

SEC. 4. The sheriff is allowed the same fees and mileage for making an arrest or attending before said officer or judge under this act as he is allowed for arresting a person under a bench warrant; and in all cases his fees shall be paid by the surety or sureties surrendering any principal as herein provided for. Fees of Sheriff.

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

Approved March 7, 1881.

## CHAPTER 106.

### AN ACT TO PROVIDE FOR THE ORGANIZATION OF THE COUNTY OF BIG STONE.

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

SECTION 1. That the county of Big Stone as now established by law in this State, be and the same is hereby declared to be an organized county, with all the rights, privileges and immunities of other organized counties within this State. The county seat shall be located at Ortonville, in said county, until the next general election. At the next general election the question of the removal of the county seat to section twenty-four (24), town one hundred and twenty-three (123), range forty-six (46), shall be submitted to the electors of said county, and said electors at said election shall have written or printed, or partly written and partly printed on their ballots for State and county officers, the words: For removal of county seat to section twenty-four (24), town one hundred and twenty-three (123), and range forty-six (46); and those opposed to such removal the words "against removal of county seat;" and such ballots shall be received by the judges of election, and canvassed at the same time, in the same manner and returned to the same office, as ballots for county officers. The canvassing board for said county shall canvass the returns upon said question, at the same time and in the same manner as returns for county officers; and if a majority of the votes so cast at said election shall designate said Big Stone Centre as the county seat then said Big Stone Centre in said county shall be the permanent county seat, otherwise the same to remain at Ortonville. Submission to the people.

How ballots shall read.

Canvassing returns.

SEC. 2. On the day of the next annual town meeting after the passage of this act, polls shall be opened at nine (9) o'clock in the forenoon and remain open until five (5) o'clock in the afternoon, at the several places where the last annual election was held in said county, and the legal voters of said county may proceed to vote for such officers as they are by law entitled to elect, including five (5) County Commissioners; said vote to be by ballot, and the ballots cast for such county officers shall be deposited in a separate box, which said box it is hereby made the duty of the County Commissioners and of the Supervisors of the organized townships to furnish the judges and clerks of said election, to be those now provided by law; and said judges shall proceed to canvass said votes and within five (5) days after said election make a report of such canvass to the County Auditor of Stevens county to which said Big Stone county is attached for judicial purposes, who shall canvass said returns and issue certificates of election to the person having the highest number of votes for the respective offices as appears by said returns within five (5) days after the reception by him of the report of the canvass as above provided for; and said officers shall within ten (10) days after the receipt of their said certificates qualify and enter upon their duties and shall hold their respective offices for the time now limited by law and until the next general election after the expiration of the time as so limited and until their successors are elected and qualified; and it is hereby made the official duty of said Auditor of Stevens county, to canvass said returns and issue certificates of election as hereinabove provided, and a failure on his part to perform said duty shall be deemed a misdemeanor and punishable as such; but such failure shall not prevent any person so receiving the highest number of votes for any office to be voted for at such election from qualifying and entering upon the duties of said office, nor invalidate his election thereto; and said auditor shall receive the sum of three (3) dollars for such canvass, and one (1) dollar each for said several certificates, payable out of the county treasury of said Big Stone county.

SEC. 3. There shall be held in said county of Big Stone, at the county seat thereof, one (1) term of the District Court in each year, the time for the commencement of which shall be fixed by the Judge of said court until otherwise provided by law; and all suits, actions and proceedings now pending in the District Court for the counties of Stevens, Big Stone and Traverse, which by law would have been liable in said Big Stone county, if the same had been an organized county, shall be transferred to said Big Stone county, and all records pertaining to or which properly belong to Big Stone county, where no other provision is made by law, shall be transferred from the county of Stevens to the county of Big Stone; and the County Commissioners of said last named county shall

Time of opening polls, to vote for county officers.

Certificates of election to be issued by county auditor.

District court - time to be fixed by Judge.

Transfer of records.

pay for transferring and transcribing such records such sums as they may deem to be just and reasonable.

SEC. 4. And it shall be and is hereby made the duty of the present Board of County Commissioners of said Big Stone county, on or before the twenty-eighth (28th) day of February, one thousand eight hundred and eighty-one (1881), to redistrict said county into five (5) commissioner districts, and to give notice of said redistricting by posting one (1) notice in the most public place in each district, and by publishing said notice in the North Star and Ortonville Herald, two weekly papers published in said county. Redistricting.

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

Approved February 8, 1881.

## CHAPTER 107.

AN ACT TO PROVIDE FOR THE LEVY OF TAXES FOR STATE PURPOSES FOR THE YEARS ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881) AND ONE THOUSAND EIGHT HUNDRED AND EIGHTY-TWO (1882.)

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

SECTION 1. There shall be levied on all taxable property in the State of Minnesota for the year one thousand eight hundred and eighty-one (1881) a tax of two hundred and eighty thousand dollars (\$280,000), or as near that amount as practicable. *Provided*, that the tax hereby levied shall not exceed one mill (\$.001) on each dollar of taxable property. Tax levy.

SEC. 2. All taxes levied under the provisions of the foregoing section when collected and paid into the State treasury, shall be distributed as follows: three-quarters ( $\frac{3}{4}$ ) thereof to be placed to the credit of the General revenue fund, one-twentieth (1-20) thereof to be placed to the credit of the State interest fund, and one-fifth (1-5) thereof to be placed to the credit of the sinking fund. Distribution of taxes.

SEC. 3. There shall be levied on all taxable property in the State of Minnesota for the year one thousand eight hundred and eighty-two (1882) a tax of three hundred and twenty thousand dollars (\$320,000) or as near that amount as practicable. *Provided*, that the tax hereby levied shall not exceed one mill (\$.001) on each dollar of taxable property. Amount of tax levy.