

CHAPTER 16.

S. F. No. 35.

An act to amend section 4838 of the General Statutes of the State of Minnesota, being General Statutes 1894, providing for change of venue in certain cases.

Amendment.
Change of
venue.

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

SECTION 1. That section 4838 of the General Statutes of the State of Minnesota, being General Statutes 1894, be and the same is hereby amended so as to read as follows:

Sec. 4838. No judge of any of the courts of record of this state shall sit in any cause in which he is interested directly or indirectly, or in which he is or has been attorney or counsel for either party or any person interested in the determination of the action, or in which he would be excluded from sitting as a juror; provided, that he may hear and grant a motion for a change of venue in such cause, and it shall be the duty of such judge in judicial districts having only one judge, upon motion of any party desiring such change of venue, to order the same, upon a proper showing of such interest or disqualification, as in other cases of change of venue, and provided that the governor of the state previous to the day upon which notice of said motion is given has not assigned another district judge to hear and determine this action.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 26, 1901.

CHAPTER 17.

S. F. No. 105.

An act to provide for the number of county commissioners in counties of this state containing at least an area of five thousand (5,000) square miles, and having at least seventy-five thousand (75,000) inhabitants, and to authorize the board of county commissioners of such counties to redistrict the same, and to confer upon such board certain powers and duties in relation thereto.

County com-
missioners.

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

SECTION 1. Each and every county of the State of Minnesota, containing at least five thousand (5,000) square miles and having at least a population of seventy-

Where pop-
ulation ex-
ceeds 75,000.

five thousand (75,000) inhabitants, according to the last completed United States or state census, shall be entitled to a board of county commissioners, which shall consist of not less than five or more than seven members.

Petition to
increase
membership.

SEC. 2. Whenever there shall be presented to the board of county commissioners of any such county, at any regular or adjourned meeting, the petition of not less than twenty-five (25) per cent of the legal voters of said county, according to the vote thereof at the last preceding general election, praying that the board of county commissioners of said county be increased from its then present membership, which petition shall contain what is hereinafter required and have attached thereto the affidavit or affidavits of the person or persons who procured the signatures to such petition, to the effect that the signers were, when they signed the same, actual residents and legal voters of said county, the board of county commissioners thereof shall at once file the same and immediately meet and consider said petition, and, if it be found to conform to law, said board shall, within sixty (60) days after such filing, increase the membership of said board to the number stated in said petition, and redistrict and divide said county into a corresponding number of districts, in the manner provided by law, and said board, in such redistricting, shall use as the basis thereof the last preceding census, either United States or state.

SEC. 3. Such petition shall specify the number of members of the board of county commissioners which it is proposed to increase and the number of commissioner's districts into which said county shall be divided, and such petition may be in the following form:

"To the board of county commissioners of the county of in the State of Minnesota:

The undersigned, legal voters of the county of in the State of Minnesota, pray that the board of commissioners of said county be increased to members, and that said county be redistricted and divided into commissioner's districts. These petitioners therefore pray that the proceedings required by law to increase said board of county commissioners and create the districts as prayed be had and complied with.

Dated this day of
A. D. 19

(Here insert names of signers.)"

SEC. 4. Immediately upon such redistricting of any such county, the board of county commissioners thereof shall appoint a commissioner for each additional district

Redistrict-
ing.

for which there shall then be no commissioner, who shall be a resident of the district for which he is appointed, and shall reside therein during his continuance in office, and such commissioner, so appointed as aforesaid, upon qualifying as required by law, shall hold and continue in office until the next general election and until his successor is elected and qualified.

SEC. 5. At the next general election a commissioner shall be elected for each additional district theretofore created, according to the provisions hereof, and, if the new district is an even numbered district, the commissioner therefor shall be elected and shall hold office for such term as shall be coterminous with the terms of office of the commissioners from the other even numbered districts of said county, and thereafter the commissioner from such new even numbered district shall be elected for four years; and if the new district is an odd numbered district, the commissioner therefor shall be elected and shall hold office for such term as shall be coterminous with the terms of office of the commissioners from the other odd numbered districts of said county, and thereafter the commissioner from such new odd numbered district shall be elected for four years.

Elections.

SEC. 6. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

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

Approved Feb. 27, 1901.

CHAPTER 18.

H. F. No. 14.

An Act to repeal chapter three hundred and forty-two (342) of the General Laws of one thousand eight hundred and ninety-five (1895), relating to the encouragement for the use of certain wagons and to allow therefor a deduction of road tax.

Repeal law relating to certain wagons.

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

SECTION 1. That chapter three hundred and forty-two (342) of the General Laws of one thousand eight hundred and ninety-five (1895) be, and the same is hereby, repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 28, 1901.