

otherwise, as if such defect of acknowledgment and record had not existed.

**Sec. 2. Not to affect pending actions.**—Provided that the provisions of this act shall not apply to or affect any action or proceeding now pending in any of the courts of this State.

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

Approved January 29, 1925.

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#### CHAPTER 4.—S. F. No. 13

*An act relating to the date of election and election and terms of office of all elective officers in villages now or in any year hereafter having an assessed valuation of seven hundred and fifty (\$750.00) dollars or upwards, per capita of population according to the last Federal census, and fixing the fiscal year in such villages, and repealing all inconsistent acts or parts of acts.*

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

**Section 1. Application of act.**—This act shall apply to all villages in the State of Minnesota organized under any laws of the state which have an assessed valuation of seven hundred and fifty dollars (\$750.00) or upwards per capita of population according to the last preceding federal census at the time the question of its applicability arises.

**Sec. 2. Officers to be elected.**—In all villages in this state the resident electors shall choose the following named officers under the provisions of this act, namely: A treasurer, two constables, and a village council composed of a president, a clerk and three trustees; and if said village is a separate election district, an assessor; and if there be no municipal court established in such village, two justices of the peace. All officers chosen having qualified as such, shall hold office until their successors qualify. Vacancies in office may be filled, for the remainder of the term for which said respective officers were elected, by the village council.

**Sec. 3. Terms of certain officers continued.**—All elective officers in such villages in office when this act takes effect shall hold their offices for the terms for which they were elected, and any officers whose terms would otherwise expire prior to January 1st, 1926, shall continue to hold office until the end of December 31st, 1925, and there shall be no village election held in March, 1925.

**Sec. 4. Date of election. Terms of office. Municipal Court.**—On the first Tuesday after the first Monday of December, 1925, and on the first Tuesday after the first Monday of December of

each year thereafter, an election shall be held in each of such villages at which all village officers as specified in Section 2 of this act shall be elected each for a term of one year, excepting that one trustee shall be elected each year for a term of three years, commencing on the first day of January following their election; PROVIDED, however, that if at the time of said election held on the first Tuesday after the first Monday in December, 1925, there are any such village officers holding offices, the term of which does not expire until after the first of January, 1926, their successors shall be elected to hold office only for that portion of the one or three year term commencing January 1st, 1926, which shall remain after the expiration of the term of office of such officer whose term does not expire until after January 1st, 1926.

Provided that where there is a municipal court established in any such village the Judge or Judges of which heretofore have been elected for a term expiring prior to the first Tuesday after the first Monday in December, 1927, such Judges shall, continue to hold office until the expiration of such term. At the election held in December, 1925 successors to such Judges shall be elected for a term beginning at the expiration of their then existing terms of office and expiring the 31st day of December, 1927. At the election held in December, 1927, as provided for in this act, such municipal Judges shall be elected for a term of four years and every four years thereafter for a like term at the regular village election.

**Sec. 5. Provision to become effective, when.**—In case any village in this State does not now have but in any subsequent year shall have the assessed valuation and population specified in Section 1 hereof, then in the next succeeding odd-numbered year the provisions of this act, and particularly Sections 3 and 4 hereof, shall be deemed to apply to such village in such succeeding odd-numbered year and thereafter, in all respects just as though such odd-numbered year were the year 1925 and the succeeding year the year 1926 as set forth in such sections.

**Sec. 6. Fiscal year to be calendar year.** The fiscal year of all such villages in this State shall be the calendar year, and when a village has once come under the operation of this act, it shall continue under its provisions notwithstanding its assessed valuation may thereafter fall below seven hundred and fifty (\$750.00) dollars per capita according to any last preceding federal census.

**Sec. 7. Certain laws repealed.**—Section 1246 of the General Statutes of Minnesota for the year 1913 is hereby repealed insofar as inconsistent herewith, and Section 19 of Chapter 145 of the General Laws of 1885 is hereby repealed insofar as inconsistent herewith, and all acts and parts of acts inconsistent herewith are hereby repealed.

**Sec. 8. Invalidity of part not to effect remainder of law.**—The various provisions of this act shall be severable and if any part or provision shall be held to be invalid it shall not be held to invalidate any other part or provision hereof.

**Sec. 9.** This act shall take effect and be in force from and after its passage.

Approved January 30, 1925.

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#### CHAPTER 5.—H. F. No. 48

*An act fixing the salary and clerk hire of County Treasurer, Register of Deeds and Clerk of Court in all counties now or hereafter having an area of not more than fifty-three nor less than thirty full and fractional Congressional Townships and having an assessed valuation of not more than four million dollars (\$4,000,000) exclusive of moneys and credits.*

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

**Section 1. Salaries and clerk hire of county treasurers in certain counties.**—In all Counties of the State now or hereafter having an area of not more than fifty-three nor less than thirty full and fractional Congressional Townships, and having an assessed valuation of not more than four million (\$4,000,000) dollars, exclusive of moneys and credits, the County Treasurer shall receive a salary of fifteen hundred (\$1500.00) dollars per annum in addition to all fees now or hereafter allowed by law, and said County Treasurer shall be allowed not to exceed six hundred (\$600.00) dollars per annum for clerk hire in said office, or so much thereof as shall be necessary, the amount thereof to be determined by resolution of the County Board of Commissioners.

**Sec. 2. Salaries and clerk hire of registers of deeds in certain counties.**—The Register of Deeds of any such County shall receive as compensation for his services all fees collected by him as such Register of Deeds. Provided that if the total of such fees in any year is less than fifteen hundred dollars (\$1500.00) he shall receive from the County a sum in addition to said fees which shall make the income of said office fifteen hundred dollars (\$1500.00) exclusive of fees received for preparing abstracts of title, filing of chattel mortgages and certified copies furnished. That the Register of Deeds shall be allowed not to exceed the sum of nine hundred dollars (\$900.00) per annum for clerk hire in said office, or so much thereof as may be necessary, to be determined by resolution of the County Board of Commissioners.

**Sec. 3. Salaries and clerk hire of clerks of the district court in certain counties.** The Clerk of the District Court in any such Counties shall receive as compensation for his services all fees