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THE

PUBLIC STATUTES

OF THE

STATE OF MINNESOTA.

(1849—1858.)

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CHAPTER 22.

MARKS, BRANDS, AND CHATTEL MORTGAGES.

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2. Penalty for using mark or brand of another; for marking horses, &c., of another, and for destroying mark.
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SECTION

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An Act to provide for recording Marks and Brands, and filing Chattel Mortgages.

[Chapter 27, Revised Statutes.]

Register of deeds to record marks and brands.

(1.) SEC. I. It shall be the duty of the register 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.

Penalty for using mark or brand of another.

(2.) SEC. II. If any person shall willfully mark any of his horses, cattle, 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 offense, five dollars, to be recovered before any justice of the peace of such county; if any person shall willfully 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 offense, 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 willfully 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 offense a sum not less than ten, nor over fifty dollars, and shall moreover pay to the party injured double damages.

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

Chattel mortgage, when and how filed.

(3.) SEC. III. 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 mortgagor 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.

Register to enter names of parties in a book.

(4.) SEC. IV. 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 mortgagors alphabetically, and shall note therein the time of filing each instrument or copy.

Effect of certified copy of mortgage in evidence.

(5.) SEC. V. 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.

(6.) SEC. VI. 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.

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