

state treasury, at the end of any fiscal year, or at any other specified time.

Official not to exceed appropriation in incurring indebtedness—penalty—exception.—Sec. 2. Whenever there has been an appropriation for any purpose whatsoever, it shall be unlawful for any state board or official to incur indebtedness on behalf of said board, official, or the State of Minnesota, in excess of the appropriation made for such purpose. It is hereby made unlawful for any state board or official to incur any indebtedness on behalf of said board, official, or the State of Minnesota, of any nature whatsoever, until after an appropriation therefor has been made by the legislature.

Any official violating the provisions of this act shall be deemed guilty of a misdemeanor, and the governor of the state is hereby authorized and empowered to remove any such official from office.

Provided, that in case of calamity or actions of the elements (such as fire, water, storms, etc.) such board or official may obtain the consent of the governor, the state auditor and the state treasurer, in writing, stating the special amount of expense that may be incurred and such expenditure shall be considered a valid claim against the State of Minnesota.

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

Approved April 20, 1907.

CHAPTER 273—S. F. No. 898.

An Act relating to the liability of towns and villages in cases where bonds have been heretofore issued, and the territory comprising the same has thereafter been divided.

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

Bonded indebtedness to be equally divided among divided towns.—Section 1. Whenever heretofore any town in this state has issued its bonds for any lawful purpose, and the proceeds thereof have been used for the benefit of such town as then constituted; and such town has thereafter been divided into one or more additional towns or villages, and one of said towns or villages has paid said bonds so issued with

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interest, or any part thereof or either of the same, the total amount so paid, together with interest thereon from the time of payment, shall constitute and be valid and subsisting debt against all such towns and villages, forming a part of said original town at the time of the issuance of the same; and the amount thereof that each of such town or village shall be liable for, shall be the proportion to the total amount so paid which the assessed valuation of all property in each such town or village, as fixed by the state board of equalization next preceding the time of the payment of said bonds and interest thereon bears to the assessed valuation of all property as then likewise equalized, in the entire territory comprising said town at the time of the issuance of said bonds, *provided* that nothing herein contained shall affect in any manner whatsoever any action or proceeding now pending in any of the courts of this state in relation to any bonds so issued.

Towns may sue to recover.—Sec. 2. Any town which has paid any of said bonds or interest as hereinbefore provided, may maintain an action in any of the courts of this state to recover from any town or village the portion of the same for which said town or village is liable, as provided in section 1 of this act.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1907.

CHAPTER 274—S. F. No. 912.

An Act to amend section one hundred and fourteen (114) of chapter eight (8) of the General Laws of eighteen hundred and ninety-five (1895), entitled, "An act to provide for the incorporation, organization and government of cities."

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

City council to canvass and declare vote.—Section 1. That section one hundred and fourteen (114) of chapter eight (8) of the General Laws of 1905 be, and the same is hereby amended so as to read as follows: