

Sec. 4. Provisions separable.—If any section or part of this act shall be declared to be unconstitutional or invalid for any reason the remainder of this act shall not be affected thereby.

Approved April 21, 1933.

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CHAPTER 361—S. F. No. 815

*An act to amend Mason's Minnesota Statutes for 1927, Section 5586, relating to the netting of white fish and herring.*

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

Section 1. Open season for whitefish and herring.—That Mason's Minnesota Statutes for 1927, Section 5586, be and the same hereby is amended so as to read as follows:

“5586. Whitefish and tullibees may be taken by means of gill nets of the sizes herein specified between *October 15* and December 25 following, both inclusive *unless the Director of Game and Fish shall set the date of opening at a later date in certain lakes*, and fresh water herring may be taken by means of gill nets of the sizes herein specified between November 1 and January 10 following, both inclusive, in inland lakes of the State, for private use or consumption, but not for sale, provided a license to do so shall be first obtained from the commissioner.”

Approved April 21, 1933.

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CHAPTER 362—S. F. No. 846

*An act to amend Mason's Minnesota Statutes of 1927, Section 8501, relating to Lis Pendens Notices in Mechanic's Lien Foreclosures.*

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

Section 1. Notice of lis pendens in certain cases.—That Mason's Minnesota Statutes of 1927, Section 8501, be amended as follows:

“8501. At the beginning of the action the plaintiff shall file for record with the register of deeds of the county in which it is

brought, and of the several counties if the lien be claimed under Section 8493, a notice of the pendency thereof, embracing therein a copy of the summons, omitting the caption. After such filing, no other action shall be commenced for the enforcement of any lien arising from the improvement described, but all such lienholders shall intervene in the original action by answer, as provided in Section 8500. Any such lienholder not named as a defendant may nevertheless answer the complaint and be admitted as a party. If more than one action shall be commenced in good faith, all shall be consolidated and tried as one, under such order of the court as may best protect the rights of all parties concerned. But no lien shall be enforced in any case unless the holder thereof shall assert the same, either by complaint or answer, within one year after the date of the last item of his claim as set forth in the recorded lien statement; and, as to a bona fide purchaser, mortgagee or encumbrancer without notice, the absence from the record of a notice of *lis pendens* of an action after the expiration of said year in which said lien could be so asserted shall be conclusive evidence that said lien may no longer be enforced and, in the case of registered land, the registrar of titles shall refrain from carrying forward to new certificates of title the memorials of lien statements when no such notice of *lis pendens* has been registered within said period; nor shall any person be bound by the judgment in such action unless he is made a party thereto within said year."

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

Approved April 21, 1933.

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#### CHAPTER 363—H. F. No. 860

*An act to amend Mason's Minnesota Statutes of 1927, Section 651, as amended by Laws of 1931, Chapter 105, relating to County Commissioners' districts.*

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

Section 1. **County commissioner's districts.**—Mason's Minnesota Statutes of 1927, Section 651, as amended by laws of 1931, chapter 105, is amended to read as follows:

"651. Each county shall be divided into as many districts, numbered consecutively as it has members of the board. In all counties such districts shall be bounded by town, village, ward, or