game and fish killed contrary to law	2177	death sentence, governor may delay issuing warrant or respite defendant when	7407
SEMINARIES,		— presence of sheriff, return of warrant to governor, filing copy with clerk of court	7409
incorporation, general statutory provisions	2913-2928	— confinement of convict, who may visit prisoner	7411
(see "Corporations.")		— who may witness execution, newspapers not to publish details ..	7412
powers of trustees	2923	— violation of law a misdemeanor ..	7413
trustees may require officers to give bond	2924	ball and chain or tying prisoner in public prohibited	7414
trustees to make annual report to superintendent of public instruction ..	2925	SEPULTURE,	
service of process on	2926	(see "Body Stealing"; "Burials"; "Cemeteries"; "Dissection.")	
visitation by superintendent of public instruction	2927	SEQUESTRATION,	
existing institutions may organize under this act	2928	of property of corporation	5897, 5898
SENATE OF STATE,		SERGEANT AT ARMS,	
(see "Legislature.")		of house of representatives, election and term of office	221, 222
number of senators	214	SERVICE,	
senatorial districts	215, 216	of notice	1659
election and terms of senators	244	— of condemnation proceedings	2606, 2625
how organized	219	of complaint	5196
— officers to be elected	220	of papers and notices	5213-5218
— appointment of temporary officials	223	of papers on railroad company	5202
compensation of officers and members	232	of order for bringing in additional parties	5178, 5179, 5825
mileage of members and officers	233	SERVICE OF PROCESS,	
journal, compensation for preparing ..	234, 236	(see "Practice.")	
journal, warrant for preparing, when drawn	235	of process (see "Process").	
compensation of members, how certified	237	of process in garnishment proceedings	5306-5342
consent necessary before destroying documents collected by bureau of labor	474	(see "Garnishment.")	
SENATOR,		citation to show cause why executor, administrator, or guardian should not be removed	4709, 4710
of the United States (see "United States Senator").		of mandamus	5979
SENTENCE,		of writ of prohibition	5989
(see "Crimes and Punishments.")		of execution on judgment debtor ..	5455
on conviction of two or more offenses ..	6829	habeas corpus, how served	6024, 6025
infliction and execution thereof	7398-7414	— who may serve	6023
(see "Crimes and Punishments.")		in foreclosure by action, publication ..	6058
when provision is not made by statute	7403	SET-OFF AND COUNTERCLAIM,	
to state's prison	7402	when allowed	5237
punishment by death to be by hanging ..	7408	claims pleaded against action by executor or administrator	4511, 4520
executive warrant to carry out death sentence	7400	against claims against decedent's estate	4512
execution of, where there is no jail in the county	7406	claim barred by statute not allowed as set-off	4513
		reply to counterclaim	4982

MINNESOTA STATUTES 1894

2416

SET-OFF AND COUNTERCLAIM—SHERIFFS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SET-OFF AND COUNTERCLAIM—			
Cont'd.			
in actions before justices.....			
4993-4995, 4997, 4998			
— necessity of pleading.....	4996		
set-off of mutual judgments....	5016-5018		
in action by assignee.....	5157		
pleading,.....	5239		
— effect of as admission.....	5238		
judgment on counterclaim.....	5419		
rights of occupying claimants.....	5855		
SETTLEMENT,			
of guardian (see "Guardian").			
of executor (see "Executors and Ad-			
ministrators").			
of poor person (see "Poor").			
of officers, see specific heads.			
SEVERALTY,			
estates in.....	4404		
SEVERANCE,			
of defendants on entering judgment..	5207		
SEWERS,			
regulation by cities (par. 4).....	1085		
establishment and regulation in vil-			
lages (par. 11).....	1224		
lien for constructing or repairing...	6230		
injuries to, criminal liability.....	6780		
SEXTONS,			
appointment by village council (par.			
7).....	1224		
SHAM PLEADINGS,			
disregarded.....	5240		
SHEEP,			
injury by dogs.....	6881-6884		
(see "Animals.")			
SHERBURNE COUNTY,			
boundaries.....	603		
SHERIFFS,			
(see "Constables"; "Coroners"; "Exe-			
cution"; "Jails"; "Process.")			
duty in connection with juries (see			
"Jury"; "Grand Jury.")			
term of office.....	782		
to take oath and give bond.....	783		
effect of failure to qualify.....	784		
place of keeping office.....	785		
vacancy in office of, how filled.....	786		
ineligibility to other offices.....	795		
disability to perform certain functions	795		
power of governor to remove.....	893		
when coroner to act as.....	839		
DEPUTIES.			
appointment.....	796		
oath.....	796		
disability.....	795		
		SHERIFFS—Cont'd,	
		request by district court for.....	798
		compensation.....	799
		POWERS AND DUTIES.	
		in general.....	785
		conveyance of poor person to poor-	
		house by.....	1963
		duty to arrest and complain of person	
		violating liquor laws, penalty for	
		failure.....	2035
		sale of trespassing animals distrained.	2119
		duty to make arrests at request of	
		members of society for prevention	
		of cruelty.....	3021
		taking insane nonresident to place of	
		domicile.....	3461
		to execute warrant for commitment of	
		persons to insane hospital.....	3465
		duties with regard to person returned	
		from reform school.....	3523
		conveyance of persons to reform	
		school.....	3528
		seizure of property replevied, powers	
		and duties in case of concealment..	5284
		to keep and deliver property replevied.	5285
		enforcement of act with regard to	
		getting on or off of moving cars...	6859
		WRITS AND PROCESS.	
		service of process.....	787
		probate process, powers and duties..	4735
		retirement of sheriff pending execu-	
		tion of process, who to complete exe-	
		cution.....	792
		to file process.....	808
		process in criminal cases in cities...	1071
		serving process of village municipal	
		court.....	1401
		process issued by notaries.....	2276
		executing warrant, arrest, powers in	
		other counties.....	7134
		keeping copy of process for arrest of	
		prisoner.....	7422
		EXECUTIONS AND SALES.	
		(see "Execution.")	
		certificate of sale by, recording....	779-781
		not to buy at execution sales.....	791
		execution of certificate of sale under	
		power in mortgage after expiration	
		of term.....	6040
		payment over of proceeds of execution	5445
		MATTERS PERTAINING TO TAXES.	
		duties with reference to collecting de-	
		linquent taxes.....	1567

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SHERIFFS—SIGNBOARD.

2417

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SHERIFFS—Cont'd,		SHERIFFS—Cont'd,	
duties in the collection of taxes.....	1568, 1569, 1606	— by private person for neglect of duty	789
when liable for uncollected tax.....	1571	liability on official bond.....	789
service of notice relating to lands sold for taxes.....	1654, 1659	when liable for uncollected tax.....	1571
JAILS AND PRISONERS.		penalty for taking illegal fees.....	790
duties with regard to prisons.....	793	limitation of action against.....	5137
appointment of jailer or turnkey....	800	suffering escape of prisoner.....	6365
duty with regard to prisoner committed by city.....	1083	alteration, falsification, etc., of records	6387
taking prisoners to state reformatory	3592, 3593	misappropriation of property.....	6387
power to take prisoners through other counties	794	criminal liability.....	6388
duties with regard to United States prisoners	7419	fines for neglect of duty.....	7424
appointment of jailers, etc.....	7425	disobeying writ of habeas corpus, imprisonment in what county.....	6005
compensation for boarding prisoners duties with regard to prisoners boarded at expense of United States or other municipality.....	7427	penalty for violating act concerning jails	7436
— kept at expense of other counties	7420	failure to execute process against delinquent county treasurer, penalty..	747
duties with regard to conveying convicts to state prison.....	7476	SHIPPING,	
penalty for violating act concerning jails	7436	(see "Boats and Vessels.")	
COMPENSATION AND FEES.		SHOOTING GALLERIES,	
fees in general.....	5550	regulating in villages (par. 45).....	1299
office expenses paid by county.....	677	SHORTHAND REPORTERS,	
settlement with county commissioners	797	appointment in district courts.....	4887
allowance of mileage.....	1574	— oath and duties, removal...4888, 4890	
fuel for residence furnished by county	7431	transcript of notes, approval by judge, effect	4889
for service in collecting taxes.....	1574	motion for new trial based on minutes	5399
for serving notices as to taxes..1654, 1659		in municipal courts	1371-1373
for services under reform school act	3528	SIBLEY COUNTY,	
for taking persons to state reformatory	3593	boundaries	604
payment over of proceeds of execution, deduction of fees.....	5445	additional territory.....	604
for arresting accused, surrender by bail	7168	SIDEWALKS,	
for committing fugitives from justice	7418	(see "Municipal Corporations.")	
for conveying convicts to state prison	7477, 7508	regulations concerning (par. 14).....	1085
for services in drainage proceedings..	7818	compelling removal of snow, etc., from (par. 21).....	1085
in Dakota county.....	5551	preventing riding and driving thereon in villages (par. 14).....	1299
in Hennepin county.....	5552	establishment and maintenance in villages (par. 42).....	1299
in Ramsey county.....	5553	lien for constructing or repairing....	6230
mileage where term of court is adjourned in Stearns county.....	4922	SIGNALS,	
— in Otter Tail county.....	4927	willful violation of duty by railroad engineer	6638
taking illegal fees forbidden.....	5534	misleading pilot or railway engineers by false signals, etc.....	6775
MISCONDUCT AND LIABILITIES.		SIGNATURE,	
proceedings against for failure to pay over money.....	788	definition	6842
GEN.ST. '94—152		obtaining by false pretenses.....	6747
		SIGNBOARD,	
		on bridges, warning against fast driving	1873
		malicious injury to.....	6874

MINNESOTA STATUTES 1894

2418

SINKING FUND—SOLDIERS' HOME.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SINKING FUND,		SOCIETIES FOR PREVENTION OF	
(see "Funds.")		CRUELTY	3016-3021
of state, investment in bonds..	4006, 4007	(see "Minnesota Society for the Pre-	
for payment of town bonds and orders	1033	vention of Cruelty.")	
— of town refunding bonds and		SOCIETIES FOR RELIGIOUS IN-	
orders	1039	STRUCTION AND MUTUAL IM-	
of cities	1436	PROVEMENT	2940-2949
of drainage district	7790	(see "Camp-Meeting Associations.")	
SKATING RINKS,		SOCIETIES FOR SECURING HOMES	
license and regulation in villages (par.		FOR CHILDREN,	
1)	1209	formation, certificate of approval by	
SLANDER,		governor and judges of supreme	
(see "Libel.")		court	2932
of females, definition	6507	powers, consent to adoption of child,	
— presumption of malice, justifica-		contracts with persons taking child	
tion	6508	contracts with persons taking child	
— testimony necessary to convict..	6509	not to contain provisions of a sec-	
SLAUGHTERHOUSES,		tarian or political nature.....	2933
regulations by cities (par. 5).....	1035	compensation permitted.....	2934
regulation in villages.....		supervision of children in homes....	2935
1224 (par. 23), 1299 (par. 5)		report to state board of corrections	
SLEEPING CARS,		and charities, power of state board	
use of appliances to prevent injuries		complaint to probate judge as to ill-	
in case of accidents.....	401	treated or vagrant children, com-	
method of heating and lighting.....	401	mitment to society.....	2937
equipment with fire extinguishers, etc.	402	— duty of sheriff to take possession	
SLUICE DAMS,		of child.....	2937
for logs, timber, and lumber....	2474-2480	— who to appear at examination in	
(see "Logs and Lumber.")		behalf of child	2937
SMALLPOX,		— citation and notice of hearing to	
(see "Health.")		parents	2938
quarantining infected persons by town		not entitled to appropriation.....	2939
board of health.....	977, 978	SODOMY,	
duties of local boards of health.....	1463	definition, punishment.....	6554
SMELTING COMPANIES	2827-2837	proof	5765
(see "Corporations.")		penetration sufficient.....	6555
SMITHSONIAN INSTITUTE,		SOLDIERS,	
state university to exchange speci-		disabled soldiers exempt from poll	
mens with.....	3937	tax and jury duty.....	8040
SMOKING,		preference of veterans, etc., for public	
in building where notice is posted, de-		employment	8041
facing notice.....	6876	burial of, duty of county commis-	
— penalties, how enforced.....	6877	sioners	8042
SNEAK THIEF,		— providing headstones on graves	8043
unlawful entry of building not		— place of, payment of expenses... 8044	
amounting to burglary.....	6683	— appropriation for expense.....	8045
SNOW,		SOLDIERS' HOME,	
removal from sidewalks, alleys, etc.,		establishment and management.....	3604
in villages (par. 21).....	1299	name	3604
SOAP FACTORY,		who entitled to admission.....	3605
regulation by cities (par. 4).....	1085	object	3605
SOCIAL SCIENCE,		selection of site.....	3607, 3609
instruction in public schools....	3889-3891	donations to.....	3609, 3623
SOCIETIES,		limit of cost of site.....	3616
see specific heads.		plans and specifications.....	3610

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SOLDIERS' HOME—SOLDIERS' RELIEF FUND.

2419

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
SOLDIERS' HOME—Cont'd,	
letting contract for erection....	3611, 3612
limitation as to expense of buildings..	3612, 3613
bond taken from contractor.....	3613
liability of state for erecting build- ings	3613
contract for erection of buildings....	3614
— execution of.....	3614
— letting	3615
provisions with regard to construc- tion of buildings.....	3615
disbursements and appropriations for	3617
purchase of site.....	3619
— abstract of title.....	3619
soldiers' home fund.....	3623
soldiers' relief fund.....	3627
transfer of money from soliders' re- lief fund to home building fund....	3632
appropriations for.....	3626
defraying cost of transportation to..	3628
provisions for family of soldier.....	3630
dispositions of pensions received by inmates	3630
transfer of moneys from one fund to another	3632
system of accounting for public funds	7975
appointment of accounting officers and purchasing agents.....	7976
who to have custody of funds of in- mates	7978, 7979
state treasurer to act as treasurer....	3621, 7977
documents, receipts, and vouchers showing expenditures.....	7980, 7981
documents showing expenditures sent to state auditor.....	7981, 7982
duties with regard to goods purchased	7982
monthly expense lists.....	7983
drawing moneys from state treasury for expenditures.....	7984
approval of expense lists by state au- ditor	7984
unexpended appropriations.....	7985
disposition of surplus in any fund....	7985
appropriation of miscellaneous receipts	7986
permanent inmates, residence to deter- mine qualification as electors.....	66
officers not to be interested in con- tracts	3618
TRUSTEES.	
trustees	3606
political belief.....	3606
term of office.....	3606
duties	3607, 3620, 3622

	Sec.
SOLDIERS' HOME—Cont'd,	
oath	3607
bond	3624
compensation	3608
state treasurer ex officio treasurer of trustees	3621
office of trustees.....	3630
place of meeting.....	3630
meeting of board.....	3621, 3622
report by trustees to governor.....	3622
officers of board.....	3621
duties and compensation of secretary of board.....	3621
powers and duties of executive com- mittee of board.....	3621
report to legislature.....	3625
warrant on funds.....	3621
OFFICERS AND EMPLOYES.	
commandant	3620
— appointment of officers by.....	3620
— suspension of officers by.....	3620
compensation of officers and employes	3620
bond of superintendent.....	7978
powers and duties of superintendent with regard to funds of inmates... 7978	7978
FUNDS.	
soldiers' home fund.....	3626
soldiers' relief fund.....	3627
custody of.....	7979
state treasurer to act as treasurer....	7977
transfer from one fund to another....	3632
system of accounting for.....	7975
disposition of surplus in any fund... 7985	7985
duties of state auditor.....	7979
— accounting officer.....	7979
SOLDIERS' ORPHANS,	
admission to state public school.....	3512
SOLDIERS' ORPHANS' HOME,	
see c. 35, tit. 7, p. 985.	
SOLDIERS' RELIEF FUND,	
provision for.....	3627
object of.....	3622, 3628
who to control.....	3628
disbursement	3628
rules for distribution.....	3629
compensation for services in distrib- uting	3629
medium of distribution.....	3629
applying to benefit of soldier's fam- ily	3630
transfer of balance to general rev- enue fund.....	3631
— to home building fund.....	3632
— to or from soldiers' home fund..	3632

MINNESOTA STATUTES 1894

2420

SOLICITOR—STATE.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SOLICITOR,		SPENDTHRIFTS,	
(see "Attorney and Counselor.")		appointment of guardian for.	4549-4574
licensing in villages (par. 12)	1224	(see "Guardian and Ward.")	
SONS OF TEMPERANCE,		meaning of term	255
incorporation, general statutory pro-		SPORTS,	
visions	2913-2928	on Sunday prohibited.	6515
(see "Corporations.")		SPRING GUNS,	
SONS OF VETERANS,		setting, etc.	6853, 6854
issue of arms by adjutant general.	1770	STABLES,	
— requisitions	1771	regulation by cities (par. 4)	1085
— adjutant general may demand re-		STAFF,	
turn, when.	1772	(see "Militia.")	
— bond	1773	STAGE COMPANIES,	
— penalty for wanton injury.	1774	(see "Carriers.")	
SOUTH MINNESOTA FAIR ASSO-		place of taxing personal property of.	1517
CIATION,		STAKEHOLDER,	
president, member of state agricul-		on prize fight.	6654, 6948
tural society	2952	STALLIONS,	
SPARRING MATCHES.	6947-6948	lien for service fees.	6252, 6253
(see "Prize Fighting.")		STAMPS,	
SPEAKER,		counterfeiting and imitating (see	
of house of representatives, election.	221	"Trade-Marks").	
compensation	232	STATE,	
SPECIAL ADMINISTRATOR,		for index to act authorizing state gov-	
appointment, powers and duties.	4483-4486	ernment, see vol. 1, p. xxi.	
(see "Executors and Administra-		revenue of (see "Funds"; "Taxation").	
tors.")		meaning of term	255
SPECIAL MESSENGER,		governor the custodian of state prop-	
to deliver ballots to judges of election,		erty	298
duties and expenses	87	seal of, when governor to provide new	
to obtain election returns, compensa-		one	302
tion	166	— who to have custody.	305
SPECIAL PARTNER,		money due for taxes to be paid by	
(see "Partnership.")		county treasurer on draft of state	
SPECIAL PROCEEDINGS,		auditor in favor of state treasurer.	727
writ of mandamus.	5974-5987	exemption from taxation.	1512
(see "Mandamus.")		insolvency of debtor, preference of	
writ of prohibition.	5988-5993	state	348
(see "Prohibition.")		levy of state tax.	1557
writ of habeas corpus.	5994-6027	amount of tax for state purposes.	1558
(see "Habeas Corpus.")		land bid in at tax sale, reconveyance.	1601
SPECIAL STOCK,		sale of lands by, effect of reversion on	
issuance by corporations.	3415	tax sale.	1612
SPECIAL TERM,		reconveying lands bid in at tax sale.	1616
for hearing election contest.	191	payment of expenses of collecting rail-	
appointment by judges of district		road taxes.	1677
court	5388	game and fish sole property of.	2153
— notice of publication and posting	4850	condemnation of lands of.	2606, 2625
SPECIAL VENIRE,		disposition of funds realized from sale	
for jurors.	4852	of right of way.	2673
SPECIFIC PERFORMANCE,		— of penalties collected from rail-	
of oral agreements on part perform-		road companies.	2704, 2709, 2762
ance	4216	appointment of agent to aid dis-	
of contracts of deceased and insane		charged prisoners.	3602
persons	4623-4631	obligee in official bonds.	5951

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE—STATE AUDITOR.

2421

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE—Cont'd,		STATE—Cont'd,	
investment of funds in bonds....	4005-4007	action for partition.....	5814
lands erroneously conveyed to, relinquishment	4128	judgment in behalf of, satisfaction and assignment by auditor.....	5433
power of officers of other states in charge of prisoners.....	7090	necessity of giving bond on appeals, etc.	7089
CONDEMNATION OF PROPERTY.		CRIMES AGAINST REVENUE AND PROPERTY.	
taking of land under power of eminent domain	4085-4091	crimes against revenue and property of state.....	6663-6667
— of property for use of United States	4092, 4103	auditing and paying fraudulent claims against, punishment.....	6421, 6422
LANDS CEDED TO UNITED STATES— JURISDICTION.		presentation of false claims against, criminal liability.....	6812
conveyance to United States.....	4103	conversion or wrongful disposal of property of, punishment.....	6422
purchase of land by United States....	4107	STATE ADJUSTMENT BOND,	
ceding jurisdiction to United States over.....	4105, 4109, 4111-4115, 4117-4119	cancellation and destruction, record..	512, 513
Ft. Ripley reservation, relinquishment to United States.....	4127	STATE AGRICULTURAL SOCIETY,	2952-2974
LIABILITIES.		(see "Agricultural Societies.")	
loan to meet extraordinary expenditures	521	STATE AMBER CANE SOCIETY,	
on municipal aid bonds.....	1695	president, member of State Agricultural Society.....	2952
to county for support of convict pauper after discharge.....	1970	STATE AUDITOR,	
mutilated or lost bonds, orders, or warrants; duplicates.....	2225-2227	to give bond.....	319
— bond and affidavit given to obtain duplicate.....	2228	to take oath.....	319
expense of buildings at soldiers' home	3613	where office kept.....	319
cost of site of soldiers' home.....	3616	DUTIES AND POWERS.	
expenses of isolating infected animals	1466	payment of members of legislature and adjustment of accounts.....	239-241
expenses incurred in preventing diseases among animals.....	1479, 1483, 1488	to keep seal.....	320
expenses of state public school..	3517, 3520	audit of claims against state.....	321
inmates of reform school maintained at public expense.....	3526	to keep record of public accounts and documents	323
guaranty of loan to managers of reform school.....	3573	account with state treasurer.....	324
expense of state reformatory.....	3587	annual statement of finances of state to report to legislature condition of state finances.....	325
expenses of publishing geological and natural history survey.....	3943	to submit books and accounts to legislature	326
expenses of land office.....	3985	administration of oaths.....	327
expense of survey of public lands....	3981	to furnish copies of public documents	328
expenses of extraditing.....	7084	to receive daily report from state treasurer	343
expense of conveying prisoners to state prison.....	7477	audit of accounts of board of state capitol commissioners.....	507
expenses of recapturing convicts.....	7486	to sign state funding bond.....	515
for drainage assessments.....	7814, 7827	to have name changed when two towns have same name.....	919
ACTIONS.		to publish proceedings of state board of equalization.....	1556
limitation of actions by.....	5142		
verification of pleadings.....	5245		
action by, for forfeited property.....	5959		

MINNESOTA STATUTES 1894

2422

STATE AUDITOR.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE AUDITOR—Cont'd,		STATE AUDITOR—Cont'd,	
to notify county auditor of claims against county.....	1637	powers and duties with regard to banks	2526, 2527
to prescribe forms of blanks and books used by revenue officers.....	1652	powers and duties with regard to bank notes..2483, 2497, 2504, 2505,	2509
to transfer securities of building and loan associations to state treasurer	2892	preparation of bank notes.....	2481
duties with regard to commissioners appointed to erect public school building	3503	security taken to secure bank notes..	2484
copy of contract for erection of soldiers' home deposited with.....	3614	stocks pledged to secure bank notes..	2485-2489
duties with regard to soldiers' relief fund	3627, 3631	certificate as to payment of capital stock	2490, 2498
— to insurance of state property...	3640	authorizing bank to commence business	2491
— to bonds purchased by state....	4005	organization, certificate of bank filed with	2491
to audit expense list for training schools	3726	redemption of bank notes.....	2495
supervision of state parks.....	4049	increase or reduction of capital stock	2498
to satisfy or assign judgments in behalf of state.....	5433	list of shareholders filed with.....	2501
assignment of judgments, legalized..	7630, 7631	destruction of bank notes after redemption	2508
duties with regard to funds of state institutions	7977	report to, by banks.....	2515
expense lists of state institutions....	7983	destruction of certain articles of closed banks	2518
approval of expenses of state institutions, payment.....	7984	not to be interested in banks.....	2521
unexpended appropriations of state institutions	7985	to give bond for performance of duties	2521
<i>membership in boards.</i>		certificate of association of savings banks filed with.....	2540
commissioner of public printing.....	259	organization of savings banks...2542-2544	2544
funding commissioner.....	509	filing of order dissolving bank.....	3430
fuel commissioners.....	3641	<i>public lands.</i>	
secretary of board of investment of permanent school fund.....	3776	ex officio commissioner of land office	3959
<i>reports to be made to</i>		powers as commissioner of land office	4018
of organization of town.....	918	issuing warrants for expenses of land office	3985
by railroad companies.....1643, 2747		investment of proceeds of school lands	4005
— of sales of land.....	1649	logs cut on state lands.....	4016
— transmitting report to legislature	2747	transfer of school lands for park purposes	4051
by owners of telegraph and telephone lines	1683	to certify list of lands reverting to railroad company	1643
by mining corporations.....	1690	<i>taxation.</i>	
<i>approval of bonds.</i>		powers with reference to taxation..	1652
of state treasurer.....	340	to determine place of taxing.....	1522
of state land agent.....	467	member of board of equalization....	1555
of officers of state reformatory.....	3588	secretary of board of equalization....	1555
<i>banks and banking.</i>		proceedings of county board of equalization to be transmitted to (par. 5)	1552
supervision of banks, transfer to public examiner.....	414	abstracts of assessment lists to be sent to	1554
documents transferred to public examiner	414	draft on county treasurer for state taxes	727
		levy of state tax	1557
		abstract of tax list sent to.....	1560

MINNESOTA STATUTES 1894

Vols. 1 & 2] STATE AUDITOR—STATE BOARD OF CORRECTIONS AND CHARITIES. 2423

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE AUDITOR—Cont'd,		STATE AUDITOR—Cont'd,	
settlement between county treasurer and county auditor, abstract sent to state auditor	1575	for registering municipal aid bonds ..	1692, 1693
to be furnished list of lands forfeited for taxes	1616		
consent necessary to reduction of assessments by county auditor	1630	DEPUTIES, ASSISTANTS, AND CLERKS.	
list of property undervalued or unlawfully omitted from assessment filed with	1632	appointment of deputy	329
to certify government and railroad lands becoming taxable	1643	deputy, salary (par. 11)	5304
to draw on railroad companies for taxes due	1679	deputy, when to act as land commissioner	3959
refunding moneys to tax-sale purchaser	1697	employment of bookkeeper	330
<i>municipal bonds.</i>		land clerk, salary, appropriation (par. 18)	7956
registry of municipal aid bonds ..	1692, 1693	bookkeeper, salary, appropriation (par. 33)	7956
taxation to pay interest on bonds ..	1694	chief clerk; salary, appropriation (par. 17)	7956
<i>trust companies.</i>		clerk hire, appropriations	7956 (par. 19), 7961 (par. 17), 7963 (par. 9), 7964 (par. 3), 7967
approval and possession of securities of trust companies	2844, 2845	MISCONDUCT.	
duties on failure of public examiner ..	2853	penalty for violation of duty	331
to admonish trust companies violating law, and report to attorney general	2854	STATE BEE KEEPERS' ASSOCIATION,	
<i>state prison.</i>		president and secretary, members of state agricultural society	2952
duties with regard to state prison funds	7472	STATE BOARD OF CORRECTIONS AND CHARITIES,	
expense list of state prison to be sent to	7459	appointment by governor	459
<i>warrants.</i>		vacancies, how filled	459
to issue warrants	321, 897	term of office of members	459
issuing duplicate warrants ..	332, 334, 336	eligibility to membership	464
to make record of state warrants issued	322	members not to be interested in contracts	464
for annual allowance to militia	1740	political belief of members	459
on reform school fund	3576	compensation of members	459
on appropriations for soldiers' home ..	3617	powers and duties	460
for premiums on insurance policies ..	3640	investigations at request of governor ..	460
for expenses of training schools	3726	time and place of meeting	460
for apportionment of state school fund to counties	3761	may appoint secretary and clerk	461
for money for state university	3925	compensation of secretary and clerk ..	461
for expenses of state institutions	7984	to make and file annual report	462
SALARY AND EXPENSES OF OFFICE.		inspection of institutions in other states	463
salary (par. 3)	530	to advise county commissioners as to changing system of caring for the poor	1984
— appropriation (par. 3)	7956	report of societies for securing homes for children, power of board	2936
expenses of office, appropriation (par. 3)	7961	powers and duties with regard to erection or repair of jail	7440, 7441
FEEES.		designation of district jails	7445
for services in relation to banks	2522, 2523	condemnation of jails	7447
		appropriation for expenses	461, 7962

MINNESOTA STATUTES 1894

2424 STATE BOARD OF DENTAL EXAMINERS—STATE DAIRY COMMISSIONER. [Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE BOARD OF DENTAL EX-AMINERS	7907-7921	STATE BOARD OF HEALTH AND VITAL STATISTICS—Cont'd,	
(see "Dentistry.")		appropriation for expenses.....	
name, power to sue and be sued....	7919	443, 7961 (par. 21), 7969	
property of former board to vest in present board	7921	STATE BOARD OF MEDICAL EX-AMINERS,	
STATE BOARD OF EQUALIZA-TION,		(see "Physicians and Surgeons.")	
(see "Taxation.")		to examine applicants to practice mid-wifery	7898-7905
officers of	1555	(see "Midwifery.")	
term of office.....	1555	STATE BOARD OF PHARMACY....	7926-7941
appointment by governor.....	1555	(see "Druggists.")	
vacancy in, how filled.....	1555	STATE BOARD OF VETERINARY MEDICAL EXAMINERS....	7942-7951
oath taken by.....	1555	(see "Veterinarians.")	
powers and duties.....	1555	STATE BUILDINGS,	
may employ clerks.....	1555	appropriation for insurance (par. 15)	7964
time and place of meeting.....	1555	STATE CAPITOL COMMISSIONERS,	
compensation of.....	1555	(see "Board of State Capitol Com-missioners.")	
taxation of telegraph and telephone lines	1684, 1685	STATE CAPITOL LANDS,	
STATE BOARD OF EXAMINERS IN LAW.....	6172-6177	(see "Public Lands.")	
(see "Attorneys and Counselors.")		STATE DAIRY COMMISSIONER,	
STATE BOARD OF HEALTH AND VITAL STATISTICS,		appointment, term of office, salary...	6999
(see "Health.")		appointment of secretary, commis-sioners, experts, etc.....	6999
how appointed.....	425	reports to legislature, to have room in capitol, appropriation.....	6999
vacancies in, how filled.....	425	seizure of imitation butter, sale and disposition of proceeds.....	6990
term of office of members.....	425	to furnish brands to cheese factories	6998
powers and duties.....	426, 7045-7049	duty of employés of common carriers to render assistance to, penalty for failure	7000, 7024
time and place of holding meetings..	427	power to examine dairy products or imitations thereof.....	7000
special meetings.....	427	reports to by creameries, cheese fac-tories, and venders of milk, blanks to be furnished.....	7001
officers of.....	427	to license milk peddlers.....	7004
president of board, duties and com-pensation	427	to license sale of milk in stores.....	7005
secretary of, duties.....	428	disposition of fees, etc.....	7006
— compensation	427, 429	power to seize prohibited property, possession, prima facie evidence, sale, disposition of proceeds.....	7007
payment of expenses of board.....	429	jurisdiction of courts to enforce penal-ties	7008
supervision of sources of water supply procedure on complaint that sources of water supply are being polluted..	431	costs of prosecution.....	7009
method of enforcing orders.....	432	duty to enforce law regulating adul-teration of liquors, expenses.....	7023
appeal from orders to district court..	433	to enforce provisions of law relating to lard compounds, employment of experts, chemists, etc., payment of expenses	7034
— how taken.....	434		
to prosecute actions for penalties....	435		
duty of municipal officers to make re-port to.....	435		
water boards and companies to make returns to.....	435		
collection of statistics by local officers to be provided with copy of registry of births and deaths.....	439		
furnishing blanks to local officers....	440		
to send returns received to clerk of district court.....	440		
to recommend mode of testing oils...	454		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE DAIRY COMMISSIONER—STATE INSTITUTIONS.

2425

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE DAIRY COMMISSIONER—C't'd,		STATE HORTICULTURAL SOCI-	
to enforce provision of law regulating		ETY,	
sale of honey.....	7042	president, member of state agricultu-	
salary of chemist.....	7025	ral society	2952
STATE DAIRYMAN'S ASSOCIA-		appropriation to aid in distribution of	
TION,		reports, books, etc.....	7970
president, member of state agricul-		STATE INSTITUTIONS,	
tural society.....	2952	(see "Hospital for the Insane"; "In-	
STATE EXPERIMENTAL FARM,		stitute for Defectives"; "Normal	
appropriation (par. 31).....	7956	Schools"; "State Public School";	
STATE FAIR GROUNDS.		"State Prison"; "State Reforma-	
(see "Agricultural Societies.")		tory"; "State Reform School";	
conveyance by Ramsey county to state		"Soldiers' Home.")	
authorized	2962	powers and duties of public examiner	411
control of premises by state agricul-		board of trustees, duties as to bond	
tural society.....	2964	of treasurers.....	529
regulation, rules, etc., for manage-		inventory of property of.....	3636-3638
ment and control.....	2965	power of state board of corrections	
not to be charged or incumbered by		and charities.....	460
state agricultural society.....	2967	annual inventory.....	3637, 3638
lease for exhibitions and racing meet-		insurance of property.....	3639, 3640
ings	2968	furnishing estimates of coal required..	3643
lease to Minnesota driving club, rati-		letting contracts.....	3644, 3645
fied	2969	officers and employes not to be inter-	
sale of liquor near forbidden.....	2008	ested in contracts of.....	3645, 3646
penalty for violation.....	2009	appropriation for insurance.....	7969
STATE FARMER'S ALLIANCE,		system of accounting for public funds	7975
president and secretary, members of		appointment of accounting officer and	
state agricultural society.....	2952	purchasing agents	7976
STATE FLAGS.....	8035-8039	institution treasurer.....	7977
(see "Flags.")		— duties	7977
STATE FORESTRY ASSOCIATION,		— bond	7977
president, member of state agricul-		custody of funds of.....	7977
tural society.....	2952	duty of accounting officer with regard	
STATE FORESTRY FUND,		to funds of.....	7977
moneys transferred to general rev-		duties of state auditor with regard to	
enue fund.....	352	funds of.....	7977
STATE FUNDING BONDS,		superintendent to have custody of	
issue	514	funds of inmates.....	7978
how executed.....	515	— bond	7978
fund tax.....	516	bills or invoices of goods sold to.....	7980
form of bond.....	518	documents, receipts, and vouchers	
STATE FUNDS,		showing expenditures.....	7980, 7981
(see "Funds.")		— sent to state auditor.....	7981, 7983
investment of.....	344	duties with regard to goods purchased	7982
STATE GEOLOGIST,		monthly expense lists.....	7983
(see "Geologist"; "Geological Sur-		drawing moneys from state treasury	
vey.")		for expenditures.....	7984
STATE HISTORICAL SOCIETY,		approval of expenses by state auditor	7984
entitled to report of geological and		unexpended appropriations.....	7985
natural history survey.....	3942	disposition of surplus in any fund....	7985
custody and disposition of reports of		appropriation of miscellaneous re-	
geological survey.....	3945	ceipts	7986
affidavit of officer as to publication of		superintendent as custodian of funds	
notice in newspaper.....	5724	of inmates	7988
appropriation for support (par. 24)...	7961		

MINNESOTA STATUTES 1894

2426

STATE LAND AGENTS—STATE PRISON.

Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE LAND AGENTS,		STATE PARKS,	
employment by governor.....	465	(see "Parks.")	
powers and duties.....	465, 466	STATE POULTRY ASSOCIATION,	
to give bond.....	467	president, member of state agricultu-	
compensation	468	ral society	2952
STATE LANDS		STATE PRINTING EXPERT,	
(see "Public Lands.")		(see "Public Printing.")	
STATE LIBRARIAN,		appointment, duties and compensation	280
appointment by governor.....	366	to receive copy of job and bill, esti-	
to take oath.....	366	mates on uncompleted work.....	281
to give bond.....	366	to examine and condense official re-	
powers and duties.....	368	ports	284
to make report to governor.....	368	STATE PRISON,	
may appoint assistant.....	367	(see "Convicts.")	
compensation of assistant.....	367	location	7449
authority of judges of supreme court	368	insurance of property.....	3639-3640
disposition of receipts.....	371	entitled to copy of report of geological	
state reports deposited with.....	2280	and natural history survey.....	3942
certified copies of judicial decisions		breaking out of contagious diseases..	7484
as evidence, fees.....	5717		
salary (par. 8).....	530		
— appropriation for... 372, 7956 (par. 10)		MANAGEMENT.	
expenses of attending convention, ap-		how managed.....	7450
propriation (par. 18).....	7963	business transactions to be in name of	
STATE LIBRARY,		warden	7471
of what to consist.....	365	actions, in whose name.....	7471
authority of judges of supreme court..	369	actions by or against warden.....	7471
exchange of reports with other		provisions with regard to library....	7473
states	370	selection of books for library.....	7462
contingent fund.....	373	liquors not allowed in.....	7482
right to fine for selling liquor at cap-		lease of prison shops and grounds....	
itol	2007	7496, 7498-7502	
entitled to copies of supreme court re-		— rejection of, or refusal to carry	
ports	2287, 2288	out, bids.....	7499
appropriation for book binding (par.		— to whom revenue paid.....	7502
23)	7961		
appropriation for binding books....	7969	BOARD OF MANAGERS.	
STATE NORMAL SCHOOLS.....	3833-3864	appointment	7450
(see "Normal Schools.")		political belief.....	7450
STATE OFFICERS,		term of office.....	7450
see special heads,		removal	7450
(see "Board of State Capitol Com-		filling vacancies in board.....	7450
missioners.")		compensation	7451
to be elected at general election.....	6	when concurrence of majority re-	
term of office, when begins.....	7	quired	7451
term of officer elected or appointed to		place of meeting and organization....	7451
fill vacancy.....	19	quorum	7451
reports, when to be filed.....	283	special meetings.....	7452
funding commission.....	509-518	powers and duties.....	7452
board of auditors.....	525-529	inquiry into conduct of officers or em-	
nonapproval of bonds, new bond....	527	ployés	7452
salaries	530	report to governor.....	7452
suspension, who to perform duties of		joint session of managers of penal in-	
office	902	stitutions, powers and duties.....	3600
misappropriation, etc., and falsifica-		disqualification of manager from hold-	
tion of accounts.....	6663	ing other office.....	7469
		duties of secretary of board.....	7452
		keeping record of conduct of convicts	7452

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE PRISON.

2427

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE PRISON—Cont'd,		STATE PRISON—Cont'd,	
OFFICERS.		agent to aid discharged prisoners, ap- pointment 3602	
appointment by managers.....	7453	— compensation	3602
bonds and oaths of office.....	7456	CONVICTS.	
general provisions as to duties of offi- cers	7468	(see "Convicts.")	
filling vacancies	7468	grades of prisoners.....	7511
eligibility to office or employment in, use of liquors.....	7469	provision for spiritual advice and ministration	3633, 3634
grounds for removing officers.....	7469, 7470, 7483	liberty of conscience.....	3635
officers not to be interested in con- tracts of	7469, 750b	religious exercises	3635
prison contractors not to compensate prison officers or employés.....	7470	communication with convicts.....	7488
officers or employés prohibited from receiving gifts from convicts.....	7470	unauthorized communications, a mis- demeanor	6418
compensation of officers.....	7455, 7470	punishment for unauthorized commu- nication	7488
warden, appointment and removal...	7451, 7453	right to visit.....	7487
powers and duties of warden.....	7457	who may visit prison at pleasure....	7487
lease of prison shops and services of convicts, powers retained by ward- en	7500	communication between convicts and officers	7483
warden to act as secretary of board of managers	7457	provisions with regard to family of convicts	7457
officers and employés appointed by warden	7454	— property or money due convicts..	7457
report of warden to board of man- agers (par. 11).....	7457	— property of convicts.....	7458
settlement with retiring warden....	7457	disposition of property of, on death..	7457
duties of deputy warden.....	7458	search of convicts.....	7458
superintendent, powers and duties with regard to funds of inmates... 7978	7978	record of facts relating to convicts... 7459	7459
bond of superintendent.....	7978	school for instruction of convicts.... 7463	7474
treasurer and custodian of funds, designation of bank as.....	7453	clothing, food, etc., of convicts..... 7474	7475
powers and duties of treasurer.....	7460	furnishing Bible to convicts.....	7475
institution treasurer, bond and duties of	7977	restoration of convicts to rights for- feited by conviction.....	7489
accounting officers and purchasing agents, appointment	7976	United States convicts.....	7478
clerk, duties	7459	<i>sentence and conveyance to prison.</i>	
steward, duties	7465	sentence to, on reformatory plan....	7507
hospital steward	7466	papers authorizing officer to convey prisoner to prison.....	7509
chaplain, appointment and removal.. 7453	7462	papers furnished to officers conveying prisoners to	7470
— powers and duties.....	7462	papers filed with warden on delivery of prisoner	7508
physician, appointment	7453	conveyance of convicts.....	7476
— powers and duties.....	7461	fees for conveying convicts.....	7477
— purchase of medicines and hos- pital stores	7457	expense of conveying convicts.....	7477
teachers, appointment and removal.. 7453	7463	compensation for conveying convicts.. 7508	7508
— duties of principal.....	7463	<i>removal and transfer.</i>	
storekeeper, duties of.....	7467	removal of convicts in certain emer- gencies	7484
matron, duties of.....	7458, 7464	transfer to insane hospital.....	3484, 3485
		return from insane hospital.....	3486
		escape or death of insane convict....	3487
		expense of transfer to insane hospital	3488
		transfer to state reformatory.....	3594, 3600, 7452

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE PUBLIC SCHOOL—STATE REFORMATORY.

2429

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
STATE PUBLIC SCHOOL—Cont'd,	
powers	3507, 3508
meetings	3508
officers of	3508
report to governor	3520
expenses paid by state	3520
compensation	3520
compensation of officers and employés	3508
SUPERINTENDENT.	
authority	3517
bond	7978
powers and duties with regard to funds of inmates	7978
AGENT.	
appointment by board of control	3517
powers and duties	3517
placing pupils in families under contract	3517
duties of, with regard to wards in families	3517
recovering possession of ward	3517
compensation	3517
appropriations for	3517
expenses paid by state	3517
punishment for resisting attempt of agent to regain custody of ward	3517
OTHER OFFICERS.	
treasurer, appointment	3508
— bond of	3508
institution treasurer, appointment	7977
— bond and duties of	7977
appointment of accounting officer and purchasing agents	7976
FUNDS AND ACCOUNTS.	
appropriations	7972
system of accounting for public funds	7975
custody of funds	7979
duties of accounting officer	7979
duties of state auditor	7979
documents, receipts, and vouchers showing expenditures	7980, 7981
duties with regard to goods purchased	7982
sending documents, etc., to state auditor	7981, 7983
monthly expense lists	7983
approval of expense lists by state auditor	7984
drawing moneys from state treasury for expenditures	7984
disposition of surplus in any fund	7985
unexpended appropriations	7985

	Sec.
STATE PUBLIC SCHOOL—Cont'd,	
appropriation of miscellaneous receipts	7986
PUPILS.	
who admitted as	3509
admission of poor minors (par. c)	1976
giving preference to soldiers' orphans	3512
commitment of children to	6543
proceedings to obtain order for admission	3514
citation to parents	3515
investigation by judge of probate	3514
examination by physician	3516
order by judge of probate	3514
effect of order for admitting child	3514
enforcement of order	3514
rights of parents, guardians, etc.	3514
resisting enforcement of order, liability	3514
delivering copy of order to superintendent	3514
number of pupils admitted from each county	3513
how long pupils retained	3510
return of child to county sending	3510
expense of carrying child to and from	3513
notice given to county commissioners	3513
effect of pupil becoming self-supporting	3511
restoring child to parents	3511
when guardianship of board of control ceases	3511, 3518
placing pupils with families under contract	3511
duties of county commissioners with regard to neglected childrep.	3512-3514
documents accompanying child on being sent to	3514
adoption of inmates	3518
records kept in relation to pupils	3519
who to have custody of funds of inmates	7979
STATE RAILROAD ADJUSTMENT BONDS,	
cancellation and destruction, record thereof	512, 513
STATE RAILROAD AND WAREHOUSE COMMISSION,	
(see "Railroad and Warehouse Commission.")	
STATE REFORMATORY,	
(see "State Reform School.")	
approval of bonds of treasurers	525, 526
location	3581
length of working day	3598

MINNESOTA STATUTES 1894

2430

STATE REFORMATORY—STATE REFORM SCHOOL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
STATE REFORMATORY—Cont'd,	
restrictions as to quarrying or cutting of granite.....	3598
contract system for convict labor prohibited	3598
joint session of managers of penal institutions, powers and duties.....	3600
MANAGEMENT AND OFFICERS.	
how managed.....	3582
board of managers, appointment of first board by legislature.....	3582
appointment by governor.....	3582
removal by governor.....	3582
filling vacancies in board.....	3582
term of office.....	3582
political belief of managers.....	3582
compensation	3582
powers and duties.....	3584, 3585, 3594
purchase of materials and supplies...	3585
control of convicts.....	3595
report to governor.....	3586
expenses paid by state.....	3587
officers, teachers, and employés; compensation	3587
oath and bond of officers.....	3588
general superintendent.....	3583
bond of superintendent.....	7978
powers and duties of superintendent with regard to funds of inmates...	7978
officers appointed by general superintendent	3583
appointment of agents by board of managers	3597
compensation of agents.....	3597, 3602
appointment and compensation of agent to aid discharged prisoners...	3602
appointment of accounting officers and purchasing agents.....	7976
institution treasurer.....	7977
— bond and duties of.....	7977
COMMITMENT TO.	
who to be sentenced to.....	3590
term of imprisonment.....	3591
imprisonment of person sentenced to..	3589
habeas corpus to procure release.....	3592
papers furnished sheriff.....	3592
— expense	3593
conveyance of prisoners to.....	3593
limitation upon power to sentence to..	7509
INMATES.	
record of facts relating to convicts..	3595, 3596
record of behavior, merit and demerit system	3596

	Sec.
STATE REFORMATORY—Cont'd,	
personal communication with managers	3596
instruction of prisoners in trades.....	3598
compensation to prisoners for work done	3599
support of family of prisoner.....	3599
transfer from reform school.....	3529, 3594
transfer from state prison..	3594, 3600, 7452
— life convicts.....	3600, 3601
parole or release of life convicts transferred from state prison.....	3601
transfer to state prison.....	3594, 3600
transfer to insane hospital.....	3484, 3485
return from insane hospital.....	3486
escape or death after commitment to insane hospital.....	3487
expense of transfer to insane hospital	3488
commutation of imprisonment for good behavior.....	3594
parole of prisoner.....	3594, 7510
power over paroled prisoners.....	3594
supervision of paroled prisoners.....	3597
notice to district judges as to number of inmates.....	7509
spiritual advice and ministration....	3633, 3634
liberty of conscience.....	3635
religious exercises.....	3635
release of convicts.....	3596
restoration to citizenship.....	3596
supervision of discharged prisoners...	3599
FUNDS.	
appropriations	7972
system of accounting for public funds	7975
duties of state auditor.....	7979
duties of accounting officer.....	7979
custody of funds.....	7979
documents, receipts, and vouchers showing expenditures.....	7980, 7981
documents showing expenditures sent to state auditor.....	7981, 7983
duties with regard to goods purchased	7982
monthly expense lists.....	7983
approval of expense lists by state auditor	7984
drawing moneys from state treasury for expenditures.....	7984
disposition of surplus in any fund..	7985
unexpended appropriations.....	7985
appropriation of miscellaneous receipts	7986
custody of funds of inmates.....	7979
STATE REFORM SCHOOL, (see "State Reformatory.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE REFORM SCHOOL.

2431

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
STATE REFORM SCHOOL—Cont'd,	
exemption from taxation.....	3530
building of highways through grounds	3531
insurance of property.....	3639, 3640
appropriations to pay loans obtained by	3578
LOCATION AND ERECTION OF BUILDINGS.	
location of new site.....	3556
purchase of land for.....	3556
terms of payment.....	3561
condemnation of land.....	3557
compensation of landowners... 3558, 3559	
moneys set aside from reform school fund	3558
when right of possession accrues.....	3559
erection of buildings on new site.....	3560
limitation of indebtedness.....	3560, 3561
power of board of managers in erecting buildings.....	3561
borrowing money to erect buildings..	3562-3570
security for loan.....	3568, 3577
guaranty of loan by state.....	3573
repayment of loan... 3569, 3570, 3577, 3578	
SALE OF OLD SITE.	
sale of old site.....	
3538-3551, 3553, 3554, 3579,	3580
survey and plat of old site.....	3532
filing and recording plat.....	3533, 3534
effect of recording plat.....	3536
expense of plat and sale, how paid..	3572
assessments for local improvements, how paid.....	3535
payment of assessments and taxes..	3580
delivery to land commissioner of documents relating to old site.....	3537
disposal of proceeds.....	3551, 3555, 3577
accounting for proceeds.....	3535
limitation of action against purchaser	3552
taxation of old site after sale.....	3548
MANAGEMENT AND OFFICERS.	
how managed.....	3521
appointment of managers by governor	3521
term of office of managers.....	3521
quorum of board of managers.....	3521
officers of board.....	3521
compensation of board.....	3521
vacancies in board, how filled.....	3521
powers and duties of board.... 3522, 3529	
power of managers over child committed	3523
report by board of managers.....	3529
compensation of officers and agents..	3529

	Sec.
STATE REFORM SCHOOL—Cont'd,	
accounting officers and purchasing agents	7976
institution treasurer.....	7977
— bond and duties of.....	7977
superintendent, powers and duties with regard to funds of inmates..	7978
— bond of.....	7978
duties of accounting officers with regard to funds.....	7979
duties with regard to goods purchased	7982
COMMITMENT TO.	
who to be received.....	3523, 6543
infant criminals.....	3524
mistake as to age, return of person committed	3523
commitment by justice of the peace..	3525
— evidence	3525
— approval of district court.....	3525
commitment by federal courts.....	3527
fees for services rendered in committing to.....	3528
executing warrant of commitment... 3528	
INMATES.	
maintenance by state.....	3526
— United States, children committed by federal courts.....	3527
transfer to state reformatory.. 3529, 3594	
spiritual advice and ministrations... 3633, 3634	
religious exercises.....	3635
liberty of conscience.....	3635
apprenticing	3523
punishment of minors under 16.....	6840
custody of funds of inmates.....	7979
FUNDS.	
reform school fund.....	
3555, 3566, 3571, 3576, 3577	3571
right to draw moneys from fund....	3571
appropriations	7972
proceeds of loan obtained by managers	3566, 3576
system of accounting for public funds	7975
duties of state auditor.....	7979
custody of funds.....	7979
documents, receipts, and vouchers showing expenditures.....	7980, 7981
documents sent to state auditor.. 7981, 7983	
monthly expense lists.....	7983
drawing moneys from state treasury for expenditures.....	7984
approval of expense lists by state auditor	7984

MINNESOTA STATUTES 1894

2432

STATE REFORM SCHOOL—STATE TREASURER.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE REFORM SCHOOL—Cont'd,		STATE SUPERINTENDENT OF PUBLIC INSTRUCTION—Cont'd,	
disposition of surplus in any fund....	7985	to grant professional state certificates to teachers	3749
unexpended appropriations.....	7985	to apportion state school funds among counties	3759
STATE ROADS.....	1844, 1845	report of apportionment to state auditor	3760
(see "Highways.")		to be member of high-school board....	3865
through public parks, vacation.....	1845	ex officio director of institute for defectives	3438
STATE SCHOOL FUNDS.....	3759-3776	duties with regard to text books for public schools.....	3896-3899
(see "School Funds.")		ex officio regent of state university..	3904
STATE SENATE,		report to, by president of state university	3922
(see "Legislature.")		supervision of school in state prison..	7463
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION,		STATE TREASURER,	
appointment, term, oath.....	3718	where office kept.....	339
office at capitol; filing papers, reports, etc.; keeping record.....	3719	to be funding commissioner.....	509
clerk, salary.....	3720	to be collector of railroad taxes.....	1671
— contingent expenses.....	3720	to be member of board of fuel commissioners	3641
appropriations		ex officio one of commissioners of public printing.....	259
7956 (pars. 7, 21), 7961 (par. 16)		ex officio treasurer of trustees of soldiers' home.....	3621, 7977
— expenses of office (par. 7).....	7961	insolvency, state a preferred creditor..	348
— clerk hire (par. 22).....	7961	committee of legislature to examine accounts	2519
assistant superintendent, salary.....	3721	access to books of insurance commissioner	3156
allowance for clerical assistance.....	3722	expenses of office, appropriation (par. 4)	7961
submitting doubtful questions to attorney general.....	3714	POWERS AND DUTIES.	
selection of books for school libraries..	3715	duties	339
to discuss school matters with county superintendents	3723	accounts with state auditor.....	324
to certify expense lists of training schools, to draw money therefor, and pay same.....	3726	to keep seal.....	339
to hold teachers' institutes and normal training schools.....	3727	to give bond.....	340
to draw, and account for disbursement of, appropriations for state or teachers' institutes and normal training schools	3728, 3729	to take oath.....	340
annual report.....	3734	deputy to pay members of legislature every 10 days.....	238
appropriation and distribution of blanks for registers, reports, etc....	3735	certificates of pay due members.....	239
to furnish Webster's Dictionary to schools, educational institutes, members of legislature, and state offices..	3736	adjustment of account of moneys paid members of legislature.....	240
appropriation to procure copies of Webster's Dictionary.....	3737	to keep account of receipts and disbursements	341
to be secretary of board of directors of normal schools.....	3837	to give receipts of payments by counties	341
receipts from sales of Webster's Dictionary, payment into state treasury, fund to be drawn by superintendent	3738	redemption of warrants.....	342
to receive annual report from colleges and seminaries.....	2925	to receive warrants in payment of dues	342
to receive report of principals of normal schools.....	3843	to make daily report to auditor.....	343
visitation of colleges, etc.....	2927	to publish statements of condition of funds	344
		deposit of state funds in banks (par. 2)	344

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STATE TREASURER—STATE WEIGHMASTER.

2433

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
STATE TREASURER—Cont'd,	
liability for funds deposited in banks (par. 2).....	344
to make report to legislature.....	344
method of making payments (par. 4)..	344
authority to make payments (par. 4)..	344
method of book-keeping (par. 4).....	344
not to purchase audited claims against state at discount.....	345
to have custody of documents pertaining to title of state lands.....	350
manner of paying salary of public examiner.....	421
payment of expenses of state board of health.....	429
payment of expenses of state board of corrections and charities.....	461
payment of accounts of board of state capitol commissioners.....	507
to pay warrant for annual allowance to militia.....	1740
to receive and preserve standard weights and measures.....	2195
to prove and seal weights and measures.....	2196
destruction of certain articles of closed banks.....	2518
when to audit claims.....	2523
transfer of securities of building and loan associations.....	2892
execution of papers required by act regulating building and loan associations.....	2893
fees received from building and loan associations, disposal.....	2893
to join in transfer of securities by insurance commissioner, duty of treasurer.....	3155
transfer of duties relating to insurance commissioner.....	3191
furnishing receipt on payment of fees by corporation.....	3393
moneys drawn out by institute for defectives.....	3445
drawing out moneys of insane hospital authority to pay out moneys for school building site.....	3502
payment of loan obtained by managers of state reform school...3569,	3570
reform school fund.....3571,	3576
loan obtained by managers of state reform school.....	3575
payment of loan obtained by managers of reform school.....	3578
evidences of title to state lands deposited with.....	3619

	Sec.
STATE TREASURER—Cont'd,	
to apply apportionment of state school funds on payments due for state taxes from counties.....	3761
drawing out money for benefit of state university, authority.....	3910
custody of documents relating to title to state lands.....	3964
investment of proceeds of school lands	4005
duties with regard to logs cut on state lands.....	4016
distribution of rents of state capitol lands.....	4042
duties with regard to state prison funds.....	7472
to keep account of moneys collected by state grain inspectors, weighmasters, etc.....	7699, 7700
LIABILITIES.	
responsibility for deputy paying members of legislature.....	242
liability for failure to call delinquent officials to account.....	346
failure to pay over moneys; judgment on bond.....	347
criminal liability.....	347
liability for acts of deputy.....	1672
disbursement of reform school fund	3571
COMPENSATION.	
prohibited from receiving fees.....	345
salary (par. 5).....	530
compensation for collecting railroad taxes.....	1677
appropriation for salary (par. 4)....	7956
DEPUTY AND CLERK.	
deputy, to assist in collecting taxes..	1672
— compensation.....	1672
— salary (par. 12).....	530
— salary, appropriation (par. 20)..	7956
deputy paying members of legislature, compensation not increased.....	243
clerk, salary (par. 14).....	530
— appropriation.....	7957
clerk hire, appropriation.....	7966
STATE TREASURY,	
(see "State Treasurer.")	
what received in payment of dues..	349
STATE UNIVERSITY,	
(see "University of Minnesota:")	
STATE WEIGHMASTER,	
of grain, appointment, authority, qualification, and compensation.....	7674, 7677, 7679
duties record of weighing done.....	7705

MINNESOTA STATUTES 1894

2434

STATE WEIGHMASTER—STEAMBOATS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STATE WEIGHMASTER—Cont'd, to furnish certificates of weighing done, effect as evidence.....	7706	STATUTES—Cont'd, number of copies to be printed.....	279
STATISTICS, (see "Births and Deaths"; "Commis- sioner of Statistics"; "Deaths"; "Health"; "Labor"; "State Board of Health and Vital Statistics.")		distribution by secretary of state....	308
duty of bureau of labor.....	470	furnishing copies to state university 2290-2292	
collection by state university.....	3936	— to circuit court of appeals...2293, 2294	
STATUTE OF FRAUDS, (see "Frauds, Statute of.")		publication in newspaper, what con- stitutes newspaper.....7993, 7995, 7996	
STATUTE OF LIMITATIONS, (see "Limitation of Actions.")		affidavit to be made by publisher....	7994
STATUTES,		PLEADING	
CONSTRUCTION.		how private statute pleaded.....	5251
construction of particular words and phrases	255	pleading private statute in indictment	7250
rule for construction.....1194, 1511,	2589	EVIDENCE.	
construction of Penal Code.....	6293	printed copies admissible as evidence	5707
General Statutes of 1866 to be con- strued as continuation of former laws	7520	Bissell's Statutes admissible as evi- dence	5708
OPERATION AND EFFECT.		General Statutes of 1878 admissible in evidence.....	5709
when take effect.....	257	General Statutes of 1878, Supplement of 1881, admissible in evidence....	5711
General Statutes of 1866, and their effect	7512-7520	of other state, printed copies admissi- ble in evidence.....	5715
(see "General Statutes.")		HOW CITED.	
REPEAL.		General Statutes of 1866, how cited	7512
repeals by Probate Code.....	4737	Kelly's Statutes, how cited.....	5714
— saving vested rights.....	4738	General Statutes of 1878, Supplement of 1881, manner of citing.....	5712
repeals by Penal Code.....	6851	General Statutes of 1878, how cited..	5710
repeals by General Statutes of 1866 not to revive former laws.....	7514	STAY OF PROCEEDINGS, (see "Appeal.")	
— not to affect acts done or rights accrued	7515	of execution.....	5480-5485
— not to affect penalties incurred, exception	7516	to collect taxes.....	1589
— not to affect actions pending, etc.	7517	on judgment.....	5480
— period of limitation to continue to run.....	7518	on justice's judgment...5017, 5038, 5039	
— tenure of offices preserved.....	7519	to bring in additional parties. 5180, 5825	
— not to affect location of county seats	7522	necessity of giving notice of order... 5227	
— schedule of laws repealed.....	7521	effect of appeal.....6142-6147	
PRINTING, PUBLICATION, AND DISTRIBUTION.		— in forcible entry and detainer.. 6121, 6122	
printing and distribution.....	259-297	STEALING, (see "Larceny.")	
how printed.....	266	STEAMBOATS,	
official publication, certificate of sec- retary of state.....	278	arrest and ejection of swindlers..6596-6598	
printing and publication, when offi- cial	285	criminal negligence or recklessness of person in charge of.....	6454
		board of inspectors, appointment, du- ties and terms.....	480
		— who eligible to office.....	481
		— meeting, rules, penalty for vio- lating rules.....	482
		inspection, rules for, number of pas- sengers	482
		— who responsible for.....	483

MINNESOTA STATUTES 1894

Vols. 1 & 2]

STEAMBOATS—STREET RAILWAYS.

2435

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STEAMBOATS—Cont'd,		STEVENS COUNTY,	
— certificate, posting same, examination of master and pilot, revocation of license.....	484	boundaries	607
— penalty for granting false certificate of.....	490	STEWARD,	
STEAM BOILERS,		of institute for defectives.....	3430
board of inspectors, appointment, duties and terms.....	480	of state prison.....	7465
— who eligible to office.....	481	hospital steward of state prison....	7466
— appointment of deputies.....	494	STILLWATER,	
inspection, who responsible for, penalty	483	title to cemetery used by inhabitants	923
— manner of examination, tests... ..	485	STIMULANTS,	
— disposal of fees.....	492	effect of use to be taught in schools..	3892-3896
— exemption of railroad locomotives and boilers inspected by insurance companies.....	493	STIPULATION,	
— penalties, when not to apply....	493	authority of attorney to make.....	6184
duty of owners and engineers to permit and assist inspection, penalty for violation.....	489	STOCK,	
penalty for granting false certificate of inspection	490	in corporations, deemed personal property	1511
certificate of inspection, posting, fees	491	live stock (see "Animals").	
penalty for imperfect construction... ..	486	shipment of	2710-2712
special examination, penalty for operating unsafe boiler.....	487	lien for keeping.....	6249-6251
fusible plug.....	488	STOCKHOLDER,	
examination of engineers, license... ..	489	(see "Banks and Banking"; "Corporations.")	
classification of engineers.....	489	STOCK JOBBERS,	
revocation of engineers' license, appeal	489	listing of property for taxation.....	1531
regulation in villages (par. 39).....	1299	STONE QUARRIES,	
unauthorized pressure of steam, misdemeanor	6606	condemnation for road purposes....	1881
mismanagement of boiler.....	6608	STORAGE,	
STEAM TRACTION ROADS..... 1934-1944		of grain.....	7645-7732
(see "Highways.")		(see "Warehousemen.")	
STEARNS COUNTY,		lien for	6248
boundaries	605	STORAGE COMPANIES,	
STEELE COUNTY,		delivery of unclaimed property to, lien for charges.....	2108
boundaries	606	sale of unclaimed property.....	2109-2112
STENOGRAPHER,		to give bond, when.....	2111
(see "Shorthand Reporters.")		STOVE PIPES,	
compensation	3592	regulation in village (par. 10).....	1224
of district courts, appointment.....	4887	STREET CARS,	
— oath and duties, removal.....	4888	(see "Street Railways.")	
— compensation and fees.....	4890	profanity and firearms prohibited on cars, penalty.....	6941, 6942
transcript of notes, approval by judge, effect	4889	offenses thereon, penalty.....	6943
of municipal court, appointment and duty	1371	STREET COMMISSIONER,	
— oaths and duties.....	1372	powers and duties.....	1195
— fees	1373	of cities.....	1072
		in villages, towns, and boroughs... ..	1220
		appointment by village council (par. 20)	1224
		— oath (par. 7).....	1224
		duties in regard to collection of assessments in villages.....	1248
		STREET RAILWAYS,	
		regulation in villages (par. 47).....	1299
		place of taxing personal property....	1519
		purchase of property by city.....	2592

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
STREET RAILWAYS—Cont'd,		SUBPOENA—Cont'd,	
extension of roads and building		in village municipal courts, by whom	
branches	2749	served, time of service.....	1390
duty to protect drivers from inclem-		filing with clerk of court.....	308
ency of weather.....	2767, 2768	for witnesses, when and by whom is-	
punishment for violating law concern-		sued	5652-5656
ing protection of drivers.....	2769	form in justices' courts.....	5092
violation of law relating to drivers,		by whom and how certified.....	5653
prosecution by county attorney....	2770	liability for disobedience.....	5654
STREETS,		disobedience, contempt.....	5655
(see "Highways"; "Municipal Cor-		— attachment of witness.....	5656
porations"; "Villages.")		SUBROGATION,	
establishment and regulation in vil-		of assignee to rights of assignor by	
lages (par. 11).....	1224	assignment of claim for lien on logs	2463
in villages, vacation.....	1246	rights of sureties on appeal bond....	5080
— grading, paving, and improving	1247	rights of surety on paying judgment..	5479
— control thereof.....	1250	rights of joint debtor on paying judg-	
laying out and changing by village		ment	5479
(par. 42).....	1299	when contractor subrogated to rights	
obstruction in villages (par. 6).....	1299	of subcontractor	6238
improvement of in villages of over		SUBSCRIPTION,	
3,000 inhabitants, power to levy spe-		to corporate stock (see "Corpora-	
cial assessments.....	1338	tions").	
vacation in villages, resolution pub-		to free turnpike roads.....	1894, 1895
lished and recorded.....	1355	SUBWAY CONDUITS,	
dedication by plat.....	2308	lien for construction or repair.....	6231
vacation of towns and additions, ef-		execution sale to satisfy mechanic's	
fect	2315-2317	lien	6239
laying out through grounds of camp-		SUICIDE,	
meeting associations.....	2949	definition	6426
of incorporated town or village, im-		no forfeiture imposed.....	6427, 6538
provement by town supervisors....	969	attempting suicide	6428
power to prevent obstruction of (par.		aiding or abetting, punishment.....	6429
6)	1085	— attempt to commit, punishment..	6430-6432
compelling removal of snow and rub-		SUMMONS,	
bish from (par. 21).....	1085	(see "Process.")	
STRICT FORECLOSURE,		SUNDAY,	
when allowed.....	6073	sale of liquor on, penalty.....	1999
STRIKES,		instruments payable on.....	2230
not prohibited.....	6815	courts not to be open.....	4841
not a conspiracy.....	6424	proceedings in court to protect cred-	
STUDENTS,		itors of insolvent.....	4241
sale of liquor to, penalty.....	1999	when excluded in computing time....	5222
SUBMISSION,		prohibition of acts, interruption of re-	
of controversy without action.....	6083	ligious liberty of community.....	6510
judgment, how entered, judgment roll	6084	definition of "day".....	6512
SUBORNATION,		labor on Sunday prohibited.....	6513
of perjury, defined.....	6379	works of necessity or charity excepted	6513
punishment	6380	defense where person observes an-	
SUBPOENA,		other day as Sabbath.....	6514
power to issue, bureau of labor....	472	public sports and disturbing conduct	
— managers of state prison.....	7452	prohibited	6515
— public examiner.....	419, 2579	trades, manufactures, and mechanical	
— in condemnation proceedings....	2609	employments prohibited	6516
service of.....	4999		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

SUNDAY—SURETIES.

2437

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SUNDAY—Cont'd,			
public traffic, selling, etc., prohibited...	6517		
serving process not prohibited, excep- tion	6518		
Sabbath breaking, misdemeanor, pun- ishment	6511, 6519		
right to make arrests.....	7113		
SUNDAY SCHOOL ASSEMBLIES...	2940-2949		
(see "Camp-Meeting Associations, etc.")			
SUPERINTENDENT,			
of erection of state capitol, appoint- ment, compensation, and qualifica- tion	499		
— not to be interested in contracts..	500		
of farmers' institutes.....	3882-3885		
of fisheries, appointment and compen- sation	2151		
SUPERINTENDENT OF SCHOOLS,			
(see "County Superintendent of Schools"; "Schools"; "State Su- perintendent of Public Instruc- tion.")			
of county, salary.....	533, 534		
election and term of office, compensa- tion	3796		
(see "Schools.")			
SUPERSEDEAS,			
stay of proceedings on appeal....	6142-6147		
SUPPLEMENTAL PLEADING,			
when allowed	5270		
SUPPLEMENTARY PROCEEDINGS,			
after execution (see "Execution").			
summoning parties after judgment...	5436		
heirs, devisees, etc., of judgment debt- or may be summoned.....	5437		
summons, what to contain, service...	5438		
affidavit to accompany summons....	5439		
parties summoned may answer, de- fenses allowed	5440		
pleadings, trial, judgment, execution..	5441		
SUPREME COURT,			
number of judges.....	4822		
powers and duties with regard to cer- tain writs	4823		
enforcement of judgment.....	4824		
rules of court.....	4824		
powers	4824		
decision to be in writing.....	4825		
decision filed with clerk of court....	4825		
filing decision in vacation.....	4825		
syllabus of decision.....	4826		
power of judge in vacation.....	4827		
SUPREME COURT—Cont'd,			
general terms	4828		
adjournment in absence of judges....	4829, 4830		
special terms	4831		
failure to hold or continuance of term, causes to stand over.....	4832		
jurisdiction of mandamus to district court	5985		
— trial of issues of fact.....	5986		
issue of writ of prohibition.....	5988		
application for habeas corpus.....	5996		
power as to admission to practice law	6172-6179		
(see "Attorneys and Counselors.")			
expenses of office, appropriation....	7961 (par. 9), 7963 (par. 7)		
salaries of judges (par. 23).....	530		
salary of clerk (par. 24).....	530		
— of reporter (par. 25).....	530		
— of janitor, appropriations (par. 19)	7961		
review of tax judgment.....	1589		
SUPREME COURT REPORTER,			
salary (par. 25).....	530		
SUPREME COURT REPORTS,			
of supreme court decisions.....	2279, 2280		
disposition of copies owned by state..	2280, 2287, 2288		
publication	2281, 2282		
purchase of copies of state reports...	2282		
custody of copies owned by state....	2289		
furnishing copies to university...	2290-2292		
furnishing to circuit court of appeals	2293, 2294		
copies purchased by state from pub- lisher	2282, 2286, 2291		
price	2282, 2283		
sale by publishers.....	2282		
copyright	2282, 2285		
contract for publication....	2282, 2284-2286		
SURETIES,			
(see "Bond"; "Principal and Sure- ty.")			
on bond of state capitol commission- ers, liability	497		
on official bonds, new bond when in- sufficient	528		
on bonds of depositories of county funds	732		
of applicant for liquor license, not to be surety for more than one.....	2026		
power of trust company to act as sole surety (par. 9).....	2849		
corporations to become sureties, cer- tificate of insurance commissioner...	5947		

MINNESOTA STATUTES 1894

2438

SURETIES—SYLLABUS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
SURETIES—Cont'd,		SURVEYS—Cont'd,	
acting as surety on bond, premium paid chargeable to trust fund.....	5948	— publication and distribution of reports	3930-3943
— release from liability.....	5949	appropriations for geological and natural history survey.....	3955
— estopped to deny power.....	5950	of islands	3980
SURVEYOR GENERAL OF LOGS AND LUMBER,		authority of land commissioner.....	3981
— powers, duties, and fees.....	2392-2412	entering upon land to make government surveys, right.....	4122
(see "Logs and Lumber.")		— damages	4123, 4124
instruments recorded with.....	4014	— costs of litigation arising....	4124, 4125
duties with regard to timber cut on state lands	4015	government surveys, penalty for injuries to signals, etc.....	4126
SURVEYS,		plats of surveys, etc., from land office, prima facie evidence.....	5758
(see "Boards of Survey.")		of county surveyor, admissibility in evidence	5758
of logs and lumber.....	2392-2412	action concerning realty, order for survey	5859
(see "Logs and Lumber.")		in action for partition, payment of expenses	5780
furnishing certified copies.....	328	proceedings in action to determine boundaries	5827
made by county surveyor to establish identity of government survey.....	697	in actions concerning real property..	5860
evidence of government surveys.....	699	SURVIVAL,	
duty of county surveyor.....	831	(see "Abatement.")	
record of and furnishing copies.....	832	what causes of action survive.....	5912
rules for making.....	833	SUSPENSION,	
rules for subdividing sections.....	834	of attorneys	6197-6200
following government surveys.....	835	(see "Attorneys and Counselors.")	
rules for making less subdivisions than quarter sections.....	835	SWALLOW,	
supplying place of lost monuments..	836	protection of	6795
made by city surveyor, right of public to inspect	1078	SWAMP LANDS,	
of city	1078	(see "Public Lands.")	
of streets, alleys, etc., laid out by village, to be filed.....	1335	railroad right of way over.....	2670-2672, 2675
for purpose of platting lands.....	1626	grant to railroad company.....	2677-2679
of highways	1810	"SWEAR,"	
of highways, noting distances to section lines, etc.....	1811	defined for purpose of taxation.....	1511
to establish highway boundaries on application of abutting owner..	1812-1820	SWIFT COUNTY,	
to locate roads in more than one county and make plats, compensation	1886	boundaries	608
of proposed free turnpikes.....	1895	SWINDLING,	
certifying town plats	2306	(see "False Pretenses.")	
platting town or addition, fees.....	2311	by cards, etc., penalty.....	6595
in proceedings to erect dam, entry on lands to make.....	2373	— conductors, steamboat captains, etc., to make arrests.....	6596
record of transfers and log marks..	2405	— conductor, etc., neglecting to arrest, penalty	6598
of lands sought to be condemned for public use	2623	— swindlers to be ejected from cars, public resorts, etc., law to be posted	6597
of cemetery	3130, 3131	SYLLABUS,	
of plank roads or turnpikes.....	3364	of supreme court decisions.....	4826
of old site of reform school.....	3532	copy to be furnished to newspapers for publication	378
geological and natural history survey	3928-3935		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TALESMEN—TAXATION.

2439

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residuo in vol. 2.

T.

	Sec.
TALESMEN	5624
(see "Jury.")	
in action before justice.....	5012
TALLY BOOKS,	
entries on canvass of votes, comparison and corrections.....	134
two in each district, description....	135
for county and city similar.....	136
TALLY SHEETS,	
how prepared and number furnished	137
substitute sheets	138
manner of marking.....	140
TANNERIES,	
regulations by cities (par. 4).....	1085
TAVERN KEEPER,	
sale of unclaimed property.....	2092-2103
TAXATION,	
(see "Assessor"; "Board of Equalization"; "County Assessor"; "State Board of Equalization")	
for public improvements (see "Municipal Corporations").	
power of cities to levy taxes.....	1098
by villages, power to levy, limitation	1317
in towns, limitation	1021, 1028
in unorganized counties.....	1665
construction of statute, rules.....	1511
definition of terms in statute.....	1511
abbreviations used in tax proceedings	1627
publication of tax list.....	5223
poll tax	1105
paying over taxes collected on behalf of city	1102
— to pay municipal bonds.....	1696
relief of bona fide settlers on railroad lands, abatement of taxes....	1651
repeal of former acts	1653
existing laws relating to taxation of railroad companies not affected....	1681
telegraph and telephone lines, repeal of statute.....	1688
retaliatory taxes on foreign insurance companies	3138
county auditor to furnish towns with copies of assessment roll....	1666
who deemed to be merchants for purpose of taxation.....	1528
— manufacturers for purpose of taxation	1529

	Sec.
TAXATION—Cont'd,	
punishment of assessor or county auditor for neglect of duty.....	1638
certificate by county auditor as to payment of taxes on transfer of land	1624
transfer of part of tract of land, division of value.....	1625
plating tracts to facilitate description	1626
apportionment on division of town..	681
apportionment to pay joint indebtedness of village and town.....	1210
in territory detached from Cass county and added to Itasca county....	568
in Crow Wing county, territory detached from Cass county.....	555
road taxes in villages, how expended	1261
advances from county treasurer to village, when	1319
revenue officers, actions against defended at expense of county.....	1642
— payment of judgment against..	1642
— liability for neglect of duty....	1641
powers and duties of state auditor..	1652
evidence of validity of tax.....	2652
assessment as prima facie evidence of legality of tax.....	1647
state school tax for current school fund, local mill tax by counties....	3768
PURPOSES OF TAXATION.	
for destruction of grasshoppers..	7884-7890
(see "Grasshoppers.")	
for keeping free turnpike in repair..	1902
for roads and bridges in unorganized counties	701
for school purposes in independent school districts.....	3809
for soldiers' relief fund.....	3627
for support of private hospital.....	682
— poor	1969
— public library	1425
to aid canal or water-way companies	1453
to pay judgment against city....	1500, 1503
— power of officers appointed to make levy	1504
to pay judgment against county.....	646
to pay judgment against town.....	1013
to pay judgment against village.....	1257
to pay judgment against school district	3828
to pay municipal bonds.....	1090, 1438

MINNESOTA STATUTES 1894

2440

TAXATION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
TAXATION—Cont'd,	
to pay municipal aid bonds.	1448, 1694
to pay school-district bonds and orders	3691, 3831
to pay loans for seed grain.	7735-7737, 7739, 7740
to pay expenses of erecting jail.	7442-7444
to pay indebtedness of county to state	for text-books 1557
to provide interest and sinking fund	for town bonds and orders... 1033, 1039
to redeem state revenue bonds and	building bonds 524
to redeem state funding bonds.	516
to reimburse state.	1637
TAXABLE PERSONS AND PROPERTY.	
property subject to.	1508
"real property" defined.	1509
"personal property" defined.	1510
who deemed to be owner of property	1535
— of bank stock.	1532
to whom capital stock or property of	corporation taxable. 1523
stock of national banks.	1532
property included in taxpayer's list. ...	1523
railroad lands.	1643, 1644
— rights of purchaser at tax sale. .	1644
when railroad lands become taxable. .	1644, 1645
of telegraph and telephone lines.	1508, 1682
of mining corporations.	1689-1691
of mines and mining property on pub-	lic lands. 4079
of ferries.	1925, 1930
of insurance companies other than	life, fire, and marine. 3333
of building and loan associations. ...	2883
of stockholders of building and loan	associations 2889
— of foreign building and loan as-	sociations, lists to be furnished to
county auditors.	2890
old site of reform school.	3548
on transfer of land by state.	3982
<i>place of taxation.</i>	
personal property.	1516, 1517, 1520
— who to determine.	1522
— of person changing domicile be-	tween May 1st and July 1st. 1521
— of certain corporations.	1519
— of transportation companies.	1517
— of gas and water companies.	1518
what deemed personal property for	purpose of. 1518, 1519

	Sec.
TAXATION—Cont'd,	
bank stock.	1532
corporations 1516	1516
EXEMPTIONS.	
property exempt 1512, 1513	1512, 1513
armories 1742	1742
cemeteries 3134	3134
cemetery associations 3107	3107
homestead not exempt. 5527	5527
land ceded to United States. 4104	4104
lands of United States. 4108	4108
property of city. 1192	1192
property of village. 1416	1416
property used by board of game and	fish commissioners 2152
property of camp-meeting associa-	tions, etc. 2946
reform school. 3530	3530
school districts. 3651	3651
of militiamen from personal taxes. ...	1700
COMMUTATION TAX.	
railroad companies, payment of per-	centage of gross earnings. 1667
exemption from other taxes. ... 1668,	1669
enforcing payment. 1667	1667
how gross earnings ascertained.	1667
determination by state treasurer in	absence of return by company. 1676
failure of company to return gross	earnings, penalty. 1676
report of earnings to be certified to	state auditor. 1679
report of gross earnings to railroad	commissioner 1678
foreign railroad companies, "gross	earnings" defined. 2753
insurance companies, commutation tax	3192
act not to apply to certain companies	3193
application of portion of commutation	tax in cities, towns, and villages
having fire departments. 3216-3222	3216-3222
LISTING PROPERTY.	
what personal property listed.	1515
necessity, right of exemption (par. 10)	1512
list by register of deeds. 1537	1537
— of Ramsey county. 5371	5371
time of listing and assessing real prop-	erty 1514, 1542
— personal property. 1514	1514
contents of list. 1524	1524
examination of taxpayer under oath	1525
taxpayer's list to be signed and ver-	fied 1542

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TAXATION.

2441

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
TAXATION—Cont'd,	
false statement in reference to, misde-	
meanor	6667
expenses of making lists, payment..	1537
delivery of list to county auditor.....	1537
abstracts of tax lists to be sent to	
state auditor.....	1560
correction of taxpayers' lists and as-	
sessor's returns, power of county	
auditor	1630
when taxpayer may render list to	
county auditor.....	1550
public and railroad lands, duty of	
state auditor.....	1643
<i>by whom made.</i>	
by assessor.....	1525, 1530
by agent (par. 10).....	1515
by receiver (par. 7).....	1515
by taxpayer.....	1523, 1541, 1542
sickness or absence of taxpayer, as-	
sessor to leave notice.....	1543
property of decedent (par. 6).....	1515
— held in trust.....	1515
— of wife.....	1515
— of lunatic.....	1515
— of minor.....	1515
— of corporation (pars. 7, 8).....	1515
— of firm (par. 9).....	1515
<i>how made.</i>	
manner of listing personal property..	1515
property of merchant.....	1528
stock of nurserymen.....	1528
property of bankers, brokers, and	
stockjobbers	1531
— building associations.....	1530
— manufacturers	1529
— corporations and associations...	1530
property held by consignee, what in-	
cluded	1528
<i>omission from lists.</i>	
listing property unlawfully omitted,	
by whom made.....	1632
verification of list.....	1632
deputies of person appointed to make	
lists	1635
<i>failure of taxpayer to make or verify list.</i>	
powers and duties of assessor, refusal	
of taxpayer to list property.....	1544
— refusal of taxpayer to verify list.	1544
— failure of taxpayer to list prop-	
erty	1546
refusal of taxpayer to answer, effect.	1525
<i>reports by corporations.</i>	
railroad companies, report to state	
auditor	1643, 1649

	Sec.
TAXATION—Cont'd,	
— report to railroad and warehouse	
commission of railroad lands sold..	1680
telegraph and telephone companies,	
report to state auditor.....	1633
— penalty for failure to make re-	
port	1637
duty of bank to keep and furnish list	
of stockholders.....	1533
ASSESSMENT AND LEVY.	
division of unorganized counties into	
assessment districts.....	691
manner of making assessment.....	1541
assessment of real property.....	1541
time of making assessment.....	1542
duty of assessor to give number of	
school district.....	1545
returns by assessor to county auditor.	1549
verification of returns of assessor...	1549
property omitted by assessor, duties of	
county auditor.....	1551
power of county auditor to examine	
persons under oath with regard to	
property	1630
— duties of assessor.....	1551
tax to be levied in specific amounts..	1557
how rate of levy to be determined...	1557
levy of state tax.....	1557
time of levy of county taxes.....	1557
amount of county taxes.....	1557
levy of taxes, vote by municipalities	
and school districts.....	1557
rate of tax, who to fix.....	1557
amount of tax and rate of levy.....	1558
levy of tax under special laws.....	1558
how rate of tax ascertained.....	1559
when uncollected taxes added to tax	
of current year.....	1631
property omitted from assessment of	
previous year.....	1631
effect of list of property undervalued	
or unlawfully omitted from assess-	
ment, making assessment books to	
conform to.....	1633
exempt property to be assessed.....	1640
assessment of railroad lands, burden	
of proof.....	1647
duty of revenue officers to omit dis-	
puted lands in fixing rate of tax...	1648
school taxes, levied in same manner	
as county taxes.....	3693
independent school districts, levy in	
same manner as county taxes.....	3811

MINNESOTA STATUTES 1894

2442

TAXATION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TAXATION—Cont'd,		TAXATION—Cont'd,	
of telegraph and telephone lines, assessment and levy by state board of equalization.....	1684, 1685	contents of personal property assessment books.....	1537
compensation of persons appointed by governor to examine into question of assessments.....	1636	contents of real property assessment books	1537
— payment of compensation.....	1637	when assessment books to be ready for delivery.....	1537
tax sales invalid, new assessments...	1697	duties of assessor as to entries in assessment books.....	1541, 1549
in towns, money how levied.....	1022	duties of county auditor with regard to preparing assessment books.....	1537
in villages, amount of tax, vote, duty of recorder.....	1251	county auditor to examine assessment books on their return by assessors	1551
— levy by council.....	1318	certificate of auditor to tax book....	1561
— statement to be sent to county auditor	1319		
— levy, report to county auditor...	1263	EQUALIZATION.	
for support of poor, how levied.....	1980	state board of equalization, composition of.....	1555
<i>valuation of property.</i>		— appointment and term of office..	1555
valuation of items in taxpayer's list..	1524	— filling vacancy in.....	1555
assessor to value property listed by taxpayer	1541, 1542	— officers of.....	1555
valuation referred to what date.....	1514	— adjournment by.....	1555
valuation of bank stock.....	1532	— may employ clerks.....	1555
— referred to what date.....	1532	— compensation	1555
rules for valuation of property.....	1536	— time and place of meeting.....	1555
<i>deductions from assessments.</i>		— to take oath.....	1555
deduction of exemptions (par. 10)....	1512	— powers and duties.....	1555
deduction from credits.....	1526, 1527	— rules governing action.....	1555
— what deemed credits.....	1526	— record and publication of proceedings	1553
— verification of.....	1527	— abstract of proceedings sent to county auditor.....	1553
— making false affidavit, punishment	1527	duties of county auditor on receiving report of state board of equalization	1556
building associations, deductions from value of stock.....	1530	changes made by county auditor after equalization, duty to eliminate fractions	1556
<i>assessors.</i>		county board of equalization, composition of.....	1552
first meeting of assessors.....	1537	— time and place of meeting.....	1552
conference with county auditor.....	1537	— to take oath.....	1552
assessors to take oath and give bond..	1538	— powers and duties.....	1552
failure to qualify, effect.....	1538	— when to raise values (par. 1)....	1552
duties in odd-numbered years with regard to real property.....	1540	— when to reduce values (par. 2)..	1552
assessor to make list of taxpayers....	1541	— raising value of personal property (par. 3).....	1552
when assessor to perform duties....	1541	— reducing value of personal property (par. 4).....	1552
power to examine persons in relation to property.....	1544	— aggregate values not to be reduced (par. 5).....	1552
..power to administer oath.....	1544	— record of proceedings (par. 5)....	1552
appointment of deputy assessor.....	1539	— copy of proceedings to be sent to state auditor (par. 5).....	1552
deputy assessors to take oath and give bond.....	1539	— publication of proceedings (par. 5)	1552
city assessors.....	1073	— duration of session (par. 5).....	1552
<i>assessment books.</i>		— absence of county auditor (par. 5)	1552
method of keeping books.....	1559		
elimination of fractions.....	1559		
listing property in assessment books..	1537		
listing of mortgages.....	1537		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TAXATION.

2443

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TAXATION—Cont'd.		TAXATION—Cont'd.	
— power after final adjournment (par. 5).....	1552	property bid in for state at tax sale, effect as payment of tax.....	1606
— compensation	1553	taxes paid by other than owner, reimbursement	1618
duties devolving on county auditor because of changes by board of equalization	1554	lien for taxes paid by other than owner of land.....	1618
abstract of assessment list to be sent to state auditor.....	1554	taxes paid by mortgagee or other lienors	1619
town board of equalization, notice of — compensation of.....	1547	payment of railroad taxes semiannually	1676
— time and place of meeting.....	1547	of telegraph and telephone lines, when taxes payable.....	1686
— powers and duties.....	1547	payment of taxes by execution creditor	5444
— what complaints referred to....	1547		
— notice of meeting.....	1548	COLLECTION.	
what complaints referred to county board	1547	on creation of new counties.....	633
assessor to attend meeting of town board of review.....	1548	enforcement of tax on bank stock....	1534
in villages, village council to act as board of equalization.....	1320	— duties of bank officers.....	1534
REMEDIES FOR ERRONEOUS TAXATION.		indorsement on orders received for taxes	1566
levy to pay illegal town bonds, refunding	1042	taxes collected for state or municipalities, orders to pay over.....	1576
refunding of taxes paid on illegal town bonds, rights and duties of taxpayer	1044	— duties of county treasurer in regard to.....	1576, 1577
who to hear complaints of nonresident in regard to assessment.....	1547	making duplicate tax lists.....	1564
action to recover from county for wrongful tax sale, limitation.....	1597	time and place for receiving taxes....	1564
— procedure	1597	notice of time and place.....	1564
payment of void taxes by mortgagee — reimbursement by county	1620, 1621	notice of tax and rate.....	1564
entries in books on refunding moneys collected as taxes.....	1622	what receivable in payment.....	342, 349, 406, 1566
power of county auditor to reduce assessments	1630	county treasurer to be collector.....	1563
LIEN.		tax lists, delivery to county treasurer	1562
of taxes.....	1623	— authority to collect taxes.....	1562
— effect of filing list of property undervalued or wrongfully omitted from assessment.....	1634	appointment of deputies by county treasurer	1564
— effect of sale to satisfy assessments for local improvements.....	1142	liability of county treasurer for acts of deputy	1564
for taxes on railroad.....	1667	settlement between county treasurer and county auditor.....	1575
of railroad lands; rights of bona fide settlers, when not a lien.....	1650	duties of county auditor.....	1572
PAYMENT.		— with reference to tax books.....	1565
what received in payment.....	342, 349, 406, 1566	what accounts kept by county auditor	1576
payment of taxes, duties of county auditor	1573	inability of sheriff to collect, list and affidavit to be filed with clerk of court	1568
receipts for payment of taxes, duplicate stubs.....	1565, 1573, 1590	when sheriff liable for uncollected tax	1571
		power of county commissioners to cancel uncollected taxes.....	1568
		payment over by sheriff of taxes collected	1573
		compensation of sheriff.....	1574
		allowance of mileage to sheriff.....	1574

MINNESOTA STATUTES 1894

2444

TAXATION.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TAXATION—Cont'd,		TAXATION—Cont'd,	
when personal property tax deemed delinquent	1567	entry in real-estate tax-judgment book	1585
proceedings to collect	1567	judgment after hearing of objections raised by answer.....	1587
proceedings after return by sheriff of inability to collect.....	1569	proceedings to collect real estate taxes, effect of judgment.....	1589
action by county attorney.....	1569	opening judgment.....	1589
attachment	1569	certifying case to supreme court, effect	1589
citation	1569	review of judgment by supreme court	1589
evidence of validity of assessment or levy, citation.....	1569	costs	1587
judgment	1569	duties of county attorney.....	1586
payment and satisfaction of judgment	1574	delivery of copy of real-estate tax judgment to county auditor.....	1590
execution	1570	county auditor to give statements to persons desiring to pay taxes.....	1590
costs	1570	payment of real-estate tax judgment conditions precedent to action to set aside tax judgment.....	1610
compensation of clerk of court for services in proceedings to collect taxes	1570	interest on tax judgments.....	1613
enforcement of personal property taxes against nonresidents.....	1569	payment of delinquent taxes before judgment	1590
removal of taxpayer to another county	1572, 1573	duties of county auditor on payment of taxes.....	1591
when real estate taxes deemed delinquent	1578	compensation of sheriff for services in collecting taxes.....	1608
collection of taxes delinquent in and prior to years 1879 and 1889 (note 2)	1579	papers filed with clerk of court.....	1614
delinquent list, contents and verification	1579	letting contract to publish delinquent tax list.....	1628
filing delinquent list, effect.....	1579	compensation of printer, effect of printer's error	1629
delivery of list to county auditor....	1578	property omitted from assessment or undervalued in previous years..	1633, 1634
publication of list of delinquent taxes, proof of.....	1583	railroad taxes to be collected by state treasurer.....	1671
delivery to county auditor of copy of delinquent list filed.....	1580	appointment of deputies of state treasurer	1672
when county treasurer liable for delinquent tax.....	1578	liability of state treasurer for acts of deputy	1672
proceedings to collect delinquent real estate taxes.....	1579	enforcement of railroad taxes.....	1673, 1675, 1676
matters affecting jurisdiction.....	1582	proceedings to collect taxes on railroad lands, defenses	1647
when court acquires jurisdiction....	1582	compensation of state treasurer.....	1677
notice or summons to taxpayer.....	1580	state auditor to draw on railroad company for taxes due.....	1679
publication of notice to taxpayers and delinquent list.....	1581	telegraph and telephone lines.....	1686
answer in proceeding to collect real estate taxes, form and contents....	1584	school taxes collected in same manner as county taxes.....	3693
who may answer.....	1584	in independent school districts, collection in same manner as county taxes	3811
proceedings where answer is filed..	1586		
proceedings where no answer is filed	1585		
defenses	1569, 1584, 1588		
validity of assessment and levy, evidence	1588		
judgment	1588		
when judgment void.....	1582		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TAXATION.

2445

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TAXATION—Cont'd,		TAXATION—Cont'd,	
collection of taxes from corporations, service of process.....	5203	— conveyance to former owner.....	1617
collection of taxes, service of process on nonresidents.....	5816	— disposition of proceeds.....	1617
<i>sale for nonpayment.</i>		property distrained to enforce railroad taxes, interference with by third persons	1675
sale of personal property.....	1567	refunding moneys received from tax sales, consequent entries in books...	1697
sale to enforce real estate tax judgment, sale to state.....	1592	fees for printing certain matters relating to lands sold for taxes.....	1656
— notice	1591	sale for taxes, scope of statute relating to auctions.....	2301
— certificate of sale.....	1593	<i>penalties.</i>	
sale to enforce real-estate tax, bids..	1592	penalty imposed on account of delinquent tax.....	1567
— entries by county auditor in judgment book.....	1598	penalty for delay of railroad company in paying taxes.....	1674
— entries by clerk of court in judgment book.....	1598	when county auditor liable for penalty for delinquent tax.....	1578
certificate of tax sale, effect....	1593, 1594	penalty imposed on account of delinquent real-estate tax.....	1578
sales under void tax judgment.....	1594	REDEMPTION.	
tax sale set aside, resale.....	1594	redemption from tax sale...1590, 1602, 1603.	
limitation of time within which to attack tax sale.....	1594	amount required to redeem.....	1602
ground for avoiding tax sale.....	1594	duties of county auditor.....	1602
evidence of payment of tax.....	1594	payment to treasurer and receipts therefor	1602
when real estate tax judgment void action to set aside tax sale.....	1594	effect of payment of less than required amount	1602
— parties	1594	when effectuated.....	1602
sale after payment, recovery by owner from county.....	1595, 1596	property of insane persons.....	1603
who may purchase at tax sale.....	1599	— persons under disability.....	1603
effect of purchase by owner at tax sale	1599	right of minors.....	1603
validity of sale, effect of charging taxes in wrong name.....	1599	redeeming part interest in lands.....	1604
property bid in for state, subsequent taxes	1600	— publication of notice.....	1604
— proceedings to realize from rents	1606	lands forfeited to state for taxes....	1616
— right to rents of land.....	1606	— record of assignment of state's interest	1660
— right to hay, wood, or timber....	1607	when time to redeem expires....	1654, 1659
seizure of hay or timber growing on lands forfeited to state.....	1607	expiration of time to redeem, notice..	1654, 1659, 1661
effect of setting aside tax sale.....	1610	— service of notice.....	1654
judgment declaring tax sale, void, recitals	1610	— proof of service of notice.....	1659
interest on purchase money of land sold for taxes.....	1613	— who to pay fees for serving notice	1654, 1659
disposition of penalties, etc., accruing on lands bid in for state.....	1613	— designation of person on whom notice may be served.....	1658
reconveyance by state of lands bid in at tax sale.....	1616	— filing designation, duties of county treasurer and auditor..	1654, 1657, 1658
making lists of forfeited lands.....	1616	— filing instrument releasing lands from effect of.....	1658
reconveyance by state of lands bid in for taxes, purchase price.....	1616	redemption after death of owner..	1662-1664
reconveyance by state of land bid in at tax sale.....	1601	duties of county auditor on redemption	1664
— record	1617		

MINNESOTA STATUTES 1894

2446

TAXATION—TELEGRAPH LINES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TAXATION—Cont'd,		TAX COLLECTOR,	
certificate of redemption.....	1664	power of governor to remove.....	893
of lands bid in for state.....	1617	TAX TITLES,	
— limiting time for redemption....	1660	(see "Taxation.")	
— notice of expiration of time for		TEACHER,	
redemption.....	1660	(see "School Teachers.")	
— when time for redemption expires	1660	TEACHERS' INSTITUTES,	
redemption of land granted by rail-		objects, expenses, duties of teachers to	
road company.....	1644	attend.....	3727
publishing notice of expiration of time		institutes and normal training schools,	
to redeem.....	1655	appropriations.....	3728, 3729
printing list of unredeemed lands....	1655	schools closed to allow teacher to at-	
warrants for money derived from tax		attend, teacher to be allowed to make	
sales not belonging to treasury.....	1605	up time lost.....	3730
		appropriations.....	3731, 3732
TAX TITLES.		second institute not to be held in coun-	
sale for taxes of interest in railroad		ty until the session has been held in	
lands, when purchaser entitled to		every county of state.....	3733
deed from company.....	1644	use of schoolhouses for, and teachers'	
— when money refunded to pur-		examinations... ..	3745, 3746
chaser.....	1646	appointment of institutes by state nor-	
when certificate of tax sale becomes		mal board, salary.....	3863
entitled to record.....	1654, 1659	TELEGRAMS,	
when title to land sold for taxes vests		limiting liability for negligence in de-	
in purchaser.....	1654, 1659	livering.....	2636
rights of purchaser at tax sale after		duty in delivering.....	2637
expiration of time to redeem.....	1609	action for negligence in delivery....	2639
sale of public or railroad lands, reim-		indorsing time of receipt.....	2640
bursment of purchaser on cancel-		wrongfully disclosing or obtaining	
ing sale.....	1610	knowledge of contents.....	6782
tax sale set aside, refunding money to		refusal or neglect to transmit or de-	
purchaser.....	1610	liver, criminal liability.....	6782
sale for taxes, when county to refund		opening sealed telegrams or publish-	
moneys to purchaser.....	1611	ing contents thereof, criminal liabil-	
record of certificates of tax sale or as-		ity.....	6783
signment of tax titles.....	1615	TELEGRAPH COMPANIES,	
refunding by county of moneys re-		right to incorporate.....	2592
ceived from purchaser at tax sale..	1697	method of taxation.....	1598
on transfer of land by state, right of		declared to be common carriers.....	2635
purchaser at tax sale.....	3982, 4021	discrimination forbidden.....	2635
limitation of action to assert or assail		duty in delivering messages.....	2637
right of original owner to test valid-	5821, 5822	order of transmitting messages re-	
ity.....		ceived.....	2638
actions to test.....	5822	action against for negligence.....	2639
		indorsing time of receipt on message	2640
LOCAL IMPROVEMENTS.		right to use highways.....	2641
collection of drainage assessments....		contracts between telegraph and rail-	
7755, 7779, 7813,	7834	road companies legalized.....	7637
for local improvements in villages...	1247	TELEGRAPH LINES,	
— collection.....	1248	taxation.....	1637, 1688
assessments for construction of side-		report by owner to state auditor for	
walks.....	1182	purposes of taxation.....	1683
delinquent tax for local improvement		right of railroad company to operate	2592
in villages, how returned.....	1249	persons conducting declared to be com-	
TAXATION OF COSTS.		mon carriers.....	2635
(see "Costs.")			

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TELEGRAPH LINES—TICKETS.

2447

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TELEGRAPH LINES—Cont'd,		TERMS OF COURT—Cont'd,	
lien for construction or repair.....	6231	in newly-created counties.....	636
— filing lien statement with secretary of state.....	6236	of municipal courts in villages.....	1374
execution sale to satisfy mechanic's lien.....	6239	in Fourth district.....	4371
removal of or injury to, criminal liability.....	6780	decisions filed out of term.....	5388
TELEPHONE COMPANIES,		expiration before conclusion of trial..	5389
purchase of property by city.....	2592	TERRITORIAL ROADS,	
right to use highways.....	2641	through public parks, vacation.....	1345
TELEPHONE EXCHANGES,		TESTAMENTARY GUARDIAN,	
regulation in villages (par. 47).....	1299	(see "Guardians.")	
TELEPHONE LINES,		TESTATOR,	
report by owner to state auditor for purposes of taxation.....	1683	(see "Wills.")	
taxation.....	1682-1688	TESTIMONY,	
lien for construction or repair.....	6231	(see "Deposition"; "Evidence"; "Witness.")	
— filing lien statement with secretary of state.....	6236	TEXT-BOOKS,	
TELEPHONES,		in public schools.....	3896-3901
grants for in villages, statute legalizing.....	1230	(see "School Text Books.")	
TEMPLE OF HONOR,		THANKSGIVING DAY,	
incorporation, general statutory provisions.....	2913-2928	governor to designate by proclamation.....	299
(see "Corporations.")		THEATERS AND SHOWS,	
TENANCY IN COMMON.....	4404	(see "Amusement.")	
(see "Joint Tenancy"; Partition.)		power of common council to license..	1085
creation, joint tenancy.....	4405, 4406	licensing in village...1224 (par. 15),	1299
development of mineral deposits or beds of clay, sand, gravel, and peat.....	5830-5838	employment of children in certain exhibitions prohibited.....	6539
actions against cotenant.....	5880	permitting acrobatic exhibitions without sufficient protection to performers.....	6612
— necessity of showing that defendant claims adversely.....	5843	permitting dangerous exhibitions, misdemeanor.....	6639
liability for waste.....	5882	provisions with regard to doors of..	6860, 6861
penalty for waste.....	5883	civil rights.....	8002, 8003
TENANT,		THREATS,	
(see "Landlord and Tenant"; "Joint Tenancy"; "Tenancy in Common.")		(see "Blackmail"; "Extortion.")	
TENDER,		to obtain money.....	6739
effect.....	2694	against elector.....	120
in village municipal courts.....	1381	to do unlawful injury to personal property.....	6740
in actions for tort, effect on costs..	5406, 5407	verbal threats.....	6741
by defendant, right to costs on payment into court.....	5508	when punishable.....	6742
TENEMENT HOUSES,		criminal liability.....	6790
protection against fires.....	8006-8009	venue of prosecution for sending letter.....	6822
TERMS OF COURT,		when sending of letter deemed complete.....	6822
of district courts.....	4912-4942	THREE CARD MONTE,	
(see "District Courts.")		swindling by means of.....	6595
statements thereof to be published..	289	TICKET BROKERS,	
		redemption of tickets in hands of...	2790
		TICKETS,	
		passage tickets, forgery of.....	6697

MINNESOTA STATUTES 1894

2448

TIMBER—TOWN BOARD OF HEALTH.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TIMBER,		TIME—Cont'd,	
(see "Logs and Lumber.")		how computed.....	5222
growing on lands forfeited to state for taxes	1607	of publishing notices, statements, etc.	5223
provisions with regard to cutting and sale of.....	4011-4014	of serving notice of motion.....	5226
— on state lands.....	4015-4019	of demurring to complaint.....	5232
on swamp lands, relinquishment by state	4032, 4035	for amending pleadings.....	5265
on mining lands of state, rights of lessee	4079	for answering amended pleading....	5265
damages for cutting.....	5884-5886	of issuing execution.....	5442
destruction of or injury to timber on another's land, criminal trespass...	6781	for issuing execution against deceased judgment debtor.....	5447
TIMBER AND HEDGES.		TITLE INSURANCE COMPANIES...	3338-3343
bounties, appropriation.....	7853	(see "Insurance Companies.")	
— premiums	7854	TITLE TO REAL PROPERTY,	
— disposal of appropriation of state agricultural society.....	7854	(see "Descent and Distribution.")	
— one first-class premium, only, allowed	7855	TOBACCO,	
— to apply to timber subsequently grown, only.....	7855	sale to minors, penalty.....	6952
— appointment and report of visitors	7856	TODD COUNTY,	
— entrance fees for competition...	7856	boundaries	609
— account and report of premiums	7857	TOLL BRIDGES,	
— who entitled to, amount.....	7859	over Minnesota river.....	1918-1921
— proceedings to obtain.....	7860	charges for use of railroad bridges by public	2691
— examination and report by town assessor	7861	incorporation, powers, etc., of bridge companies	3390
— examination by county auditor, report to state auditor.....	7862	TOLL ROADS,	
— warrant issued by state auditor, aggregate amount allowed.....	7863	(see "Plank Roads and Turnpikes.")	
— taxation for forestry fund, limitation of expenditure.....	7864	TOLLS,	
fences and streets to protect hedges..	7858	penalty for running.....	1874
sale of foreign-grown trees, etc., report to secretary of state, bond of indemnity	7865	rate to be charged by sluice dams....	2479
— unlawful, when.....	7865	TOOLS,	
— certificate of secretary of state..	7866	making or possessing criminal instruments	6689
— contracts for sale.....	7867	injuries to, criminal liability.....	6780
— sales without authority, penalty	7868	TORNADOES,	
sale of nursery stock, license to sell home products.....	8046	insurance against.....	3215
TIMBER-CULTURE ENTRIES,		TORNADO INSURANCE COMPANIES	3344-3360
on swamp lands under federal laws, relinquishment by state.....	4035	(see "Insurance Companies.")	
TIME,		TORTS,	
for closing polls.....	126	liability of carriers to passengers for injuries caused by drivers.....	1950
for answering where defendant is not personally served.....	5206	of married woman.....	5532
extension of time for doing things....	5219, 5267	— liability of husband.....	5536
		TOWN BOARD,	
		to meet, when; auditing accounts....	990
		to audit accounts of town officers....	991
		to draw up fiscal reports.....	992
		fiscal report to be read to town meeting, reference and report thereon..	993
		audit of accounts, payment by town treasurer	994
		town clerk to act as clerk of board....	997
		TOWN BOARD OF HEALTH,	
		(see "Health.")	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TOWN CLERK—TOWN MEETING.

2449

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
TOWN CLERK,	
election	928
oath and bond.....	984
appointment of deputy.....	982
to act as clerk of election.....	57
entitled to copy of proposed constitu- tional amendments.....	313
duties with reference to proposed con- stitutional amendments.....	314
duty to collect vital statistics.....	436
to be given notice of births and deaths	437
to be furnished with certificate as to births and deaths.....	438
to forward copy of registry of births and deaths.....	439
compensation for collecting vital stat- istics.....	439
to be provided with blanks by state board of health.....	440
payment for services in collecting vital statistics	442
to make record and post notices of special town meeting.....	932
to act as clerk of town meeting.....	934
to have custody of books, papers, etc..	982
to preserve accounts audited by town board, and enter statement thereof..	983
to record proceedings of town meeting	983
to transmit to clerk of district court name of constable.....	985
to transmit to clerk of district court notice of election of justice.....	986
failure to make return to clerk of dis- trict court of election of justices and constables	937
to post by-laws of town.....	988
to act as clerk of town board.....	997
compensation fees.....	1003
successor to demand books and pa- pers	1023, 1024
to notify overseer of highways of ap- pointment	1779
delivery of list of delinquent road tax- es to county auditor.....	1801
record and filing of papers in proceed- ings to lay out or alter highways....	1810
duties concerning estrays.....	2082
notice concerning estrays filed with..	2082
appraisement of estrays filed with....	2083
duties with regard to estrays.....	2083
neglect of duty concerning estrays, penalty	2089
to take acknowledgments of chattel mortgages	4134
when copy of execution filed with...	5452

	Sec.
TOWN CLERK—Cont'd,	
duties with regard to levy of execution	5453
power to administer oaths and take acknowledgments	5639
TOWN INSURANCE COMPANIES.....	3231-3250
(see "Insurance Companies.")	
TOWN MEETING,	
first meeting, notice given by county commissioners	917
time of annual meeting.....	927
change in place of holding, notice....	927
powers of electors.....	930
special meeting, when held.....	931
— statement of necessity, record, and notice	931, 932
— contents of notice.....	933
how organized.....	934
business, how transacted.....	935
challenge of elector.....	936
qualification of voters.....	937
minutes to be filed with town clerk...	938
election of officers, proclamation of opening polls, adjournment and closing of polls.....	939
what officers to be elected by yeas and nays, or division.....	940
what officers to be elected by a ballot	940
names to be on one ballot, folding to conceal contents.....	942
persons elected to be notified.....	948
poll list to be kept.....	943
judge to deposit ballots in box.....	944
canvass of votes in public.....	945
manner of making canvass.....	946
result of canvass to be read to meet- ing	947
tie vote, how determined.....	946
failure to elect town officers, proced- ure	965
record of proceedings.....	983
regulating running at large of cattle, etc., to be by ballot.....	941
to receive fiscal report from town board	993
special meeting to issue bonds, notice	1031
election to issue town bonds and or- ders, two-thirds vote.....	1031
authorization of issue of refunding bonds, majority vote.....	1035
right of residents of village separating from town to vote.....	1209
law relating thereto to govern village elections	1217

MINNESOTA STATUTES 1894

2450

TOWN OFFICERS—TOWNS.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TOWN OFFICERS,		TOWNS—Cont'd,	
(see "Town Board"; "Town Clerk";		meaning of term.....	255
"Township Assessor"; "Town Su-		names, how determined.....	916
"supervisors"; "Town Treasurer.")		change when two towns have same	
officers to be elected.....	923	name	919
who eligible.....	949	title to property used as cemetery..	923
election expenses, supervisor to deter-		expenditure of poll and road tax	
mine disputes as to.....	163	where more than one township is	
to take oath.....	950	included in town.....	930
to file certificate of oath.....	951	fiscal report to be drawn up by town	
failure to file oath or bond, effect....	952	board	992
fees for filing bonds, oaths of office,		— to be read at town meeting, pro-	
etc.	873	ceedings thereon.....	993
penalty for entry on duties before tak-		to constitute election district.....	1027
ing oath.....	959	village to be separate election and as-	
not to be interested in contracts with		sessment district.....	1209
town, penalty.....	960	statute regulating, not to apply to	
term of office.....	961	cities	1029
vacancies, how filled.....	962	public places to be designated for	
filling vacancies in office of county		posting notices.....	1030
commissioner	670	granting or refusing liquor license,	
board to fill vacancies in town offices;		elections	1990
vacancies in board, how filled.....	963	regulation of liquor traffic, application	
failure of town to elect; offices, how		of High-License Act 1887, c. 6....	2030
filled	965	road and bridge fund, fines for allow-	
resignations, acceptance by supervi-		ing animals to run at large.....	2124
sors	967	enforcing penalty for allowing ani-	
accounts to be audited by town board		mals to run at large.....	2124, 2125
fees	1003	fire department, certificate to be filed	
successor to demand books and papers		with insurance commissioner.....	3216
1023, 1024	1023, 1024	— right to portion of tax paid by	
delivery under oath of records, etc., to		fire insurance companies.....	3216-3222
successor	1025	auditing and paying fraudulent claims	
death of incumbent, delivery of rec-		against, punishment.....	6421, 6422
ords to successor by personal repre-		presentation of false, claims against..	6812
sentative	1026	destruction of Canada thistles, bur-	
removal of Indians from white settle-		docks, etc., defrayment of expenses	6898
ments	2267	— grasshoppers	7884-7890
TOWN PLATS,		(see "Grasshoppers.")	
(see "Plats.")		laying out or establishment of drains	
TOWNS,		by town supervisors.....	7840-7847
(see "Bridges"; "Counties"; "Elec-		license fee on sale of home products..	8046
tions"; "Highways"; "Municipal		ORGANIZATION AND DISORGANIZATION.	
Corporations"; "Plank Roads and		organization	681, 914
Turnpikes"; "Poor"; "School Dis-		— fraction of township.....	915
tricts"; "School Funds"; "School		power of county commissioners.....	681
Houses and Sites"; "Schools";		county auditor to record description	
"Town Board"; "Town Clerk";		of town.....	918
"Town Meetings"; "Town Of-		abstract of report to be sent to state	
ficers"; "Township Assessor";		auditor	918
"Townships"; "Town Sites";		legalization of existing organization..	921
"Town Supervisors"; "Town Treas-		disorganized towns, disposal of funds,	
urer"; "Villages.")		books and records, acting town clerk	966
platting towns and additions thereto		boundaries of organized towns to re-	
2303-2329	2303-2329	main as now established.....	920
(see "Plats.")			

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TOWNS.

2451

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

TOWNS—Cont'd,

Sec.

Sec.

DIVISION.

apportionment of funds.....	681
— of taxes.....	681
division and organization.....	915

POWERS.

to purchase and hold lands.....	922
to make orders for disposition, regulation, etc., of corporate property..	922
to contract, and hold personal property	922
limitation of powers.....	924

BY-LAWS.

when to take effect.....	926
to be posted.....	988

GUIDEPOSTS.

to maintain guideposts.....	1014
supervisors to make reports of guideposts	1015
to determine places where guideposts shall be erected, penalty for failure how erected and marked.....	1016
failure to maintain guideposts, penalty	1017
.....	1018

POUNDS.

pounds to be under care of poundmasters	1019
discontinuance of pounds.....	1020

HIGHWAYS AND FERRIES.

highways, location on town lines....	1824
highways on town lines to be divided into districts.....	1825
labor on to be equally divided between towns	1825
road on line between towns and cities or villages, location, alteration, etc.	1829-1831
repairing county roads in towns....	1846
expenditure of county road and bridge fund in towns.....	1847, 1848
— bond of town treasurer.....	1849
— money to be expended by supervisors	1850
payment of damages for laying out or altering road, town orders to secure	1861
section lines to be considered public roads	1875
town supervisors, power with regard to plank roads and turnpikes.....	3374
— powers with regard to toll roads	3375-3377

TOWNS—Cont'd,

— compensation for viewing toll roads	3379
— powers and duties with regard to repair of drains.....	7816
license of ferries.....	1933

LIABILITIES AND INDEBTEDNESS.

support of paupers (see "Poor").	
board to audit accounts, how constituted	989
accounts against, audit by town board	990
payment of audited accounts.....	994
record of unpaid town orders, interest	995
orders, order of payment.....	996
charges against, what are.....	1021
limitation of indebtedness.....	1028
limitation upon power to contract debts	1639
authority to issue bonds and orders..	1031
issuance of bonds and orders, conditions	1032
taxes for interest and sinking fund... ..	1033
issue of refunding bonds.....	2222, 2223
authority to issue refunding bonds or orders	1034
authorization by town meeting, majority vote.....	1035
limit of issue and use.....	1036
limitation as to negotiation, interest and time of payment.....	1037
register of bonds and orders.....	1038
taxes for interest and sinking fund... ..	1039
bonds, legalization of certain issues... ..	1040
money recovered from holders of illegal bonds to form special fund.....	1041
disposition of fund.....	1043
taxes collected to pay illegal town bonds, refunding to taxpayer.....	1044
municipal aid bonds, execution.....	1450
board of supervisors, duties under act relating to giving municipal aid....	1450
erecting, renting, and altering armories for national guard, expenses to be town charge; duties of armory board	1764
when poor persons to be a charge on..	1973
support of nonresident pauper, recovery from county, town, or city of settlement	1979
liability for repairs of railroad bridges	2691
execution of railroad aid bonds, certificate as to signature.....	2780
expense of providing docket for justice	4962
soldiers' bounty bonds legalized, tax where town has been divided... ..	7634-7636

MINNESOTA STATUTES 1894

2452

TOWNS—TOWN SUPERVISORS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TOWNS—Cont'd,		TOWN SITES,	
liability for drainage assessments....	7755, 7815, 7835	corporate authorities or judge to convey lands	4255
TAXATION.		conveyance to occupants, when and how executed; covenants; record..	4256
definition of town for the purpose of taxation	1511	entry of lands, notice, publication and posting	4257
exemption from taxation (par. 5)....	1512	claimants to file statement, effect of failure	4258
limitation, amount voted at town meeting	1021	adverse claims, settlement by arbitration, action	4259
how levied	1022	— action to try, evidence.....	4260
board of supervisors to act as board of review	1547	— summons to claimants, hearing by judge, evidence, appeals.....	4261
town clerk to be provided with copies of assessment rolls.....	1660	— action by corporate authorities to determine, pleadings	4262
ACTIONS.		conveyance not to be executed until determination of adverse claims....	4265
actions by and against.....	922	statement of expenses incurred by corporate authorities or judge, charge on land.....	4263
to be in name of town.....	925	person entitled to deed to pay proportion of charges.....	4264
when brought in name of officer....	1000	application of claimants for conveyance, judge to take proof of claim, execution of conveyance.....	4265
powers of electors at town meetings..	930	judge to be seised of title free of trust, when; determination of adverse claims	4266
procedure	1003	title deemed held from time of entry..	4267
when town to plead, time of service..	1007	costs, how regulated.....	4268
service of process on chairman of supervisors or town clerk.....	1008	contracts with occupants, reconveyance according to contract, actions to enforce	4269
chairman of supervisors to attend to defense, and make statement to town meeting	1008	successor of judge to complete execution of trust.....	4270
action by to recover penalty for trespass, limitation of damages.....	1010	execution of trusts by judge of First district	4271
actions relating to town commons and other lands, partition	1011	— conveyances, regulations	4272
judgment against, how collected....	1012	— of Eleventh district.....	4273
levy of tax to pay judgment.....	1013	TOWN SUPERVISORS,	
TOWNSHIP ASSESSOR,		election	928
collection of statistics, liability for failure	400	to be judges of election, when.....	55
— compensation for	400	disqualification or unwillingness to serve, appointment of other judges..	55
TOWNSHIPS,		to determine disputes as to election expenses	163
organization, c. 10, p. 252.		to be fence viewers.....	929
— into town	914	to fill vacancies in town offices.....	962
fraction, how organized into town....	915	to accept resignations of town officers and notify town clerk.....	967
elections, exception from general election law	204	powers and duties.....	968
change in lines not to affect senatorial and representative districts.....	210	to improve streets of incorporated town or village.....	969
effect of attaching to a newly-created county, fractional divisions.....	631	to constitute board of health.....	970
establishment of landmark by commissioner	698		
exemption from taxation (par. 5)....	1512		
amount of tax and rate of levy for township purposes	1558		
road and bridge fund, moneys going to	4042		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TOWN SUPERVISORS—TRANSCRIPTS.

2453

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TOWN SUPERVISORS—Cont'd,		TRADE-MARKS—Cont'd,	
to sue on official bonds, for penalties and forfeitures, and for trespass...	980	possession of dies, plates, etc., penalty	6909
two constitute quorum.....	981	vending goods having false stamped trade-mark, etc., penalty, civil liability	6910
to act as town board to audit accounts compensation	1003	affixing to goods, penalty.....	6911
to make report of guide posts, penalty for failure	1015	manufacture and sale of goods falsely branded, etc., penalty.....	6912
successors to demand books and papers	1023, 1024	when deemed affixed to article.....	6914
statements showing amount of tax to be raised to pay joint indebtedness of villages and towns.....	1210	limitation, defined.....	6915
care and superintendence of roads and bridges.....	1775	testimony in civil action not to be used in criminal proceedings, refusal of witnesses to testify.....	6916
to report to town meeting in regard to roads and bridges.....	1776	labor unions, may adopt trade-marks — use of punishable.....	6917, 6918
meetings to consider assessment of road tax.....	1781	— record with secretary of state..	6920
field notes, plats, etc., of state or county roads running through town to be furnished and recorded.....	1876, 1877	— use of after notification, punishment	6919
power and duties with regard to partition fences.....	2057-2059, 2064, 2065	— injunction against use.....	6921, 6922
duties with regard to certain animals running at large.....	2126	adoption of.....	6923
penalty for neglect of duty relating to animals	2129	imitation unlawful.....	6924
powers with regard to enforcing duty of railroad company to fence.....	2699	use of imitation, misdemeanor, penalty	6925, 6926
TOWN TREASURER,		record of.....	6927
election	928	injunction against imitation.....	6928
bond, amount.....	954	wrongful use of genuine labels, etc., action therefor.....	6929
approval and filing of bond.....	955	TRAINING SCHOOLS,	
failure to give bond, effect.....	958	organization and holding.....	3724-3726
accounts to be audited by town board to pay audited accounts.....	991, 994	expense thereof, limit of time and expense	3724
to keep records of unpaid town orders order of paying town orders.....	995, 996	appropriation by state, expense list to be made out by superintendent of public instruction, auditing by state auditor, warrant in payment..	3726
duties	998	county superintendent to provide for accommodation of scholar, expenses to be paid by county.....	3725
to keep account and deliver books to successor	999	normal training schools, expenses, length of terms, attendance of teachers	3727
fees	1000	— appropriation...3728, 3729, 3731, 3732	
to draw money from county treasurer to make annual statement.....	1000, 1001	TRAMPS,	
violation of duties, penalty.....	1002	restraining and punishing (par. 31)..	1299
payment of judgment against town, effect of failure to make.....	1012	TRANSCRIPTS,	
TRACT,		(see "Appeal.")	
definition for purpose of taxation....	1511	of records on creation of new counties	632
TRADE-MARKS,		of judgment of village municipal court	1400
definition	6913	of judgment, lien on real estate.....	5425
counterfeiting trade-marks, brands, etc., penalty.....	6908	of judgments of United States courts	5428
		— of federal court to be published by attorney general and distributed to clerks of courts.....	5429

MINNESOTA STATUTES 1894

2454

TRANSPORTATION—TRIAL.

[Index

§§ 1 to 4321, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TRANSPORTATION,		TRESPASS—Cont'd,	
definition as used in act providing for railroad and warehouse commission (par. b).....	379	action by person settling on govern- ment lands without authority..	612S-6131
TRANSPORTATION COMPANIES,		criminal liability	6392, 6781, 6791
place of assessing personal property of	1517	acts done under pretense or color of process, punishment.....	6392
TRAVERSE COUNTY,		willful trespass on state pine lands, penalty	6907
boundaries	610	TRIAL,	
appropriation out of state treasury...	7848	see specific heads.	
TREASON,		definition	5358
definition	6318	of cases appealed from county board to district court.....	645
punishment	6319	notice, of trial, note of issue.....	5362
misprision of treason, punishment....	6320	— notes of issue in Second district..	4861
two witnesses to overt act required to convict, confession.....	6321	justice not to charge jury.....	4958
“levying war” defined.....	6322	proceedings where some of defendants are not served.....	5207
resistance to statute, when deemed “levying war”.....	6323	extension of time for doing things..	5219
petit treason.....	6436	assessment of damages on entering judgment by default.....	5221
TREASURER,		disregard of immaterial errors.....	5269
(see “County Treasurer”; “Municipal Corporations”; “State Treasur- er”; “Town Treasurer.”)		issues	5355-5366
of public institutions, approval of bonds	525	(see “Issues.”)	
sufficiency of bonds, renewal.....	529	issues of law tried by court or referee.	5359
liability for neglect of duty.....	1641	by jury, what issues of fact are to be so tried.....	5360
TREASURY DUES,		by court, what issue of fact to be so tried	5361
what received in payment.....	349	issues on calendar, order of trial....	5363
TREES,		either party may bring issues to trial.	5364
(see “Public Lands”; “Timber.”)		separate trial in case of several de- fendants	5365
larceny of.....	6710	continuance	5366
destruction of or injury to trees on another's land.....	6781	order of admission of evidence, de- fendants with separate defenses	5371
injuries to, criminal liability.....	6786	(par. 5).....	5371
TREE STATION,		arguments, order of (par. 4).....	5371
at state university.....	3917-3920	same, defendants with separate de- fenses and attorneys (par. 5).....	5271
TRESPASS,		order of trial.....	5371
(see “Assault.”)		order of admission of evidence (pars. 1, 2, 3).....	5371
on town lands, recovery of penalty...	1010	instructions, time of charge (par. 6)..	5371
on private fish pond.....	2134	court may order view by jury, pro- ceedings	5372
misdemeanor	2138	illness of juror, proceedings.....	5373
entry on land for surveys in proceed- ings to erect dam lawful.....	2373	sheriff to provide food for jury, when.	5374
on grounds of camp meetings, etc., prohibition	2947	deliberation of jury, adjournment of court, court always open to receive verdict	5376
on public lands.....	3989-3992	verdict, polling jury, insufficient ver- dict, correction.....	5377
on school lands.....	4018	verdict, record, duty of clerk, dis- agreeing juror.....	5378
limitation of actions.....	5136		
personal property, treble damages...	5415		
treble damages, not allowed where de- fendant acted in good faith.....	5416		
rights of purchaser at execution sale	5802		
cutting timber, damages.....	5884-5886		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

TRIAL—TRUST COMPANIES.

2455

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
TRIAL—Cont'd,	
verdict	5379-5384
(see "Verdict.")	
entries in minutes on receiving ver-	
dict, judgment, reserving case, stay..	5384
by referees	5391-5395
(see "Reference.")	
exceptions	5396, 5397
(see "Exceptions.")	
scandalous trial, exclusion of minors	5401
requests for instructions, time, ar-	
guments thereon	5403
instruction to jury, comment there-	
on in argument, court may give ad-	
ditional instructions	5403
misconduct of officer having charge of	
juries	6354
in criminal cases	7318-7346
(see "Criminal Law.")	
waiver of jury, how	5385
decision in writing, separate findings	
of fact and conclusions of law....	5386
decision to be rendered within what	
time, delay in rendering, complaint	
to legislature	5386
judgments on issues of law, proceed-	
ings, ordering reference.....	5387
court always open, special terms, de-	
cision filed out of term.....	5388
expiration of term before conclusion,	
finishing trial.....	5389
in vacation by consent of parties....	5390
TRIAL BY COURT,	
what issue of fact to be so tried....	5361
application of provisions relating to	
trial by jury.....	5404
TRIAL BY JURY,	
(see "Jury.")	
impaneling and challenging jury	5367-5370
TRIFIERS,	
of challenges to jurors.....	7375, 7376, 7381, 7382
TROUT,	
cultivation and preservation....	2134-2148
(see "Fish.")	
TRUST COMPANIES,	
formation	2841
articles of incorporation, filing and	
record	2842
contents of articles, publication....	2842
amendment of articles, publication,	
filing and record.....	2842
amount of capital stock, increase, par	
value	2843

	Sec.
TRUST COMPANIES—Cont'd,	
amount to be subscribed and paid in	
before transacting business.....	2844
deposit of securities, in what bonds	
investment to be made.....	2844
— withdrawal and substitution....	2845
— certificate of deposit, minimum	
deposit, interest on securities.....	2845
board of directors, qualifications,	
terms of office.....	2846
annual elections, notice, failure to	
elect, filling vacancies.....	2847
powers, appointment of officers, bond	
of officers.....	2848
general powers.....	2849
power to acquire and control prop-	
erty (par. 1).....	2849
power to act as agent or attorney in	
fact (par. 5).....	2849
duration of corporation.....	2842
individual liability of stockholders...	2842
when property of stockholders to be	
levied on.....	2842
execution against property of stock-	
holders, proceedings of officers with	
execution	2842
penalty against persons or associa-	
tions acting without being incorpo-	
rated.	2842
insolvency, application of assets....	2582
capital stock, amount and par value	2842
power to hold and convey real estate..	2842
lien of corporation on stock for stock-	
holder's debts	2842
— transfer of stock.....	2842
record of stock in trust companies, re-	
ports to company, declaration of	
dividends	2842
fees paid by.....	2531
powers, amendment of articles.....	2842
statement to be posted.....	2842
transfer of shares of stockholders....	2842
offices to be established within and	
without state.....	2842
investments (par. 6).....	2849
power to act as trustee, receiver, ex-	
ecutor, guardian, etc., not to give	
bond (par. 4).....	2849
power to become assignee for benefit	
of creditors, receiver, surety, etc.,	
bond not required (par. 9).....	2849
commissions paid not to be deemed in-	
terest or usurious (par. 8).....	2849
compensation, interest on advances	
(par. 8).....	2849

MINNESOTA STATUTES 1894

2456

TRUST COMPANIES—UNDERTAKING.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
TRUST COMPANIES—Cont'd,		TRUST COMPANIES—Cont'd,	
not required to give bond (par. 10)..	2849	aminer to report to attorney general,	
deposit of securities by executor, ad-		duty of attorney general.....	2854
ministrator, guardian, etc., custody		violation of law, admonition by public	
and collection of interest (par. 9)...	2849	examiner and state auditor	2854
power to receive deposits, effect of de-		deposit of securities of building and	
posit by trustee (par. 3).....	2849	loan associations	2860
power to act as agents (par. 2).....	2849	trustee of fund of cemetery association	3116
transfer of trusts to by private trust-		compensation as trustee of fund	3122
tees, consent of cestui que trust (par.		real-estate title insurance companies,	
7)	2849	power to act as trust companies ...	3339
appointment as executor, administra-		corporation may be a surety on bonds,	
tor, or guardian in place of private		certificate of insurance commissioner	5947
persons (par. 11).....	2849	TRUSTEES,	
power to invest in real estate (par. 1)	2849	of village, election	1219
power to make loans (par. 1).....	2849	under will, execution of articles of in-	
power to deal in notes, bonds, and se-		corporation	2794
curities (par. 1).....	2849	bond, deposit of securities with trust	
power to act as trustees (par. 2).....	2849	companies (par. 9).....	2849
investment of trust funds, accounting		of insurance companies, duty to make	
for profits.....	2850	statements	3182
not to engage in banking, mercantile,		bond, premium paid to company act-	
manufacturing, or other business..	2851	ing as surety, chargeable to trust	
loan of funds to employes, officers, etc.,		fund	5948
prohibited	2851	TRUSTS,	
Agents and officers not to be indebt-		(see "Charities"; "Executors and	
ed, penalty for embezzlement.....	2851	Administrators"; "Guardians";	
annual report to public examiner,		"Powers"; "Trustees"; "Uses and	
publication	2852	Trusts.")	
powers of courts appointing as trust-		TURNPIKE COMPANIES,	
tee, etc., duty to render accounts to		place of taxing personal property of	1519
court	2852	TURNPIKES,	
duties of public examiner in relation		(see "Free Turnpikes"; "Plank Roads	
to	2853	and Turnpikes.")	
failure to make reports or to comply			
with orders of public examiner, ex-			

U.

UNCLAIMED PROPERTY,	UNCLAIMED PROPERTY—Cont'd,
(see "Estrays.")	— claim of proceeds by owner....
inventory made by justice.....	2100
when may be sold.....	2104
sale of perishable property.....	2105
— notice	2106
— notice by constable.....	2107
— order of sale by justice.....	2108
— affidavit delivered to justice....	2109
— to highest bidder.....	2110
— duties of constable.....	2096, 2097
— duties of county treasurer.....	2099
— report concerning sale.....	2098
— disposition of proceeds.....	2098
— when proceeds to go to county..	2101
	— retrospective effect of statute.....
	2111
	statement published by banks...2516, 2517
	UNDERTAKING,
	in lieu of bond
	7989

MINNESOTA STATUTES 1894

Vols. 1 & 2]

UNITED STATES—UNIVERSITY OF MINNESOTA.

2457

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
UNITED STATES,		UNITED STATES MAIL,	
(see "United States Fish Commission"; "United States Mail"; "United States Senator.")		duty of ferry keeper to transport....	1926
meaning of term.....	255	UNITED STATES SENATOR,	
exemption from taxation.....	1512	election, houses of legislature to vote	
— property ceded to.....	4104	separately	245
— lands of.....	4108	— joint convention of two houses of legislature	246
support of infants committed to state reform school.....	3527	— organization of joint convention, officers	247
gifts of money to establish agricultural experiment stations.....	3916	— proceedings in joint convention..	248
grant of lands for public parks.....	4056	— declaration of result.....	250
copy of state park act filed with secretary of the interior.....	4058	— joint convention, secretary to make record of result.....	251
report to secretary of interior by regents of state university.....	3921	certificate of election, how prepared..	252
taking of property by state for.....	4092	— forwarded to president of United States senate, prima facie evidence	253
procedure	4093-4102	vacancy, how filled by legislature....	249
conveyance to, by state.....	4103	— how filled during recess of legislature,	254
cession of lands to, jurisdiction ceded	4105	UNIVERSITY OF MINNESOTA,	
cession of jurisdiction by state.....	4109-4115, 4117-4119	object	3902
power of eminent domain in making improvements on waters.....	4106	departments	3903
— procedure	4106	how managed.....	3904
— right to overflow ceded to United States	4121	sectarian instruction forbidden.....	3907
purchase of land by United States....	4107	appropriation (par. 17.).....	7963
— for federal buildings, consent of state	4112, 4119	funds set apart for state university..	3910
selection of site for federal buildings..	4109	gifts to.....	3910
— map filed.....	4110, 4113, 4120	sale of liquor near.....	3923
record of documents relating to lands of	4107	— penalty for.....	2010, 2011, 3924
provisions with regard to government surveys	4122-4126	furnishing copies of state reports and statutes to.....	2290-2292
Ft. Ripley reservation, relinquishment by state.....	4127	professor of military science may be commissioned as colonel.....	1727
lands erroneously conveyed to state, relinquishment by state.....	4128		
injuries to lighthouse property or lights of United States on navigable waters	6776, 6777	BOARD OF REGENTS.	
buoys or beacons, punishment for removing or injuring.....	6778	board of regents, corporate name....	3905
— punishment for mooring to.....	6778	term of office.....	3904
duties of sheriffs and jailers with regard to prisoners.....	7419	members ex officio.....	3904
liability on account of prisoners in county jail.....	7420	members appointed by governor....	3904
convicts of, sentence to state's prison..	7478	quorum of board.....	3905
UNITED STATES FISH COMMISSION,		meetings	3911
may take spawn in Minnesota waters	2193	adjournment	3905
		powers and duties of board....	3905, 3907
		— to make map of state.....	3936
		— control of books and property by regents	3913
		— report to governor.....	3921
		— report to secretary of interior...	3921
		— performance of contracts made by former board.....	3913
		dissolution of present board.....	3913
		officers of board.....	3906
		— president	3907
		— president pro tempore.....	3907
		— secretary	3904

MINNESOTA STATUTES 1894

2458

UNIVERSITY OF MINNESOTA.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
UNIVERSITY OF MINNESOTA—Cont'd,	
officers of board, recording secretary, oath and duties of.....	3907
— treasurer, oath and duties of....	3907
— bond of president and treasurer.	3906
PRESIDENT.	
powers and duties of	3922
— report to board of regents.....	3922
— report to superintendent of public instruction.....	3922
president to be member of high-school board	3865
TREASURER.	
appointment	7977
bond and duties of.....	7977
PROFESSORSHIPS.	
right to endow professorship.....	3912
professorship of Scandinavian language.....	3908, 3909
EXPERIMENTAL FARM.	
provision for experimental farm....	3914
agricultural experiment station....	3915
— gifts by United States for purpose of	3916
AGRICULTURAL COLLEGE.	
establishment of agricultural college..	4027
FARMERS' INSTITUTE.	
two regents to be members of board of administration of farmers' institutes, how selected.....	3880, 3881
EXPERIMENTAL TREE STATION.	
establishment	3917
supervision	3918
appropriation for	3920
ownership of products.....	3919
LANDS.	
sale of salt lands and application of proceeds	3948
transfer of state salt lands to.....	3948
transfer of state lands to.....	3949
conveyances of land by certain deeds confirmed	3952
provisions concerning conveyances of land by	3950-3952
sale of lands and application of proceeds	3949
provisions with regard to lands donated for university purposes.....	4026
investment of proceeds of university lands	4026

	Sec.
UNIVERSITY OF MINNESOTA—Cont'd,	
FUNDS.	
permanent university fund	3925, 4026
appropriations for	3925-3927
funds set apart for support of..	3910, 4026
state school tax, part to be devoted to university	3768
investment of funds.....	4005
— duties of president of board of regents	4005
investment in bonds.....	4006, 4007
custody of funds of.....	7979
duties of state auditor with regard to funds of	7979
transfer of internal improvement land contract, fractional adjustments....	513, 517
provisions concerning bonds of..	4005, 4026
duties with regard to goods purchased	7982
monthly expense lists.....	7983
approval of expense lists by state auditor	7984
drawing moneys from state treasury for expenditures.....	4026, 7984
unexpended appropriations.....	7985
disposition of surplus in any fund....	7985
appropriation of miscellaneous receipts	7986
system of accounting for public funds	7975
accounting officer and purchasing agent	7976
duties of accounting officer.....	7979
documents, receipts, and vouchers showing expenditures.....	7980, 7981
documents showing expenditures sent to state auditor.....	7981, 7983
GEOLOGICAL AND NATURAL HISTORY SURVEY.	
provision for.....	3928-3935
appropriations for.....	3947, 3955
moneys set apart to pay expenses....	3948, 3949
report on.....	3957
report by regents.....	3946
printing and publication of report....	3939-3942
expense of publishing.....	3943
distribution of reports.....	3942
sale of reports, disposition of proceeds	3942
preparation of specimens of rocks, plants, etc.....	3937
— disposition of.....	3937
geological survey.....	3935
geological map of state.....	3938

MINNESOTA STATUTES 1894

Vols. 1 & 2]

UNIVERSITY OF MINNESOTA—USES AND TRUSTS.

2459

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
UNIVERSITY OF MINNESOTA—C't'd,		USES AND TRUSTS—Cont'd,	
collection of statistics with regard to contour of earth's surface.....	3936	who to list property for taxation (par. 6)	1515
collection of geological specimens and furnishing to other schools.....	3956	deposits by trustee.....	2560
custody of reports of geological survey state geologist, appropriations to pay expenses of.....	3933	appointment of trust company as trustee (par. 4).....	2849
— report to board of regents.....	3932	— not required to give bond (pars. 4, 10)	2849
mineralogical investigations	3929-3932	transfer to trust companies, consent of cestui que trust (par. 7).....	2849
employment of students in making surveys	3935	deposits by trustees with trust companies, discharge of liability (par. 3)	2849
investigation of salt springs.....	3953	conveyance in trust for religious societies	3041-3043
report concerning sales of salt lands..	3957	right of trustee to vote as stockholder	3418
investigation of peat deposits.....	3954	stock belonging to estate, liability attaching	3419
— report to legislature.....	3954	grants of existing trust to be in writing	4212
zoological investigations	3934	trust in land to be in writing.....	4213
botanical investigations.....	3934, 3935	statute of frauds not to affect trust by operation of law.....	4214
meteorological statistics	3936	official trusts under town-site act. (see "Town Sites.")	4255-4273
UNLAWFUL ASSEMBLY,		abolition, estate and interest in land deemed legal right.....	4274
(see "Riot.")		executed uses confirmed as legal estate	4275
definition	6647	who deemed to have legal estate.....	4276
remaining present at, after warning	6648	trustee with power of disposition or management not divested of estate..	4277
remaining after meeting has adopted unlawful purposes	6649	land to be devised or conveyed to person having right of possession and profits, trustee to take no interest..	4278
refusal to assist in arresting participants	6650	trusts arising by implication of law, creation of express trust.....	4279
dispersal, duty of magistrates and officers calling on bystanders for assistance	6930	grant to one where money is paid by another	4280
calling on bystanders to disperse, refusal of persons to assist, penalty..	6931	conveyance to one where money is paid to another fraudulent as to creditors of person paying, resulting trust for creditors.....	4281
dispersal, neglect of officers to exercise their authority, misdemeanor..	6932	grant to one where money is paid by another without knowledge or consent of person paying, or in violation of trust	4282
— officers may use force.....	6933	implied or resulting trust not to prejudice bona fide purchasers.....	4283
— armed force to obey civil officers	6934	purposes for which express trust may be created	4284
— officers not liable for death of rioters, liability of rioters.....	6935	to sell land for benefit of creditors (par. 1)	4284
destruction of property by rioters, punishment	6936	to sell mortgage or lease for benefit of legatees, or to satisfy charge thereon (par. 2).....	4284
UNLAWFUL DETAINER,			
(see "Forcible Entry and Detainer.")			
UNLAWFUL ENTRY,			
of building not amounting to burglary	6636		
UNORGANIZED COUNTIES,			
(see "Counties.")			
governor to publish list of election districts	11		
USE AND OCCUPATION,			
allowance to occupying claimants for improvements, taxes, etc.....	5875		
USES AND TRUSTS,			
illegal trusts	6955-6957		
(see "Monopolies and Trusts.")			

MINNESOTA STATUTES 1894

2460

USES AND TRUSTS—VACANCIES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
USES AND TRUSTS—Cont'd,		USES AND TRUSTS—Cont'd,	
to receive rents and apply them to use of any person (par. 3).....	4284	general power, when in trust.....	4322
to receive rents and accumulate same (par. 4)	4284	special power when in trust.....	4323
to take charge of money, and invest same (par. 5).....	4284	powers in trust, imperative and enforceable in equity	4324
cities or villages to receive grants, bequests, etc., for public libraries or cemeteries (par. 6).....	4284	powers in trust, effect of right of selection	4325
appointment of trustee and administration of trust (pars. 5, 6).....	4284	beneficiaries under power, when to share alike.....	4326
duration, limiting power of alienation	4284	beneficiaries under power, when trustee may discriminate between them	4327
devise of lands creates mere power, when	4285	death of trustee of power with right of selection, execution by district court	4328
profits of lands held without valid contracts for accumulation liable to creditors of beneficiary.....	4286	failure to designate trust or power, execution by district court.....	4329
express trust to be power in trust....	4287	limitation of action to enforce.....	5136
title to land held under power in trust	4288	costs in actions by or against trustees, charge on fund, personal liability	5509
express trust, whole estate to vest in trustees, rights of beneficiaries....	4289	conversion of property by trustee, criminal liability.....	6723
— trustees to possess whole estate, grants by donor subject to trusts... ..	4290	effect of Penal Code as to remedies against trustees.....	6848
— interest not disposed of to revert to donor	4291	USURY,	
assignment of trust interests by beneficiary	4292	what constitutes.....	2212, 2214, 2219
conveyance without declaration of trust deemed absolute as against creditors of trustees and bona fide purchasers	4293	building associations.....	2218
sales and conveyances by trustees void payment to trustee, payor not responsible for application by trustee....	4295	premiums by building associations not usury	2794, 2879
title derived from trustees not impeached by misapplication of funds by trustee	4295	interest charged by trust companies not usury (par. 8).....	2849
estate of trustee ceases when purpose of trust ceased.....	4296	effect on contracts	2214
death of trustee, execution by district court	4297	— bona fide purchase of negotiable paper	2214
resignation of trustee, power of district court	4298	annulment by court of usurious contracts	2217
removal of trustees by district court..	4299	defense to action on railroad bonds..	2723
power of district court to remove and appoint trustees, and confirm acts of trustees	4300	liability of original holder of negotiable paper	2214
		proceedings against person taking... ..	2215
		recovery of excessive interest exacted on foreclosure of mortgage under power	6052
		penalty for taking	2213
		— disposition of	2213
		competency of party as witness where usury is pleaded	2216
		repeal of statute	2218

V.

VACANCIES,

in office, see particular officers.	
how created	892
— in county office	885

VACANCIES—Cont'd,

in city offices, how filled	1052
term of appointee to fill vacancy....	901
right and liabilities of appointee....	1052

MINNESOTA STATUTES 1894

Vols. 1 & 2]

VACATION—VENUE.

2461

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VACATION,		VENDOR AND PURCHASER—Cont'd,	
decision of supreme court filed in....	4825	bona fide purchasers not prejudiced	4283
power of judge of supreme court....	4827	by implied or resulting trust.....	4283
dismissal of appeal in.....	6137	purchasers under defective execution	4358
power of court in	5267	of power	4358
trials in, by consent of parties	5390	letter of attorney recorded, record of	4188
power of judge in prevention of com-		revocation	4188
mission of crime	7091	conveyances with powers of revoca-	4206
— in regard to accused persons	7132	tion	4207, 4208
what motions determined in.....	5227	— under power of revocation..	4207, 4208
of judgment	5267	interest of deceased purchaser, sale to	4583, 4587
VACCINATION,		pay debts, etc.....	4583, 4587
against smallpox	7069	contracts by decedent, conveyance...	4623-4631
VAGRANTS,		bona fide purchasers, right to open	5267
power of common council to punish		or modify judgment.....	5267
(par. 31)	1085	— rights of execution creditors....	5478
restraining and punishing (par. 31)...	1299	effect of filing notice of lis pendens..	5866
effect of Penal Code	6849	mechanics' liens	6232, 6233
VALUATION,		VENIRE,	
(see "Taxation.")		(see "Grand Jury"; "Jury.")	
of bank stock	1532	form of venire for jury in justices'	5092
of assets of savings banks	2570	courts	5092
VARIANCE,		VENUE,	
between pleading and proof. 4988, 5262-5264		bastardy proceedings, change of venue	2040
VAULTS,		IN CIVIL CASES.	
lien for constructing or repairing....	6230	actions against carriers for violation	
VEGETABLES,		of law (par. a).....	394
malicious injury to	6785	— corporations	5185, 5203
VENDOR AND PURCHASER,		— foreign corporations	5200, 5201
(see "Covenants"; "Deeds"; "Frauds,		— delinquent revenue officers.....	359
Statute of"; "Fraudulent Convey-		— public officers	5184
ances"; "Specific Performance.")		— receivers or assignees.....	5175
estate or interest in land to be in		— nonresidents	5185
writing	4213	— for divorce	4790
contracts for sale, to be in writing, ex-		— for penalty imposed by statute..	5184
ecution by agent	4215	— on patent-right notes, etc.....	8053
— acknowledgment, record, effect as		— on recognizance	5187
evidence	4186	— to recover personal property....	5182
records of deeds, etc., deemed notice..	4187	— under insolvent law of 1881....	4244
— term "purchaser" defined	4184	actions relating to real estate....	5182, 5183
failure to record deeds, effect as		— brought in municipal courts....	5191
against subsequent bona fide pur-		— tried where cause of action arose	5184
chasers, purchasers under equity		— tried where subject-matter is sit-	5182
claim	4180	uated	5182
fraudulent conveyances, bona fide pur-		attachment proceedings against non-	5186
chasers protected	4225	resident	5185
conveyance with intent to defraud		claim and delivery.....	5996
creditors	4204, 4222	application for habeas corpus.....	5996
— to innocent grantee not fraudulent		issues of fact in mandamus proceed-	5987
against subsequent purchaser with		ings	5987
notice	4205	effect of laying wrong venue in com-	5183
— without declaration of trust		plaint	5183
deemed absolute as against creditors		bringing action in improper county..	5185, 5188
of trustees and bona fide purchasers.	4293		

MINNESOTA STATUTES 1894

2462

VENUE—VESSEL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VENUE—Cont'd,		VERDICT—Cont'd,	
bringing action in improper county, necessity of demand for change.....	5185, 5188, 5191	jury may render general or special verdict, direction of court.....	5380
residence of defendant	5185	special findings control general verdict, when.....	5381
change of	5183, 5185, 5188, 5190	form of, at coroner's inquest.....	850
— effect	5188	— forcible entry and detainer.....	6127
— procedure	5190	in action to recover specific personal property	5383
— in action for wages.....	5189	in action before justice.....	5013
— in actions in municipal courts....	5191	jury to assess amount of recovery....	5382
— where judge is disqualified.....	4838	polling jury, insufficient verdict.....	5377
— from one justice to another.....	4974	entries in minutes on receiving, judgment, reserving case, stay.....	5384
— on appeal from justice.....	5192	entry of judgment on.....	5414
IN CRIMINAL CASES.		in criminal cases, conviction of lower degree of crime than that charged and of attempt to commit crime....	7339
(see "Crimes and Punishments.")		— verdict as to some joint defendants and disagreement as to others..	7340
removal of preliminary hearing.....	7169	— polling jury, further deliberation	7341
offense committed on county lines...	7258	— reception, proceedings thereon..	7342
— on public conveyances.....	7257	— criminal proceedings in justice court	5109
— on carriage or premises of carrier	6846	VERIFICATION,	
— on vessel	7256	of accusation for removal or suspension of attorney.....	6200
prosecution against newspaper for libel	6503	of claims against county.....	687, 688
— for bringing stolen goods into state	6721	of lien statement.....	6236
— for bringing stolen goods from another county	6722	of list of railroad lands sold	1680
— for kidnaping	6468	of map made in condemnation proceedings	2623
— for maintaining ferry without authority, ferry on boundary between two counties	6632	of pleading.....	1584, 4985, 5244, 5245
— for prize fight out of state.....	6656	— of petitions in probate proceedings	4718
— for sending letter	6822	— of complaint against boat or vessel	6087
— for violation of game and fish law	2189	of report of earnings of railroad company	1667
— in county where death ensues in all cases.....	7260	of report of mining company to state auditor	1690
wound inflicted in one county, death in another	7259	of report of savings bank.....	2575, 2581
death out of state, prosecution in county where assault was made.....	7261	of return of habeas corpus.....	6002
change of venue, when allowed, number allowed.....	7313	of traverse of return in habeas corpus proceedings	6016
— procedure after change, liability for costs.....	7314	of statement of insurance companies.	3177
— recognizance of defendant, default, issue of warrant.....	7315	of list of property for taxation.....	1527
— recognizance of witnesses to appear	7317	of delinquent tax list.....	1579
change on request of state, when; proceedings	7317	of lists of property undervalued or unlawfully omitted from assessment..	1632
VERDICT,		of returns of assessor.....	1549
(see "Trial.")		of answer in tax proceedings.....	1647
in criminal cases (see "Crimes and Punishments").		form of oath.....	5641
general and special, defined.....	5379	VESSEL,	
		(see "Boats and Vessels.")	
		defined	6842

MINNESOTA STATUTES 1894

Vols. 1 & 2]

VESSEL—VILLAGE COUNCIL.

2463

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VESSEL—Cont'd,		VILLAGE BOARD OF HEALTH,	
inspection of steam vessels.....	484	(see "Health.")	
(see "Steam Vessels.")		VILLAGE CLERKS,	
overloading, criminal liability.....	6453	to act as clerk of election.....	57
VESTED ESTATES.....	4374	VILLAGE COUNCIL,	
(see "Estates.")		what officers to constitute, quorum...	1224, 1295
VETERANS,		meetings, compensation of council....	1272
honorably discharged soldiers...8040-8045		stated and special meetings.....	1296
(see "Soldiers.")		rules and attendance of members, elec-	
preference in appointment under game		tion of vice president.....	1297
and fish laws.....	2194	rescission and reconsideration of votes	1418
VETERINARIANS,		removal of officers, trial of officers, no-	
qualification of practitioners.....	7942	tice	1298
practitioner of three years' experience			
eligible for registration, when.....	7943		
state board of examiners, appoint-			
ment, term.....	7944		
— officers, seal, examination, di-			
ploma	7945		
— records of proceedings, effect as			
evidence	7946		
fees for registration.....	7947		
penalty for violation, practice of veter-			
inary medicine without license			
misdemeanor, exception	7948		
new practitioners must be graduates			
of authorized schools.....	7949		
certificate to be recorded, removal to			
another county	7950		
dehorning and castration excepted			
from act	7951		
VETO,			
power of mayor.....	1063		
VICE PRESIDENT,			
of village council, election and duties	1297		
VICIOUS LITERATURE,			
(see "Obscene Publications, Pictures,			
etc.")			
VIEW,			
by jury	5372		
by commissioners in eminent domain			
proceedings	1107 (par. 4), 2609		
by jury in highway proceedings, ap-			
peal to justice.....	1853		
in criminal cases.....	7330		
VILLAGE ASSESSORS,			
(see "Assessors.")			
duties of village assessor.....	1289		
VILLAGE ATTORNEY,			
appointment by village council.....			
	1224 (par. 7), 1290		
to prosecute cases in municipal court			
not indictable	1370		
VILLAGE AUDITORS,			
board of auditors, how constituted, re-			
port	1262		

MINNESOTA STATUTES 1894

2464

VILLAGE COUNCIL.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VILLAGE COUNCIL—Cont'd,		VILLAGE COUNCIL—Cont'd,	
to regulate running of trains (par. 12).....	1224	to regulate hackmen, porters, solicitors, etc. (par. 17).....	1299
to grant licenses (par. 12).....	1224	to regulate public markets (par. 18).....	1299
to establish markets and restrain sales in street (par. 13).....	1224	to license and regulate sale of provisions, peddlers, hawkers, etc. (par. 19).....	1299
to purchase and control cemetery (par. 14).....	1224	to regulate sale of hay and wood (par. 20).....	1299
to license and regulate circuses, shows, saloons, auctions, peddlers, etc. (par. 15).....	1224	to compel removal of snow, stagnant water, etc. (par. 21).....	1299
to provide for planting and protecting trees (par. 16).....	1224	to prevent contagious diseases (par. 22).....	1299
to prohibit lotteries, gaming (par. 17).....	1224	to regulate auctions (par. 23).....	1299
to license liquor traffic (par. 17).....	1224	to create and establish police (par. 24).....	1299
to appoint and remove village marshal (par. 18).....	1224	to regulate inspection of fuel, provisions, etc. (par. 25).....	1299
to impose penalties, fines, etc., for violating ordinance.....	1268	to appoint inspectors, weighers, etc. (par. 26).....	1299
<i>in villages of over three thousand inhabitants.</i>		to acquire and regulate public parks (par. 27).....	1299
in general.....	1299	to abate nuisances (pars. 28, 29).....	1299
to establish village prison and workhouse.....	1299	to preserve public health and suppress disease (par. 30).....	1299
to license and regulate amusements, auctioneers, butchers, etc. (par. 1).....	1299	to restrain and punish vagrancy (par. 31).....	1299
to restrain and prohibit gaming (par. 2).....	1299	to regulate express and hack fares (par. 32).....	1299
to preserve peace, suppress disorderly house, and destroy gambling apparatus (par. 3).....	1299	to prescribe fire limits (par. 33).....	1299
to preserve health (par. 4).....	1299	to regulate hitching posts (par. 34).....	1299
to regulate offensive trades, storage of explosives, etc. (par. 5).....	1299	to regulate hatchways and cellarways (par. 35).....	1299
to prevent incumbrances of streets (par. 6).....	1299	to regulate street numbers (par. 36).....	1299
to regulate railroads in villages, compel fastening of horses, and to regulate place of bathing (par. 7).....	1299	to prevent fires (par. 37).....	1299
to restrain cattle from running at large (par. 8).....	1299	to regulate making and sale of gas (par. 38).....	1299
to restrain dogs from running at large (par. 9).....	1299	to regulate steam boilers (par. 39).....	1299
to prevent traffic in unsound meat (par. 10).....	1299	to regulate electric wires (par. 40).....	1299
to establish waterworks, gas works, light and heating plants (par. 11).....	1299	to regulate herding of cattle (par. 41).....	1299
to take sanitary measures (par. 12).....	1299	to lay out streets, sidewalks, parks, etc. (par. 42).....	1299
to regulate size and weight of bread (par. 13).....	1299	to divide village into wards (par. 43).....	1299
to prevent riding or driving on sidewalk (par. 14).....	1299	to construct docks and ferries, establish harbor lines, and control landing of infected persons (par. 44).....	1299
to prevent firearms, fireworks, etc. (par. 15).....	1299	to regulate sale of liquor (par. 45).....	1299
to prevent drunkenness, obscenity, etc. (par. 16).....	1299	to establish public library (par. 46).....	1299
		to regulate franchises (par. 47).....	1299
		auditing accounts, actions against delinquent officers.....	1304
		control of finances, sale of property.....	1305
		revocation of license, terms of license officers, power of council with respect to.....	1292
		penalties in favor of village remitted by, when.....	1419

MINNESOTA STATUTES 1894

Vols. 1 & 2]

VILLAGE ENGINEER—VILLAGES.

2465

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
VILLAGE ENGINEER,	
qualification and duties; surveys, etc., to be village property.....	1291
VILLAGE MARSHAL,	
appointment and removal, duties and compensation (par. 18).....	1224
VILLAGE OFFICERS,	
(see "Village Assessor"; "Village At- torney"; "Village Auditor"; "Vil- lage Clerk"; "Village Council"; "Village Engineer"; Village Mar- shal"; "Village President"; "Vil- lage Recorder"; "Village Street Commissioner"; "Village Treas- urer.")	
village board of health (see "Health"). what officers to be elected, terms of office	1219, 1279
oath and bond.....	1219
appointment to fill vacancy, oath and bond	1284
peace officers, powers.....	1270
— order of rank.....	1294
officers not to be interested in con- tracts	1269, 1284
officers to surrender property, records, etc., to successors.....	1271, 1293
auditing and paying fraudulent claims against, punishment.....	6421, 6422
conversion or wrongful disposal of property of, punishment.....	6422
election of justices of the peace.....	1221
appointment of justices until next election	1222
justices of the peace and constables, vacancies, how filled.....	1260
powers and duties of justices and constables, fees.....	1259
in more than one county, powers of justices and constables.....	1259
VILLAGE PRESIDENT,	
duties of, passage of ordinance over veto, indorsement by recorder....	1286
VILLAGE RECORDER,	
election	1219
bond	1264
compensation	1287
powers and duties.....	1264, 1287, 1412
duties with reference to passage of ordinances	1286
power of recorder to administer oaths and take acknowledgments.....	5639
duties with reference to corporate taxes	1251

	Sec.
VILLAGE RECORDER—Cont'd,	
duties of, to be performed by city comptroller on annexation of vil- lage to city.....	1423
to prepare statement on which bonds are issued for unpaid assessments for local improvements, and record of same.....	1344
cancellation of assessment for local improvements on presentation of treasurer's receipt	1347
to keep on file records and papers of village	1412
VILLAGES,	
(see "Bridges"; "Health"; "High- ways"; "Municipal Corporations"; "Towns"; "Village Assessor"; "Vil- lage Attorney"; "Village Auditor"; "Village Council"; "Village Engi- neer"; "Village Marshal"; "Village Officers"; "Village President"; "Village Recorder"; "Villages of over Three Thousand Inhabit- ants"; "Village Street Commis- sioner"; "Village Treasurer.")	
title to cemeteries used by inhabit- ants	923
legalizing certain appropriations....	1227
grants for telephone lines, legaliza- tion	1230
provisions with regard to libraries... ..	1425-1434
(see "Municipal Corporations.")	
erecting, renting, and altering armo- ries for national guard, expenses to be a village charge, duties of ar- mory board.....	1764
when poor persons to be a charge on 1973	6812
presentation of false claims against..	7884-7890
destruction of grasshoppers....	(see "Grasshoppers.")
license fee on sale of home products..	8046
INCORPORATION AND ORGANIZATION.	
term defined.....	1239
uniformity of government.....	1199
what territory may be incorporated..	1200
corporate powers.....	1206
election to determine incorporation..	1201
— posting petition and notices, in spectors of election.....	1202
— publishing petition and notice... ..	1203
— who may vote, ballot.....	1204
— certificate of inspectors.....	1205
— certificate of inspectors, effect of filing	1206

MINNESOTA STATUTES 1894

2466

VILLAGES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VILLAGES—Cont'd,		VILLAGES—Cont'd,	
papers showing incorporation, recording, evidence.....	1207	special elections	1217
plats, corrected plat to be recorded...	1228	elections governed by law of town meetings	1217
corrected plat, surveyor's affidavit to be attached.....	1229	FIRE DEPARTMENT.	
incorporation under Laws 1883, c. 73, legalized	1196	certificate relating thereto to be filed with insurance commissioner.....	3216
legalizing incorporations of certain villages	1197	right to portion of tax paid by fire insurance companies on premiums received	3216-3222
incorporation under special act, reincorporation	1198	CONTRACTS.	
election to determine reincorporation organization, election of officers.....	1208	contracts and instruments, how executed	1273
right to become separate election and assessment districts	1209	REGULATING OCCUPATIONS AND EMPLOYMENTS.	
vote to become separate election and assessment districts, notice to county auditor, duty of auditor.....	1211	keeper of employment bureau, regulations	1455, 1456
ATTACHING AND DETACHING TERRITORY.		— bond filed with village recorder..	1457
adding and attaching territory, election	1212	— liability on bond.....	1458
detaching territory, effect on indebtedness	1212	license of intoxicating liquors, local option	1266
adding or detaching territory, special election, method of calling and holding	1213	regulation of liquor traffic, application of High License Act 1887, c. 6.....	2030
election to add or detach territory, certificate, effect of filing.....	1214	PUBLIC IMPROVEMENTS.	
attachment and detachment of territory, recording papers, evidence...	1215	what improvements may be made... ..	1247
annexation to city.....	1045	election to determine construction of improvements, form of ballot, conduct of election.....	1234
— municipal court of village to become city court.....	1408	erection of buildings and improvements, submission to voters.....	1233
DISSOLUTION.		improvement of streets by town supervisors	969
petition, election	1274	establishment of waterworks and light plants.....	1225
adjusting village affairs, incorporation of new village.....	1275	legalizing grants for waterworks or gas works.....	1226
ORDINANCES.		contracts for improvements to be let..	1269
enactment and effect.....	1267	assessments for local improvements..	1247
violation, prosecution, process, pleading	1252	— delinquent tax, how returned..	1249
— judgment, commitment and default of payment.....	1253	collection of assessments, duties of street commissioner.....	1248
— right of appeal, appeal bond....	1254	who to act as board of review of assessment	1547
— payment of fines into treasury, duty of justice.....	1255	CONDEMNATION PROCEEDINGS.	
— disposition of fines and penalties	1258	power of eminent domain, procedure.	1240
ELECTIONS.		commissioners to hear testimony and assess damages.....	1326
exception from general election law..	204	method of selecting jury.....	1241
election of officers, judges, annual meeting	1216	duties of jury, contents of verdict..	1242
—notice of place of meeting.....	1216	right of appeal, return on appeal, costs	1243
		verdict for village, payment of damages before entry on land, discontinuance, costs.....	1244

MINNESOTA STATUTES 1894

Vols. 1 & 2] VILLAGES—VILLAGES OF OVER THREE THOUSAND INHABITANTS. 2467

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VILLAGES—Cont'd,		VILLAGES OF OVER THREE THOUSAND INHABITANTS—Cont'd,	
assessment for taking property for village use, how collected.....	1245	fines, taxes, etc., and writs and actions by village to remain unaffected by Act 1891, c. 146.....	1410
taking of private property for streets, public grounds, squares, harbors, etc.	1240	inhabitant not incompetent as judge, witness, or juror when village party	1417
STREETS, BRIDGES, AND FERRIES.		contracts and instruments, how executed	1420
control of village streets and bridges.	1250	work to be done by contract or by labor	1421
road on line between towns and villages, location, alteration, etc.	1829-1831	powers	1276
to form road district, street commissioner, road tax.....	1261	territory divided into four wards....	1274
power to vacate streets.....	1246	annexation to city, duties of recorder and treasurer to be performed by	
laying out, altering, or discontinuing roads, application of statute relating to towns.....	1837	city comptroller and treasurer.....	1423
license of ferries.....	1933	— village assessments.....	1424
LIABILITIES AND INDEBTEDNESS.		annexation of territory.....	1278
limitation upon power to contract debts	1639	ORDINANCES.	
power to borrow money.....	1231	passage of.....	1300
auditing and payment of accounts...	1231	— over veto, indorsement by recorder	1286
power to issue certificates for fire apparatus	1231	copies, when prima facie evidence; pleading ordinances.....	1301
— bonds for improvements.....	1232	violation of; prisoners to be kept at hard labor, when.....	1307
issue of refunding bonds.....	2222, 2223	village ordinances in effect before Act 1891, c. 146, to continue in force....	1411
bonds for public improvements, limitation of amount and time of payment	1235	Act 1891, c. 146, not affected by contravening acts unless clearly set forth	1413
— condition of issue and negotiation	1235	ELECTIONS.	
sale of bonds, notice for bids.....	1236	each ward to be an election precinct, qualification of officers, term.....	1280
— power to accept or reject bids....	1237	general village elections, how conducted, return by judges, canvass of return	1281
— disposition of proceeds.....	1238	first general election, time of holding, notice	1282
TAXATION.		special elections, notice.....	1283
amount of taxes, vote on tax, duty of recorder.....	1255	election to be by ballot, tie vote how determined, qualifications of voters	1284
levy of tax, duty of council, collection of taxes.....	1263	failure to elect, new election, notice..	1285
joint indebtedness of village and town in which located, apportionment of taxes	1210	POLICE DEPARTMENT.	
ACTIONS.		appointment, suspension and removal of policemen, powers of president of village	1309
actions by and against.....	1206	special watchman, appointment by president	1310
disposition of money from license....	1256	special officers may be appointed, when	1311
judgment against, assessment to pay..	1257	appointment of police officers and bailiffs for municipal court, bonds and compensation.....	1403
VILLAGES OF OVER THREE THOUSAND INHABITANTS.			
appropriations to be by majority vote	1302		
bids for printing, designation of official newspaper, printer's affidavit as evidence	1308		
recognizance, obligations, etc., enforced before Act of 1891, c. 146, to continue unaffected	1410		

MINNESOTA STATUTES 1894

2468

VILLAGES OF OVER THREE THOUSAND INHABITANTS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VILLAGES OF OVER THREE THOUSAND INHABITANTS—Cont'd,		VILLAGES OF OVER THREE THOUSAND INHABITANTS—Cont'd,	
chief of police.....	1312	commissioners to file report of the recorder	1329
powers of police.....	1313	notice of meeting confirming assessment, objections.....	1330
pursuing criminals outside of villages, right to fees and rewards.....	1313	damages to be paid or tendered, when deposit for unknown owner.....	1331
regulations for government of police force	1314	buildings to be removed by owners or sold by village.....	1332
police, penalty for impersonating....	1315	appointment of guardian for owner under disability.....	1333
— duty to serve process of village municipal courts.....	1402	appeal to district court, procedure....	1334
		record of all proceedings to be kept, evidence	1336
FIRE DEPARTMENT.		STREETS AND ALLEYS.	
establishment and regulation.....	1316	laying out streets, alleys, etc., plat to be filed.....	1335
authority to extinguish and prevent fires	1316	vacating streets, etc., power of council, petition and procedure.....	1354
		— resolution to be published and recorded	1355
PUBLIC IMPROVEMENTS.		— appeal, procedure, jurisdiction of district court.....	1356
procedure in obtaining bids and letting contracts, duties and powers of council, payment of contractor....	1340	defective streets and sidewalks, notice of injuries to be given.....	1422
assessments, amount to be assessed...	1341	LIABILITIES AND INDEBTEDNESS.	
assessment roll, publication of notice, confirmation of assessment, objections	1343	limitation of indebtedness.....	1321
for what improvements assessments made	1338	rights of creditors preserved by act 1891, c. 146.....	1409
what property may be assessed, real estate, petition when necessary....	1339	not liable for jail fees of offenders under general laws.....	1415
assessments required to be paid in full, when.....	1349	bonds, power of council to issue.....	1321
levy of special tax to pay assessments, duty of county auditor.....	1345	local improvement bonds, right to issue	1344
power to levy special assessments....	1337	— sale at not less than par.....	1351
assessment on railroad company, how collected	1342	form of improvement bonds.....	1352
actions to avoid assessments after issue of bonds.....	1346	TAXATION.	
deduction for payment of assessment, when	1347	power to levy annual tax, limitation..	1317
conveyances of land subject to lien of assessment	1348	taxes levied by resolution of council..	1318
appeal from assessment, evidence....	1350	statement of taxes to be sent to county auditor, advances from county treasurer, when.....	1319
reassessment, when assessment is declared void.....	1353	village council to act as board of equalization	1320
<i>condemnation proceedings.</i>		property exempt from taxation.....	1416
right to condemn private property for public use.....	1322	ACTIONS.	
appointment of commissioners, penalty against commissioner for refusal to attend, filling vacancies.....	1323	service of process against, leaving copy with president or recorder....	1414
oath of commissioners.....	1324	notice of personal injuries to be given within 30 days.....	1422
plat of proposed improvements, notice of meeting of commissioners.....	1325	nuisances, abatement by council does not bar actions or proceedings at law	1303
separate assessment of buildings....	1327	execution, property exempt from.....	1416
assessment of respective interests....	1328		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

VILLAGE STREET COMMISSIONER—WAREHOUSEMEN.

2469

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
VILLAGE STREET COMMISSIONER,		VITAL STATISTICS,	
election of, duties.....	1220	(see "State Board of Health and Vi-	
VILLAGE TREASURER,		tal Statistics.")	
election, bond, and duties.....	1219, 1288	collection by local officers.....	436
to make annual statement.....	1223	VOTERS,	
duties to be performed by city treas-		(see "Elections.")	
urer on annexation of village to city	1423	to vote in district of residence, re-	
VINEGAR,		moval	98
adulteration, penalty.....	7015, 7016	challenges, questions, refusal to an-	
sale, etc., of adulterated vinegar pro-		swer	102
hibited	7017	— refusal to take oath.....	103
manufacture and sale of adulterated		— before deposit of ballot.....	100
vinegar, misdemeanor.....	7018	unable to enter polling place, marking	
violation of act, penalty.....	7019	and depositing of ballot, challenge	
what constitutes adulteration, brand		not to divulge how he votes.....	110
barrels, penalty for failure.....	7020	persuasion of, penalty.....	113
violation of act, penalty.....	7021	right to leave employment to vote... 114	
powers of commissioners to seize and		petition for change of county seat.... 647	
open packages, duties of carrier's		at town meeting, qualification..... 937	
employés to aid in discovering pro-		women, right to vote at school elec-	
hibited articles, penalty for failure		tions	3665
to aid.....	7024	in city elections.....	1054
VINEYARDS,		at election to determine as to incor-	
criminal trespass.....	6781	poration of village.....	1204

W.

WABASHA COUNTY,		WAREHOUSEMEN—Cont'd,	
boundaries	611	lien of and enforcement thereof.....	6248
WADENA COUNTY,		delivery of unclaimed property to,	
boundaries	612	lien for charges.....	2108
WAGERS	6588-6599	to give bond, when.....	2111
(see "Gaming.")		elevator charges by railroad company	2713
on prize fight.....	6948	grain delivered for storage a bailment,	
WAGES,		and not a sale.....	7645
exemption	5491	receipts for grain, contents, effect as	
— from garnishment	5314	evidence, penalty for giving false re-	
lien and preference of employé... 6254-6258		ceipts	7646
WAIVER,		full quantity and grade of wheat to be	
of lien on logs and lumber.....	2451	redelivered on surrender of the re-	
of lien on logs by taking note.....	2460	ceipt, penalty for failure.....	7647
of notice of taking deposition.....	5673	redelivery to bailor, action for failure	
WAR,		to redeliver.....	7648
(see "Militia"; "Soldiers.")		receipts negotiable, exception.....	7649
WARD,		grain not to be sold or delivered with-	
(see "Guardians.")		out authority of owner and return of	
WARDS,		receipt	7650
division of city into.....	1048	different grades of grain not to be	
division of village (par. 43).....	1299	mixed, etc.....	7651
— of villages of over 3,000.....	1277	sale or delivery without authority of	
WAREHOUSEMEN,		owner, penalty.....	7652
to keep record of property.....	2090	mixing different grades of grain, pen-	
sale of unclaimed property		alties	7652
2092-2103, 2109, 2112		maximum rate for handling grain,	
		who not to be inspectors.....	7656

MINNESOTA STATUTES 1894

2470

WAREHOUSEMEN.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.
WAREHOUSEMEN—Cont'd,	
refusal of railroad to handle grain at legal rate, right of private persons to maintain elevators at station.....	7657
maximum rate for handling grain, etc., penalty for violating act.....	7658
elevators at Minneapolis, St. Paul, and Duluth declared public.....	7659
public warehousemen, license, revocation.....	7660
bond, license fee.....	7661
transacting business without license, penalty, refusal to renew license, etc.	7662
inspection of grain, charges to be paid by warehousemen.....	7663
storage and inspection of grain, grades not to be mixed, keeping grain in separate bin.....	7663
public warehouse, storage receipts....	7664
receipts, regulation of issue, new receipts, cancellation.....	7665
receipts, limitation of liability unlawful.....	7666
redelivery of grain and return of receipt, penalty for default.....	7667
public, statement to state board of warehouse commissioners.....	7668
public, weekly and daily statements of storage, etc.....	7669
warehouse registrar, secretary of the railroad and warehouse commission to act as such.....	7670
schedule of rates to be public, not to be increased during year.....	7671
maximum charges.....	7671
duties, mixing grades and tampering with grain, removal for preservation or safekeeping.....	7672
liability for loss or damage to grain..	7672
grain out of condition, duty of warehouseman, publication and notice to owners, sale for account of owner..	7672
examination by owners, etc.	7673
inspection of scales, penalty for using incorrect scales.....	7673
weighmasters, assistants, appointment by railroad and warehouse commissioners.....	7674
weighmaster, authority, effect of certificates.....	7675
weighing, fees, payment by warehouseman.....	7676
state weighmaster, qualifications and bond, compensation.....	7677

	Sec.
WAREHOUSEMEN—Cont'd,	
regulations for weighing grain, etc....	7678
refusing access to scales to state weighmaster, penalty.....	7679
right of owner to withhold grain from storage, notice to persons having in charge, liability for placing in warehouse after notice.....	7693
combinations for storage contrary to owner's direction.....	7694
Minnesota grades, establishment and publication.....	7695
standard samples to be furnished by chief inspector of grain.....	7696
general supervision by railroad and warehouse commissioners, establishment of rules and regulations.....	7697
— publication of rules, etc.....	7698
county attorney to prosecute violations of law.....	7701
right of sale by sample.....	7702
liabilities as to grain in store on passage of act regulating.....	7703
public act to apply to city of St. Cloud	7704
duty to protect grain in cars.....	7709
duty as to grain in cars, penalty for violation of act.....	7711
regulation, appropriation.....	7713
criminally liable for issuance of warehouse receipts and other vouchers..	6767-6770
criminal liability for selling, etc., property received for storage.....	6771
PUBLIC COUNTRY WAREHOUSES.	
licenses.....	7714, 7715
operating without license, penalty, injunction.....	7715
rules and regulations established by railroad and warehouse commission, posting.....	7716
receipts, delivery at place of receipt or at terminal point, certificate of shipment.....	7717
receipt not to limit or modify liability	7717
failure of receipts or duplicates to specify correct grade and weight a misdemeanor.....	7717
receipt and delivery of grain, penalty for default.....	7717
disagreement as to grade of wheat, etc., inspection of sample by chief inspector, effect of decision of inspector	7718
complaint as to weights, grades, etc., duty of warehouse commissioner, decision of commissioner.....	7719

MINNESOTA STATUTES 1894

Vols. 1 & 2]

WAREHOUSEMEN—WARRANTS.

2471

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
WAREHOUSEMEN—Cont'd,		WARRANTS—Cont'd,	
terminal receipts, delivery of grain,		of extradition.....	7085
default of warehouseman.....	7720	for pardon of convict.....	7415, 7416
annual report to railroad and ware-		of executive to carry out death sen-	
house commission	7721	tence	7400
pooling of business unlawful.....	7722		
act regulating, penalty for violation..	7723	OF STATE.	
WAREHOUSES ON OR NEAR RIGHT OF		method of preparing.....	321
WAY OF RAILROADS.		to be numbered.....	321
application, payment of compensation	7724	issued by state auditor.....	321
tender of compensation, notice and ap-		record of matters pertaining to.....	322
plication, acceptance or rejection of		lost or destroyed warrants, issue of	
application	7725	duplicates, affidavit.....	333
procedure for condemnation in district		— power of state auditor to require	
court	7726	bond before issuing duplicates....	334
judgment in condemnation proceed-		— cancellation of original warrant	335
ings, appeal, costs.....	7727	lost or destroyed duplicates, redupli-	
election to take annual rental, forfei-		cates	337
ture for nonpayment of rent.....	7727	fraud in securing issuance of dupli-	
procedure in district court, trial, selec-		cate	338
tion of jury, election of gross sum		receivable in payment of state dues..	342
or annual rental, writ of execution..	7727	redemption of	342
warehouse to be deemed public, when			
to be kept open.....	7728	OF STATE OR MUNICIPALITY.	
warehouses, when to be erected, fail-		duplicates	2225-2227
ure to erect, forfeiture of rights....	7729	bond and affidavit given to obtain du-	
right to have side track laid to ware-		plicate	2228
house, location of elevator.....	7730	record of duplicates.....	2229
maintenance of side track, compensa-			
tion for use.....	7731	OF COUNTY.	
laying side tracks, application to rail-		to be numbered.....	719
road and warehouse commission on		contents	719
failure to agree.....	7732	record of matters pertaining to.....	719
WARRANTS,		issued by county auditor.....	1605
(see "Arrest"; "Bench Warrants";		drawn by county auditor for pay of	
"Criminal Practice"; "Search		commissioner	665
Warrant.")		deposit, when redeemed, cancellation	756
for preparing and transcribing journal		payment, interest	755
of legislature.....	235		
issue against revenue fund, sale to		FOR ARREST.	
banks, etc., limitation of amount....	519	arrest of disorderly person at election	
— appropriation to pay interest....	520	without warrant	85
to summon jury in coroner's inquest..	844	in proceedings to enforce ordinances	1189
for collection of assessments for local		for arrest of person violating village	
improvements	1126, 1127, 1155	ordinance	1252
on soldiers' home fund.....	3621	issue by justice on complaint for bas-	
in favor of state university.....	3925	tardy	2039
to pay damages arising from construc-		against reputed defendant in bastardy	
tion of drains.....	7836	on complaint of county commission-	
of committal of insane person.....	4684	ers	2052
to remove person to insane asylum...	3499	arrest without, of persons violating	
for seizure of boat or vessel.....	6088	game law	2176
issue by justice of the peace in ac-		for contempt in justices' courts....	5092
tions against boats and vessels....	6101	issue by justice, contents.....	5095
— how served and returned.....	6102	form in criminal proceedings in jus-	
		tice's court.....	5130
		issuance and proceedings to prevent	
		breach of the peace.....	7093

MINNESOTA STATUTES 1894

2472

WARRANTS—WEIGHTS AND MEASURES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
WARRANTS—Cont'd,			
for arrest of accused.....	7133, 7134		
— disposition of.....	7136, 7139		
WASECA COUNTY,			
boundaries.....	613		
WASHINGTON COUNTY,			
boundaries.....	614		
claim for support of poor convicts, discharged from state's prison.....	1970		
provisions with regard to jury.....	5629-5633		
WASHINGTON'S BIRTHDAY,			
(see "Holidays"; "Negotiable Instruments.")			
WASTE,			
covenants against, in lease of state capitol lands.....	4043		
on property sold at execution sale...	5477		
action for.....	5882		
penalty for.....	5882, 5883		
WATCHERS,			
of canvass of votes.....	149		
WATCH-HOUSE,			
establishment in village (par. 22)....	1224		
WATCHMEN,			
of cities.....	1070		
creation and establishment in villages (par. 24).....	1299		
appointment of special watchman in villages.....	1310		
appointment for county jail.....	7425		
WATER COMPANIES,			
duty to report to state board of health removal of stagnant water in villages (par. 29).....	435		
municipal aid.....	1299		
place of taxing personal property of.	1453, 1454		
right to incorporate.....	1518		
power of eminent domain.....	2592		
other powers.....	2620, 2621		
condemnation proceedings.....	2622		
.....	2623-2632		
WATER PIPE,			
lien for constructing or repairing....	6230		
wrongful removal of or injury to, criminal liability.....	6780		
WATER-POWER COMPANIES,			
right to appropriate highways.....	2618		
right to condemn land.....	2619		
WATER POWERS,			
erection of dams.....	2353-2384		
dam not to be erected so as to injure power previously improved.....	2368		
(see "Dams.")			
WATERS,			
(see "Navigable Waters"; "River Improvement Companies"; "Water Powers"; "Water Way Companies.")			
pollution of sources of water supply forbidden.....	430		
— powers and duties of state board of health.....	431		
regulation in villages (par. 44).....	1299		
guarding ice cuttings, penalty for failure.....	6640		
depositing noisome or unwholesome substances therein.....	6642		
WATER TROUGHS,			
maintenance near highway.....	1904-1906		
WATER WAY COMPANIES,			
right to incorporate.....	2592		
making proposition to municipality as to furnishing municipal aid.....	1444		
municipal aid.....	1442, 1443, 1445, 1446, 1451, 1452		
WATERWAYS,			
municipal aid.....	1441		
WATERWORKS,			
power of city to purchase.....	1095, 2592		
in villages, establishment.....	1225, 1299 (par. 11)		
— legalizing grants.....	1226		
wrongful removal of or injury to, criminal liability.....	6780		
WATONWAN COUNTY,			
boundaries.....	615		
WAYS,			
(see "Bridges"; "Highways.")			
injuries to, criminal liability.....	6780		
WEAPONS,			
making and selling dangerous weapons.....	6627		
carrying, using, etc.....	6628		
use of firearms by minors prohibited..	6946		
WEBSTER'S DICTIONARY,			
distribution by state superintendent of public instruction.....	3736-3738		
WEIGHERS,			
appointment in villages (par. 26)....	1299		
WEIGHTS AND MEASURES,			
regulations by cities (par. 25).....	1085		
standards to be deposited with state treasurer.....	2195		
state treasurer to approve and seal for state.....	2196		
county treasurer to be sealer of each county, to prove and seal weights brought before him, fee.....	2197		

MINNESOTA STATUTES 1894

Vols. 1 & 2]

WEIGHTS AND MEASURES—WILLS.

2473

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
WEIGHTS AND MEASURES—Cont'd,		WILLS,	
county treasurer to appoint deputy sealers	2198	(see "Descent and Distribution"; "Executors and Administrators.")	
dimension of measures for selling charcoal	2199	advancements	4645-4652
dimension of measures for selling meal, fruit, etc.	2200	(see "Descent and Distribution.")	
dimension for selling milk, etc.	2201	payment of debts and legacies ..	4523-4533
neglect of sealer to procure, action against sealer, notice	2207	(see "Executors and Administrators.")	
— penalty	2206	claims against decedent's estate ..	4509-4522
use of false weights and measures ..	6758	(see "Executors and Administrators.")	
keeping false weights	6759	meaning of term	255
stamping false weights or tare on packages	6760	execution of power	4342
scales used by warehousemen, inspection	7673	repeal of statute, c. 47, p. 1258.	
commodity, how weighed	2202	provision for payment of debts to be followed	4450
standard weight of bushel, penalty for illegal weights	2203	— insufficiency of provision	4451
measurement for lime	2204	term "executor" defined	4453
to be sealed, penalty for failure, disposition of fines	2205	appointing guardians for testator's children	4539
WEIGHTS AND WEIGHMASTERS,		letters testamentary, form	4703
(see "Inspection and Inspectors.")		nuncupative wills	4427
WEIRS,		revocation	4430
obstructing passage of logs	2387	who may make a will	4423
WELLS,		— married women	4423
regulation in villages (par. 24)	1224	statute of frauds not to affect power of testator	4214
maintenance near highways	1905, 1906	execution according to laws where made, probate	4454
lien for digging or repair	6230	signature, attestation	4426
WHARFAGE,		legacies to subscribing witnesses ..	4428
liability of boats or vessels (par. 2) ..	6085	share of estate saved to subscribing witnesses	4429
WHARF KEEPER,		PROBATE AND CONTEST.	
to keep record of property left	2090	repeal of statute, c. 50, p. 1258, c. 53, p. 1259.	
property of another left with, duties concerning	2090, 2091	in what county	4411
sale of unclaimed property	2092-2103	custodian to deliver to probate court, penalty for failure	4431
WHARVES,		who may petition for probate	4432
lien for construction, repair, etc.	6229	contents of petition	4433
WIDOW,		defect in petition not to invalidate ..	4434
(see "Descent and Distribution"; "Dower.")		notice	4435
WIFE,		proof by other than subscribing witnesses, when	4437
(see "Husband and Wife"; "Married Women.")		not effectual to pass estate unless proved, effect of probate	4438
WILD MUSTARD,		foreign will	4439
(see "Canada Thistles, Burdocks, and Wild Mustard.")		— notice of hearing	4440
WILKIN COUNTY,		— letters testamentary or of administration c. t. a. to be granted	4441
name changed from "Andy Johnson County"	538	lost or destroyed will	4442
boundaries	616	— must have been in existence at time of death	4443
appropriation out of state treasury ..	7848		

MINNESOTA STATUTES 1894

2474

WILLS—WITNESS.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.	
WILLS—Cont'd,		
lost or destroyed will, provisions to be certified and recorded, issue of letters testamentary, etc.....	4444	
probate of nuncupative wills.....	4445	
certificate of judge as evidence.....	4452	
objections to be in writing, time of filing	4455	
proceedings when subsequent will, codicil, or revocation is presented in opposition	4456	
letters testamentary to issue, when...	4457	
revocation of first administration... 4487-4488	4487-4488	
appeal (par. 1).....	4665	
legalization of former wills, effect as evidence, limitation of actions to set aside	4739	
granted on testimony of one witness, testimony of said witness.....	4436	
legalization, act not retrospective....	4740	
CONSTRUCTION.		
devise construed to convey all deviser's estate.....	4424	
devise passes after-acquired lands....	4425	
general devise, when deemed execution of power	4352	
LEGATEES AND DEVISEES.		
death of legatee, issue to take estate when	4449	
liability of devisees and legatees for debts of testator.....	5921, 5924, 5926, 5927, 5931, 5933-5943	
payment of debts by devisees or legatees, contribution	5928	
devise in lieu of statutory right, election and renunciation by husband or wife.....	4472	
POSTHUMOUS AND OMITTED CHILDREN.		
posthumous child, right to share in estate	4446	
share of child omitted by accident....	4447	
from what estate provision to be taken	4448	
rights and liabilities of child born after making	5945	
SUBSCRIBING WITNESSES.		
rights and liabilities of witness to... legacies to	5946 4428	
WIND STORMS, insurance against	3215	
WINONA COUNTY, boundaries	617	
WINONA NORMAL SCHOOL.....	3833	Sec.
(see "Normal Schools.")		
appropriation	7963 (par. 12), 7964 (par. 9), 7974 (par. 4)	
WITNESS, (see "Deposition.")		
definition	5657	
in proceedings to inquire into charges against officer, oath	910	
in proceedings to inquire into existence of diseases among animals....	1483	
attestation of wills	4426	
when guilty of criminal contempt...	6407	
bribes offered to influence or prevent testimony	6385, 6586	
in supplementary proceedings.....	5489	
accused in criminal cases, failure to testify, presumption and comments thereon	5658	
parties	2216	
convicts	6841	
offenders against dueling law may testify against other offenders, evidence not to be received against witness	6495	
persons guilty of bribery may testify against accomplice	6356	
inhabitants of counties in actions by or against counties	642	
inhabitants of village not incompetent in action where village is party	1417	
insane or intoxicated persons, children under 10	5661	
effect of interest, parties, conviction of crime, religious belief	5658	
wife may testify for husband in action against savings bank.....	2561	
competency of Indians in prosecution for selling liquor to	2002	
disqualification by reason of interest court to ascertain capacity of infant or incompetent person and inquire into religious beliefs	5666	
competency, transactions with decedents	2216	
conversations with parties deceased or insane	5660	
juror to testify in criminal cases....	7329	
testimony by accomplice in violation of game and fish laws.....	2188	
— for state	7324	
discharge of joint defendant to become witness for codefendant....	7325	
accomplice in prosecution for violating law regulating monopolies and trusts	6957	

MINNESOTA STATUTES 1894

Vols. 1 & 2]

WITNESS.

2475

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

WITNESS—Cont'd,

Sec.

Sec.

PRIVILEGE.

privileged communications 5662
 husband and wife (par. 1)..... 5662
 attorney and client (par. 2)..... 5662
 priests and clergymen (par. 3)..... 5662
 physician and patient (par. 4)..... 5662
 public officers (par. 5)..... 5662
 incriminating testimony

389 (par. c), 391 (par. c)

testimony relating to crimes against
 public peace, not to be used against
 witness 6662
 testimony in civil action for counter-
 feiting trade-marks, etc., not to be
 used in criminal prosecution against
 witness 6916
 prosecution for violating law relating
 to monopolies, etc. 6957

EXAMINATION AND OATH.

oath, form of..... 5641
 mode of administering oath to suit
 witness 5664
 to be sworn according to his religion 5665
 affirmation without oath..... 5663
 at coroner's inquest, oath..... 848
 taking oath in proceedings to remove
 officer 896
 separation on preliminary hearing of
 charge of crime..... 7145
 testifying before bureau of labor.... 472
 commitment for refusal to testify.....
 5088, 5089

DEPOSITIONS.

power of notary..... 2276
 taking depositions..... 5667-5705
 (see "Depositions.")
 compelling giving of deposition..... 5683
 compelling giving of deposition to per-
 petuate testimony..... 5698
 compelling giving of depositions to be
 used in other states..... 5705

CREDIBILITY.

credibility of convict..... 6841
 proof of conviction of witness..... 6841
 examination of parties and officers of
 corporate parties by adverse party,
 not bound by testimony..... 5659

SUBPOENA.

service of subpoena..... 4999
 when and by whom issued..... 5652
 by whom and how certified..... 5653

WITNESS—Cont'd,

accused entitled to blank subpoenas
 for witnesses..... 6282
 fees for serving subpoena, allowance
 in justice's court..... 5502

DISOBEDIENCE OF SUBPOENA.

refusal to attend before legislature or
 committee, contempt 227
 civil liability for failure to obey sub-
 poena 5002
 contempt in criminal proceedings in
 justice's court..... 5117
 refusal to attend or testify before leg-
 islature or committees, misdemeanor
 6345, 6346
 disobedience of subpoena, punish-
 ment 5091, 5654
 — contempt 5655
 — attachment 5656

PREVENTING ATTENDANCE.

criminal liability..... 6383, 6384

COMPELLING ATTENDANCE.

attendance on request of attorney
 general or county attorney without
 prepayment of fees..... 5595
 power of trustees of insane hospital
 to compel attendance..... 3497
 compelling attendance by public ex-
 aminer 2579
 enforcing attendance before justice..
 5000, 5001
 power of managers of state prison to
 compel attendance 7452
 attendance on continuance of trial in
 criminal proceedings in justice's
 court 5126
 subscribing witness subpoenaed to
 prove deeds 4175, 4176
 enforcing attendance 347
 at coroner's inquest, measures taken
 to secure attendance at district
 court 851
 habeas corpus to compel attendance
 of prisoner as witness..... 6027
 taking recognizance from in proceed-
 ings to prevent breach of the peace 7101
 recognizance to secure appearance of
 7150-7152
 bail for appearance in criminal cases 7316
 attachment to secure attendance,
 criminal proceedings in justices'
 courts 5124
 imprisonment to secure appearance..
 7153, 7154

MINNESOTA STATUTES 1894

2476

WITNESS—WORDS AND PHRASES.

[Index

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

	Sec.		Sec.
WITNESS—Cont'd,		WOODS AND FORESTS,	
FEES AND MILEAGE.		(see "Timber and Hedges.")	
summoned before railroad and warehouse commissioner, fees.....	397	regulation of sale of (par. 20).....	1085
testifying before bureau of labor....	472	WORDS AND PHRASES,	
summoned to coroner's inquest, fees..	847	"abortion"	6545
in proceedings to inquire into charges against officers, fees.....	913	"actual damages"	5418
in condemnation proceedings.....	4102	"adjoining town"	3231
record of, to be kept by judges in Second district, liability of county for fees	4860	"affirmation"	255
mileage of witnesses where term of court is adjourned in Stearns county	4921	"animals"	2187
mileage where term of court is adjourned in Otter Tail county.....	4927	"association"	3334
garnishee as witness.....	5308	"blind pig"	2033
allowance to experts.....	5547	"break"	6680
for one day to be paid in advance....	5548	"building"	6674, 6685
in criminal cases.....	5549	"building and loan associations"....	2876
allowance for mileage in justice's court, proof.....	5561	"butter"	6901
fees of only two witnesses to same fact allowed in justice's court.....	5563	"challenge"	6490
fees, payment in Hennepin and Ramsey counties, certificate, receipt to clerk of court.....	5577, 5580	"company"	3334
— auditor's warrant	5578	"convention of delegates".....	39
— payment of warrant by county treasurer	5579	"conveyance"	4185, 4226
fees, attorney not entitled thereto....	5590	"corrupt" and "corruptly".....	6842
fees of nonresident in criminal case, allowance by court.....	5593	"costs"	5497
of defendant in criminal cases, attendance without prepayment of fees...	5595	"creditors"	4220
fees of witnesses for state, payment..	5596	"crime"	6287
WOLVES,		"cruelty"	6542
bounties for killing.....	7872-7878	"day"	6512
(see "Bounties.")		"dwelling house".....	6673, 6683
WOMEN,		"entered"	6682
(see "Husband and Wife"; "Married Women.")		"exceptions"	5396
right to vote for county superintendent of schools.....	2	"executor"	4453
registration preceding election of county superintendent of schools.....	3	"felonious"	255
separate ballot boxes for women electors	82	"feloniously"	255
power to appoint, as deputy.....	890	"folio"	255
may vote at school elections....	3665, 3666	"following"	255
may sign petition and remonstrances in school matters.....	3674	"forge," "forged," and "forging"....	6701
		"form and similitude".....	6693
		"grantee of power".....	4361
		"grantor of power".....	4361
		"heirs"	4383
		"highway"	255
		"hole in the wall".....	2033
		"husband"	4731
		"infamous crimes".....	255
		"inhabited building".....	6675
		"insane"	4689
		"insane person".....	255
		"intoxicating liquors".....	2000, 2032
		"in writing".....	255
		"issue"	255, 4383
		"jurors"	6357
		"knowingly"	6842
		"land" or "lands".....	255
		"levying war".....	6322
		"malice"	6842
		"maliciously"	6842

MINNESOTA STATUTES 1894

Vols. 1 & 2] WORDS AND PHRASES—YOUNG MEN'S CHRISTIAN ASSOCIATION. 2477

§§ 1 to 4821, inclusive, are comprised in vol. 1; the residue in vol. 2.

WORDS AND PHRASES—Cont'd,	Sec
"mill"	2264
"moneys"	1511
"month"	255, 265, 3694, 3695
"motion"	5225
"neglect," "negligence," "negligent," and "negligently"	6842
"nighttime"	6673, 6681
"oath"	255
"patent right"	8054
"person"	255, 2187, 2264, 6842, 6963
"personal property"	6842
"possession"	2187
"preceding"	255
"prison"	6367
"prisoner"	6368
"process"	2865, 3180
"proper authorities"	1950
"property"	6842
"purchaser"	4184
"railroad" or "railroads"	256
"real estate"	255
"real property"	6842
"remainders"	4372
rules of construction, when used in statute	255
"school month"	3695
"seal"	255
"signature"	6842
"spendthrift"	255
"state"	255
"suicide"	6426
"swear"	1511
"torture"	6542
"town"	255
"tract"	1511
"transportation" (par. b)	379
"trial"	5358
"United States"	255

WORDS AND PHRASES—Cont'd,	Sec.
"vacancy in office"	18
"vessel"	6842
"will"	255
"witness"	5657
"writing"	6694, 6842
"written"	255
"written instrument"	6694
"year"	255
"year" and "year of our Lord"	255
WORKHOUSE, in village, establishment, powers of keeper	1299
— imprisonment at hard labor	1307
sentence to	6833
WORKSHOP, defined	473, 2264
WRAPPER, counterfeiting and imitating (see "Trade-Marks").	
WREN, protection of	6795
WRIGHT COUNTY, boundaries	618
compensation of commissioners	665
obligation to maintain partition fences	2056
WRITING, definition	6842
WRITTEN, meaning of term	255
WRITS, for particular writs, see specific heads. powers and duties of supreme court ..	4823
power of supreme court judge in vaca- tion	4827
power of district court to issue	4837
of restitution	6116, 6119
— forms in forcible entry and de- tainer	6127

Y.

YEAR, meaning of term	255
YELLOW MEDICINE COUNTY, boundaries	619
YOUNG MEN'S CHRISTIAN ASSO- CIATION, incorporation	3070-3071
power of as body corporate	3072

YOUNG MEN'S CHRISTIAN ASSO- CIATION—Cont'd, by-laws and rules	3073
expulsion of members	3073
officers	3073
right to vote	3074
classification of members	3074
reincorporation of existing societies ..	3075