

Sec. 5. All laws and parts of laws inconsistent with this act are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved February 10, 1909.

CHAPTER 12—H. F. No. 151.

An Act to amend sub-division II, of section 4317, of the Revised Laws of Minnesota for the year 1905, relating to property exempt.

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

100 bushels of flax exempted.—Section 1. That sub-division eleven (11) of section 4317, of the Revised Laws of Minnesota for the year 1905 be and the same is hereby amended so as to read as follows:

11. Necessary seed for the actual personal use of the debtor for one season, not to exceed in any case the following amounts: one hundred bushels of wheat, one hundred bushels of barley, one hundred bushels of potatoes, one hundred bushels of oats, one hundred bushels of flax, ten bushels of corn: and binding material sufficient for use in harvesting the crop raised from such seed.

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

Approved February 11, 1909.

CHAPTER 13—H. F. No. 408.

An Act to amend section 1286 Revised Laws of 1905, as amended by chapter 188, General Laws of Minnesota for the year 1907, relating to the change of boundary lines of school districts and the formation of new school districts.

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

Change of school district boundary lines, proceedings, how commenced—right of appeal.—Section 1. That section 1286 Revised Laws 1905 as amended by chapter 188 of the General Laws of Minnesota for the year 1907, relating to the change of boundary lines of school districts and the formation of new school districts, be amended so as to read as follows:

Section 1286. By like proceedings, and upon petition of the majority of the freeholders of each district affected, qualified to vote at school meetings, the boundaries of any existing district may be changed, or two or more districts consolidated, or one or more districts annexed to an existing district. No change in the boundaries of a district by organization of a new district or otherwise shall be made, so as to leave the old district without at least one school house used for school purposes, nor shall any change of districts in any way affect the liabilities of the territory so changed upon any bond or other obligation; but any such real estate shall be taxed for such outstanding liability and interest, as if no change had been made. In case of the consolidation or annexation of districts, whether under the foregoing or any other provisions of the law, action shall be brought by or against the new or remaining district upon any cause existing in favor of or against any discontinued district, but a judgment in such action against such existing district shall be satisfied only from taxes upon the real property included in the discontinued district, when the liability was incurred.

Provided, that when any incorporated borough, village or city of not more than two thousand inhabitants is already or partly included within the boundaries of any such school district, or whenever any such school district shall include within or partly within its boundaries any incorporated borough, village or city of not more than two thousand inhabitants, the boundaries of such school district may be enlarged so as to include all lands within the corporate limits of said borough, city or village, or so as to include lands within and outside of such incorporated borough, village or city, but lying contiguous to said district in the following manner, to-wit:

Whenever a majority of the legal voters residing within such school district shall petition the board of county commissioners of the county wherein such district is situated for an enlargement of such district, and shall file a petition with the auditor of said county, it shall be the duty of the board of county commissioners, at its next regular meeting, or special meeting, to set a time and place for hearing upon such petition, and it shall cause a copy of the notice of such hearing to be posted in some public place in each district to be affected by such proposed change, and a copy thereof to be served upon the clerk of each of said districts, at least ten (10) days before the time appointed for such hearing. The posting of such copy of notice shall be proven by the affidavit of the person posting the same; said affidavit shall state the time and place of posting and serving of the copy of notice as herein specified, and

Upon filing proof of the posting and serving of such notice in the office of the county auditor, the board of county commissioners shall at the time and place fixed proceed with the considera-

tion of such matter and shall hear all evidence offered by any person interested, tending to show what territory should be included within such district, and having heard the evidence, they shall, if they find it conducive to the good of the inhabitants of the territory affected, proceed to enlarge the said school district as asked for in the petition, and to fix the boundaries thereof and of all the remaining school districts thereby affected, attached to or detaching contiguous territory to or from any of such districts, in such manner as in their judgment the best interests of the persons and districts thereby affected may require; *provided, further,* that whenever the territory affected by any of the foregoing proceedings lies in two or more counties, like proceedings shall be had in each county affected, and no order in such proceeding shall be valid unless concurred in by the county boards of all such counties affected.

At the time of making such division, enlargement or change of boundaries, the county commissioners shall apportion to the district so enlarged that portion of the debts of said other districts as may seem to them right and proper, and said apportionment when so made shall be binding upon all the districts affected, and the county commissioners may also apportion to said districts so enlarged, such portion of the property of such other districts as shall seem to them just and proper. Said last mentioned apportionment shall be subject to review by the district court;

And *provided, further,* that any person or officer of any school district aggrieved by any order of the county board made pursuant to the provisions of this section, may appeal to the district court from such order, such appeal to be governed by the provisions of section 1285 Revised Laws 1905.

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

Approved February 11, 1909.

CHAPTER 14—H. F. No. 312.

An Act appropriating money to defray the cost of the publication of proposed amendments to the constitution, during the month of October, 1908.

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

Appropriation for publication constitutional amendments.—
 Section 1. That the sum of twenty-seven thousand, six hundred dollars (\$27,600) be and is hereby appropriated out of any funds in the treasury not otherwise appropriated, for the payment for