

CHAPTER 62.

AN ACT TO ESTABLISH THE COUNTY OF CANBY AND PROVIDE FOR THE LOCATION OF THE COUNTY SEAT AND ESTABLISH THE BOUNDARY LINES THEREOF AND TO ORGANIZE SAID COUNTY.

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

SECTION 1. That all of township one hundred and thirteen (113), one hundred and fourteen (114), one hundred and fifteen (115); and one hundred and sixteen (116), ranges forty-four (44), forty-five (45), and forty-six (46), west fifth principal meridian, be, and the same hereby is established as the county of Canby, by which name it shall be described and known.

Election of
county com-
missioners.

SEC. 2. There shall be elected at the next general election within the passage of this act by the qualified electors residing within the territory described in section one (1) of this act, three persons who shall be qualified electors residents within said territory, who shall constitute the first board of county commissioners of said county. The term of office of such board of commissioners shall commence on the first (1st) day of January, in the year of our Lord one thousand eight hundred and eighty (1880), and continue for the period of one (1) year and until their successors are elected and qualified under the general laws of the State.

Duties and
powers of
commissioners

SEC. 3. Such board of county commissioners shall be subject to the liabilities and duties imposed and have power and authority conferred upon county commissioners by the general laws of this State, and shall within six months from the commencement of their term of office, by resolution concurred in by any two of them, locate the county seat of said county; and when any place shall be so designated within such county as the county seat thereof, the same shall remain the county seat of said county until changed by law, and they shall appoint suitable persons to fill all the county offices of said county, which persons so appointed and having qualified shall hold their offices until the next general election and until their successors shall have been elected and qualified.

Notice of
changes, to
whom given.

SEC. 4. At the time, before the general election after the passage of this act, for giving notice of such election fixed by law, notice shall be given of the submission of changes proposed by this act to the electors of Lac qui Parle, Yellow Medicine, and Lincoln counties for ratification, by the same officers and in the same manner as notices of general elections

are required by law to be given at such elections. All electors favoring the change proposed by this act shall cast ballots on which shall be written or printed or partly written and partly printed the words, "for change of boundary lines of _____ county (as the case may be) in favor of Canby county," and those electors opposed shall cast ballots on which shall be written or printed or partly written and partly printed the words "against change of boundary lines of _____ county in favor of Canby county."

SEC. 5. All votes cast in pursuance of this act shall be canvassed and returned in the same manner as votes for county officers, and the abstract thereof shall be made on one sheet in every county voting thereon 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 certified copy thereof immediately forwarded by the county auditors of each county to the Secretary of State and if it shall appear that this act has been approved by a majority of the electors of the counties voting thereon at said election the Governor shall make proclamation to that effect forthwith, in such manner as he shall deem advisable.

Votes canvassed and returned, how.

SEC. 6. The county of Canby is hereby declared an organized county and attached to Yellow Medicine county for judicial purposes.

Canby county attached to Yellow Medicine.

SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its ratification by a majority of the electors in the counties voting thereon as hereinbefore provided, except such parts as require the election of county commissioners for said proposed county and provide for submitting the changes proposed by this act to the electors of the counties of Lac qui Parle, Yellow Medicine and Lincoln, which part of this act shall take effect from and after its passage.

Approved February 27, 1879.