

CHAPTER 200—H. F. No. 382

An act to define and regulate the business of compromising, prorating, or liquidating the debts of a debtor; providing penalties for the violation thereof; and amending Minnesota Statutes 1945, Section 332.11, Subdivision 2.

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

Section 1. Minnesota 1945, Section 332.11, Subdivision 2, is hereby amended to read as follows :

332.11. Violations; penalties. Subd. 2. Misdemeanor. Any person, copartnership, association, or corporation and the several members, officers, directors, agents, and employees thereof, who shall violate or participate in the violation of any of the provisions of sections 332.04 to 332.10 shall be guilty of a misdemeanor.

Any contract not invalid for any other reason, in the making or collection of which any act shall have been done which constitutes a misdemeanor under sections 332.04 to 332.10, is void and *neither* the obligor *nor* his assigns shall have *the right* to collect or receive any principal, interest, or charges.

Approved April 2, 1947.

CHAPTER 201—H. F. No. 384

[Sections 1, 2, 3, Coded as Sections 645.46, 645.47, 645.48]

An act relating to the construction of Statutes, defining certain terms; and amending Minnesota Statutes 1945, Section 645.44.

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

[645.46] Section 1. **Reference to subdivision.** Whenever in the Minnesota Statutes or any legislative act a reference is made to a subdivision without stating the section of which the subdivision referred to is a part, the reference is to the subdivision of the section in which the reference is made.

[645.47] Sec. 2. **Reference to paragraph.** Wherever in the Minnesota Statutes or any legislative act a reference is made to a paragraph without stating the section and subdivision of which the paragraph referred to is a part, the refer-

ence is to the paragraph of the subdivision in which the reference is made.

[645.48] Sec. 3. Use of the word "to" when referring to several sections. Wherever in the Minnesota Statutes or any legislative act a reference is made to several sections and the section numbers given in the reference are connected by the word "to," the reference includes both the sections whose numbers are given and all intervening sections.

Sec. 4. Minnesota Statutes 1945, Section 645.44, is amended to read as follows:

645.44. Particular words and phrases. Subdivision 1. Meanings ascribed. The following words, *terms*, and phrases used in Minnesota Statutes or any legislative act shall have the meanings given *them in this* section, unless another intention clearly appears.

Subd. 2. Clerk. When used in reference to court procedure, "*clerk*" means the clerk of the court in which the action or proceeding is pending, and "*clerk's office*" means his office.

Subd. 3. County, town, city, borough, or village. When a county, town, city, borough, or village is mentioned, without any particular description, it imports the particular county, town, city, borough, or village appropriate to the matter.

Subd. 4. Folio. "Folio" means 100 words, counting as a word each number necessarily used; if there be fewer than 100 words in all, the paper shall be computed as one folio; likewise any excess over the last full folio.

Subd. 5. Holidays. "Holiday" includes New Years' Day, January 1; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Memorial Day, May 30; Independence Day, July 4; Labor Day, the first Monday in September; Christopher Columbus Day, October 12; Christmas Day, December 25; the Friday next preceding Easter Sunday, commonly known as Good Friday; Thanksgiving Day; and Armistice Day; November 11. No public business shall be transacted on those days, except in cases of necessity, nor shall any civil process be served thereon.

Subd. 6. Oath; affirmation; affirm; sworn. "Oath" includes "affirmation" in all cases where by law an affirmation may be substituted for an oath; and in like cases "*swear*" includes "affirm" and "sworn" "affirmed."

Subd. 7. Person. "Person" may extend and be applied

to bodies politic and corporate, and to partnerships and other unincorporated associations.

Subd. 8. Population; inhabitants. When used in reference to population, "population" and "inhabitants" mean that shown by the last preceding census, state or United States, unless otherwise expressly provided.

Subd. 9. Recorded; filed for record. When an instrument in writing is required or permitted to be filed for record with or recorded by any officer, the same imports that it must be recorded by such officer in a suitable book kept for that purpose, unless otherwise expressly directed.

Subd. 10. Seal. When the seal of a court, public office, or corporation is required by law to be affixed to any paper, the word "seal" includes an impression thereof upon the paper alone, as well as an impression on a wafer, wax, or other substance thereto attached.

Subd. 11. State; United States. When applied to a part of the United States, "state" extends to and includes the District of Columbia and the several territories. "United States" embraces the District of Columbia and territories.

Subd. 12. Sheriff. "Sheriff" may be extended to any person officially performing the duties of a sheriff, either generally or in special cases.

Subd. 13. Time; month; year. "Month" means a calendar month and "year" means a calendar year, unless otherwise expressed; and "year" is equivalent to the expression "year of our Lord."

Subd. 14. Writing. "Written" and "in writing" may include any mode of representing words and letters, except that the signature of a person, when required by law, must be in the handwriting of the person or, if he be unable to write, his mark or his name written by some person at his request and in his presence.

Subd. 15. May. "May" is permissive.

Subd. 16. Shall. "Shall" is mandatory.

Subd. 17. Violate. "Violate" includes failure to comply with.

Approved April 2, 1947.