

away, disposing of or dealing in spirituous, malt, fermented or vinous liquors, until such time as the people shall in form and manner aforesaid decide such question, it being the true intent and meaning of this act that such power shall vest in such council for and during all times and periods as may not be provided for by the decision of the electors as aforesaid upon such subject.

SEC. 5. Frank H. Bartlett, Charles W. Crane and I. G. Kilbourn, all of Wykoff, are hereby designated as the persons to receive the notice and to perform the acts required by section nine of the said act hereinbefore referred to, approved March 4th, 1875.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 14th, 1876.

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## CHAPTER VI.

### AN ACT TO INCORPORATE THE VILLAGE OF FOUNTAIN IN THE COUNTY OF FILLMORE, STATE OF MINNESOTA.

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

SECTION 1. The following described territory in the county of Fillmore, state of Minnesota to wit: The northeast quarter of section ten, the north half of the southeast quarter of section ten; the northeast quarter of the southwest quarter of section ten, the east half of the northwest quarter of section ten; the west half of the northwest quarter of section eleven, the northwest quarter of the southwest quarter of section eleven, the southwest quarter of the southwest quarter of section two; the south half of the southeast quarter of section three and the southeast quarter of the southwest quarter of section three, all in township number one hundred and three, north of range number eleven west, be and the same is hereby set apart for incorporation as the village of Fountain.

SEC. 2. That the following named persons are designated as commissioners under the general laws of 1875, providing for the organization of villages in the state of Minnesota, to post notices of the first election and to conduct the same in said village to wit: A. Fergusson, P. Ferris and D. D. Farrell.

SEC. 3. That upon organization as directed in the general laws aforesaid of this state, the said territory shall constitute the village of Fountain, and the inhabitants thereof shall thereupon be endowed with all the rights, powers and duties therein prescribed for organizing villages in this state excepting the rights, powers and duties expressed in section twelve of the said act hereinbefore referred to, which said section twelve shall, for the purposes of this act have no effect whatever and except as hereinafter otherwise provided.

Sec. 4. And be it further provided that the village council of the said village of Fountain are hereby prohibited from granting any license for the vending, dealing in or disposing of spirituous, vinous, malt, or fermented liquors as provided for in section thirteen of chapter one hundred and thirty-nine of the general laws of 1875; whenever the legal voters of the township of Fountain (within which the said village of Fountain is located) shall vote "against license" as now provided for in chapter thirty-two of the general laws of 1870, and it is hereby made the duty of the village recorder of the said village of Fountain to procure from the town clerk's of said township of Fountain, such information as shall be necessary to inform the village council of the said village of Fountain of the action of said township in regard to such vote, which information shall be given by said recorder to said village council before any action in regard to granting license shall be taken.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 3, 1876.

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## CHAPTER VII.

### AN ACT TO INCORPORATE THE VILLAGE OF WHALEN, FILLMORE COUNTY, MINNESOTA.

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

SECTION 1. That all that part of the township of Holt, Fillmore county, Minnesota, included within the following described limits and boundaries, and embracing the following described territory, to-wit: The northwest quarter of the northwest quarter of section sixteen (16), and the south half of the southwest quarter and the northwest quarter of the southwest quarter of section nine (9), and the southeast quarter of the southeast quarter of section eight (8), all in township one hundred and three (103), range nine (9), shall be and hereby is created a village by the name of "The village of Whalen." And the people who now do or hereafter may reside within the said city are hereby created a corporation for municipal purposes, and as such vested with all the powers of municipal corporations at common law and under the statutes of this state.

SEC. 2. That G. H. Dyer, D. F. Jones and Joshua Downing, of said town, be and hereby are designated as the persons to give the notice required by the statute for the organization of said village.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 17th, 1876.