

CHAPTER 5—S. F. No. 179.

An Act to amend Chapter 168 General Laws of 1907, entitled "An Act providing for the annexation of territory adjacent to cities now or hereafter having a population of not more than twenty thousand and not less than ten thousand inhabitants."

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

Readjustment of election district boundaries; how made.—

Section 1. That section 11 of said Chapter 168 of the General Laws of 1907 be and the same is hereby amended so as to read as follows:

Section 11. The city council of any such city to which any such territory shall be annexed as herein provided shall, within ninety (90) days thereafter, and prior to the time of holding the next municipal election after such annexation, provide by ordinance for a readjustment of the boundaries of the several wards existing in such city in such a manner that the population of each such ward shall be made as nearly equal as practicable after the addition of any such territory, and the several wards thereof shall be composed of contiguous territory and within thirty (30) days after such annexation such city council shall order a special election in the territory annexed, if the same shall contain more than five hundred (500) inhabitants, for the election of an alderman from such annexed territory and a school director or member of the school board or board of education, as the case may be, from such annexed territory, who shall be elected at such special election and shall hold their respective offices until after the next municipal election for alderman and such school officer respectively and until the time fixed by law when the respective officers elected at such municipal election shall enter upon the discharge of the duties of their offices, and such alderman and school officer shall have the same powers and duties and shall qualify in the same manner as corresponding officers of said city.

City council may submit question of license.—Sec. 2. That section 12 of said chapter 168 of the General Laws of 1907 is hereby amended so as to read as follows:

Section 12. Such annexed territory shall in all respects be governed by laws governing the city at the time of such annexation and in case the detaching of any such territory shall divide any school districts outside of the limits of the city, the county board shall have authority to make proper readjustment of the boundaries thereof as provided by law. "Provided, that no license for the sale of intoxicating liquors in such territory so annexed to any such city shall ever be granted, unless the question of issuing the same shall be first submitted to the electors residing therein and shall be authorized by a majority vote of the

electors voting at such election on such question." The city council of any such city shall have authority in their discretion, upon petition signed by a majority of the legal voters of such annexed territory, to submit the question of whether a license shall be granted for the sale of intoxicating liquors in such territory, in the manner provided for holding other municipal elections in such city, and shall appoint special judges and clerks for any such election and shall give notice of such special election on such question by posting three (3) copies of notice of such election in the territory so annexed not less than twenty (20) days before such election, and shall also cause notice thereof to be published in a legal newspaper published within said city, and in case a majority of the voters voting at such election shall vote in the negative the question shall not be again submitted to the voters of such territory for three years thereafter, and in case a majority of such voters voting at such election vote in favor of the issuing of any such license, notwithstanding such affirmative vote such council may refuse to grant the same.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved February 1, 1909.

CHAPTER 6—S. F. No. 29.

An Act to authorize the repayment to the Elysian Milling Company of money erroneously paid into the state treasury; Whereas, the Elysian Milling Company did on February twentieth, 1906, pay into the state treasury as a filing fee a sum of fifty dollars, which payment was made under protest; and, whereas, said payment was so made and required under a ruling since held to be erroneous therefor.

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

Reimbursing Elysian Milling Co.—Section 1. That the sum of fifty dollars (\$50.00) is hereby appropriated from any money in the state treasury not otherwise appropriated for the purpose of repaying to said Elysian Milling Co. the money so erroneously paid into the state treasury as aforesaid.

Auditor to draw warrant.—Sec. 2. The state auditor is hereby authorized to draw a warrant for said sum in favor of said Elysian Milling Company and the state treasurer is hereby authorized to pay the same to said Elysian Milling Company.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved February 1, 1909.