

*the property of the county. All fees shall be disposed of and treated in accordance with Section 14 of this Act.*

*All Acts and parts of Acts inconsistent herewith are hereby repealed.*

*This Act shall take effect and be in force from and after May 1st, 1933.*

Approved April 21, 1933.

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CHAPTER 433—H. F. No. 2014

*An act to amend Section 1120½, General Statutes 1923, relating to the detachment of territory from certain villages.*

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

Section 1. Territory may be detached from villages in certain cases.—That Section 1120½, General Statutes 1923, be and the same hereby is amended so as to read as follows:

“1120½. The owner of any unplatted tract of land consisting of not less than forty acres, and the owner of any platted lands constituting a compact and contiguous tract of not less than ten acres, occupied and used solely for agricultural purposes, situated within the corporate limits of any village in this state and not within twenty rods of the platted portion of said village, may petition the board of county commissioners of the county in which said tract of land is situated, for an order detaching said tract from said village. Upon the filing of said petition in the office of the county auditor of said county the board of county commissioners thereof shall, at their next meeting thereafter, fix a time and place for the hearing of such petition, which time shall be not less than 30 days thereafter, and shall direct a notice of such hearing to be issued and signed by the county auditor of said county on behalf of such board, which said notice shall state the name of such petitioner, describe the tract of land sought to be detached and the time and place of such hearing, which said notice said petitioner shall cause to be served upon the president of the village council of said village, or the recorder thereof, at least twenty days before the day of hearing, and by posting three copies of such notice on three of the most public places in said village, or in lieu of such posting, said notice shall be published in the official paper of such village for two suc-

cessive weeks, once in each week, in case there shall be a legal newspaper printed and published in said village. Upon the hearing of said petition at the time and place so fixed, if the board of county commissioners shall find that said land is owned by the petitioner and is used solely for agricultural purposes and that the same may be so detached from said village without unreasonably affecting the symmetry of the settled portion thereof, and that the same is so conditioned as not properly to be subjected to village government or is not necessary for the reasonable exercise of the police powers or other powers or functions of such village, such board of county commissioners shall make an order detaching such land from said village and thereupon said tract of land shall become detached therefrom, and shall thereafter form a part of the township in which it was originally situated, if such village were organized prior to the time when the territory of Minnesota became a state and before the organization of the township in which such land was originally situated, the land so detached shall become a part of the township adjoining thereto, and if such land adjoin two or more townships the county board shall decide to which of such adjoining town or townships such detached tract or tracts shall be attached and shall in all things be subject to the town government of such township, and not in any manner under their jurisdiction of such village, and such order shall be filed in the office of the county auditor of such county and a duplicate thereof shall be filed in the office of the village recorder of such village within five days after the same shall have been made.

This Act shall apply only to the following villages, namely:

1. Villages having a population of 350 or less persons and containing more than 160 acres of land.
2. Villages having a population of more than 350 and less than 700 persons and containing more than 320 acres of land.
3. Villages having a population of more than 700 persons and containing more than 640 acres of land.

Any person or party aggrieved may appeal from such order to the district court of the county upon the following grounds:

1. That the county board had no jurisdiction to act.
2. That it has exceeded its jurisdiction.
3. That its action is against the best interests of the territory affected.

Such appeal shall be taken by serving upon the county auditor within thirty days from the making of the order a notice of appeal,

specifying the grounds thereof. The appellant shall also execute and deliver to the auditor a bond to the county in the sum of one hundred dollars, to be approved by the county auditor, conditioned for the payments of all costs, taxed against the appellant on such appeal. Such further proceedings shall be had upon such appeal as upon other appeals from the county board.

The provisions of this Act relating to appeals shall not apply to any action or proceeding now pending involving the separation of land from any village."

Approved April 21, 1933.

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CHAPTER 434—H. F. No. 2026

*An act to provide a levy of taxes for state purposes for the fiscal years ending June 30th, 1934, and June 30th, 1935.*

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

**Section 1. Tax levy for state purposes.**—For the purpose of defraying the expenses of the State for the fiscal year ending June 30th, 1934, a tax of Eight Million Six Hundred Ninety-nine thousand Three Hundred Fifty-nine Dollars or as near that amount as practicable, shall be levied on all taxable property of the state; provided, that the tax hereby levied shall not exceed the rate of Five and eight tenths mills on each dollar of taxable property.

**Sec. 2. Tax levy for state purposes.**—For the purpose of defraying the expenses of the State for the fiscal year ending June 30th, 1935, a tax of Eight Million Five Hundred Fifty-three Thousand Three Hundred Ninety Dollars or as near that amount as practicable, shall be levied on all taxable property of the state; provided, that the tax hereby levied shall not exceed the rate of Five and Seven Tenths Mills on each dollar of taxable property.

**Sec. 3. To be credited to revenue fund.**—All taxes under the provision of this Act, when collected and paid into the State Treasury, shall be placed to the credit of the GENERAL REVENUE FUND only.

Approved April 21, 1933.