

exhibits of the agricultural, stock breeding, horticultural, mining, mechanical and other products and resources of the state of Minnesota, and in aid of the purposes of the state agricultural society, and to appropriate moneys and property for such purposes," shall be disbursed in the manner hereinafter prescribed and not otherwise, anything in said above entitled act to the contrary notwithstanding: All contracts, bills and vouchers for or on account of any of the purposes for which said appropriation was made, shall be presented to and passed upon by the executive committee of the state agricultural society, and if allowed by said executive committee the fact of such allowance shall be attested by the president and secretary of said society, and such contracts, bills and vouchers with such attestation shall be presented to the governor for approval, and when approved by the governor, shall be filed in the office of the state auditor, and it shall thereupon be the duty of the state auditor to draw a warrant on the state treasurer for the amount of such voucher in favor of the person entitled thereto, and no part or portion of said appropriation shall be paid out except in the manner hereinbefore provided.

Repeal of inconsistent acts.

When act to take effect.

SEC. 2. All acts or part of acts, inconsistent with the provisions of this act is hereby repealed.

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

Approved March 2, 1885.

CHAPTER 272.

AN ACT TO PROVIDE FOR THE CHANGE OF COUNTY SEATS.

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

Change of county seat—how effected.

SECTION 1. Whenever a majority of the freeholders, who are legal voters and residents of the county, shall present to the board of county commissioners of such county, a petition signed by them asking a change of the county seat to some other place in said county, such place to be designated in said petition, it shall be the duty of such board of county commissioners to submit the question of the change and removal of the county seat of such county to the place designated in said petition to a vote of the qualified electors of such county in the manner herein provided, and subject to the provisos and conditions herein contained.

SEC. 2. Such election shall be held only on the day of the general election for state and county officers, and shall be conducted and the votes canvassed, certified, returned, and recorded in the same manner as other votes cast at said election.

When election to be held.

SEC. 3. Upon receipt of said petition by the board of county commissioners, it shall be filed in the office of the county auditor of such county, and shall be open to public examination and inspection, and the auditor shall give public notice of such filing by publishing for four (4) successive weeks in all the newspapers of said county, a notice containing the substance of the petition, the date of filing the same, and the number of names signed or attached thereto, and if there is no paper printed and published in said county, then by posting or causing to be posted, three (3) copies of said notice in each organized town in said county for the same length of time, and no action shall be taken on said petition until the expiration of such period of notice and publication.

Notice to be filed with county auditor — duty of county auditor.

SEC. 4. The board of county commissioners of such county, after due notice of the filing of said petition has been given as herein provided, shall give at least four (4) weeks' notice of such election by publishing the same in all the newspapers printed and published in such county, and if there is no newspaper printed and published in such county, then by posting or causing to be posted three (3) copies of said notice in three (3) of the most public places in each organized town in said county for the same time.

County commissioners to give public notice.

SEC. 5. At such election those voting on such question of change or removal of the county seat, shall deposit their ballots in a separate box to be provided for that purpose, the ballots used at such election shall have printed or written, or partly printed and partly written thereon the words for change of county seat to—yes; for change of county seat to—no.

Ballots to be deposited in a separate box — how prepared.

SEC. 6. If a majority of all the voters present and voting at such election shall vote in favor of such change of county seat, it shall be the duty of the chairman of the board of county commissioners to certify to the same with the attestation of the county auditor to the governor of the state, who thereupon shall issue his proclamation to that effect and cause the same to be published and printed in some newspaper printed and published at the capital of the state, and from the date of such proclamation the place so designated shall be the county seat of such county. But if there shall not be a majority of such votes in favor of such change, then it shall not be lawful for the county commissioners to again submit the question of the change or removal of the county seat at any time within five (5) years from the time such election is held; *Provided*, That in all counties where the question of the change or location of the county seat therein has heretofore been submitted to a vote of the elec-

Duty of board of county commissioners if affirmative vote.

tors of such county, and the county seat therein has been fixed or located by such vote, no such county seat so fixed or located shall be changed or removed under the provisions of this act unless three-fifths ($\frac{3}{5}$) of all the voters present and voting at such election shall vote in favor of such change or removal.

When act to
take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

CHAPTER 273.

AN ACT EMPOWERING TOWNSHIP AND OTHER OFFICERS TO CONDEMN CERTAIN LANDS, TO IMPROVE AND REPAIR THE PUBLIC HIGHWAYS AND STREETS UNDER THEIR JURISDICTION.

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

Property may
be condemned
for public pur-
poses.

SECTION 1. Whenever it shall be deemed necessary for the public good by any board of county commissioners of any county, any board of supervisors of any township, any board of trustees of any incorporated village, or the board of aldermen of any city for the purpose of making, repairing or improving any of the public highways or streets within their respective jurisdiction, they may for the uses and purposes herein specified enter upon and condemn any plot of ground not exceeding five (5) acres, together with the right of way to the same anywhere within two (2) miles of the public highway or street where the same is to be used as hereinafter provided; *Provided*, That the same shall be largely composed of gravel or stone, and suitable for road purposes.

Commissioners
appraisal to
be appointed by
the court.

SEC. 2. Whenever any board of county commissioners of any county, the board of supervisors of any township, the board of trustees of any incorporated village, or the aldermen of any city, wish to procure land as provided in section one (1) of this act, and cannot agree with the owner or owners of land proposed to be taken for such purposes, application may be made to the district court of the judicial district and in the county wherein said land is situated, giving twenty (20) days' notice thereof to the owner or owners by leaving a copy with him or them, or at their usual place of abode, and said court shall appoint a committee of three (3)