

at and perfected and thereupon such bonds shall be issued and delivered by the proper officials in conformity with the true intent of such proposition and with the provisions of this act.

**Sec. 6. Bonds not to be delivered until railroad is constructed.**—No bonds shall be delivered to such railroad company under such proposition until the road, branch or extension thereof for the construction of which the aid has been granted shall have been completed and ready for the passage of cars from the county seat of such county to the point of termination named in such proposition.

**Sec. 7. Bonds to be signed by chairman and county auditor.**—All bonds issued under this act by any such county, shall be officially signed by the chairman of the board of county commissioners and by the county auditor and sealed with its corporate seal.

**Sec. 8.** This act shall take effect and be in force from and after its passage.

Approved April 8, 1913.

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#### CHAPTER 208—H. F. No. 41.

*An Act relating to the assessment of land through which a drainage ditch has been constructed under county or judicial ditch proceedings.*

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

**Section 1. Land used for ditch and waste bank to be considered in making assessment.**—In all cases where a drainage ditch has been or shall be constructed under county or judicial ditch proceedings, it shall be the duty of the persons and boards having to do with the making of the assessment, when determining the valuation of such land for taxation purposes, to take into consideration a reduction in the acreage of each tract or lot sufficient to cover the amount of land actually used for the ditch and its waste bank.

Approved April 8, 1913.

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#### CHAPTER 209—H. F. No. 175.

*An Act relating to certain conveyances between parties sustaining the relation of mortgagor and mortgagee, prescribing the effect thereof and limiting the time within which such conveyances may be adjudged a mortgage.*

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

**Section 1. Conveyance by mortgagor to mortgagee.**—No conveyance absolute in form between parties sustaining the rela-

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.

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#### 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