

## CHAPTER LXXXI.

*An Act to establish the County of Franklin, and provide  
for its Organization.*February 8,  
1872.

- SECTION 1. Franklin county established and organized.
2. Location of the county seat.
  3. Notice of election to counties to vote upon the approval of the county boundaries.
  4. Form of ballot to be used.
  5. Manner of canvassing votes and by whom.
  6. Duties of the county canvassing boards.
  7. Relating to the collection of taxes within the boundaries of the new county.
  8. In case of approval by governor to appoint commissioners.
  9. Duties of the county commissioners so appointed.
  10. Provides for the transcribing of titles within the said boundaries.

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

SECTION 1. That so much of the territory of the counties of Stearns and Todd in the state of Minnesota as is described in the following boundaries be, and the same is hereby established as the county of Franklin, to wit: Beginning at the north-east corner of township numbered one hundred and twenty-eight (128), north of range numbered thirty-two (32) west of the fifth principal meridian, and running thence west along the township line, between townships numbered one hundred and twenty-eight (128) and one hundred and twenty-nine (129) to the northwest corner of township numbered one hundred and twenty-eight (128) north of range numbered thirty-five (35) west of the meridian aforesaid, thence south along the range line between ranges numbered thirty-five (35) and thirty-six (36) to the south-west corner of township numbered one hundred and twenty-three (123) north of range numbered thirty-five aforesaid, west of the aforesaid meridian, thence east along the said township line between townships one hundred and twenty-three (123) and one hundred and twenty-two (122) to the south-east corner of township numbered one hundred and twenty three (123) north of range numbered thirty-three (33) west of the meridian aforesaid, thence north along the said range line between ranges numbered thirty-three (33) and thirty-two (32)

Boundaries.

to the north-east corner of township numbered one hundred and twenty-six (126) north of range numbered thirty-three (33) aforesaid, thence east along said township line to the south-east corner of township numbered one hundred and twenty-seven north of range numbered thirty-two (32), thence north along said range line between ranges numbered thirty-one (31) and thirty-two (32) to the place of beginning.

County seat.

SEC. 2. The name of the above included territory shall be the county of Franklin, and the county seat of said county shall be at the town of Sauk Centre.

Vote upon boundaries.

SEC. 3. At the time of giving notice of the next general election to be held in the year one thousand eight hundred and seventy two, it shall be the duty of the officers of each voting precinct in the counties of Stearns and Todd, required by law to give notice of such election, to give notice at the same time, that at such election the provisions of this act will be submitted to the electors of the said counties of Stearns and Todd for their approval or disapproval.

Ballot to be used.

SEC. 4. At said election each voter in each of said counties in favor of establishing the county proposed in this act shall have plainly written or printed or partly written and partly printed on their ballots "For establishing the county of Franklin," and those opposed to the establishing of said proposed county shall have written or printed or partly written and partly printed on their ballots "Against establishing the county of Franklin."

Canvass of votes.

SEC. 5. Such votes shall be received and canvassed at the same time and in the same manner and returns thereof made to the same officers by the judges of election of the several election precincts in said counties as ballots for county officers are required to be canvassed and returned.

Return of canvass.

SEC. 6. The county canvassing board of each of the said counties of Stearns and Todd shall canvass the returns upon the said proposition, to establish the county of Franklin, 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 it 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 voting at said election, the governor shall make proclamation

to that effect forthwith in such manner as he shall deem advisable.

SEC. 7. This act shall not be deemed nor construed to effect in any manner the collection of any tax upon any property within the territory of said new county of Franklin, 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 counties of Stearns and Todd respectively in the territory detached from each, in the same manner, and with the same effect, as if such territory had remained and continued a part of said counties, and any and all moneys then remaining in or afterwards coming into the treasuries of either of said counties of Stearns and Todd or into the possession of any officer of either of said counties, belonging to or payable to any town or school or road district hereby made a part of said new county of Franklin, shall be apportioned and paid over to such town or district in the same manner as they would have been, had such town or district remained within the said county.

Collection of taxes.

SEC. 8. In case the said county proposed by this act shall be established by the voters of said counties as herein provided the governor shall appoint three qualified electors of said county of Franklin as commissioners of said county, and the said commissioners shall, as soon as may be, after their appointment meet at the county seat and qualify and enter upon the duties of their offices and they shall hold their offices until the next general election after they have qualified and until their successors are elected and qualified.

Commissioners

SEC. 9. The county commissioners appointed and qualified according to the provisions of section eight of this act shall at their first meeting, or at any subsequent meeting previous to the next general election appoint qualified persons to fill all the county officers in said county, except clerk of the district court, who shall be appointed by the judge of said court, which officers so appointed and having qualified shall hold their offices until the next general election after their appointment and until their successors are elected and qualified.

Duties of commissioners.

SEC. 10. It shall be the duty of the register of deeds appointed by section nine of this act or his successors in office to transcribe into the records of his office as soon as may be all the records of all the property included in the said new county of Franklin from the records of the counties of Stearns and Todd, and he shall receive for said work from the county treasury of said new county not to exceed the sum of six cents per folio and said records so made shall be

Title records.

Repeal of inconsistent acts

the legal records of all the real estate in said county, and have the same effect in law as though the original instruments had been recorded in said office, and may be read in evidence in any court of this state as such records.

SEC. 11. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved Feb. 8, 1872..

## CHAPTER LXXXII.

### *An Act to Organize the County of Murray.*

February 26,  
1872.

- SECTION 1. Organization of Murray county.
2. Election of county commissioners.
  3. Said commissioners to organize the county and locate the county seat.
  4. When act to take effect.

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

Declared an organized county.

SECTION 1. That the county of Murray in this state be and the same is hereby declared to be an organized county with all the rights and privileges and immunities of other organized counties within this state, and the county seat shall be located by the county commissioners hereafter to be elected as provided in this act.

Election of county commissioners.

SEC. 2. On the day of the next annual town meeting after the passage of this act the legal voters of said county may meet at the several places where the last annual election were held in said county, and after choosing judges of election shall, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, proceed to vote for three county commissioners, and after canvassing such votes said judges of election shall within ten days thereafter make