

be evidence in all cases and in every court or judicial proceeding of the facts contained in such affidavit.

SEC. 22. If for any cause the proceedings of the city council or of any officer may be found irregular or defective, whether jurisdictional or otherwise, the city council may order a new assessment from time to time, and as often as need be, until a sufficient sum is realized from the real estate abutting on the street in which such improvement has been made to pay the costs, damages and expenses incurred thereby, it being the true intent and meaning of this act to make the cost and expenses of all public improvements provided for in this act local to such city and payable by such abutting real estate.

When new assessment may be ordered.

SEC. 23. This act shall take effect and be in force from and after its passage.

Approved March 12, 1897.

## CHAPTER 51.

H. F. No. 156.

*An act to amend section 10 of chapter 23 of general statutes of 1878 being section 2230 of general statutes 1894, relating to the time of payment of bills and notes due or payable on holidays and contracts to be executed on holidays, and relating to the protest of bills and notes due or payable on such holidays.*

Notes and contracts, relating to holidays.

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

SECTION 1. Section 10 of chapter 23 of general statutes of 1878, being section 2230 of general statutes 1894, is hereby amended so that the same shall read as follows:

Bills of exchange, drafts, promissory notes, and contracts due or payable or to be executed on Sunday, Thanksgiving day, Good Friday, the first Monday of September, the first Tuesday after the first Monday of November of each even numbered year, Christmas day, New Year's day, the twenty-second day of February, the fourth day of July, the thirtieth day of May, the twelfth day of February, or on the following day when either of the six days last mentioned occurs on Sunday, shall be payable or performable upon the business day next preceding said days; and in case of non-payment or non-fulfilment, shall be noted and protested upon such preceding day; but notice of the dishonor, non-payment or non-fulfilment need not be given until the business day next following the days above specified.

Payable or performable on business day preceding.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 13, 1897.

S. F. No. 154.

CHAPTER 52.

Villages and cities.

*An act to permit villages or cities situated in one or more towns to separate themselves from the town government of the towns in which they are situated, for all purposes.*

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

May be separated from towns.

SECTION 1. That any incorporated village, city or town in this state situated in one or more towns may at any annual or special election, by an affirmative majority of votes cast at such election, be made a separate election district, and a separate assessment district, and become separate from the town or towns in which such village, city or town is situated, for all purposes, and any town may in like manner separate itself from any village or city within its limits; *provided*, that it shall be lawful for any towns in which any village, city or town so separated is situated or partly situated, to hold its town meeting and any election within the limits of said village, city or town, at a place to be designated therefor; but no resident of such village, city or town shall have the right to vote at any such town meeting or election.

Provided.

How submitted to vote.

SEC. 2. Whenever it is desired to submit such a proposition to the voters of any such village, city or town, notice thereof, signed by at least twenty electors of the village, city or town to be separated, shall be filed with the village, city or town recorder. When any such notice is filed with the village, city or town recorder not less than twenty days before the annual village, city or town election, he shall give notice thereof, in the notice of such annual election, but where such notice is filed more than twenty days before the annual election, it shall be the duty of the village, city or town recorder to give notice of a special village, city or town election for the purpose of voting upon such proposition, in the manner provided for calling special village, city or town elections in such village, city or town. If a majority of the votes (which) are cast at any such election upon such proposition be in favor thereof, the said village, city or town,