

CHAPTER CXIV.

March 4, 1868.

An Act to annex a portion of the territory included in the county of Stearns to the county of Todd, so that the same shall form a part of the county of Todd.

- SECTION 1. Boundary of territory detached from the County of Stearns and annexed to the County of Todd.
2. To be submitted to the legal voters of the counties of Stearns and Todd.
 3. Ballots, how prepared.
 4. Returns, how made.
 5. Duty of Governor in case of approval.
 6. Not to affect the collection of any tax levied prior to the time when this act shall take effect.
 7. The indebtedness incurred previous to the passage of this act shall be apportioned to and paid by that part set off.
 8. When act to take effect.

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

Change of boundary between Stearns and Todd counties.

SECTION 1. That all that portion of the territory of the county of Stearns, as now constituted, included within the following described bounds and lines, to wit: Commencing at a point in the north line of the county of Stearns, where the said north line of the county of Stearns intersects the range line between ranges thirty-one and thirty-two west, and running thence south to the township line between townships one hundred twenty-six and one hundred twenty-seven north; thence west on said township line to the range line between ranges thirty-two and thirty-three west; thence south on said last mentioned range line to the township line between townships one hundred twenty-four and one hundred twenty-five north, thence west on said last mentioned township line to the range line between ranges thirty-five and thirty-six west; thence north on said last mentioned range line to the north line of Stearns county, and thence east on the north line of the county of Stearns to the place of beginning, is hereby detached from the county of Stearns and annexed to the

county of Todd, and shall hereafter be and constitute a part of the said county of Todd.

SEC. 2. At the time of giving notice of the next general election, to be held in the year one thousand eight hundred and sixty-eight, it shall be the duty of the officers of each of the counties of Stearns and Todd, required by law, to give notice of such election, to give notice in the same manner, that at such election the provisions of this act will be submitted to the electors of the said several counties for their adoption or disapproval.

To be submitted
to voters of both
counties.

SEC. 3. The votes of the electors of each of the said counties of Stearns and Todd upon the question of the adoption of this act shall be taken at said election by a distinct ballot separate and disconnected from the ballots cast for any other purpose, and the ballots thereupon deposited in a separate box apart from such other ballots, and the said electors in favor of the adoption of this act, shall have printed or written or partly printed and partly written on their ballots the words, "For change of county lines," and those opposed to the adoption of this act, shall have printed or written or partly printed and partly written on their ballots the words "Against change of county lines."

Ballots, how
prepared.

SEC. 4. Such ballots shall be received and canvassed at the same time, in the same manner and be returned to the same officers by the judges of election of the several election precincts in said counties, as ballots for county officers are required by law to be canvassed and returned.

Returns, how
made.

SEC. 5. The county canvassing board of each of the said counties of Stearns and Todd shall canvass the returns upon the said proposition to change the county lines in the same manner and at the same time as returns for county officers are required by law to be canvassed, and the abstract thereof shall be made on one sheet and signed and certified in the same manner as in the case of the abstract of votes for county officers and shall be deposited in the county auditor's office immediately thereafter, and a copy thereof duly certified by the county auditor immediately inclosed and forwarded by him to the secretary of state, as provided by section twenty-one, of chapter one, of the general statutes, and if it appears that this act has been approved by a majority of the electors of said counties, the governor shall make proclamation to that effect forthwith, in such manner as he shall deem advisable.

Duty of Governor
in case of
approval.

SEC. 6. This act shall not be deemed nor construed to

Not to affect the
collection of
prior taxes.

affect in any manner the collection of any tax upon any property within the territory hereby detached from the county of Stearns levied, and uncollected previous to the time when this act shall take effect, but all such taxes shall be collected and payment thereof enforced by the officers of the county of Stearns, in the same manner and with the same effect as if such territory remained and continued a part of said county of Stearns, and any and all moneys then remaining in or afterwards coming into the treasury of the said county of Stearns, or into the possession of any officer thereof, belonging to or payable to any town or district hereby detached from the county of Stearns, shall be appropriated, apportioned and paid over to such town or district in the same manner as they should have been paid had such town or districts remained within the county of Stearns.

How previous
indebtedness to
be paid.

SEC. 7. The county indebtedness of the county of Stearns, previously incurred and existing at the time this act shall take effect, excepting indebtedness incurred in the erection, finishing and furnishing of the county buildings retained by the county of Stearns and in the purchase of land therefor, and excepting also such debts as are provided for by taxes levied previous to the time this act shall take effect, shall be apportioned to and paid by that part of the territory then remaining within the county of Stearns, and that part of the territory of said county hereby attached to the county of Todd proportionately, in the same proportion that the value of the taxable property of the said respective portions of territory severally bears to the value of the taxable property of the whole of said county as now constituted, according to the equalized assessment rolls of the year one thousand eight hundred and sixty-eight; and immediately after the governor shall proclaim the adoption of this act, it shall be the duty of the county auditor of the county of Stearns, to compute and determine in the manner hereinbefore provided by this section, the amount of the proportion of such county indebtedness previously incurred and then existing, (excepting indebtedness incurred in the erection, finishing and furnishing of county buildings retained by the county of Stearns and in the purchase of lands therefor, and excepting indebtedness for which taxes have been then levied), payable as aforesaid by each of the towns constituting the territory hereby annexed to the county of Todd, and to make a statement thereof to be certified by him under the

seal of his office, specifying the amount apportioned to each of said towns, in items to correspond with the several items of tax by which the same is to be raised, and the amount of each item to be raised in each year, in such manner as to enable the same to be accurately and appropriately extended upon the tax duplicate of said towns for said years, which said statement shall be transmitted to the auditor of the county of Todd and a copy thereof filed in the office of the auditor of the county of Stearns; and it shall be the duty of the auditor of the county of Todd in each year in which any part of said amount is required to be raised to levy such tax therefor, and extend the same upon the tax duplicate of the towns chargeable therewith, which said tax shall be levied and collected at the same time and in the same manner that other taxes for county and state purposes and the amount thereof shall, when collected, be paid immediately by the treasurer of Todd county into the treasury of the county of Stearns, to be applied in the payment of said indebtedness.

SEC. 8. This act shall take effect and be in force from and after its adoption and ratification by a majority of the electors of the counties of Stearns and Todd. When act to take effect.

Approved March 4, 1868.

CHAPTER CXV..

An Act to change the name of Andy Johnson County to that of Wilkin County. March 6, 1868.

SECTION 1. Change of name of Andy Johnson County.

2. Not to affect the rights or claims of any citizen.
3. When act to take effect.

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

SEC. 1. That the name of the county of Andy Johnson