

CHAPTER 157.—H. F. No. 717.

An act providing for a method for changing the name of, or giving a name to, any lake, river, stream or other body of water, wholly within the boundaries of this state.

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

Section 1. May petition County Board to change name of body of water.—That whenever it is desired to change the name of, or give a name to any unnamed lake, river, stream or body of water located within the boundaries of this state, any 15 or more legal voters, residing within the county where all or any part of such body of water is located, may petition the County Board of the County wherein said petitioners reside, to change the name of, or to give a name to any previously unnamed lake, river, stream or other body of water, however designated. Said petitioners shall describe in their petition with reasonable correctness, the location of any such lake, river, stream or other body of water; the name, of any, by which it may then be known, or if without any name, such fact shall be stated; also the name which said petitioners desire given to said body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. Said petitioners shall also set out after each of their names, as signed to said petition, their place of residence. Provided no name of any lake, river, stream or other body of water, which name has existed for forty (40) years shall be changed under the provisions of this act.

Sec. 2. County Board to fix time of hearing.—That on the filing of such petition with the County Auditor of the County wherein said petitioners reside, and presenting therewith the necessary copies thereof hereafter required, such auditor shall present said petition to the County Board of his county, which board shall by order fix the day and place of hearing on said petition to be held more than 30 days thereafter, of which hearing on said petition at least three weeks published notice shall be given in the newspaper designated by the County Board of said county as the official newspaper for said county, provided that said hearing may be held at any convenient place within the county, as shall be determined by the Board. On the day fixed for said hearing any legal voters in said county, or any municipality may appear by attorney or in person, and file an answer to said petition, setting out in plain concise language why the prayer of said petitioners should not be granted in whole or in part, and, may in said answer pray the County Board to give another or different name to said lake, river, stream or other body of water than the one prayed for in said original petition. Said petitioners may include in said petition any number of lakes, rivers, streams or other bodies of water, the names of

which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by said Board in said proceedings, and the same procedure shall be had on said petition in such event as though only one lake, river, stream or other body of water be described in said petition.

Sec. 3. Notice to be served on certain officials.—That notice of the time and place of hearing on any such petition shall also be served personally on the Chairman of the Town Board of any township, on the President of any Village Board of Trustees, and on the Mayor of any city within or adjoining limits of which political sub-division any such lake, river, stream or other body of water involved in said hearing may be located and it shall be the duty of such official on whom said notice of hearing shall be served, to present such notice to said Board or Council who shall take such action thereon as they shall deem to be for the public interest.

Sec. 4. Hearing on petition.—That at the time fixed by said notice of hearing on said petition, or at any time to which said hearing may be adjourned by the County Board, said Board shall hear all parties desiring to be heard thereon and shall make an order by resolution fixing and determining the name which any lake, river, stream or other body of water described in said petition shall have and bear, and the name so fixed by said Board shall be the name of such lake, river, stream or other body of water and such designation shall thereafter be used and followed as its legal name. If any petition so filed shall describe a lake, river, stream or other body of water located within the boundaries of more than one county, then the County Boards of the several counties affected shall act jointly and as one body, a majority of such joint body being sufficient to determine upon a name; the County Auditor with whom such a petition shall be filed shall forward by mail a certified copy of the same to each of the County Auditors of the county so affected, who shall present same to their respective County Boards, and the notice of hearing thereon determined upon by said joint body shall be published in each such county as provided in Section two thereof. The Auditor of the County in which said petition was filed shall make and file certified copies of the resolution so adopted in the office of the Register of Deeds of each county affected at the expense of the petitioners.

Sec. 5. Not to duplicate names.—That in choosing and fixing the name of any river, lake, stream or other body of water, the County Board or Boards shall, as far as possible not duplicate names of existing lakes, rivers, streams or other bodies of water, and shall select and approve such names therefor, as shall in their judgment be for the permanent good and best interests of the county or counties affected. To that end, the auditor of the county wherein a petition shall be filed as herein provided shall cause a copy thereof,

together with a copy of the notice of hearing thereon, to be forwarded by mail to the State Commissioner of Drainage and Waters, who shall compare the names suggested in said petition with the names of other lakes, rivers, streams or bodies of water within the state and report back to said auditor before the date of said hearing, his findings and recommendations.

Sec. 6. Petitioners to give bond.—Before any petition filed under this act shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the County Attorney of such county wherein said petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding.

Approved April 8, 1925.

CHAPTER 158—H. F. No. 754.

An act to amend Section 1002, General Statutes 1923, relating to the powers of town meetings.

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

Section 1. Town Board to purchase or build town hall.—That Subdivision 9, Section 1002, General Statutes 1923, shall be and the same is hereby amended so as to read as follows:

"9. To authorize the town board to purchase or build a town hall or other building for the use of the town, and to determine by ballot the amount of money to be raised for that purpose, *but if a site for a town hall is once obtained it shall not be changed for another site except by vote therefor designating a new site by two-thirds votes cast at such election of the legal voters of the township.*

Approved April 8, 1925.

CHAPTER 159—H. F. No. 783.

An act to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof.

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

Section 1. Certain mortgage foreclosures legalized.—That in all cases where deeds, mortgages or other instruments affecting real estate within this state, or letters of attorney authorizing the same, have heretofore been actually recorded in the office of the register of deeds of the county where the real estate thereby affected was, at the time of making of such records, or is, situate, whether such deeds or other instruments were duly or properly admitted to record or otherwise, all such instruments and the record thereof are hereby legalized and confirmed; and all such records may nevertheless be read in evidence in any court within this state, and shall be received as prima facie evidence of the contents of the original instruments of which they purport to be records;