

the town general election to be held at the time designated in section 1 hereof.

**Subd. 3. Filing affidavit of candidacy.** At least 14 days before the primary election any party eligible and desirous of having his name placed on the primary ballot as a candidate for any town office shall file his affidavit with the clerk, stating his residence, that he is a qualified voter of such town, and the office for which he desires to be candidate. Upon payment by such candidate of \$2 to the clerk of such town, the clerk shall place the name of such candidate upon the primary election ballot of such town.

**Subd. 4. Election officials, compensation.** The judges and clerks of said election shall receive the same compensation as is provided for the judges and clerks at the regular village or town election.

**Subd. 5. Election laws to apply.** All of the election laws of this state shall apply to elections held pursuant to this section so far as the same are applicable.

**Sec. 5. Effective date.** This act shall become effective and applicable to such town upon the adoption of a resolution approving the same by the town board of such town. In the event that the town board does not approve this act within 60 days after its enactment, the town board shall submit the question of approval of the act to the electors of such town at a special election called for that purpose to be held within 30 days after the expiration of the time stated above, and this act shall then become effective only if approved by a majority of the voters voting on the question. At least three weeks published notice in one or more legal newspapers of general circulation in the town and at least three weeks posted notice shall be given of the special election setting forth the question to be submitted. The polls shall be open from 9 a.m. to 8 p.m. In all other respects the election shall be conducted and the votes canvassed as elections by ballot at a regular town election.

Approved April 24, 1959.

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CHAPTER 457—S. F. No. 1474

[Not Coded]

*An act relating to Dakota County; authorizing aid to towns and municipalities for road and bridge purposes.*

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

Section 1. **Dakota County, road and bridge aids.** The county board of Dakota county may appropriate from its road and bridge fund to any town, village, borough, or city of the second, third, or fourth class in the county such sums of money as are available and which it deems advisable to aid such towns, villages, boroughs, or cities of the second, third, or fourth class in the construction and maintenance of roads, streets, or bridges therein, and such appropriations may be directly expended by the county board upon such roads, streets, or bridges as shall be designated by the governing bodies of such towns, villages, boroughs, or cities of the second, third, or fourth classes. The county board shall determine the amount to be appropriated to such town, village, borough, or city of the second, third, or fourth class, notwithstanding any limitation to the contrary.

Sec. 2. This act shall be in effect from and after approval by a majority vote of the Board of County Commissioners of Dakota County, which act shall be duly filed with the Secretary of State.

Approved April 24, 1959.

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#### CHAPTER 458—H. F. No. 1011

*An act relating to removal of constables by the governor; amending Minnesota Statutes 1957, Section 351.03.*

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

Section 1. Minnesota Statutes 1957, Section 351.03, is amended to read:

**351.03 Removal by governor.** The governor may remove from office any clerk of the supreme court or a district court, judge of probate, judge of any municipal court, justice of the peace, court commissioner, sheriff, *constable*, coroner, auditor, register of deeds, county attorney, county superintendent of schools, county commissioner, county treasurer, or any collector, receiver, or custodian of public moneys, when it appears to him by competent evidence, that either has been guilty of malfeasance or non-feasance in the performance of his official duties; first giving to such officer a copy of the charges against him and an opportunity to be heard in his defense.

Approved April 24, 1959.

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