

200 school districts or more the county board shall have the authority to employ an assistant county superintendent. This act shall not affect salaries fixed by other laws.

Approved April 16, 1947.

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CHAPTER 390—H. F. No. 913

*An act relating to public officials and police officers, and amending Minnesota Statutes 1945, Section 471.44.*

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

Section 1. Minnesota Statutes 1945, Section 471.44, is hereby amended to read as follows:

471.44. **Municipalities to furnish counsel to defend public officials.** On and after the passage of sections 471.44 and 471.45, every city, village, borough, town, or county of this state employing sheriffs, police officers, or peace officers shall be required to furnish legal counsel to defend any sheriff, deputy sheriff, police officer, or peace officer employed by any such governmental subdivision in all actions brought against such officer to recover damages for alleged false arrest or *alleged injury to persons, property or character*, when such alleged false arrest or *alleged injury to person, property or character was the result of an arrest made by such officer in good faith and in the performance of his official duties and pay the reasonable costs and expenses of defending such suit, including witness fees and reasonable counsel fees, notwithstanding any contrary provisions in the laws of this state or in the charter of any such governmental subdivision.*

Approved April 16, 1947.

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CHAPTER 391—H. F. No. 950

[Coded as Section 161.061, Subdivisions 1, 2, 3]

*An act relating to the relinquishment of easements and the sale and conveyance of real property not needed for trunk highway purposes; repealing Minnesota Statutes 1945, Section 161.06.*

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

[161.061] **Relinquishment of highway easements.** Section 1. Subdivision 1. **Recommendation of commissioner;**

payment. The governor, in behalf of the state, may, upon recommendation of the commissioner of highways, relinquish and quitclaim to the fee owner any easement or portion thereof owned but no longer needed by the state for trunk highway purposes, upon repayment to the state of any moneys paid for the acquisition thereof. Whenever less than the easement as originally acquired is to be relinquished and quitclaimed, the amount of moneys so to be repaid to the state shall not be a less proportion of the consideration paid therefor by the state than the proportion of the part so to be relinquished and quitclaimed bears to the easement as originally acquired.

**Sec. 2. Subd. 2. Lands including improvements thereon; notice; conveyance for public purpose.** The governor, in behalf of the state, may, upon recommendation of the commissioner of highways, convey and quitclaim any lands including any improvements thereon, owned in fee by the state for trunk highway purposes but no longer needed therefor. Such lands shall be offered for reconveyance by the commissioner of highways to the person from whom the lands were originally acquired upon his repayment to the state of not less than the amount of money paid to him by the state for the acquisition thereof. Whenever less property than originally acquired is to be offered for reconveyance, the amount of money so to be repaid to the state shall not be a less proportion of the consideration paid therefor by the state than the proportion of the part so to be reconveyed bears to the entire property as originally acquired. The offer shall be made by registered mail addressed to the person from whom such lands were acquired at his last known address. Said person shall have 60 days from the date of mailing said offer to accept and to tender to the commissioner of highways the required amount of money. When such lands have been offered for reconveyance to the person from whom the lands were originally acquired and the offer is not accepted and the amount required to be paid tendered to the commissioner of highways within the time prescribed, the lands may be sold and conveyed to the highest responsible bidder upon such public notice as the commissioner of highways may deem proper; but any and all bids may be rejected and new proposals received upon like advertisement; provided, however, that in lieu of such advertisement for sale and conveyance to the highest responsible bidder, such lands may be conveyed for public purposes to any county, city, village, borough, town or school district upon such terms and conditions as are agreed upon between the governing body thereof and the commissioner of highways.

Sec. 3. Subd. 3. **Receipts deposited in trunk highway fund.** All moneys received by the state of Minnesota for the relinquishment of an easement, or the conveyance of a fee title as provided by this act shall be deposited in the trunk highway fund.

Sec. 4. **Repealer.** Minnesota Statutes 1945, Section 161.06, is hereby repealed.

Approved April 16, 1947.

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CHAPTER 392—H. F. No. 1014

*An act relating to the discharge of notices required to be filed for mortgages executed prior to November 1, 1909; amending Minnesota Statutes 1945, Section 582.14.*

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

Section 1. Minnesota Statutes 1945, Section 582.14, is amended to read as follows:

582.14. **Limitation on foreclosure.** No action or proceeding to foreclose a real estate mortgage executed prior to November 1, 1909, shall be maintained after January 1, 1946, unless prior to said date the owner of said mortgage shall have filed in the office of the register of deeds of the county in which is located the real estate covered thereby, a notice setting forth the name of the claimant, a description of said real estate and of said mortgage including the volume and page at which it is of record and a statement of the amount claimed to be due thereon. *Such notices may be discharged in the same manner as notices of lis pendens, and, so discharged, shall, together with all information included therein, cease to constitute either actual or constructive notice.*

Approved April 16, 1947.

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CHAPTER 393—S. F. No. 772

[Coded as Section 43.171]

*An act relating to the employment of persons who have attended a state highway patrol training school, are veterans*