

for three county commissioners, and after canvassing such votes, said judges of election shall within ten days thereafter make a report of such canvass to the county auditor of Douglas county, to which said Grant county is attached for judicial purposes, who shall issue certificates of election to the three having the highest number of votes, which commissioners shall within twenty days thereafter qualify and enter upon their duties, and who shall hold their offices until the next general election and until their successors are elected and qualified.

Duty of commissioners.

SEC. 3. Immediately upon the qualification of said commissioners they shall proceed to locate the county seat of said county, and appoint qualified persons to fill all the county offices in said county, except clerk of district court, and also to appoint two justices of the peace and two constables, which persons so appointed and having qualified shall hold their offices until the next annual town meeting and until their successors are elected and qualified.

SEC. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 28, 1873.

## CHAPTER XCII.

AN ACT TO ESTABLISH THE COUNTY OF LINCOLN, AND PROVIDE FOR ITS ORGANIZATION.

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

Limits of Lincoln county defined.

SECTION 1. That all that part of the territory of the county of Lyon, state of Minnesota, west of range numbered forty-three, west of the fifth principal meridian, be, and the same hereby is established as the county of Lincoln, by which name it shall be described and known.

SEC. 2. At the time of giving notice of the next general election to be held in the year A. D. one thousand

eight hundred and seventy-three, it shall be the duty of the officers of each voting precinct in the county of Lyon, required to give notice of such election, to, in the same manner and at the same time, give notice that at such election the provisions of this act will be submitted to the electors of said county of Lyon for their approval or disapproval.

Notice of vote upon this act at general election.

SEC. 3. At said election each voter of said county 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 Lincoln;" and those opposed to the establishing of the proposed county shall have plainly written or printed, or partly written and partly printed the words, "Against establishing the county of Lincoln."

Form of vote.

SEC. 4. 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 county as ballots for county officers are required to be canvassed and returned.

Receiving and canvass of the votes by precinct judges.

SEC. 5. The county canvassing board of the county of Lyon shall canvass the returns upon the said proposition 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 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 enclosed 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.

Canvass of the returns by county canvassing board

Governor's proclamation.

SEC. 6. This act shall not be deemed nor construed to affect in any manner the collection of any tax upon any property within the territory of the new county of Lincoln, 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 Lyon in the same manner and with the same effect as if said territory had remained and continued a part

Act does not affect taxes levied previous to its adoption.

of the said county of Lyon, and any and all moneys then remaining in or afterward coming into the treasury of the said county of Lyon, or into the possession of any officer of the said county belonging to or payable to any town or school or road district hereby made a part of said new county of Lincoln, 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.

Governor to ap-  
point commis-  
sioners.

SEC. 7. In case the said county shall be established as herein provided, the governor shall appoint three qualified electors of said county of Lincoln as commissioners of said county, and the said commissioners shall within thirty days thereafter qualify and enter upon the duties of their office, and they shall hold their offices until the next general election, and until their successors have been elected and qualified.

Duty of the com-  
missioners.

SEC. 8. The county commissioners appointed and qualified according to the provisions of this act, shall, at their first meeting, or at some subsequent meeting previous to the next general election, proceed to locate the county seat of the said county of Lincoln, and appoint qualified persons to fill all the county offices in said county, which persons so appointed, and having qualified, shall hold their offices until the next general election, and said commissioners shall appoint two justices of the peace and two constables, which persons so appointed and having qualified, shall hold their offices until the next annual town meeting.

Duty of the regis-  
ter of deeds.

SEC. 9. It shall be the duty of the register of deeds, appointed as in this act provided, 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 Lincoln, from the records of the county of Lyon, and he shall receive for the said work from the county treasury of said new county, not to exceed six cents per folio, and said records so made shall be the legal records of all the real estate in said county, and have the same effect as though the original instrument had been recorded in said office; *Provided*, That until the proper books of record are provided for and by said new county of Lincoln, all instruments relating to the title of real estate situated in said county may be recorded in the office of the register of deeds in and for the county of Lyon, and such recording shall be of full force and validity.

SEC. 10. Upon reasonable request and payment of one dollar, the county auditor of the county of Lyon shall deliver to any person demanding the same a certified copy of the abstract of votes filed in his office as prescribed in section five of this act.

County auditor to deliver copy of abstract of votes.

SEC. 11. The county of Lincoln is hereby attached to the county of Redwood for judicial purposes.

Lincoln county attached to Redwood.

SEC. 12. No neglect nor informality in posting or giving the notices as required in section two of this act shall in any way affect the full force and validity of the vote by this act provided for.

No defect of notice violating the act.

SEC. 13. This act shall be of full force and take effect from and after its passage.

Approved March 6, 1873.

### CHAPTER XCIII.

AN ACT TO AMEND SECTIONS THIRTY-THREE AND FIFTY-NINE, OF CHAPTER EIGHT, OF THE GENERAL STATUTES, RELATING TO THE BOUNDARIES OF LAKE AND ST. LOUIS COUNTIES.

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

SECTION 1. That section thirty-three of chapter eight of the general statutes, be amended so as to read as follows :

Sec. 23. The county of Lake is established and bounded as follows : Beginning on the shore of Lake Superior on the section line between sections numbered twenty-nine and thirty, of township fifty-two north, of range eleven west, of the fourth principal meridian ; thence north on the section line to the boundary line between the United States and the British Possessions ; thence easterly on said boundary line to the boundary line between Minnesota and Wisconsin ; thence westwardly on the said state boundary line to a point where a southerly prolongation of the section line first mentioned would intersect the state boundary line : thence north to the place of beginning.

Limits of Lake county defined.