

Nineteen Hundred Thirty-One  
Supplement

to

# Mason's Minnesota Statutes

(1927 thru 1931)

Containing the text of the acts of the 1929 and 1931 Sessions of the  
Legislature, both new and amendatory, and notes showing repeals,  
together with annotations from the various courts, state  
and federal, construing the constitution, statutes,  
charters and court rules of Minnesota



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CITER-DIGEST CO.  
ST. PAUL, MINNESOTA  
1931

be one published in the county wherein the action or proceeding is pending or in which the thing to which such notice relates is to occur or be done, and conforming to the requirements of §10935; or, if there be none in such county, then in an adjoining county. The term "posted notice," when similarly used, shall mean the posting, at the beginning of the prescribed period of notice, of a copy of the notice or document referred to, in a manner likely to attract attention, in each of three of the most public places in the town, city, district or county to which the subject matter of the notice relates, or in which the thing of which notice is given is to occur or be performed; provided, however, that in any town in which there is located within its geographical limits a city or village, one or more such notices may be posted in such city or village. (As amended Apr. 16, 1931, c. 181, §1.)

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(14).

Under section 31 of the Brainerd City Charter, requiring clerk to advertise in official newspaper of the city for one week for sealed proposals, one publication of the notice in the newspaper at least one week prior to the opening of the bids is sufficient. Op. Atty. Gen., June 24, 1931.

Under a statute providing that "two weeks' published notice" shall be given that bids will be received and opened, bids could be opened one week from the date of the last publication, excluding the date of publication, and including the date of opening the bid. Op. Atty. Gen., June 30, 1931.

(17).

180M241, 230NW572.

(21).

179M349, 229NW312.

In computing the three-day period in which a bill is to be returned by the Governor in order to effect a veto thereof under Const., Art. 4, §11, Sunday, but not a holiday, is to be excluded. 172M162, 215NW200.

Publication of summons, order or process is not illegal because first publication falls on a holiday. Op. Atty. Gen., Mar. 14, 1929.

House of Representatives could not legally adjourn in the afternoon of Feb. 11, 1931, until the forenoon of Feb. 16, 1931, without the consent of the Senate, it being immaterial that February 12th is holiday. Op. Atty. Gen., Feb. 10, 1931.

Liability of the bank stockholder making a transfer on November 23rd, 1925, continued to and included November 23rd, 1926. Bank of Dassel v. M., 235NW914. See Dup. Dig. 803(11).

In computing the five-day period between the making of application for marriage license and the issuance of the license, the day on which the application is made is to be excluded and the day the license is issued is to be included. Op. Atty. Gen., April 29, 1931.

Fractions of days may not be considered in determining five days after which a marriage license may be issued. Op. Atty. Gen., May 9, 1931.

(22).

The word "towns" in Soldier's Preference Act includes villages. 173M485, 217NW681.

The word "village" in the proviso in Laws 1929, c. 179, does not include a "town." Op. Atty. Gen., June 6, 1929.

#### §10934-2. Certain publications validated.

—All newspaper publications of notices, required by law to be published in legal newspapers, which have been published between dates of June 27, 1927 and June 27, 1928 in a daily newspaper which conforms in all respects to the statute defining legal newspapers with the exception that the newspaper had not been published for the requisite length of time, and where said daily newspaper attempted to purchase a weekly newspaper and combine and continue the existing legal weekly paper with the daily newspaper but in fact failed to do so because of a failure to adopt certain characteristics of the existing legal newspaper, are hereby legalized and declared to be valid and sufficient for all purposes. (Act Mar. 11, 1929, c. 72, §1.)

§10934-3. The provisions of this act shall not affect any action or proceeding now pending in any courts in this state. (Act Mar. 11, 1929, c. 72, §2.)

#### §10935. Legal newspaper qualifications.

St. Paul Legal Ledger giving information affecting credit and other news of official proceedings, held to "contain local and general news, etc." Legal Ledger, Inc., v. H., 222NW646.

#### §10937. Published notice.

Op. Atty. Gen., Mar. 14, 1929; note under §10933.

§10950-4. Mason's Minnesota Statutes to be prima facie evidence.—Mason's Minnesota Statutes of 1927 shall be prima facie evidence of the statutes therein contained, in all the courts of this state, without further proof or authentication. (Act Feb. 1, 1929, c. 6.)

## CHAPTER 108

### Express Repeal of Existing Laws

#### §10963. Session Laws of 1876.

Repeal of ch. 28 is modified by the provisions of §7429 herein. Op. Atty. Gen., May 3, 1930.

#### §10970. Session Laws of 1885.

This repealer is modified as to villages organized and operating under the village code of

1885, by §1109 herein. Op. Atty. Gen., Jan. 16, 1930.

#### §10975. Session Laws of 1895.

This repealer is modified as to villages organized and operating under the 1885 village code, by §1109 herein. Op. Atty. Gen., Jan. 16, 1930.