

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

precinct lines, shall be composed of contiguous territory and contain as nearly as practicable an equal population. Counties may be redistricted by the county board after each state or federal census; and when it appears that after a state or federal census 30 per cent or more of the population of any county is contained in one district, such county shall be redistricted by its county board. *Provided however, that no city of the second class shall be in more than two commissioners' districts.*

"Provided that the county board shall not have authority or jurisdiction to re-district a county unless said board shall cause at least three weeks published notice of its purpose to do so, stating the time and place of the meeting where the matter will be considered, to be published in the newspaper having the contract for publishing the commissioners' proceedings for said county for the current year. One commissioner shall be elected in each such district who at the time of the election shall be a resident thereof, and the person so elected shall be entitled to hold said office only while he remains a resident of said commissioner district. When a county is redistricted there shall be a new election of commissioners in all the districts of the county at the next general election. The board shall determine that not less than two nor more than three members of the board shall be elected for a term of two years and the remainder for a term of four years at the next general election. Thereafter all commissioners shall be elected for four years; provided, that where no change is made in the boundaries of a district, the commissioner in office at the time of the redistricting shall serve for the full period for which he was elected."

Approved April 21, 1933.

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#### CHAPTER 364—S. F. No. 933

*An act to regulate public bathing beaches and to authorize counties, cities, villages and towns situated within counties, having a population of more than 450,000, to prescribe rules and regulations governing public bathing beaches.*

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

Section 1. **Definitions.**—A public bathing beach as the term is used in this act, shall be taken to mean any public land, road or highway adjoining public waters, which have been or may be used for bathing or swimming, or any privately owned place which the public is permitted to frequent or use for bathing.

Sec. 2. **Unlawful to bathe at public beaches at certain times.**—In all counties which now have or shall hereafter have