

First class—Those having more than 100,000 inhabitants;

Second class—Those having more than 20,000 and not more than 100,000 inhabitants;

Third class—Those having more than 10,000 and not more than 20,000 inhabitants; and

Fourth class—Those having not more than 10,000 inhabitants.

Changes in classification resulting from any future national census shall take effect upon the filing of certified copies of the census in the office of the secretary of state as provided in section 600.18. Meanwhile the council or other governing body shall take measures for the election of proper officials and for dividing the city into wards, if necessary, and otherwise prepare for the coming change.

Approved April 24, 1959.

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#### CHAPTER 511—H. F. No. 1617

*An act relating to drainage ditches and the apportionment of assessments; amending Minnesota Statutes 1957, Section 106.401.*

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

Section 1. Minnesota Statutes 1957, Section 106.401, is amended to read:

**106.401 Apportionment of liens.** In all cases in which a lien has been established against any tract of land in any drainage ditch proceeding and no instalment of such assessment or interest thereon shall be in default, any person having an interest in the land, or any part thereof, may petition the district court *or county board* of the county wherein the land is situated to have the lien apportioned between specified portions of the tract. Upon the filing of this petition, the court *or county board* shall by order fix a time and place when the petition shall be heard and requiring personal service of a notice of the hearing to be made upon the county auditor, the occupants of the premises, and on all parties having an interest in the premises, as shown by the records in the office of the register of deeds of the county, at least ten days before the hearing; or, if for any reason personal service cannot be made upon all of such persons, notice may be given by publication.

The court or county board shall hear all evidence bearing upon the matter and shall by order apportion the lien. A certified copy of the order shall be recorded in the office of the register of deeds of the county and filed in the office of the auditor. The petitioner shall pay the costs incurred for service or publication. The subdivision by platting of any tract or parcel of land against which any liens are established in any drainage proceedings shall not be presumed completed and the plat entitled to record until all liens against such tracts or parcels of land are apportioned and such apportionment filed with the register of deeds within the county where the lands are located.

Approved April 24, 1959.

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CHAPTER 512—H. F. No. 314

[Not Coded]

*An act relating to the city of Chisholm; providing for purchase of police and fire department equipment; and providing for financing.*

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

**Section 1. City of Chisholm may purchase fire and police equipment.** The city of Chisholm, in St. Louis county, may issue bonds or certificates of indebtedness in the year 1959, subject to the terms of its home rule charter, for the purpose of purchasing equipment for its fire and police department in an amount not exceeding \$30,000, the interest rate of which bonds may not exceed five percent per annum.

**Sec. 2. Bonds or certificates of indebtedness.** Bonds of the city or certificates of indebtedness shall be authorized by the city by a resolution of the city council determining that it is necessary to issue and to sell bonds of the city or certificates of indebtedness, prescribe the amount thereof, the form, and the time and manner of sale. These bonds or certificates of indebtedness shall mature serially over a period of not to exceed five years from the date of sale.

**Sec. 3. Tax levy.** Such city is empowered to levy an annual tax in excess of the limitation of Minnesota Statutes, Section 275.11, to provide for the payment of such bonds or certificates of indebtedness and interest thereon as they mature.

**Sec. 4. Effective date.** This act shall become effective