

certificates of indebtedness may be sold by the village council and the proceeds of such sale shall be used to take up such warrants in the order presented for payment. Such certificates of indebtedness shall be paid at the same time and in the same manner as if they had been issued to a purchaser thereof.

Sec. 3. **Warrants in excess of certificates void.**—All warrants attempted to be issued hereunder and all obligations for indebtedness attempted to be incurred hereunder, in excess of the principal amount of the certificates of indebtedness so held by such treasurer, shall be void. Neither the governing body of such village nor any officer, board or employee thereof shall have any power, and no power shall exist to create any indebtedness or obligation of such village contrary to the terms of the law regulating the issuance of certificates of indebtedness and the incurring of obligations in such village, as amended hereby.

Approved April 15, 1933.

CHAPTER 273—S. F. No. 1379

An act providing for the consolidation of counties.

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

Section 1. **Two or more counties may consolidate.**—Two or more counties may be consolidated into a single county in the manner hereinafter provided.

Sec. 2. **Petition.**—A petition for each county to be affected thereby, signed by voters thereof equal in number to at least one-fourth of those voting in such county at the last preceding biennial election, giving the residence of each signer, shall be filed with the secretary of state not less than 90 days before any general election, praying for the consolidation of the counties therein named, specifying the name of the proposed new county and the name and location of the proposed county seat.

Sec. 3. **Governor to issue proclamation.**—If it appears that each petition is signed by the requisite number of persons who are voters in each of the counties affected, of which latter fact the affidavits of persons procuring the signatures thereto shall be prima facie evidence, and if said petition otherwise conforms to the requirements of Section 2, the secretary of state shall notify the governor of the filing thereof, who, not less than 60 days before

such general election, shall issue his proclamation reciting that such petitions have been so filed, the substance thereof, and directing that the question of such consolidation shall be submitted to the voters of the respective counties to be affected thereby at such election.

Sec. 4. **Secretary of State to give notice.**—Upon the issuing of such proclamation, the secretary of state shall record the petitions, affidavits and proclamation, and shall cause three weeks' published notice of such proclamation to be given in the county seat of each county affected thereby, and shall transmit a certified copy of such proclamation by mail to the auditor of each county.

Sec. 5. **Notice of election.**—The notice of such general election shall specify that the question of consolidating said counties will be voted upon at such election and shall state substantially the facts set forth in said petition. The ballots upon such proposition shall have printed thereon the words

“Shall the following named counties (inserting names)
be consolidated into a single country?

Yes.....

No.....”

Sec. 6. **Judges—canvass of votes.**—The judges of election, in addition to the returns required in other cases, shall canvass, count, certify and return, as in such other cases, to the county auditor the votes cast upon the proposition, and the county canvassing board shall canvass and make return of said votes as in the case of votes for state officers, which return shall show the result of such vote for and against the proposition so submitted.

Sec. 7. **State canvassing board to canvass returns.**—The state canvassing board shall canvass such returns at the time of canvassing the votes cast for state officers, and in the same manner. When such canvass is completed such board shall make and file with the secretary of state its certificate declaring the result of such vote, showing the number of votes cast in each county for and against consolidation. If 60 per cent of the votes cast thereon in each county affected by such proposed consolidation be in favor thereof, the secretary of state shall record such certificate and shall deliver a certified copy thereof to the governor, who shall issue a proclamation declaring such result. Upon the issuance of such proclamation by the governor, the said consolidation shall become effective and operative on the second first day of January following such general election.

Sec. 8. **Governor to appoint first county board.**—The governor shall, within 60 days after issuing such proclamation, appoint 5 qualified electors residing within the territory of such consolidated county to constitute the first board of county commissioners for said new county, who shall qualify as provided by law. The several officers of each county so affected shall continue in office until said consolidation proceedings become effective, as hereinbefore provided, with all the powers and duties of their respective offices, except as hereinafter provided.

Sec. 9. **Meeting of board.**—The board of county commissioners for said new county shall meet at the county seat at a time designated in the order of the governor appointing them, and shall elect one of their number as chairman of said board. The county auditor of the county in which the county seat is located shall act for and be the recording officer of said board until the consolidation proceedings become effective. At such meeting or at any adjournment thereof the said board shall divide the new county into commissioner districts by an order defining the boundaries of each district, which order shall be filed with the county auditor of each county affected.

Sec. 10. **Duties of county board.**—Said board of county commissioners shall meet at a time in July to be fixed by it and shall levy a tax for such new county in the manner now provided by law for levying taxes for county purposes, and the chairman thereof shall certify to the respective county auditors of the counties affected thereby the amount so levied, and the county boards of the respective counties so to be consolidated shall not in such year levy any tax for county purposes.

Sec. 11. **County Auditors to meet.**—At the time of levying said tax the said county board shall fix a time for a meeting of the county auditors of the several counties affected and shall certify such date to the several county auditors at the time of certifying the levy. At the time specified the said county auditors shall meet at the county seat and shall at such meeting or any adjournment thereof ascertain and determine the rate of taxation for such new county, based upon the aggregate assessed valuation of said consolidated counties, and each of said auditors shall severally extend such taxes within their respective counties in the manner provided by law and shall, on the first Monday in January following, deliver the appropriate books to the county treasurer of the new county for collection as provided by law. The several officers of the new county shall have all the powers and be subject to all the duties in reference to the collection of delinquent taxes levied by the con-

solidated counties as would have been possessed and performed by the several officers of the respective counties had no consolidation been effected.

Sec. 12. County board to appoint new officers.—The county board of the new county shall, prior to the date on which the consolidation becomes effective as hereinbefore provided, appoint electors residing within such new county to the several county offices thereof, who shall qualify on the date that such consolidation becomes effective, in the manner now provided by law therefor. All the books, records and files of the several offices of the consolidated counties shall be delivered to the appropriate officers of the new county.

Sec. 13. County board to provide for court house.—The county board of such new county shall, on or before the date that such consolidation becomes effective, make appropriate arrangements for suitable offices for the several county officers. If such county is not going to succeed, as hereinafter provided, to any building or buildings appropriate for such purpose, said board is authorized to lease suitable space or buildings.

Sec. 14. Title of properties of all counties to become vested in new county.—Upon the consolidation becoming effective, the new county shall become vested with the title to all real and personal property, other than moneys in cash or on deposit, of the consolidated counties. The territory embraced within the several consolidated counties shall remain liable for all indebtedness of the respective counties outstanding and unpaid at the time such consolidation becomes effective. Any moneys on hand, in cash or on deposit, at said time and the proceeds of any tax levied by the respective counties, when and as collected, shall be applied on said indebtedness. The appropriate officers of the new county shall from time to time levy such tax as may be necessary to provide funds for the payment of such indebtedness as it becomes due, which tax shall be spread against the taxable property liable therefor. Said new county shall have authority to enforce any contract and to collect any claims of the several consolidated counties, by suit or otherwise.

Sec. 15. May issue certificates of indebtedness.—At any time after the board has made the original tax levy for such new county and certified the same to the respective auditors as hereinbefore provided, it may issue the certificates of indebtedness of such new county in anticipation of the collection of such levy, which certificate shall be in writing, shall be signed by the chairman and

attested by the recording officer of the board, shall mature not later than December 1 following the effective date of such consolidation, and shall not bear interest at a rate greater than 6% per annum.

Approved April 15, 1933.

CHAPTER 274—S. F. No. 1424

An act relating to extending the time for redemption of parcels of land from tax sales to the state in certain cases, and to the amounts required to be paid to make such redemption.

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

Section 1. Time for redemption from tax sale extended in certain cases.—That whenever at the time fixed by law for absolute forfeiture of any parcel of land heretofore or hereafter bid in for the State and not assigned or disposed of by the State, pursuant to Mason's Minnesota Statutes of 1927, Sections 2139-2, and acts amendatory thereof and supplementary thereto, there shall be pending, in the United States District Court, proceedings in eminent domain affecting such parcel, and such eminent domain proceedings shall have been pending more than two years prior to the said date of forfeiture, the time of said forfeiture of such parcel shall be and is postponed and continued until the expiration of one year after the final determination of such eminent domain proceedings; and the owner of such parcel, regardless of whether such parcel is included within the boundaries of any game preserve, reforestation project, or conservation area, or any person having an interest therein may discharge the delinquent taxes and assessments against such parcel and redeem such parcel, or portion thereof, from such sale to the State within such period, as so extended, upon payment of the portion of such unpaid taxes and assessments permitted by any law in effect during the pendency of such condemnation proceedings. Such redemption and discharge of delinquent taxes and assessments may be so made regardless of any or no determination of value or other action by the county board or the Minnesota Tax Commission.

Sec. 2. May redeem part of tract.—Whenever any tract less than the whole parcel designated for taxation and bid in for the state shall be taken or encumbered by such eminent domain proceedings, the tract so taken or encumbered may be redeemed and the delinquent taxes and assessments thereon discharged, as provided in this act, without redeeming or discharging the delinquent