

question. And the city council of any such city is hereby authorized to submit such question to the voters of any such territory so annexed at a special election to be called and held therein and to appoint the necessary judges and clerks for the purpose of conducting the same in the same manner that other municipal elections are held and conducted, and any such license so granted, without complying with the terms of this section, shall be void.

Framing of charter.—Sec. 13. Within six months after the annexation of any territory to any city as herein provided, the board of freeholders to frame charters as provided by section 749, Revised Laws of 1905, if such board of freeholders shall have been appointed, shall frame a charter for such city as the same exists after such annexation and deliver to the chief executive of such city the draft of such proposed charter as provided in section 751, Revised Laws of 1905, and the same shall be submitted for the approval of the voters of such city as provided by law.

Sec. 14. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 15. Chapter 168 of the General Laws of 1907, as amended by chapter 5, General Laws of 1909, is hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its passage.

Approved April 3, 1909.

CHAPTER 138—H. F. No. 103.

An Act to provide for the separation from villages or boroughs of unplatted agricultural lands, included within the corporate limits of such villages or boroughs in certain cases.

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

Owner to petition county commissioners for detaching.—Section 1. The owner of any unplatted tract of land containing not less than eighty acres occupied and used solely for agricultural purposes, situated within the corporate limits of any village in this state and not within 20 rods of the platted portion of said village, may petition the board of county commissioners of the county in which said tract of land is situated, for an order detaching said tract from said village.

Upon the filing of said petition in the office of the county auditor of said county the board of county commissioners thereof shall, at their next meeting thereafter, fix a time and place for the hearing of such petition, which time shall not be less than thirty days thereafter, and shall direct a notice of such hearing

to be issued and signed by the county auditor of said county on behalf of such board, which said notice shall state the name of such petitioner, describe the tract of land sought to be detached, and the time and place such hearing, which said notice said petitioner shall cause to be served upon the president of the village council of such village, or the recorder thereof, at least twenty days before the day of hearing, and by posting three copies of such notice in three of the most public places in said village, or in lieu of such posting said notice shall be published in the official paper of such village for two successive weeks, once in each week, in case there shall be a legal newspaper printed and published in said village.

Upon the hearing of said petition at the time and place so fixed, if the board of county commissioners shall find that said land is owned by the petitioner and is used solely for agricultural purposes and that the same may be so detached from said village without unreasonably affecting the symmetry of the settled portion thereof, and that the same is so conditioned as not properly to be subjected to village government or is not necessary for the reasonable exercise of the police powers or other powers or functions of such village, such board of county commissioners shall make an order detaching such land from said village and thereupon said tract of land shall become detached therefrom, and shall thereafter form a part of the township in which it was originally situated, and shall in all things be subject to the town government of such township, and not in any manner under the jurisdiction of such village, and such order shall be filed in the office of the county auditor of such county and a duplicate thereof shall be filed in the office of the village recorder of such village within five days after the same shall have been made.

Provided, that this act shall apply only to villages containing more than twelve hundred and eighty (1,280) acres of land.

Lands not to be released from present outstanding indebtedness.—Sec. 2. Such separation of said village shall not release any such tract of land from liability on account of any outstanding indebtedness of such village existing at the time of its separation therefrom.

Approved April 3, 1909.