

# MINNESOTA STATUTES 1947 ANNOTATIONS

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COUNTIES WITH POPULATION OVER 150,000 383.12

## CHAPTER 383

### COUNTIES WITH POPULATION OVER 150,000

#### **383.01 ESTIMATES OF EXPENSE AND REVENUE.**

The law is none the less general and uniform because it defines the subject of its operation into classes and applies different rules to different classes. To be general, the law must apply and operate uniformly on all members, classes of persons, places or things, requiring legislation peculiar to itself in matters governed by the law. The classification must be based on some reason suggested by necessity or because of some difference in the situation and circumstances of the subjects placed in the different classes. There must be an evident connection between the distinctive features to be regulated and the regulations adopted. Based upon the above rules, L. 1943, c. 15, is special legislation and invalid. *Hamlin v Ladd*, 217 M 249, 14 NW(2d) 396.

Special legislation under guise of classification; need for constitutional revision. 11 MLR 209.

#### **383.09 MAXIMUM TAX RATE.**

Laws 1923, c. 231, declared special legislation and invalid. *State ex rel v Erickson*, 160 M 510, 200 NW 813.

#### **383.12 EXCESSIVE EXPENDITURE; GROSS MISDEMEANOR.**

Without authority of the defendant's board of commissioners a member thereof purchased clay and sand from plaintiff and used the same in improving a county highway. The transaction was invalid but made in good faith and without any intention to violate the law. The county benefited by the improvement. The work done was within the powers of the county board. Held, under the facts disclosed by the evidence, plaintiff was entitled to recover in quasi contract an amount equal to the benefit that the county received. *Wakely v Co. of St. Louis*, 184 M 613, 240 NW 103.