

ADDENDUM *92*

TO VOL. II

OF THE

STATUTES OF MINNESOTA,

1891.

GIVING

DIGEST OF THE GENERAL LAWS OF 1891; TABLE OF THE
GENERAL LAWS; ANNOTATIONS TO DATE;
ERRATA.

PREPARED
UNDER THE DIRECTON OF THE
PUBLISHERS.

ST. PAUL, MINN.:

1891.

EXPLANATION.

This addenda to the General Statutes of 1891, presented free to all past and future purchasers of that work, will, we are assured, be found very useful. It is intended to show the reader quickly and unerringly what sections of the General Statutes are affected by the General Laws of the Session of 1891. Added to this are full annotations to the Minnesota Reports and Northwestern Reporter to date.

It will, of course, be understood by every intelligent person, that in view of the general chaotic state of the laws of Minnesota, it would be impossible to make a compilation entirely free, at the beginning, from errors. These Statutes of 1891 have been subject to an unusually searching criticism by experts, and it is much to the credit of the work that the errors discovered are so few and unimportant. Such errors are duly corrected in the order of the sections in the following pages.

Nearly all these corrections were made in the plates before the second edition was printed; consequently, many readers will find that they have no need for the errata.

Taking into consideration the admirable arrangement of these Statutes of 1891, supplemented with the appended digest and table of the general laws, with annotations to date and errors corrected, it is safe to say that no such complete edition of the Statutes of Minnesota was ever before offered to the profession of this State.

CHAP. 44.—MARRIED WOMEN.

Sec. 3866. Husband to join in Conveyance—Exception. Chap. 82, G. L., amends by adding exception relating to former husband deceased.

- Sec. 3867.** 39 M. 490.
- Sec. 3889.** 41 M. 201.
- Sec. 3890-3891.** 44 M. 124.
- Sec. 3892.** 41 M. 201.
- Sec. 3894.** 44 M. 132.
- Sec. 3918, et. sq.** 43 M. 31.

CHAP. 47.—ADOPTION OF CHILDREN.

Sec. 3931. Status of Adopted Child. Chap. 96, G. L., adds proviso giving court authority to make adopted child legal heir.

CHAP. 49. HOMESTEAD EXEMPTION.

Sec. 3941. Homestead Defined. Chap. 81, G. L., amends relating to homestead exemption. 39 M. 244; 41 M. 412; 42 M. 189; 47 N. W. 973.

- Sec. 3943.** 44 M. 144, 482.
- Sec. 3957-3958.** 43 M. 398.
- Sec. 3949.** 40 M. 172.
- Sec. 3984-4005.** 42 M. 548.
- Sec. 4009.** 41 M. 18.
- Sec. 4010.** 43 M. 7; 44 M. 159.

CHAPTER 55.—DEEDS, ETC.

Sec. 4110. Lands Conveyed by Husband and Wife. Chap. 75, G. L., amends relating to conveyances by husband and wife. 43 M. 517.

Sec. 4111a. Conveyances by Corporations. Chap. 45, G. L., legalizes conveyances made by certain corporations under certain conditions.

- Sec. 4116.** 42 M. 91.
- Sec. 4131.** 40 M. 132; 43 M. 541.
- Sec. 4132.** 39 M. 420.

Sec. 4134. Filing Recorded Copies. Chap. 74, G. L., amends by inserting, "or in the office of State Auditor."

- Sec. 4139.** 40 M. 132.
- Sec. 4148.** 39 M. 32.

Sec. 4163a-4173a. Power of Attorney from out of State. Chap. 44, G. L., legalizes conveyances of real estate heretofore made under a power of attorney made in another State.

- Sec. 4196.** 42 M. 117.
- Sec. 4198.** 42 M. 37.
- Sec. 4201.** 39 M. 102.
- Sec. 4205.** 42 M. 49.
- Sec. 4216.** 39 M. 210; 44 M. 224.
- Sec. 4222.** 44 M. 390.

CHAP. 57.—FRAUDS.

Sec. 4226. 43 M. 166.

Sec. 4232. 39 M. 272.

Sec. 4233a. Extending Time of Payment. Chap. 76, G. L., relates to contracts for labor performed in hauling logs, etc.

Sec. 4240. 39 M. 269; 40 M. 421; 42 M. 457; 44 M. 541; 47 N. W. 544.

Sec. 4241. 40 M. 421.

Sec. 4244. 44 M. 168.

Sec. 4249. 41 M. 304.

Sec. 4251. 39 M. 332.

Sec. 4260. 41 M. 3.

CHAP. 59.—LIENS.

Sec. 4297. 42 M. 214, 286, 414; 43 M. 29.

Sec. 4308. 42 M. 411, 414; 43 M. 228; 44 M. 544; 47 N. W. 162, 974.

Sec. 4316. 43 M. 148.

Secs. 4322 to 4332 (*errata*) were repealed by Ch. 200, Laws 1889, except as to existing rights and pending suits; a note explanatory of this was accidentally omitted.

Sec. 4316. Livery Keepers. Chap. 28, G. L., amends, providing for lien for livery and boarding stable keepers and the enforcement thereof.

CHAP. 61.—ATTORNEYS AND COUNSELORS.

Sec. 4354-4360. Admission to the Bar. Chap. 36, G. L., repeals and provides for a uniform standard of admission to the bar of this State.

Sec. 4364. 39 M. 355.

Sec. 4371, 4. 42 M. 234.

Sec. 4408. 44 M. 244.

Sec. 4419 (*errata*). In some volumes this section is followed with §4419a, which contains Act 1889, Ch. 70, giving concurrent jurisdiction with Wisconsin on the Mississippi, St. Croix and St. Louis Rivers. Most of the edition contains this law. This jurisdiction is provided for in Const. Art. 2 §2, and Act of Congress February 26, 1857, §2, authorizing a State government for Minnesota. *Osborne v. Knife Falls Boom Corp.*, 32 M. 412. See G. S., 1891, Vol. 2, p. 745.

Sec. 4424. See §6322.

CHAP. 64.—DISTRICT COURTS.

Sec. 4435. Judge of one District to Act in Another. Chap. 77, G. L., provides that judges of one district shall act in another upon request of the governor.

Sec. 4483. Seventh District. Chap. 133, G. L., changes time of holding court in County of Pope. Chap. 134, G. L., provides for two additional terms in Stearns County.

Sec. 4484. Eighth District. Chap. 135, G. L., changes time of holding court in Carver County.

Sec. 4485. Ninth District. Chap. 136, G. L., changes time of holding court in Renville, Redwood, Nicollet, Lyon, Brown and Lincoln Counties.

Sec. 4487. Eleventh District. Chap. 137, G. L., changes time of holding Court in Carlton and St. Louis Counties. Chap. 138, G. L., detaches Cook County from St. Louis County and attaches it to Lake County for judicial purposes. Chap. 139 detaches Lake County from St. Louis County and organizes said Lake County for judicial purposes.

Sec. 4488. Twelfth District. Chap. 140, G. L., changes time for holding District Court in Chippewa, Lac qui Parle, Kandiyohi, Meeker, Swift and Yellow Medicine Counties.

Sec. 4490. Fourteenth District. Chap. 141, G. L., changes time for holding Court in the County of Norman. Chap. 142, G. L., changes time of same in Becker, Clay, Kittson, Marshall, Norman and Polk Counties.

Sec. 4491. Fifteenth District. Chap. 143, changes time of holding Court in Wadena County, and provides for additional term. Chap. 144, G. L., fixes time of holding Court in Itasca County.

Sec. 4492. Sixteenth District. Chap. 145, G. L., fixes time of holding Court in Stevens County.

Sec. 4510. 47 N. W. 650.

Sec. 4597. 43 M. 337.

Sec. 4622, 3. 47 N. W. 810.

CHAP. 66.—CIVIL ACTIONS.

Sec. 4691. 39 M. 301; 40 M. 506.

Sec. 4691, 6. 39 M. 115.

Sec. 4695. 40 M. 512.

Sec. 4697. 39 M. 518.

Sec. 4701. 47 N. W. 543.

Sec. 4702. 44 M. 260.

Sec. 4708. 44 M. 449; 47 N. W. 653.

Sec. 4714. 47 N. W. 655.

Sec. 4719. 40 M. 511; 44 M. 530.

Sec. 4720. 47 N. W. 974.

Sec. 4721. 47 N. W. 1064.

Sec. 4726. 42 M. 84.

Sec. 4738. 47 N. W. 537.

Sec. 4741. 43 M. 137.

Sec. 4744. 47 N. W. 970.

Sec. 4746. 42 M. 84.

TITLE 6.—SUMMONS.

Sec. 4750. On Foreign Corporations. Chap. 79, G. L., amends relating to service on foreign corporations.

TITLE 9.—TRIAL.

Sec. 4828a. Unfinished Trial at End of Term. May be proceeded with and concluded. Chap. 38, G. L.

Sec. 4753. 44 M. 97.

Sec. 4753, 5. 43 M. 137.

Sec. 4756. 39 M. 73; 42 M. 243.

Sec. 4757. 39 M. 336.

Sec. 4760. 43 M. 137.

Sec. 4771, 3. 44 M. 61.

Sec. 4773. 40 M. 176.

Sec. 4780. 39 M. 426; 47 N. W. 794.

Sec. 4786. 43 M. 295.

Sec. 4788. 41 M. 519.

Sec. 4792. 42 M. 233; 43 M. 295.

Sec. 4797. 43 M. 527.

Sec. 4803. 44 M. 441.

Sec. 4804. 47 N. W. 795.

Sec. 4805. 43 M. 401.

Sec. 4806. 39 M. 73; 40 M. 463; 43 M. 305; 44 M. 501; 47 N. W. 796.

Sec. 4812. 42 M. 40.

Sec. 4813. 39 M. 115.

Sec. 4819. 44 M. 61.

Sec. 4826. 44 M. 278.

Sec. 4828. 39 M. 426; 43 M. 239.

TITLE 11—NEW TRIALS.

Sec. 4870. Ground For. Chap. 80, G. L., amends as to grounds for new trial. 44 M. 304.

Sec. 4873, 3. 44 M. 505.

Sec. 4874. 43 M. 459.

Sec. 4878. 39 M. 398.

Sec. 4878, 2. 44 M. 448.

Sec. 4878, 3. 44 M. 406.

Sec. 4880. 44 M. 84.

Sec. 4899. 40 M. 410; 42 M. 63. 44 M. 304.

TITLE 13.—EXECUTIONS.

Sec. 4915. 39 M. 28.

Sec. 4922. 42 M. 234; 43 M. 513.

Sec. 4934. 43 M. 26.

Sec. 4935, 4936. 43 M. 26.

Sec. 4936a, et. sq. Official Certificates of Sale Legalized. Chap. 46, G. L., legalizes official certificates of sale under certain circumstances.

Sec. 4937. 41 M. 156; 43 M. 513.

Sec. 4942. 41 M. 150.

Sec. 4947. 42 M. 254.

Sec. 4947, 11. 42 M. 112.

Sec. 4951. 42 M. 234.

Sec. 4958. Order to Appear and Disclose. Chap. 120, G. L., amends §337, Ch. 66, Statutes of 78, as amended by Act 1889, with reference to debtors residing without the State.

Sec. 4969. 43 M. 146.

Sec. 4970. 43 M. 337.

Sec. 4984. 40 M. 80, 428.

- Sec. 4985. 41 M. 240.
- Sec. 4988. 44 M. 505.
- Sec. 4994. 43 M. 337.
- Sec. 4997. 44 M. 505.
- Sec. 5022, 5026. 41 M. 3.
- Sec. 5030. 40 M. 378; 41 M. 3.

TITLE 17.—INJUNCTIONS.

- Sec. 5036. **Issuance.** Chap. 78, G. L., amends as to issuance of injunctions.
- Sec. 5038. 43 M. 507.
- Sec. 5040. 47 N. W. 316.

CHAP. 67.—PETIT JURIES.

- Sec. 5048. 40 M. 65.
- Secs. 5062-5065. **Struck Jury.** Chap. 84, G. L., repeals these sections. 42 M. 46; 43 M. 45.
- Sec. 5067, 1. 44 M. 526.
- Sec. 5067, 3. 41 M. 256; 39 M. 477; 44 M. 322.
- Sec. 5067, 6. 41 M. 256.
- Sec. 5075. 47 N. W. 460.

CHAP. 69.—EVIDENCE.

- Sec. 5093. 39 M. 546; 40 M. 152; 44 M. 355; 47 N. W. 314.
- Sec. 5094. 44 M. 159.
- Sec. 5094, 2. 40 M. 371.
- Sec. 5098. 40 M. 55.
- Sec. 5104. 41 M. 50.
- Sec. 5121. 47 N. W. 967.
- Sec. 5122. **Conveyances—Whether duly recorded.** Chap. 43, G. L., provides that conveyances and other instruments may be received as evidence whether properly admitted to record or not.
- Secs. 5130, 5131. 42 M. 312.
- Sec. 5132. 39 M. 191.
- Sec. 5135. **Statutes of 1891.** Chap. 37, G. L., makes the 1891 edition *prima facie* evidence in the courts.
- Sec 5176. 40 M. 178.

CHAP. 70.—COSTS.

- Secs. 5202, 5221-5259. **Costs in Action for Price of Labor.** Chap. 41, G. L., regulates the recovery of costs in action for price of labor or services.
- Sec. 5206. 41 M. 552.
- Sec. 5225. 43 M. 295.
- Sec. 5228. 41 M. 283.

CHAP. 71.—Fees.

- Sec. 5247. **Of Jurors.** Chap. 83, G. L., amends regulating fees.

Secs. 5247-5255. **Fees of Jurors and Witnesses.** Chap. 83, G. L., regulates the payment of fees out of county funds.

Secs. 5251, 5255. 47 N. W. 810.

Sec. 5298. 43 M. 250.

Sec. 5344. 47 N. W. 803.

Sec. 5345. 41 M. 104.

Sec. 5346. 47 N. W. 970.

Sec. 5347. 47 N. W. 788.

Sec. 5350. 42 M. 476.

Sec. 5360. 43 M. 172.

Sec. 5371. 43 M. 16.

Secs. 5376, 5377. 43 M. 172.

Sec. 5378. 40 M. 531.

Sec. 5381. 44 M. 97.

Sec. 5388. 39 M. 50.

Sec. 5406. 44 M. 524.

Sec. 5407. 39 M. 39; 44 M. 144.

Sec. 5411. 40 M. 439.

Sec. 5416. 40 M. 397.

Sec. 5418. 39 M. 35; 40 M. 450.

Secs. 5422, 5424. 39 M. 470.

Sec. 5432. 44 M. 392.

Sec. 5443. 39 M. 35.

Sec. 5454. 39 M. 92.

Sec. 5475. 44 M. 526.

Sec. 5499. 41 M. 542.

Sec. 5507. 40 M. 211.

Sec. 5508. 47 N. W. 397.

Sec. 5517. 43 M. 123.

Sec. 5521. 43 M. 192.

Sec. 5530. 44 M. 510.

Sec. 5547. 42 M. 57.

Sec. 5572. 41 M. 150; 44 M. 401, 409.

CHAP. 84.—ACTIONS BY EXECUTORS.

Sec. 5578. **Death by Wrongful Act.** Chap. 123, G. L., amends limiting amount of damages to \$5,000, and providing for distribution of amount recovered. 44 M. 5.

Sec. 5614. 44 M. 5.

Sec. 5629. 47 N. W. 1069.

Sec. 5641. 40 M. 371.

Sec. 5676. 40 M. 172.

Sec. 5677. 43 M. 403.

Sec. 5694. 39 M. 334.

Sec. 5702. 42 M. 427.

Sec. 5715. 42 M. 93.

Sec. 5726. 39 M. 28.

Sec. 5727. 39 M. 212.

Sec. 5783. 43 M. 363.

Sec. 5797. 47 N. W. 1134.

Sec. 5827. 40 M. 236.

Sec. 5871. 47 N. W. 973.

Sec. 5935. 40 M. 264.

CHAP. 85.—PROBATE CODE.

Sec 5942, (errata); Publication. Ch. 58, G. L., amends in application to Brown, Ramsey and Winona Counties.

Secs. 5946, 5947. Fees. Chap. 117, G. L., repeals §324 and 325, Ch. 46, 1889, contained in these sections.

CHAP. 86.—PENAL CODE.

Sec. 6175a, et. sq. Slander of Females. Ch. 86, G. L., provides for the punishment of the crime of slander of females.

Sec. 6181. 41 M. 188.

Sec. 6187. Punishment of Sabbath Breaking. Chap. 87, G. L., strikes out last three words, "or by both."

Sec. 6191. Rape. Ch. 88, G. L., amends raising age of consent, etc.

Sec. 6192. Carnal Knowledge of Children. Chap. 90, G. L., amends grading the crime.

Sec. 6198. 41 M. 50; 43 M. 490.

Sec. 6201. Indecent Assault. Ch. 89, G. L., amends relating to indecent assault.

Sec. 6219. Fornication. Chap. 91, G. L., amends increasing penalty.

Sec. 6273a. Fraud on Livery Stable Keepers. Chap. 29, G. L., punishes bailees from livery stable keepers for frauds and injury to property.

Secs. 6283-6285. Selling Poison without Recording. Chap. 126, G. L., amends by striking out "whose signature is attached to the order" in §1 and adding proviso to §2.

Sec. 6415a. Defrauding Labor. Chap. 92, G. L., declares endeavor to secure discount from laborer by withholding payment, extortion.

Sec. 6471. Injury to Property. Chap. 93, G. L., amends relating to injury to real or personal property.

CHAP. 93.—GRAND JURIES.

Secs. 6651, 6652, 6658. Grand Juries. Chap. 146, G. L., amends as to number composing; as to drawing names; and as to number to be sworn.

Sec. 6653. 40 M. 65.

Sec. 6654. Limitation of Service. Chap. 121, G. L., amends 1889, Ch. 68, so that persons may be required to serve more than once in one year as talesmen or struck jurors.

Sec. 6711. Discharge of Jury. Chap. 85, G. L., provides that Grand Jury may be continued from one term to another.

Secs. 6762, 6770. 41 M. 50.

Sec. 6779. 42 M. 202.

CHAP. 100.—ISSUES AND MODE OF TRIAL.

Sec. 6802-6804. 43 M. 325.

Sec. 6810. 41 M. 104.

Sec. 6815. 41 M. 285.

Sec. 6822. Exclusion of Children from Criminal Trials. Chap. 42, G. L., prohibits the attendance of persons under age of 17 years upon trial of criminal cases.

CHAP. 102.—CHALLENGING JURORS.

Sec. 6852. When Cause is Non-citizenship. Ch. 34, G. L., repeals this section and provides substitute.

Sec. 6857. 40 M. 65.

Sec. 6862. 42 M. 154.

Sec. 6866. 42 M. 182.

Sec. 6868. 43 M. 490.

Sec. 6871. 42 M. 202.

Sec. 6881. 40 M. 65.

A TABLE

SHOWING WHAT SECTIONS OF THE GENERAL STATUTES OF 1891 ARE AFFECTED BY THE
GENERAL LAWS OF 1891.

1891 Chap.	Statutes of 1891—Sec.	1891 Chap.	Statutes of 1891—Sec.	1891 Chap.	Statutes of 1891—Sec.
1	Const. Art. 4, §33.	59	Local.	117	5946, 5947.
2	Const. Art. 9, §3.	60	Local.	118	1200, 1208.
3	205-210.	61	Local.	119	458, 462, 479, 486.
4	1-204.	62	842.	120	4958.
5	Levy of Taxes.	63	859.	121	6654.
6	1568.	64	1141, 1143.	122	246.
7	Ch. 11, temporary.	65	1530.	123	5578.
8	1407-1419.	66	1547.	124	3246, 3251.
9	491-493, 1991-2057.	67	1698.	125	844.
10	Chap. 42a.	68	1706.	126	6283-6285.
11	477, 478.	69	2570.	127	3151.
12	486-490, 3820.	70	2711.	128	2916.
13	3030a, et. sq.	71	3130.	129	Ch. 35, ti. 3.
14	3075, 3085.	72	3483, 3433a.	130	Temporary.
15	3010a.	73	3291.	131	2409-2447.
16	1269a, Chap 12.	74	4134.	132	Ch. 38, ti. 1.
17	2113, 2120, 2121.	75	4110.	133	4483.
18	1844 note.	76	4233a.	134	4483.
19	1642 et. sq.	77	4435.	135	4484.
20	1787 et. sq.	78	5036.	136	4485.
21	1644a.	79	4750.	137	4487.
22	1303.	80	4870.	138	4487.
23	1303.	81	3941.	139	4487.
24	1738-1746.	82	3866.	140	4488.
25	2182.	83	5247.	141	4490.
26	3294a.	84	5062-5065.	142	4490.
27	411a, Ch. 33, ti. 3a.	85	6711.	143	4491.
28	4316.	86	6175a.	144	4491.
29	6273a.	87	6187.	145	4492.
30	673a et. sq.	88	6191.	146	6651, 6652, 6658.
31	698a et. sq., 354a.	89	6201.	147	Ch. 8, ti. 1 and 2.
32	Ch. 10, ti. 2.	90	6192.	148	742, 776.
33	5247-5255, Local.	91	6219.	149	1208.
34	6852.	92	6415a.	150	1698.
35	993a.	93	6471.	151	Local.
36	4354-4360.	94	2927.	152	Ch. 5.
37	5135.	95	3088.	153	Temporary.
38	4828a.	96	3931.	154	Temporary.
39	1024a, 49a.	97	3518.	155	Temporary.
40	831a.	98	3077.	156	Ch. 36, ti. 12.
41	5202, 5221, 5259.	99	540, 518, et. sq.	157	Temporary.
42	4424, 6822.	100	1213, 1207.	158	Ch. 15, Local.
43	5122.	101	1183 et. sq.	159	Ch. 15, Local.
44	4163a, 4173a.	102	1208.	160	Temporary.
45	4111a, 3146.	103	1198.	161	Temporary.
46	4136a.	104	657 et. sq.	162	Local.
47	2355-2408.	105	2600.	163	Appropriation.
48	2884a.	106	504, 506, 514, 517.	164	Appropriation.
49	2145.	107	3401.	165	Appropriation.
50	2811a.	108	3808.	166	Appropriation.
51	2767a.	109	443 et. sq.	167	Appropriation.
52	2767a.	110	3293.	168	Appropriation.
53	408a, Local.	111	2036, Local.	169	Appropriation.
54	1611.	112	3217.	170	Appropriation.
55	1612.	113	3230.	171	Appropriation.
56	Itasca State Park.	114	1858.	172	Appropriation.
57	Ch. 37.	115	2019.	173	Appropriation.
58	5942:	116	Local.	174	Appropriation.