

assessment shall then be collected and payment thereof enforced in the same manner as and with the regular taxes,

*Provided*, that if all the owners of the lands affected shall voluntarily pay into the county treasury the said assessment then the proceedings required by sections 9 and 10 of this act shall not be had.

Report of surveyor.

SEC. 11. Upon the completion of the work and the filing of the plats and field notes and of the assessment roll as provided by this act, the surveyor shall submit to the board of county commissioners his report and a bill for making such survey, which bill shall cover all expenditures in connection with such survey and shall not exceed the total amount of the assessment therefor, and said bill, having been approved and allowed by the board of county commissioners as reasonable and just, shall be paid out of the general funds of the proper county as in the manner provided for the payment of other similar claims.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved April 13th, 1895.

S. F. No. 9.

## CHAPTER 251.

Indebtedness of municipalities annexed.

*An act providing for the adjustment of indebtedness of municipalities and quasi-municipalities partially annexed to cities in this state.*

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

City to which annexation made shall pay.

SECTION 1. In all cases heretofore or hereafter arising in this state in which a part of any township or a part of any village, or in which a part of any other municipality or quasi-municipality shall have been or shall be annexed to any city in this state by legislative act or otherwise and in which no provision shall have been or shall be made for the payment or adjustment of the indebtedness of the municipality or quasi-municipality from which such annexed territory is taken, the city to which such annexation is made shall assume and pay such a proportion of the bonded or other indebtedness of such dissevered or divided municipality or quasi-municipality as shall be agreed upon between the municipalities affected by such annexation or as shall be determined by the tribunal authorized to determine the same as hereinafter provided.

SEC. 2. In case of the annexation in the future of any territory to a city as aforesaid, the common council or other governing body of the city to which such annexation is made and the board of supervisors or other governing body of the township or municipality or quasi-municipality from which such annexed territory is taken shall within thirty (30) days from the time when such annexation actually takes place proceed to adjust the indebtedness of such dissevered territory and to determine the proportion thereof that each of said municipalities or districts of territory affected shall bear and in so doing they shall take into account the relative values of the territories annexed and that remaining in the dissevered municipality or quasi-municipality and they shall also take into consideration the assets of the municipality or quasi-municipality from which such territory is taken and may provide that such assets may be divided between the municipalities or quasi-municipalities interested in such proportion as shall be agreed upon or that the one or the other of such municipalities or quasi-municipalities shall receive all of such assets. How adjusted.

SEC. 3. Within sixty (60) days after the passage and approval of this act the common council or other governing body of any city in this state to which a part of the territory of any township, municipality or quasi-municipality has heretofore been annexed and which is subject to the provisions of this act and the board of supervisors or other governing body of the township, municipality or quasi-municipality from which such annexed territory has been taken shall proceed to adjust and apportion the indebtedness of such dissevered township, municipality or quasi-municipality which existed at the time of such annexation and to determine the amount and proportion thereof that shall be assumed by each of the municipalities or quasi-municipalities interested and in so doing they shall take into consideration the amount and relative values of the territory annexed and that remaining and also the assets of the municipality or quasi-municipality from which such territory is taken and may provide that such assets may be divided between the municipalities or quasi-municipalities interested in such proportion as shall be agreed upon or that the one or the other of such municipalities or quasi-municipalities may receive all such assets. How adjusted.

SEC. 4. In case the authorities of any city to which territory has been heretofore or shall be hereafter annexed as hereinbefore provided and the authorities of the municipality or quasi-municipality from which the When arbitrated.

annexed territory is taken are unable to agree upon the adjustment of the indebtedness of such dissevered municipality or quasi-municipality, then said authorities may refer the matter of adjusting such indebtedness to a board of arbitration to be composed of five (5) persons two (2) to be chosen by each of the parties interested and the fifth (5) to be appointed by the four (4) so chosen and the findings of a majority of such board of arbitration shall be as binding upon each of the municipalities or quasi-municipalities interested as the agreement of the authorities of such municipalities or quasi-municipalities themselves would have been.

Settlement to  
be filed with  
county auditor

SEC. 5. In case of the settlement by agreement of any indebtedness of any dissevered municipality or quasi-municipality, as provided in sections two (2) and three (3) of this act, or in case of the arbitration of any such indebtedness as provided for in section four (4) of this act, such settlement or arbitration shall be reduced to writing specifying the terms and conditions thereof and shall be filed with the county auditor of the county in which such municipalities or quasi-municipalities are situated, and thereupon each of such municipalities or quasi-municipalities shall be responsible for the proportion of such indebtedness assumed or apportioned to it.

How acted  
upon where  
authorities fail  
to agree or  
arbitrate.

SEC. 6. In case the authorities of any city to which territory has been or shall be annexed as hereinbefore provided and the authorities of the municipality or quasi-municipality from which such annexed territory is taken fail to act in the matter of adjustment of the indebtedness of such dissevered municipality or quasi-municipality as herein provided or if for any reason such adjustment of said indebtedness cannot be made by said authorities or by the board of arbitration provided for in section four (4) hereof and in all cases where no adjustment of such indebtedness shall have been effected at the end of sixty (60) days from the time herein limited for the authorities of such municipalities or quasi-municipalities to proceed to the adjustment of such indebtedness, then any person or persons interested either as creditors or taxpayers of said dissevered municipality or quasi-municipality may petition the district court of the county in which such municipalities or quasi-municipalities are situated setting forth the facts and such district court shall thereupon take cognizance of the matter of the adjustment of the indebtedness of such dissevered municipality or quasi-municipality and for that purpose shall cite the governing body of each municipality or quasi-municipality interested and the creditors of such divided municipal-

ity or quasi-municipality to appear before it at a time and place to be designated by said court and thereupon said court shall proceed to hear and determine the matter of the adjustment of such indebtedness and upon a final determination thereof shall make its findings of the amount and proportion of such indebtedness which each of such municipalities or quasi-municipalities shall pay and thereupon each of said municipalities or quasi-municipalities shall be responsible for the amount of such indebtedness adjudged for it to pay.

SEC. 7. The provisions of this act shall not be construed to apply to the indebtedness of any school district nor to the indebtedness of any municipality or quasi-municipality for which special provision has been or shall be made for its adjustment nor to any case in which the indebtedness of any dissevered municipality or quasi-municipality is barred by the statute of limitations at the time of the passage of this act.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved February 19th, 1895.

Limitation of  
this act.

## CHAPTER 252.

H. F. No. 673.

*An act providing that any township composed of territory co-extensive and identical with the territory composing any village may be dissolved.*

Township dis-  
solution.

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

SECTION 1. Any township in this state composed of territory co-extensive and identical with the territory composing any village may be dissolved by a majority vote of the legal voters residing in the territory forming such township and village cast at any election held to determine such question, as hereinafter provided.

By vote—when  
village absorbs  
the territory.

SEC. 2. The legal voters residing in such territory shall vote upon and determine the question whether such township shall be dissolved, and it shall be the duty of the recorder of any such village, upon receiving a petition of ten (10) or more legal voters of such township and village, to give at least ten (10) days' notice that the question of dissolving such township will be submitted to the legal voters thereof at the next ensuing annual village election. Five (5) copies of such notice shall be posted in as many public places in such territory, and a copy of such notice shall also be served upon the town clerk of such township at least ten (10)

Election—  
notice—ques-  
tion submitted.