

tion of mortgagor and mortgagee, whereby the mortgagor or his successor in interest conveys any right, title or interest in real property theretofore mortgaged, shall be presumed to have been given as further security, or as a new form of security, for the payment of any existing mortgage indebtedness, or any other indebtedness, or as security for any purpose whatsoever.

Sec. 2. Action to be commenced within fifteen years.—No action to declare any such conveyance a mortgage shall be maintained unless commenced within fifteen years from the time of execution thereof.

Sec. 3. Act to apply to past and future conveyances, except where action has already been commenced.—This act shall apply to all conveyances past and future, but shall not be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

Sec. 4. This act shall take effect and be in force from and after November 1, 1913.

Approved April 8, 1913.

CHAPTER 210—H. F. No. 200.

An Act relating to all town and village elections in all towns and villages having a population of five thousand (5000) or over.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Elections for town and village officers in towns of 5,000 or over to be held under Australian ballot system.—That all elections of town and village officers, in all towns and villages having a population of 5,000 or over according to the last federal or state census, shall be held and conducted under the so-called "Australian ballot system," as provided by law for general elections in this state as far as practicable. This shall relate to no preliminaries of such elections except the filing of candidates and the preparation of ballots, as hereinafter provided.

Sec. 2. When candidates are to file and fee for filing—No primary election.—Candidates for such offices shall file an affidavit at least two (2) weeks before election with the town clerk or village recorder, as the case may be, paying to such officer a fee of one dollar (\$1.00). Such affidavit shall be substantially as provided by Chapter 2 of the Laws of 1912, relating to non-partisan offices. There shall be no primary election, but the filing of such affidavits shall be a prerequisite to having the name of the candidate placed on the official ballot for the general town or village election. The town clerk and village recorder shall

prepare and have printed, at the expense of their respective municipalities, the necessary tally sheets and ballots for such election. The ballots shall be printed on yellow-tinted paper, but without the fac-simile of the signature of the county auditor. The ballots shall contain no party designation of any candidate, and the names of the candidates for each office shall be arranged on the ballot alphabetically, according to the surname of such candidate. The ballots shall be counted, tallied and preserved as in general elections, except that the town clerk or village recorder shall be the final custodian of such ballots, of his respective municipality. A sample ballot shall be posted at the place of election at least two (2) days before such election by the officer whose duty it is to prepare such ballot.

Sec. 3. Offenses and penalties.—All of the provisions of laws now in force relating to offenses and penalties in connection with general elections are hereby made applicable to town and village elections.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 8, 1913.

CHAPTER 211—H. F. No. 270

An Act to authorize and encourage the creation of municipal forests and to provide for the levy of a tax therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. May accept donations of land for forestry purposes—Donor may give same his name perpetually—Proceedings under condemnation and tax levy for maintenance.—Any city, village or town in this state, by resolution of the governing body thereof, may accept donations of land that such governing body may deem to be better adapted for the production of timber and wood than for any other purpose, for a forest, and may manage the same on forestry principles. The donor of not less than one hundred acres of any such land shall be entitled to have the same perpetually bear his or her name. The governing body of any city, village or town in this state, when funds are available or have been levied therefor, may, when authorized by a majority vote by ballot of the voters voting at any general or special city or village election or town meeting where such question is properly submitted, purchase or obtain by condemnation proceedings, and preferably at the sources of streams, any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located for the purpose, and manage the same on forestry prin-