

ered to about the same level so as not to endanger the safe passage of teams and other vehicles over such tracks at such crossings.

**Violation subject to a fine of \$50 for each day.**—Sec. 3. Every railroad company who shall refuse or neglect to comply with the provisions of section two for the space of thirty days after having been notified in writing by any town or county board so to do, shall be guilty of a violation of this act and shall be subject to a fine of fifty dollars for each day thereafter that such crossing is left in such dangerous and unsafe condition, and each such day shall constitute a separate offense against this act.

**County attorney to collect fines.**—Sec. 4. The county attorney of any county shall have power to proceed in court for the collection of such fines together with all costs and disbursements on the part of the town or county making such complaint together with one hundred dollars attorneys fees for each such prosecution.

**Town or county board may correct grading and charge costs to railroad company.**—Sec. 5. If any railroad company shall refuse or neglect to provide for the grading and planking of any such crossing as provided in section one of this act, for the space of thirty days after written notice have been given such railroad company by any town or county board, such town board or county board may proceed to cause such grading and planking to be done and charge the cost of same to such railroad company and proceed to collect the same by an action at law together with all costs and disbursements and one hundred dollars attorneys fees.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 20, 1911.

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#### CHAPTER 330—S. F. No. 761.

*An Act to legalize the incorporation and validate and confirm the acts of certain villages and the officers thereof.*

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

**Incorporation and acts of certain villages and officers confirmed.**—Section 1. That whenever heretofore there shall have been an attempted incorporation of any village under the provisions of chapter 9 of the Revised Laws, 1905, and the acts amendatory thereof and supplementary thereto, and the petition for the call of an election for the determination of such proposed incorporation shall have been approved by the county

board of the proper county, and an election shall have been held at the time and place fixed therefor in the notices given of such election, and the inspectors and judges appointed to conduct such election shall have made and signed, and filed with the county auditor, a certificate declaring the time and place of holding said election, and the canvass by them of the ballots cast thereat, and the number cast both for and against said proposed incorporation; and if said certificate show that the majority of the votes cast were in the affirmative for incorporation, and the county auditor shall have made and transmitted to the secretary of state a copy, purporting to be a correct transcript and certified by him to be such, of the papers, proceedings and documents pertaining to the incorporation of such village on file and of record in his office, and the same shall have been filed in the office of the secretary of state, and the territory embraced within the boundaries of any such attempted village incorporation shall be less than four square miles of land in area, and a village government shall have since continuously been and still is maintained therein, such attempted incorporation of any such village shall be and hereby is in all things legalized, validated and confirmed, and any such village so attempted to be incorporated and the territory embraced within the boundaries thereof shall be and hereby is declared a legally incorporated village under the name proposed, notwithstanding the omission of any matter, act or thing by law made or required as a pre-requisite to the incorporation of villages, and notwithstanding any defect in any of the papers, proceedings or documents, or the filing thereof, by law required in or about or to effect incorporation of villages, and notwithstanding that any portion of the territory embraced within the boundaries thereof, is platted, or unplatted, or is urban or agricultural in character. Any and all by-laws, resolutions and ordinances heretofore adopted, and corporate acts done, and contracts made, and franchises and licenses granted by any such village so attempted to be incorporated shall be and they are hereby legalized and declared of the same force and validity as if incorporation thereof had been originally duly and legally effected. And all votes taken by the electors of, and all official acts of all persons heretofore acting as officers of, any such village so attempted to be incorporated are hereby legalized and declared of the same force and validity as if incorporation thereof had been originally duly and legally effected. *Provided* however that nothing in this act shall affect any action or proceeding now pending in any of the courts of this state.

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

Approved April 20, 1911.