

Sec. 2. When effective.—Such cancellation and annulment of said contract shall not become effective until such new contract and bond therein provided for shall have been executed in a manner approved by the attorney general, nor until the original holders of said contract, or their assignees, have filed with the secretary of state, in writing, their consent to such cancellation, nor until the original stereotype plates from which volumes 131 to 140, both inclusive, were printed under said contract shall have been, without cost to the state, surrendered to and deposited with the secretary of state to be and forever remain the property of the state of Minnesota.

Sec. 3. Release of present contractors.—That when such new contract and bond shall have been executed and approved in the manner aforesaid, and said stereotype plates surrendered and deposited in the manner aforesaid, the said Bronson West, Welles Eastman and Richardson Phelps shall be released from any further liability under said contract and the bond given by them to secure the performance of the same.

Sec. 4. Reimbursement for expenses incurred.—The sum of one thousand seven hundred and sixty-seven and 12/100 (\$1,767.12) dollars, is hereby unconditionally appropriated out of any moneys in the state treasury not otherwise appropriated, to reimburse Bronson West, Welles Eastman and Richardson Phelps for extra expenses incurred by them in the publication, pursuant to said contract, of volumes 131 to 140, both inclusive, of said reports, which said extra expenses consist of special stamping, wrapping, author's corrections and extra pages, which said extras were not originally contemplated by either of the parties to said contract.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 24, 1919.

CHAPTER 421—S. F. No. 121.

An act to amend Section 1231, General Statutes 1913, as amended by Chapter 477, Session Laws of 1917, relating to the separation from villages of unplatted agricultural lands, included within the corporate limits of such villages in certain cases.

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

Section 1. Detachment of territory from villages of more than forty acres authorized.—That section 1231, General Statutes 1913, as amended by chapter 477, Session Laws of 1917, be and the same is hereby amended so as to read as follows:

1231. The owner of any unplatted tract of land containing not less than forty acres occupied and used solely for agricultural purposes, situated within the corporate limits of any village in this state and not within twenty 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 of 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 on 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 1,280 acres of land.

Any person or party aggrieved may appeal from such order to the district court of the county upon the following grounds:

1. That the county board had no jurisdiction to act.
2. That it has exceeded its jurisdiction.
3. That its action is against the best interests of the territory affected.

Such appeal shall be taken by serving upon the county auditor within thirty days from the making of the order a notice of appeal,

specifying the grounds thereof. The appellant shall also execute and deliver to the auditor a bond to the county in the sum of one hundred dollars, to be approved by the county auditor, conditioned for the payment of all costs taxed against the appellant on such appeal. Such further proceedings shall be had upon such appeal as upon other appeals from the county board.

The provisions of this act relating to appeals shall not apply to any action or proceeding now pending involving the separation of land from any village.

Approved April 24, 1919.

CHAPTER 422—S. F. No. 124.

An act to amend Chapter 338, Laws of Minnesota, 1915, relative to salaries of auditors and treasurers in counties having an area of more than 2,500 square miles and valuation of more than \$20,000,000 and less than \$40,000,000.

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

Section 1. Salaries of auditor and treasurer in certain counties.—That chapter 338, Laws of Minnesota 1915, be and the same is hereby amended to read as follows:

In each county of this state, having an area of more than two thousand five hundred square miles and having or which may hereafter have an assessed valuation of more than twenty million dollars, and less than forty million dollars, according to the assessment for the last preceding year, the county auditor and the county treasurer thereof shall each receive an annual salary of three thousand dollars; and such county auditor and county treasurer shall be allowed for clerk hire as follows: Upon each dollar of such assessed valuation, not exceeding twenty-five million dollars, the county auditor shall be allowed *one-fourth* of one mill, and the county treasurer *one-seventh* of one mill; and upon each dollar of assessed valuation in excess of twenty-five million dollars, the county auditor and the county treasurer shall each be allowed *one-tenth* of one mill, on each dollar. Such salaries and allowances for clerk hire shall be paid monthly out of the county treasury upon the order of the county auditor.

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

Approved April 24, 1919.

CHAPTER 423—S. F. No. 261.

An act to amend Section 98, General Statutes 1913, relating to state, county and city depositories.

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

Section 1. Deposits to be made in lieu of surety bond.—That section 98, General Statutes 1913, be amended to read as follows: