

CHAPTER 646

EXPRESS REPEALS BY REVISED LAWS 1905

**646.01 EFFECTIVE DATE OF REPEAL.**

HISTORY. R.L. 1905 s. 5517; M.S. 1927 s. 10951.

While a great many statutes were expressly repealed by Revised Laws 1905, Chapter 108; Laws 1877, Chapter 106; Laws 1878, Chapter 45; and Laws 1893, Chapter 148, were left in full force and effect. It is unthinkable that the legislature by Revised Laws 1905, Section 793 (section 475.43), intended to exclude all outstanding municipal bonds from the operation of the statute of limitations. The purpose of the statute was to leave outstanding municipal bonds wholly unaffected as to validity and enforcement notwithstanding the repeal of the statutes under which they were issued. In the instant case recovery on the bonds is barred after the expiration of six years from their due date. *Batchelder v City of Faribault*, 212 M 251, 3 NW(2d) 778.

**646.02 GENERAL STATUTES OF 1866.**

HISTORY. R.L. 1905 s. 5518; M.S. 1927 s. 10952.

**646.03 SESSION LAWS OF 1866.**

HISTORY. R.L. 1905 s. 5519; M.S. 1927 s. 10953.

**646.04 SESSION LAWS OF 1867.**

HISTORY. R.L. 1905 s. 5520; M.S. 1927 s. 10954.

**646.05 SESSION LAWS OF 1868.**

HISTORY. R.L. 1905 s. 5521; M.S. 1927 s. 10955.

**646.06 SESSION LAWS OF 1869.**

HISTORY. R.L. 1905 s. 5522; M.S. 1927 s. 10956.

**646.07 SESSION LAWS OF 1870.**

HISTORY. R.L. 1905 s. 5523; M.S. 1927 s. 10957.

**646.08 SESSION LAWS OF 1871.**

HISTORY. R.L. 1905 s. 5524; M.S. 1927 s. 10958.

**646.09 SESSION LAWS OF 1872.**

HISTORY. R.L. 1905 s. 5525; M.S. 1927 s. 10959.

**646.10 SESSION LAWS OF 1873.**

HISTORY. R.L. 1905 s. 5526; M.S. 1927 s. 10960.

**646.11 SESSION LAWS OF 1874.**

HISTORY. R.L. 1905 s. 5527; M.S. 1927 s. 10961.

# MINNESOTA STATUTES 1945 ANNOTATIONS

646.12 EXPRESS REPEALS BY REVISED LAWS 1905

4436

## 646.12 SESSION LAWS OF 1875.

HISTORY. R.L. 1905 s. 5528; M.S. 1927 s. 10962.

## 646.13 SESSION LAWS OF 1876.

HISTORY. R.L. 1905 s. 5529; M.S. 1927 s. 10963.

## 646.14 SESSION LAWS OF 1877.

HISTORY. R.L. 1905 s. 5530; M.S. 1927 s. 10964.

Section 1855, prior to the 1905 revision did not apply to school districts. Section 1968 is Laws 1905, Chapter 272, and is in terms an amendment of General Statutes 1894, Section 3688, which is traced through General Statutes 1878, Chapter 36, Section 26, and had its origin in Laws 1877, Chapter 74, Section 8, Subdivision 2. It always referred to schools. General Statutes 1894, Section 3688, and the prior statutes which it embodies, were repealed by the revision of 1905, effective March 1, 1906. Laws 1905, Chapter 272, approved April 18, 1905, and by force of General Statutes 1913, Section 9398 (section 645.05) is, if it differs from the revision, to be construed as amendatory and supplementary. *State ex rel v School Board*, 139 M 96, 165 NW 880.

## 646.15 SESSION LAWS OF 1878.

HISTORY. R.L. 1905 s. 5531; M.S. 1927 s. 10965.

## 646.16 SESSION LAWS OF 1879.

HISTORY. R.L. 1905 s. 5532; M.S. 1927 s. 10966.

## 646.17 SESSION LAWS OF 1881.

HISTORY. R.L. 1905 s. 5533; M.S. 1927 s. 10967.

The repeal of Laws 1875, Chapter 139, by Revised Laws 1905, Section 5533 (section 646.17), did not affect villages operating under chapter 139 and relating to the repair of sidewalks and paving. OAG April 15, 1936 (484e-4).

## 648.18 SESSION LAWS OF EXTRA SESSION OF 1881.

HISTORY. R.L. 1905 s. 5534; M.S. 1927 s. 10968.

## 646.19 SESSION LAWS OF 1883.

HISTORY. R.L. 1905 s. 5535; M.S. 1927 s. 10969.

## 646.20 SESSION LAWS OF 1885.

HISTORY. R.L. 1905 s. 5536; M.S. 1927 s. 10970.

Laws 1885, Chapter 145, relating to the incorporation of villages, and providing that all villages theretofore incorporated under the general statutes of the state should be governed by the provisions thereof, though repealed by Revised Laws 1905, Section 5536 (section 646.20), nevertheless by force of Revised Laws 1905, Section 698, remains in force as to existing villages, which were not incorporated as provided for by Revised Laws 1905, Section 699, (section 413.01). *Chicago, Milwaukee v Village of LeRoy*, 124 M 107, 144 NW 464.

Laws 1885, Chapter 145, has been repealed but it still applies to all villages which continue to operate under it, and who did not exercise the option of coming under the 1905 village act.

Under the provision of Laws 1943, Chapter 117, amending sections 212.28 and 413.01, all villages are now governed by the provisions of Revised Laws 1905, Chapter 9, as amended.

# MINNESOTA STATUTES 1945 ANNOTATIONS

4437

EXPRESS REPEALS BY REVISED LAWS 1905 646.31

## 646.21 SESSION LAWS OF 1887.

HISTORY. R.L. 1905 s. 5537; M.S. 1927 s. 10971.

Special Laws 1873, Chapter 111, Section 1, has long since ceased to be the law, both by inconsistency with Laws 1903, Chapter 253, Section 1, and by special repeal by Revised Laws 1905, Chapter 108. *State v Chicago, Milwaukee, 210 M 488, 299 NW 212.*

## 646.22 SESSION LAWS OF 1889.

HISTORY. R.L. 1905 s. 5538; M.S. 1927 s. 10972.

## 646.23 SESSION LAWS OF 1891.

HISTORY. R.L. 1905 s. 5539; M.S. 1927 s. 10973.

Under the provisions of Revised Laws 1905, an appeal from a judgment of a justice of the peace holding his office in a village incorporated pursuant to Laws 1891, Chapter 146, is properly taken to the district court. *Gordon v Freeman, 112 M 483, 128 NW 834, 1118.*

## 646.24 SESSION LAWS OF 1893.

HISTORY. R.L. 1905 s. 5540; M.S. 1927 s. 10974.

## 646.25 SESSION LAWS OF 1895.

HISTORY. R.L. 1905 s. 5541; M.S. 1927 s. 10975.

Laws 1883, Chapter 125, was the first act on the subject of licensing physicians. This was repealed by and the subject covered by a new enactment Laws 1887, Chapter 9. This was in turn amended by Laws 1895, Chapter 89. The 1895 act was expressly repealed by Revised Laws 1905, Section 5541, and the subject covered by Revised Laws 1905, Section 2296 (section 147.02); under the present statute the action of the state board of medical examiners in refusing to grant a license to a physician from another state, applied for under Laws 1905, Chapter 236, is not appealable. *Williams v Board, 120 M 313, 139 NW 500; 20 LRA 355.*

## 646.26 SESSION LAWS OF 1897.

HISTORY. R.L. 1905 s. 5542; M.S. 1927 s. 10976.

## 646.27 SESSION LAWS OF 1899.

HISTORY. R.L. 1905 s. 5543; M.S. 1927 s. 10977.

## 646.28 SESSION LAWS OF 1901.

HISTORY. R.L. 1905 s. 5544; M.S. 1927 s. 10978.

## 646.29 SESSION LAWS OF 1902.

HISTORY. R.L. 1905 s. 5545; M.S. 1927 s. 10979.

## 646.30 SESSION LAWS OF 1903.

HISTORY. R.L. 1905 s. 5546; M.S. 1927 s. 10980.

## 646.31 LAWS NOT REPEALED.

HISTORY. R.L. 1905 s. 5547; M.S. 1927 s. 10981.

A special statute providing for a particular place, or applicable to a particular locality, is not repealed by a statute, general in its terms and application, unless the intention of the legislature to repeal the special law is clear, although the terms of the general act would, taken strictly, and but for the special law, include the case or cases provided for by it. Special Laws 1871, Chapter 73, and other special acts in reference to the board of county commissioners of Ramsey County were not repealed by the revised laws of 1905. *State ex rel v Peter, 101 M 462, 112 NW 866; State ex rel v Baker, 114 M 209, 130 NW 999.*