

SEC. 2. All acts or parts of acts so far as inconsistent with the provisions of this act are hereby repealed.

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

Approved March 25, 1891.

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## CHAPTER 220.

[S. F. No. 634.]

AN ACT MAKING VILLAGES IN BROWN COUNTY SEPARATE ELECTION DISTRICTS AND SEPARATE FROM TOWNS FOR ALL PURPOSES, AND PROVIDING FOR THE ORGANIZATION OF THE TOWNS AFFECTED THEREBY, AND FIXING THE RELATIVE LIABILITIES OF SUCH VILLAGES AND TOWNS.

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

SECTION 1. All incorporated villages in the county of Brown, unless heretofore made separate election districts by special act, are hereby declared to be separate election districts for all purposes, and are hereby declared to be separate and distinct in all respects and for all purposes from the town or towns in which such villages are situated.

SEC. 2. In case of any existing indebtedness against the town in which any village affected by this act is situated in whole or in part, and where such indebtedness is evidenced by any form of obligation, it shall be the duty of the county auditor of the county in which such town is situated to apportion, for the purpose of taxation, the respective liability of such town and village, which shall be apportioned in proportion to the existing valuation of real estate and personal in such town and village respectively, as appears by the last assessment; and thereafter, as such obligations mature, it shall be the duty of the auditor to extend a tax, for the purpose of meeting such obligation, against the property of such town and village respectively, upon a basis of such apportionment.

SEC. 3. Where the place of holding the last election within any such town, or the place appointed by the electors of such town for holding the next election therein, is within the boundaries of any village affected by this act, the supervisors of such town shall forthwith designate a place for holding the election within said town, and shall notify the governor of this state and the clerk of their town of the place so designated, and the next election within said town shall be held at such place; *Provided, however,* that where any town affected by this act shall own a town hall or other town building within the limits of any village affected by this act, such town or other building may be used as the place for holding all elections by said town, unless the voters of such town shall designate some other place for holding such election.

SEC. 4. That portion of any town affected by this act which shall not be included within the limits of any village affected thereby, shall

hereafter constitute a town and an election district, and be subject to all the general laws of this state now or hereafter in force relating to towns; and in case any of the officers of a town affected or created by this act resides at the time this act goes into effect within the limits of any village affected by this act, the vacancy thereby created shall be filled in the manner provided for filling vacancies in such office by sections forty-eight (48), forty-nine (49) and fifty (50) of Chapter ten (10) of the General Statutes of one thousand eight hundred and seventy-eight (1878); *Provided*, that where all the officers of any town affected by this act shall reside within the limits of the village affected by this act at the time it goes into effect, then any five (5) of the voters of said town may call a town meeting for the purpose of electing town officers, by posting up notices in three (3) public places in such town, giving at least ten (10) days' notice of such meeting, which notice shall set forth the time and place and object of such meeting, and the electors, when assembled by virtue of such notice, shall possess all the powers conferred upon them at the annual town meeting; and if at any time thirty (30) days or more after this act goes into effect no such notice shall have been given, the board of county commissioners of the county shall, on the affidavit of any freeholder of said town, filed in the office of the clerk of the board, setting forth the facts, proceed at any regular or special meeting of the board and appoint the necessary town officers of such town; and the persons so elected or appointed shall hold their respective offices until the next annual election, or until others are elected and qualified in their places, and shall have the same powers, and be subject to the same duties and penalties as if they had been duly elected at an annual election.

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

Approved April 9, 1891.

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## CHAPTER 221.

[S. F. No. 141.]

### AN ACT TO CONSTITUTE THE VILLAGE OF ELLSWORTH, NOBLES COUNTY, MINNESOTA, A SEPARATE ELECTION DISTRICT.

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

SECTION 1. That the village of Ellsworth, Nobles county, Minnesota, is hereby constituted a separate election district.

SEC. 2. The village council of the said village of Ellsworth shall act as a board of election at all general elections, in the manner provided by law.

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

Approved February 24, 1891.