

Statutes
1878

THE
GENERAL STATUTES
OF THE
STATE OF MINNESOTA,

As Amended by Subsequent Legislation.

PREPARED BY
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EDITED AND PUBLISHED UNDER THE AUTHORITY OF CHAPTER 67 OF THE LAWS
OF 1878, AND CHAPTER 67 OF THE LAWS OF 1879.

FOURTH EDITION.

WITH SUPPLEMENTS,
CONTAINING ALL THE GENERAL LAWS IN FORCE UP TO THE END OF
THE LEGISLATIVE SESSION OF 1883.

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1883.

copies for publication, and shall report the cases more or less at large, according to their relative importance. The report of each case shall contain concise notes of the points decided, a statement of the facts taken from the record, when the same are not fully given in the opinion of the court, the names of the counsel with the points made and authorities cited, (more or less at length in the discretion of the reporter,) and the opinion of the court. He shall publish a volume of such reports as often as there is sufficient matter to form a volume of not less than six hundred pages. All volumes, hereafter published shall bear the uniform title of "Minnesota Reports."

§ 3. **Copyright—copies for state.** The reporter of each volume shall print and bind the same at his own expense; he shall have and retain the exclusive copyright thereof as his own property; and the state shall purchase from him two hundred volumes of each edition, bound in the ordinary style of law reports, at the sum of six dollars per volume.

§ 4. **Distribution of reports.** Of the two hundred copies deposited with the secretary of state, as above provided, the following state officers shall be entitled to one copy of each volume, to wit: The several judges of the supreme and district courts, the attorney-general, the judges of probate of the several counties. A sufficient number shall be sent as exchanges to the several states of the union by the secretary,* and the balance deposited with the state librarian.

*This duty is now imposed on the librarian. See ante, c. 6. § 60.

Ch. 27, §§ 5 to 13, incl. See 1881 Sup'l, pp. 43, 44.

CHAPTER XXVIII.

AUCTIONEERS.

SECTION.

- 1-2. License—bond.
- 3. Penalty for receiving goods from minors.
- 4-6. Account of sales—sales without license.

SECTION.

- 6. Penalties on occupants of buildings.
- 7. Official sales excepted.
- 8. Duration of license.

§ 1. **License and record.** The board of county commissioners may license, for the term of one year, one or more legal voters of their county, to be auctioneers. The county auditor shall record every license granted.

§ 2. **Bond to be given.** Each auctioneer, before making any sales as auctioneer, shall give a bond to the treasurer in the county in which he resides, with sufficient sureties, to be approved by the said treasurer, in such penal sum as the said treasurer requires, not less than one thousand dollars, nor more than three thousand dollars, with condition to pay all auction duties required by law to the treasurer of the said county; and also that he will in all things well and truly conform to the laws relating to auctioneers; which bond shall be filed in the office of said treasurer, with the indorsement of his approval thereon.

§ 3. **Receiving goods of minors—penalty.** If any person licensed as aforesaid receives for sale at auction, any goods, wares, merchandise, or personal property from any minor or servant, knowing him to be such servant or minor, he shall forfeit a sum not exceeding two hundred dollars for each offence.

§ 4. **Shall keep account of sales.** Every licensed auctioneer shall keep a fair and particular account of all goods, chattels, and property sold by him, the names of the persons from whom the same were received, and the names of the persons to whom the same were sold.

§ 5. **Penalty for selling without license.** If any person, not licensed and qualified as an auctioneer, as prescribed in the preceding sections, sells or attempts to sell any real or personal property at public auction, he is guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars for each offence.

§ 6. **Penalties on occupants of buildings.** The tenant or occupant of any house or store, having the actual possession and control of the same, who knowingly permits any person to sell any real or personal property at public auction in his said house or store, or in any apartment or yard appurtenant to the same, contrary to the provisions of this chapter, shall forfeit a sum not exceeding one hundred dollars.

§ 7. **Official sales excepted.** Nothing in this chapter shall extend to sales made by sheriffs, deputy sheriffs, coroners, constables or collectors of taxes.

§ 8. **Duration of license.** No license granted as aforesaid, shall remain in force more than one year from the date thereof.

CHAPTER XXIX.

TOWN PLATS.

Ch. XXVII, § 7. See ISS, Sup't, p. 43.

SECTION.

1. Town or addition to be platted.
2. Plat, what to contain.
3. Monuments to be fixed at corners.
4. Plat to be certified and recorded.
5. Effect of execution and record of plat.
6. Plat, where recorded.
7. County commissioners, powers of.
8. Fees of surveyors and registers.

SECTION.

9. Penalty for selling lots without plat.
10. Penalty for violation of provisions of this chapter.
11. Forfeitures, how collected.
12. District court may alter or vacate plat.
13. Notices of application to be posted.
14. Proceedings on hearing.

§ 1. **Town or addition to be platted.** When any person wishes to lay out a town or an addition or subdivision of out-lots, he shall cause the same to be surveyed, and a plat thereof made, which shall particularly describe and set forth all the streets, alleys, commons or public grounds, and all in and out-lots or fractional lots within, adjoining, or adjacent to said town, giving the names, width, courses, boundaries and extent of all such streets and alleys.

§ 2. **Plat, what to show.** All the in-lots shall be numbered in progressive numbers, or by the squares in which they are situated, and their precise length and width stated on said plat; and out-lots shall not exceed ten acres in size, and shall in like manner be surveyed and numbered, and their precise length and width stated on the plat, together with any streets, alleys or roads which divide or border the same.

§ 3. **Monuments to be fixed at certain corners.** The proprietor of the town, addition or subdivision of out-lots shall, at the time of surveying and laying [out] the same, plant and fix at a corner of the ground, or at the corner of a public lot, if there is any, and if none, then at the corner of some one of the in-lots in the town, and at the corner of each out-lot, a good and sufficient stone, of such size and dimensions, and in such manner as the surveyor directs, for a corner from which to make further surveys; and the point where the same may be found shall be designated on the plat.