

take a separate bond from each, or a joint bond from all. If the person or persons so appointed as such administrator or administrators neglect for thirty days after written notice under seal of the probate court personally, or by mail, of such appointment to file the oath and bond required by law and the probate court, such neglect shall be deemed a refusal to serve, and the probate court may appoint such other person or persons as are next entitled thereto to administer such estate. Such person or persons may be appointed without notice.

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

Approved March 16, 1901.

CHAPTER 60.

S. F. No. 62.

An act to amend section one thousand two hundred and sixteen (1216) of the General Statutes of eighteen hundred and ninety-four (1894), relating to village elections.

Amend-
ment.
Village elec-
tions.

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

SECTION 1. That section one thousand two hundred and sixteen (1216) of the General Statutes of eighteen hundred and ninety-four (1894) be, and the same is hereby, amended so as to read as follows:

Sec. 1216. After the first election of officers the village council shall within twenty days before the time of holding any election of village officers designate and appoint two qualified voters of such village who shall act as judges of such election; and in case of the neglect to make such appointment, or if the persons so appointed neglect or refuse to serve the electors present at the time and place named for opening the polls of any such election, may viva voce elect two judges of election and one clerk, who, before entering upon the discharge of their duties, shall take and subscribe an oath or affirmation to faithfully discharge the duties required of them, and the said judges and clerk being qualified, shall forthwith open the polls by proclamation, and conduct the election in the manner provided in this section. The annual meeting shall be on the second Tuesday of March for the election of officers and at such place as may be directed by the village council after giving ten days' notice thereof, either by posting written notices in three of the most public places in the village, or by publishing such notice in the newspaper printed in such village. The polls shall

Judges of
election.

Annual
meeting for
election.

be open at ten o'clock a. m. and close at four o'clock in the afternoon of said day. At the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters by some one of the judges of election, and the recorder shall make a true copy thereof in a book kept for such purpose, and within five days notify in writing the person so elected of their election. All elections shall be by ballot, and all votes for elective officers shall be upon one ballot and be deposited in one ballot box; a plurality of votes shall elect, and if two or more persons receive an equal number of votes for the same office, the election shall forthwith be determined by lot, in the presence of the judges of election in such manner as they direct, and every qualified elector, there actually resident in such village, may vote at any election; provided that no candidate for office shall act as judge or clerk at such elections.

If two or more precincts.

Provided, that in all villages having two or more voting precincts the village council shall within twenty days before the time for holding any election in such village, appoint two qualified voters of each such voting precinct, who shall act as judges of election, and one qualified voter of each such voting precinct who shall act as clerk of elections; and in case of the neglect to make such an appointment, or if the persons appointed neglect or refuse to serve, the electors present at the time and places named for opening the polls of any such election may viva voce elect two judges of election and one clerk, from among the qualified voters present; and all judges and clerks of election herein provided for, before entering upon the discharge of their duties, shall take and subscribe an oath or affirmation to faithfully discharge the duties required of them, and the said judges and clerk being duly qualified shall forthwith open the polls by proclamation, and conduct the election as hereinbefore and hereinafter provided; provided that no avowed or nominated candidate for office shall act as judge or clerk at such election.

Returns.
Canvassing
votes.

Provided, further, that when any election shall be closed in any such village having two or more voting precincts, the judges shall make return thereof to the village recorder within twenty-four hours after such election in the same manner provided by law for the return of state and county officers to the county auditor, and within two days thereafter the village council, who are hereby declared to be the village canvassing board in all villages having two or more voting precincts, shall meet and canvass the returns thereof, and declare the result

as appears from said returns, and the village recorder shall forthwith give notice to the persons elected to their respective offices. A plurality of votes shall elect, and if two or more persons receive an equal number of votes for the same office the election shall forthwith be determined by lot in the presence of said canvassing board in such manner as they shall direct.

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

Approved March 16, 1901.

CHAPTER 61.

S. F. No. 98.

An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue municipal bonds for building, constructing, widening, enlarging, extending and repairing bridges within the corporate limits of such cities.

Cities over
50,000.
Bridges.

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

SECTION 1. The city council or common council of each and every city in this state now, or hereafter, having over fifty thousand (50,000) inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes hereinafter designated, to issue from time to time, as needed, the negotiable bonds of their respective city to an amount in the aggregate not to exceed two hundred and fifteen thousand dollars (\$215,000), said bonds to be made in such denominations and payable at such places and at such times not to exceed thirty (30) years from the date thereof, as may be deemed best, and to bear interest at the rate not to exceed four per cent (4%) per annum, payable semi-annually, and to have interest coupons attached, payable at such place or places as shall be designated therein, and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder, or bidders therefor, and upon the best terms that can be obtained; provided that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and provided, further, that said bonds shall not be issued until the issuance thereof is authorized by a resolution or ordinance duly passed by a vote of two-thirds of all the members of the city council or common council proposing to issue same.

Issue of
bonds.