

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

Affirmed April 8, 1921.

CHAPTER 219—S. F. No. 871.

An act relating to and providing for payment of the award of compensation and damage in condemnation proceedings in cities of the first class governed by home rule charters.

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

Section 1. Award of compensation and damage in condemnation proceedings.—Whenever an award of compensation and damages shall be confirmed by the city council of any city of the first class in the State of Minnesota, existing and governed under a charter adopted pursuant to Section 36, Article 4, of the State Constitution, in any proceeding for the taking of property under the power of eminent domain, and not appealed from, and whenever the same, when appealed from, shall not be set aside by the court, the same shall constitute a lawful and sufficient condemnation and appropriation to public use of the land and property and rights in property for which compensation or damages are so awarded, and the city council shall thereupon cause to be paid from the funds of such city, to the owner of such property, the amount awarded to each severally.

Before payment of such award, the owner of such property or the claimant of the award shall furnish an abstract of title showing himself entitled to all of the compensation and damages claimed. In case of neglect to furnish such abstract, or if there shall be any doubt as to who is entitled to such compensation or damage or any part of the same, the amount so awarded shall be by the city council appropriated and set apart in the city treasury for whoever shall show clear right to receive the same. The city council may in its discretion require of such claimant a bond with good and sufficient sureties, conditioned to indemnify and save the city harmless against all other claims for such compensation or damages, or for the property for which the same was awarded and all loss, costs or expenses on account of such claim, Provided, that whenever the city attorney shall certify in writing to the city council that he is in doubt as to whom the said award shall be paid, said city council may order a warrant to be drawn for the same, payable to the clerk of the district court, and the city clerk shall deliver the same to said clerk of the court, and take his receipt for the same; which deposit with said clerk of the court shall have the same effect as if set aside in the city treasury, as hereinbefore provided, and in which case the parties entitled to the same shall establish their right to the same

by a petition to the said District Court, setting up the facts entitling them thereto, and by proving the same to the satisfaction of the court, and when so established the court shall make an order directing to whom the same shall be paid.

Upon the payment of said award or appropriation or the setting apart of the money in the city treasury to pay the same as aforesaid, the city shall become vested with the title to the property taken and condemned absolutely for all purposes for which the city may ever have occasion to use the same, and may forthwith enter upon and use the same.

Sec. 2. Not to affect funds.—If any city of the first class shall, in and by its charter, have provided for the payment of awards of compensation and damages out of a particular fund, this act shall not apply thereto so as to change the fund out of which such awards shall be paid, as designated by the charter of any city of the first class.

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

Approved April 8, 1921.

CHAPTER 220—S. F. No. 911.

An act authorizing the renewal of the period of corporate existence of any co-operative creamery association whose period of duration has expired without renewal thereof.

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

Section 1. Existence of certain co-operative creamery associations extended.—Any co-operative creamery association whose period of duration has expired less than eight years before the passage of this act and which has continued to carry on its business without a renewal of its said period, may renew the period of its corporate existence from the date of expiration of said period of duration for an additional term not exceeding twenty years, with the same force and effect as if such renewal had been effected before its said period of duration expired by taking the proceedings provided by law for the renewal of the corporate existence of such corporation in cases where such renewal is made before the end of its period of duration. Provided, however, that the proceedings to obtain such renewal shall be taken within six months after the passage of this act. And provided further, that this act shall not affect any pending litigation nor apply to any corporation whose charter has been declared forfeited by the final judgment of any court of competent jurisdiction in this state.

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

Approved April 8, 1921.