

title and interest of the mortgagor, his heirs or assigns, in and to the premises named therein, which the said mortgagor had at the date of the mortgage, from and after the expiration of one year from the date and entry of the order confirming the sale, without any final decree or other act, proceeding or conveyance whatever. *Provided* that nothing herein contained shall be construed to apply to cases now pending which involve the legality or validity of such sale.

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

Approved April 21, 1903.

S. F. No. 245.

CHAPTER 329.

Allows
villages to
issue bonds
for roads
and
bridges.

An act to amend sections one (1) and two (2) of chapter two hundred of the General Laws of eighteen hundred and ninety-three (1893), so as to allow villages to issue bonds to aid in the construction and repair of bridges and roads within two miles of the limits of such villages.

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

SECTION 1. That sections one (1) and two (2) of chapter two hundred (200) of the General Laws of eighteen hundred and ninety-three (1893) be amended so as to read as follows:

Within
two mile
limit.

Section 1. Every village of this state is hereby authorized to issue its bonds for any lawful improvements in said village, and to aid in the construction and repair of bridges and roads within two miles of the limits of such village, by conforming to the provisions of this act.

Erecting
public
buildings.

Section 2. Whenever the village council or other similar body of any village of this state shall determine, by resolution duly passed and recorded, to raise the amount of money stated in such resolution for the purpose of erecting any public building or making any lawful improvement therein, or for the purpose of aiding in the construction and repair of bridges and roads within two miles of the limits of such village; or when a petition addressed to such village council or other similar body and signed by at least twenty-five (25) of the voters and freeholders residing in any such village, setting forth in such petition that it is the desire of such petitioners that the said village

shall erect any such public building or make such other lawful public improvement therein, or to aid in the construction and repair of bridges and roads within two miles of such village, the cost whereof shall not exceed the amount named in such petition, which said building or improvement or aid in the construction and repair of such bridges and roads within two miles of the limits of such village shall be generally described in such petition. It shall be the duty of such village council or similar body to cause the proposition expressed in such resolution or petition to be submitted to the electors of such village at the next annual village election to be held therein, or at such special election as the said council or other similar body shall by resolution designate.

Must be
submitted
to vote.

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

Approved April 21, 1903.

CHAPTER 330.

S. F. No. 246.

An act authorizing the refundment of money illegally collected from purchasers of railroad lands for real estate taxes levied under and by virtue of chapter 168 of the General Laws of 1895.

To refund
money.

WHEREAS, the supreme court of the United States in the case of Stearns vs. Minnesota, 179 United States Reports, 223, in which State of Minnesota ex rel., James N. Marr vs. Fred Stearns was reversed, decided that the law of 1895, chapter 168 of the General Laws of Minnesota, providing that certain lands owned by railroads and not used for railroad purposes, be assessed and taxed as other lands are assessed and taxed in this state, was and is unconstitutional and void; and

WHEREAS, pursuant to said chapter 168 certain persons were compelled to pay into the treasury of certain counties various sums of money for taxes assessed and levied under said act in order to place of record deeds to said lands purchased from said railroads, and did pay said taxes under protest; and

Illegally
paid for
taxes on
R. R. lands.

WHEREAS, it appears by reason of said decision of the supreme court of the United States that said chapter 168 was and is invalid and that said sums of money were unlawfully collected, and that said counties have no right to retain the various sums so paid;