

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 358.16-358.21 SEALS, OATHS, ACKNOWLEDGMENTS

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72 s 8; 1868 c 61 s 1; 1876 c 40 s 1; 1877 c 12 s 1; 1877 c 93 s 1; 1878 c 49 s 1; GS 1878 c 8 s 185, 259; GS 1878 c 26 s 4; GS 1878 c 40 s 7; GS 1878 c 72 s 5, 6, 11; GS 1894 s 775, 859, 2271, 4166, 5638, 5639, 5644; 1897 c 311 s 2; 1899 c 55; 1903 c 44, 67; RL 1905 s 2687; GS 1913 s 5743; GS 1923 s 6973; MS 1927 s 6973.

Village clerks, but not the deputies, may take and certify acknowledgments and administer oaths outside of their official duties and may receive the usual fees for such services. OAG Jan. 13, 1953 (470-D) (834-A).

358.16-358.21 Obsolete.

## 358.22 IN OTHER STATES, BY WHOM TAKEN

HISTORY. RS 1851 c 46 s 8; PS 1858 c 35 s 8; GS 1866 c 40 s 7; 1868 c 61 s 1; GS 1878 c 40 s 7; GS 1894 s 4166; RL 1905 s 2688; GS 1913 s 5744; GS 1923 s 6977; MS 1927 s 6977.

## 358.26 EXECUTION ACCORDING TO FOREIGN LAW

A deed or instrument to be entitled to record must be witnessed as required by statute, and if executed outside of the state there should be attached to the deed or instrument a certificate required by section 358.26. No authority exists for recording such certificate except when so attached to the deed or instrument. Nor is there any authority for permitting the witnesses to subscribe after the deed has been recorded. OAG April 6, 1950 (373-B-17-D).

## 358.27 SOLDIERS AND SAILORS ABROAD

Acknowledgment of persons in armed forces. 33 MLR 54.

358.271 Obsolete.

358.28-358.31 Obsolete.

## CHAPTER 359

### NOTARIES PUBLIC

#### 359.01 APPOINTMENT; FEE

A notarial commission becomes effective immediately and cannot be issued to become effective in the future. OAG Sept. 19, 1952 (320-B).

A notary public must be a resident of the county for which he is appointed. OAG July 5, 1947 (320-L).

#### 359.02 TERM, BOND, OATH, REAPPOINTMENT

HISTORY. RS 1851 c 4 art 6 s 2; 1858 c 27 s 2; PS 1858 c 5 s 92; GS 1866 c 26 s 2; GS 1878 c 26 s 2; 1885 c 48; GS 1894 s 2269; RL 1905 s 2657; GS 1913 s 5709; GS 1923 s 6938; MS 1927 s 6938; 1953 c 63 s 1.

A plat may be certified by a county surveyor who is not a registered engineer. OAG June 22, 1948 (123-E).

A notarial commission is effective immediately when issued and cannot be issued to become effective at a date in the future. OAG Sept. 19, 1952 (320-B).

## **359.03 SEAL; REGISTER**

Laws 1947, Chapter 372, does not require the changing of the phraseology of the notarial commission previously used; nor does the amendment repeal or modify the provisions of section 359.01 and 359.02 (4). OAG June 5, 1947 (320-1).

## **359.05 DATE OF EXPIRATION OF COMMISSION AND NAME TO BE ENDORSED**

**HISTORY.** RS 1851 c 4 art 6 s 4; 1858 c 27 s 4; PS 1858 c 5 s 94; GS 1866 c 26 s 4; GS 1878 c 26 s 4; GS 1894 s 2271; 1905 c 48 s 1; GS 1913 s 5712; 1921 c 430 s 1; GS 1923 s 6941; MS 1927 s 6941; 1947 c 372 s 3.

Laws 1947, Chapter 372, does not require the changing of the phraseology of the notarial commission previously used; nor does the amendment repeal or modify the provisions of sections 359.01 and 359.02 (4). OAG June 5, 1947 (320-L).

## **359.09 PROTESTS**

**HISTORY.** RS 1851 c 4 art 6; 1856 c 5 s 4; 1858 c 27 s 6; PS 1858 c 5 s 96; GS 1866 c 26 s 8; 1868 c 44 s 1; GS 1878 c 26 s 7; GS 1894 s 2274; RL 1905 s 2662; GS 1913 s 5718; GS 1923 s 6947; MS 1927 s 6947.

# **CHAPTER 360**

## **AERONAUTICS**

In Minnesota the initial enactment was Laws 1921, Chapter 433, regulating the operation of aircraft over cities of the first class. Laws 1925, Chapter 406, provided for the inspection, certification, and regulation of aircraft and licensing of pilots. The law was administered by the adjutant general. Laws 1927, Chapter 62, authorized certain cities of the first class to acquire and equip airports. Laws 1929, Chapter 125, extended the privilege to all cities of the first class and authorized the raising of funds; Laws 1929, Chapter 217, extended the privileges to all cities, villages, towns, and counties; and Laws 1931, Chapter 214, authorized political subdivisions of the state to acquire air rights over property adjacent to a public airport.

Laws 1933, Chapter 430, was the first complete code relating to aeronautics. It did not expressly repeal any of the existing provisions of law, but some of the sections were impliedly superseded. It created the Minnesota Aeronautics Commission consisting of five persons appointed by the governor. It authorized the registration and licensing of pilots and aircraft. A state aviation fund was established.

Laws Ex1934, Chapter 55, related to certain villages.

The State Aeronautics Department, as now constituted, was created by Laws 1943, Chapter 653. It expressly repealed sections 360.01 through 360.53 and established a department of aeronautics under a commission appointed by the governor. This law was variously amended by Laws 1945, Chapter 303, and again by Laws 1947, Chapters 175 and 548.

The Uniform Airports Act originated with Laws 1945, Chapter 303, Sections 10 to 23 inclusive.

The Airport Zoning Act originated with Laws 1945, Chapter 303, Sections 24 to 37, inclusive.

The Metropolitan Airports Commission was created by Laws 1943, Chapter 500, and amended by Laws 1947, Chapter 363; the Reciprocity Act originated with Laws 1945, Chapter 175. The Minnesota Aeronautics Fund and appropriations originated with Laws 1945, Chapter 469, and has been materially amended by Laws 1947,