

GENERAL STATUTES

OF

MINNESOTA

1913

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penses of suit, all such forfeitures collected shall be paid into the town treasury for the use of the road and bridge fund. (2794)

6061. Proceedings when owner not found—If unable to find the owner of any such animal, the chairman shall cause it to be confined in the public pound, if there be one, and, if not, in some other inclosure, for three days; and, if not then claimed, he shall cause it to be sold at public auction upon five days' posted notice. From the proceeds of such sale he shall deduct the amount of the forfeiture and expenses, and deposit the balance with the town treasurer, which shall be paid to the owner of such animal if applied for within one year. If not so applied for, the same shall be paid into the town treasury for the use of the town. (2795)

6062. Castration of animals—If, after being notified as in this subdivision provided, the owner of any such stallion, bull, boar, or ram shall permit the same to continue or again to run at large, such chairman shall forthwith cause the same to be taken up and castrated in the usual manner, and shall have a lien on such animals for the expenses of so doing, and may also recover the amount of such expenses from the owner of such animal in a civil action brought in the name of the town: Provided, that any such ram running at large may be castrated without liability for damages by any person among whose sheep he shall be found. Any chairman who shall refuse or neglect to perform any of the duties required by this subdivision shall be guilty of a misdemeanor. (2796)

6063. Permitting to run at large unlawful—It shall be unlawful for any owner or any person having the control of any animal of the species of cattle, horse, ass, mule, sheep, swine or goat to permit the same to run at large in the state of Minnesota. ('13 c. 459 § 1)

6064. Same—Treble damages—Any person who shall knowingly permit the running at large of any such domestic animal shall be liable to the person aggrieved for treble damages sustained by him to be recovered in a civil action brought for that purpose. ('13 c. 459 § 2)

6065. Same—What deemed running at large—The herding of any such animal upon any land over the protest and against the will of the owner, shall be deemed a running at large. ('13 c. 459 § 3)

CHAPTER 54

UNCLAIMED PROPERTY

6066. Duty of consignee or bailee—Whenever any personal property shall be consigned to or deposited with any forwarding merchant, wharfinger, warehouseman, innkeeper, or storage or express company, such consignee or bailee shall immediately cause to be entered in a proper book kept by him a description of such property, with the date of its reception; and if not consigned or deposited for the purpose of being forwarded according to directions received by such consignee or bailee at or before the reception thereof, he shall immediately notify the owner by mail, if his name and residence be known or can be reasonably ascertained. (2797)

6067. Sale of property—Notice—If any such property be not claimed or taken away within one year after its reception, it may be sold upon sixty days' notice; and, if perishable or subject to decay by keeping, it may be sold, if not taken away within thirty days, upon ten days' notice; and if it be in a state of decay, or manifestly liable to decay, it may be summarily sold by order of a justice of the peace or any judge of the municipal court, after inspection, without notice. When not sold summarily, notice shall be given to the owner personally or by mail; but if the name of the owner be not known, and cannot with reasonable diligence be ascertained, published notice for the periods aforesaid shall be given. (2798)

6068. Proceedings if property not claimed—If the owner or person entitled to such property shall not take the same away and pay the charges thereon, after notice as aforesaid shall have been given, the person having

possession thereof, his agent or attorney, shall make and deliver to a justice of the peace of the same or an adjoining town or to the judge of any municipal court an affidavit, setting forth a description of the property, the date of its reception, the giving of the notice, and whether the owner is known or unknown. (2799)

6069. Inventory by justice—Upon the delivery to him of such affidavit, the justice or judge shall cause the property to be opened and examined in his presence, and a true inventory thereof made, and shall annex to such inventory an order, under his hand, that the property therein described be sold at public auction, by any constable or police officer of the town where the same shall be. (2800)

6070. Notice and return of sale—Said constable or police officer receiving such inventory and order shall sell such property at public auction to the highest bidder, in the manner provided by law for constables' sales under execution upon ten days' posted notice. When the sale is completed he shall indorse upon the order aforesaid a return of his proceedings thereon, and return the same to the justice or clerk of said municipal court, together with the inventory and the proceeds of the sale, less his fees. (2801)

6071. Disposition of proceeds—From the proceeds of such sale the justice or clerk of said municipal court shall pay all legal charges incurred in relation to the property, or, if the proceeds are not sufficient to pay all the charges, a ratable proportion of each, and the balance, if any, he shall immediately pay to the county treasurer of the county where such sale took place and deliver a statement therewith, containing a description of the property sold, the gross amount of the sale, and the amount of costs, charges, and expenses paid to each person. The treasurer shall file such statement in his office, and make an entry of the amount received by him and the time when received. (2802)

6072. Money deposited, how disposed of—If the owner of the property sold, or his legal representatives, at any time within five years after such money is deposited in the county treasury, shall furnish satisfactory evidence to the treasurer of the ownership thereof, the treasurer shall pay to him the amount so deposited. If not so claimed within the time aforesaid, the money shall belong to the county, and be credited to its general revenue fund. (2803)

6073. Fees of justices and constables—For services performed under the provisions of this chapter, justices of the peace or clerks of municipal courts shall be allowed one dollar for each day, and constables the same fees as are allowed by law for sales upon execution, and ten cents per folio for making an inventory of the property. (2804)

6074. Unclaimed money in court, how disposed of—Payment to state treasurer—Escheat—In every case where money heretofore has been paid or hereafter shall be paid into any court or to the officer of any court in the state of Minnesota under any statute or order of court for the benefit of or to be paid to any person or persons, and the same shall not have been paid over to the person entitled thereto within five years after the date on which such person is entitled to receive the same it shall be the duty of the clerk or other officer of the court having charge of such money immediately to pay the same into the state treasury. The person entitled thereto or his successor in the right may apply to the court in which such money was deposited at any time within twenty years from the time the money is so paid into the state treasury for an order for the payment of the money to him, and upon the court being satisfied that the party making such application is the person entitled to the money or successor to his right the court shall make an order for the payment of such money to the applicant; and the treasurer upon presentation of a duly certified copy of such order shall pay the same to the person named in said order as entitled to receive the same. In case any money so paid to the treasurer shall not so be claimed by the person entitled thereto within such twenty years it shall escheat to the state. ('09 c. 420 § 1)

6075. Unclaimed baggage, etc.—Delivery to warehouseman—Personal baggage remaining in the possession of any carrier of passengers for thirty

days after having been carried to the station of such carrier in performance of his contract in relation thereto, and any other property remaining in the possession of any common carrier, at the office or station of such carrier to which consigned, for sixty days after notice given by mail to the consignee thereof, may be delivered by such carrier, upon payment of his reasonable charges for the transportation and storage thereof, to any licensed storage company doing business in this state. (2805)

Cited (115-116, 131+1075).

6076. Storage liens—Any storage company receiving such property shall provide suitable storage therefor, and shall have a lien thereon for all charges paid the carrier, and for its reasonable charges for handling, storing, insuring, and safely keeping such property, with interest. (2806)

6077. Sale—Notice—If such property is not claimed by the owner or his agent within twelve months after its receipt by such storage company, it may be sold by such company at public auction. Before making sale three weeks' published and posted notice thereof, describing the property and specifying the time and place of sale, shall be given. The publication of such notice shall also be made in a newspaper published at the county seat of the county where the sale is to be made, and a copy thereof shall be mailed to the owner, if his address is known, or, with reasonable diligence, can be ascertained. (2807)

6078. Sale—Proceeds—The proceeds of such sale shall be applied to the payment of the charges of such storage company and the expenses of sale, and any surplus shall be at once paid to the county treasurer, with a statement as hereinbefore prescribed, and be disposed of as so provided. (2808)

6079. Warehouseman's bond—Before any warehouseman or storage company shall be entitled to the benefit of the provisions of this chapter, such warehouseman or storage company shall give bond to the state, to be approved by the governor, in the sum of ten thousand dollars, conditioned for the faithful performance of all duties enjoined upon the obligor under this chapter, which bond shall be for the use of any party interested, and shall be filed in the office of the clerk of the district court of the county where the business of such warehouseman is conducted. (2809)

CHAPTER 55

HOTELS AND PUBLIC RESORTS¹

6080. Safes—Liability for loss—Locks—Whenever the keeper of a hotel shall provide therein an iron safe suitable for the keeping of valuables, and shall keep posted conspicuously in the office and on the inside of the entrance door to every bedroom, and to every parlor and other public room in the building, a notice to the guests that they may leave their money and other valuables with the proprietor for deposit therein, such keeper shall not be liable for the loss, by theft or otherwise, of valuables not so left for deposit, unless the loss occur through the negligence of such keeper, or of some agent or servant employed by him. Every such proprietor or manager shall provide locks and bolts for all room doors. (2810)

31-222, 17+375; 37-54, 33+114; 89-310, 94+874, 99 Am. St. Rep. 571.

6081. Sale of property for charges—Property held by the proprietor or manager of a hotel or boarding house for non-payment of charges for food, entertainment, or accommodation may be sold at public auction ninety days after such default occurs. The sale shall be made by a sheriff or constable upon the notice and in the manner provided for in the case of sales under execution from justices' courts. (2811)

6082. Equal rights in hotels, etc.—No person shall be excluded, on account of race or color, from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other pub-

¹ See also §§ 5105-5124.