

89022

GENERAL STATUTES OF
MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

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1918

CHAPTER 45

SEALS

5704. Private seals abolished—

Cited (121-301, 141+183, Ann. Cas. 1914C, 755).

CHAPTER 46

NOTARIES PUBLIC

5709. Term—Bond—Oath—

In action on notary's bond for negligence in making certificate of acknowledgment, evidence held to sustain general and special verdicts for defendant (129-221, 152+267). Notaries, [§ 11](#).

CHAPTER 47

RESIGNATIONS—VACANCIES—REMOVALS

5723. Vacancies—

Cited in dissenting opinion (131-401, 155+629).

Laws 1915 c. 168, amending §§ 809, 810, post, by providing that clerks of district court elected in 1912 should hold over until January, 1919, and that their successors should be elected in November, 1918, held to create a vacancy commencing in January, 1917 (132-426, 157+652). Clerks of Courts, [§ 7](#).

Where a successful candidate for the office of county superintendent of schools prevailed on a contest entered by the predecessor in the office, who was a candidate for re-election, on the ground of violation of the corrupt practices act, and the office was surrendered to the contestee, who qualified, but thereafter, on appeal by contestant, the contestee was ousted, and resigned, and the county board appointed respondent to fill the vacancy, such appointment was valid, as there was a vacancy; contestee not holding over under § 810 (131-1, 154+442). Schools and School Districts, [§ 48\(3\)](#).

This provision does not prevent a prior incumbent from holding over, he not having waived or surrendered or abandoned his right; nor does it create a vacancy to be filled by appointment, though the former incumbent has given actual possession to one holding a certificate of election (131-401, 155+629). Judges, [§ 9](#).

5727. Appointment—How long to continue—Impeachment—

Cited (131-401, 155+629).

An appointee to fill a vacancy in the county board, in a county not newly organized, or in which the number of commissioners is not increased, holds only until the next election occurring after there is sufficient time to give the notice prescribed by law, and until a successor is elected and qualified; this section governing, and not § 680 (129-359, 152+758). Counties, [§ 43](#).