

## CHAPTER 22—S. F. No. 178.

*An act relating to the corporate existence, transactions and indebtedness of cities attempted to be incorporated under Chapter 462, Laws 1921, and of villages included, therein, and providing for the issuance of bonds by such villages to fund such indebtedness in certain cases.*

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

**Section 1. Certain village indebtedness legalized.**—In all cases where an attempt has been made to incorporate a city under Chapter 462, Laws 1921, including in the territory thereof that of a then existing village, and where such village has thereupon ceased to function and such city has organized and functioned as such until after a decision by a court of competent jurisdiction to the effect that its incorporation was invalid, and where, either before or after final judgment ousting or dissolving such city, it has ceased to function and said village has resumed or attempted to resume its corporate and governmental activities and functions as a village, all outstanding indebtedness incurred in the name either of said city or of said village, including the orders or warrants thereof, under either or any of such circumstances, which would have been valid if the corporation at the time of entering into or incurring the same respectively had been in lawful existence, are hereby validated and made binding upon and in favor of said village with like effect as if entered into or incurred by it; and the corporate organization of such village is hereby validated, as of and from the date of its so resuming said activities and functions.

**Sec. 2. Allowance of claims.**—Any such indebtedness not heretofore allowed by the governing body of such city or village shall be presented to the village council for audit and allowance and shall be disposed of, and further proceedings shall be had thereon, as in case of other claims against such village.

**Sec. 3. Bonds may be issued—Interest rate limited.**—For the purpose of funding the unpaid indebtedness of such villages, including such as is imposed upon it and made payable by it by this act, the village council thereof is authorized and empowered to issue and sell the village's bonds not exceeding the aggregate amount of such indebtedness, including interest. Such bonds shall bear interest at a rate not to exceed six per cent per annum, payable annually or semi-annually, shall mature as to principal in annual installments as nearly equal as conveniently may be, the first of which installments shall be payable not more than three years and the last not more than fifteen years from the date of the bonds, and shall be in such form and executed by such officers, all as may be determined by resolution of the village council; and the date of delivery, (as fixed by the date of the treasurer's receipt for their purchase price) rather than the date of the bonds, shall determine the identity of the officers

who shall execute such bonds. Such bonds shall not be sold for less than their par value, and the proceeds thereof shall be used exclusively for the payment of the indebtedness specified herein and interest.

Sec. 4. **Pending litigation not affected.**—Nothing herein contained, nor any proceedings hereunder, shall destroy or abridge any right of contribution or subrogation which may legally or morally exist in such village by virtue of its payment of such indebtedness or any part thereof nor affect any pending legal proceedings.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved February 15, 1923.

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#### CHAPTER 23—H. F. No. 224.

*An act authorizing the county board in any county of this state now or hereafter having not less than 70 or more than 80 full or fractional congressional townships, and having at any time an assessed valuation of not less than \$3,000,000, and not more than \$5,000,000, exclusive of money and credits, to employ one or more persons to perform clerical services for the county in connection with construction and maintenance of roads and bridges therein.*

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

**Section 1. Employment of road clerks by certain counties.**

—The board of county commissioners of any county in this state now or hereafter containing not less than seventy nor more than eighty full or fractional congressional townships and having at any time an assessed valuation of not less than three million dollars nor more than five million dollars, exclusive of money and credits, as finally equalized by the State Tax Commission, shall have authority to appoint and employ one or more persons, electors of such county, to perform clerical work and act as an accountant for said board, whose duties shall be to keep an accurate account and record of the time of all employees working for such county upon the roads and bridges therein, and of the time of the services and use of all horses, mules, carts, wagons, tractors, and other equipment, not belonging to any such county, used thereby in the construction and maintenance of the roads and bridges therein, and to prepare all time checks to be issued to all such employees for their personal services, and for the services and use of all such horses, mules, carts, wagons, tractors, and other equipment, which may be used by any such county in the construction and maintenance of its roads and bridges, as aforesaid, to keep a complete inventory and record of all tools, machinery, equipment, supplies and other property of any such county, used thereby in the construction and maintenance of its roads and bridges; to keep an accurate account and record of all sums which