

CHAPTER 535—S. F. No. 833.

An Act to amend Section 749, Revised Laws of 1905, as amended by Chapter 423 of the General Laws of 1909, relative to the appointment of board of freeholders.

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

Section 1. **Selection of freeholders, and process of removal.**
—That Section 749 of the Revised Laws of 1905 as amended by Chapter 423 of the General Laws of 1909 be amended to read as follows:

“Section 749. Whenever the judges of the judicial district in which such city or village is situated, shall deem it for the best interests of the municipality so to do, they may appoint a board of freeholders to frame such charter, composed of fifteen members, each of whom shall have been a qualified voter of such city or village for five years last past; and, upon presentation to them of a petition requesting such action, signed by at least ten per cent of the number of voters of such municipality, as shown by the returns of the election last held therein, they shall appoint such board. The members shall severally hold office for the term of four years, or until they cease to be such resident voters and freeholders, and vacancies in said board shall be filled by appointment of said judges for the unexpired terms. Upon the expiration of such four-year term, the judges shall appoint a new board, in case for any reason the judges shall fail to appoint a new board within thirty (30) days then thereafter at any time the judges upon their own motion may, and upon the written petition of ten (10) freeholders of said city, shall appoint said new board. Every appointment shall be made by order filed with the clerk of the court. Every appointee who shall neglect to file with the clerk within thirty days a written acceptance and oath of office shall be deemed to have declined such appointment and his place shall be filled as though he had resigned. The judges within thirty (30) days thereafter shall make such rules with reference to such board, and require such reports, as may appear desirable or necessary. *Any appointee who has qualified by filing his written acceptance and oath of office within thirty (30) days, may thereafter be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order; and upon receiving a certificate in writing, signed by a majority of the entire board of freeholders, setting forth that any member has failed to perform the duties of his office and has failed to attend four (4) consecutive meetings, without being excused by the board, and requesting a removal of such member, the district court shall thereupon make its order of removal, and fill the vacancy created as in the case of a resignation.*”

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

Approved April 26, 1913.