

CHAPTER 356—S. F. No. 638

An act relating to the payment of state aid for the construction and maintenance of state aid roads, amending Mason's Minnesota Statutes of 1927, Section 2564.

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

Section 1. **State aid for roads.**—That Mason's Minnesota Statutes of 1927, Section 2564, be amended to read as follows :

"2564. After any county board shall have completed any work on a state aid road for which state aid is claimed, the auditor of such county shall make a statement to the commissioner of highways showing the location, nature and cost of such work, and shall also submit a detailed report from the county highway engineer in charge showing all such details concerning the same as may be required by the commissioner of highways. On receipt thereof the said commissioner of highways shall proceed to examine such reports, and if he finds the same satisfactory and that the work has been done in substantial compliance with the plans and specifications therefor, and the contract therefor, if any, he shall certify the same to the state auditor who shall issue a warrant for the state's share thereof as shown by said report, payable to the treasurer of such county, but in no case shall said warrant, with all other warrants, exceed the amounts allotted to such county. *Provided, that every county which has constructed or improved any state rural highway pursuant to Laws 1911, Chapter 254, and has issued its bonds to provide funds for the payment of the cost thereof, which during any year fails to avail itself of any funds allotted to it out of the general state road and bridge fund by the construction, improvement or maintenance of state aid roads, but which shall pay the principal of or interest on such bonds or any part thereof, shall be entitled to receive from the general state road and bridge fund for the benefit of its county road and bridge fund, the same amount as it would have received had the amount so paid been expended for the construction, improvement or maintenance of state aid roads within such county. Whenever any such county shall make any such payment the auditor thereof shall certify the fact of such payment, the date and amount thereof to the state auditor who shall thereupon issue and transmit to the treasurer of such county a warrant for such amount. The proceeds thereof shall be placed in the county road and bridge fund and shall be disbursed in the same manner as other county funds are disbursed but only for the payment of the cost of constructing and maintaining state aid roads.*

"Provided, that the State Auditor shall not issue any such warrant to said county until the Commissioner of Highways shall certify to said State Auditor that said county is entitled to receive

any such payment out of said state aid road and bridge fund, and for the purpose of furnishing said Commissioner of Highways proper information, the County Auditor of any such county shall certify the fact of such payment, the date and amount thereof, to said Commissioner of Highways in the same manner as to the State Auditor.

Approved April 25, 1931.

CHAPTER 357—S. F. No. 642

An act to amend Mason's Minnesota Statutes of 1927, Section 8271, relating to the rights of a person holding a certificate of title issued pursuant to decree of registration.

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

Section 1. Rights of person holding certificate of title.—That Mason's Minnesota Statutes of 1927, Section 8271, be amended to read as follows:

"8271. Every person receiving a certificate of title pursuant to a decree of registration, and every subsequent purchaser of registered land who receives a certificate of title in good faith and for a valuable consideration, shall hold the same free from all encumbrances, and adverse claims, excepting only such estates, mortgages, liens, charges and interests as may be noted in the last certificate of title in the office of the registrar, and also excepting any of the following rights or incumbrances subsisting against the same, if any, namely:

1. Liens, claims or rights arising or existing under the laws or the constitution of the United States, which this state cannot require to appear of record.

2. The lien of any tax or special assessment for which the land has not been sold at the date of the certificate of title.

3. Any lease for a period not exceeding three years when there is actual occupation of the premises thereunder.

4. All rights in public highways upon the land.

5. Such right of appeal, or right to appear and contest the application as is allowed by this chapter.

6. *The rights of any person in possession under deed or contract for deed from the owner of the certificate of title.*"

Approved April 25, 1931.