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THE  
REVISED STATUTES,  
OF THE  
TERRITORY OF MINNESOTA,

PASSED AT THE SECOND SESSION OF THE  
LEGISLATIVE ASSEMBLY,

COMMENCING JANUARY 1, 1851.

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the same shall be sold, and deliver a statement therewith, containing a description of the property sold, the gross amount of such sale and the amount of costs, charges and expenses paid to each person.

Treasurer to enter amount received, and file statement.

SEC. 10. The county treasurer shall make an entry of the amount received by him and the time when received, and shall file in his office such statement so delivered to him by the justice.

Owner may receive amount deposited within five years.

SEC. 11. If the owner of the property sold, or his legal representatives, shall at any time within five years after such money shall have been deposited in the county treasury, furnish satisfactory evidence to the treasurer of the ownership of such property, he or they shall be entitled to receive from such treasurer the amount so deposited with him.

After five years to belong to county.

SEC. 12. If the amount so deposited with any county treasurer, shall not be claimed by the owner thereof or his legal representative, within the said five years, the same shall belong to the county, and may be disposed of as the board of county commissioners may direct.

When and how perishable property may be sold.

SEC. 13. Property of a perishable kind and subject to decay, by keeping, consigned or left in the manner before mentioned, if not taken away within thirty days after it shall be left, may be sold by giving ten days notice thereof; the sale to be conducted, and the proceeds of the same to be applied in the manner before provided in this chapter: *Provided*, That any property in a state of decay, or that is manifestly liable immediately to become decayed, may be summarily sold by order of a justice of the peace after inspection thereof, as provided in section six, of this chapter.

Fees of justices and constables under this chapter.

SEC. 14. The fees allowed to any justice of the peace under the provisions of this chapter, shall be one dollar for each days service, and to any constable the same fees as are allowed by law for sales upon an execution, and ten cents per folio for making an inventory of property.

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CHAPTER 27.

OF MARKS AND BRANDS, AND FILING CHATTEL MORTGAGES.

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SECTION

1. Register of deeds to record marks and brands.
2. Penalty for using mark or brand of another; for marking horses, &c., of another, and for destroying mark.
3. Chattel mortgage, when and how filed.

SECTION

4. Register to enter names of parties in a book.
5. Effect of certified copy of mortgage in evidence.
6. Fees of register of deeds.

Register of deeds to record marks and brands.

SEC. 1. It shall be the duty of the resister of deeds of each county on the application of any person residing in such county, to record a description of the marks or brands, with which such person may be desirous of marking his horses, cattle, sheep or hogs; but the same description shall not be recorded for more than one resident of the same county.

SEC. 2. If any person shall wilfully mark any of his horses, cattle,

FILING CHATTEL MORTGAGES.

sheep or hogs with the same mark or brand previously recorded by any resident of the same county, and while the same mark shall be used by such resident, the person so offending, shall forfeit for every such offence five dollars, to be recovered before any justice of the peace of such county; if any person shall wilfully mark or brand the horses, cattle, sheep or hogs of any other person with his own brand or mark, the person so offending, shall forfeit for every such offence not less than ten nor more than fifty dollars, to be recovered before any justice of the peace of the proper county; and if any person shall wilfully destroy or alter any mark or brand upon any horses, cattle, sheep or hogs, the property of another, the person so offending shall on conviction thereof, before any justice of the peace, forfeit and pay for every such offence a sum not less than ten nor over fifty dollars, and shall moreover pay to the party injured double damages.

Penalty for using mark or brand of another.

For marking horses, &c., of another, and for destroying mark.

OF FILING CHATTEL MORTGAGES.

SEC. 3. Any mortgage of personal property, or a copy thereof, may be filed in the office of the register of deeds of any county where the mortgager executing the same resides, or in case he is a non-resident of the territory, then in the office of the register of the county, where the property mortgaged may be, at the time of executing such mortgage; and such register shall indorse on such instrument or copy, the time of receiving the same, and shall keep the same in his office for the inspection of all persons; and such mortgages so filed, shall be as valid as if the same had been recorded in the office of register of deeds.

Chatte! mortgage, when and how filed.

SEC. 4. Such register of deeds shall also enter in a book to be provided by him for that purpose, the names of all the parties to such instruments, arranging the names of mortgagers alphabetically, and shall note therein the time of filing each instrument or copy.

Register to enter names of parties in a book.

SEC. 5. A copy of any such instrument, or of any copy thereof, so filed as aforesaid in pursuance of this chapter, certified by the register of deeds, in whose office the same shall be filed, shall be received in evidence, but only of the fact that such instrument or copy, was received and filed according to the indorsement of the register thereon, and of no other fact.

Effect of certified copy of mortgage in evidence.

SEC. 6. Every such register of deeds, shall be entitled to receive the following fees for services, under the provisions of this chapter: For recording any mark or brand, fifteen cents; for giving certificate of the same, fifteen cents; for filing each instrument or copy, five cents; for entering the same in a book, five cents; and the like fees for certified copies of such instrument or copy, as are allowed by law for copies of records kept by registers of deeds.

Fees of register of deeds.