

CHAPTER CCCLII.

AN ACT TO DIVIDE THE TOWN OF NORWAY LAKE, IN KANDIYOHICOUNTY INTO TWO TOWN ORGANIZATIONS.

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

SECTION 1. That the town of Norway Lake, in the county of Kandiyohi, consisting of congressional townships number one hundred and twenty one, range thirty-six, and number one hundred and twenty-two, range thirty-six, be and the same is hereby divided into two separate towns, with separate town organizations. The dividing lines between said towns shall be the dividing line between the congressional townships aforesaid, and the territory contained within the boundaries of township number one hundred and twenty one, range thirty-six, is hereby declared to be and the same shall hereafter constitute a separate town organization, to be known as the town of Norway Lake, and the territory contained within the boundaries of township number one hundred and twenty-two, range thirty-six, is hereby declared to be and the same shall hereafter constitute a separate town organization, to be known as the town of Norway Hills.

SEC. 2. The division and separation herein proposed shall not take effect until the question of the division of said town has been submitted to the voters of said townships, at a special election, to be held at the school house, situate at or near the farm of Ole Knudson, in said town, on Tuesday, the twenty-fifth day of February, A. D. one thousand eight hundred and seventy-nine, nor until the same has been ratified by a majority of the voters then and there present and voting.

SEC. 3. It shall be the duty of the town clerk of the present town of Norway Lake to post notices for said special election in the same manner as is provided by law for posting notices of special town meetings; *provided*, such notices shall contain a statement of the purposes of said election. Said election shall be held as near in conformity with the law regulating general town meetings as may be.

SEC. 4. The ballots used at such election shall have written or printed, or partly written or partly printed upon them the words: "Division—Yes," or the words, "Division—No;" and a certificate of the result of said election shall, by the judges of election acting at such election, be immediately, and at the latest within one day after said election forwarded to the county auditor of Kandiyohi county, who shall thereupon canvass the said vote, and if a ma-

majority of the voters present and voting at said election voted in favor of said division of said town, it shall be the duty of said county auditor immediately to declare the said town divided, in accordance with the provisions of this act, by a certificate under his hand and seal to that effect, to be by him filed in his office, and he shall also immediately forward to the town clerk in and for the present town of Norway Lake a copy of said certificate. *Provided*, that said certificate shall fix the place for holding the first annual town meeting in each of said new towns.

SEC. 5. Upon receipt of the copy aforesaid of said certificate, it shall be the duty of the town clerk of the present town of Norway Lake, to post notices of the first annual town meeting in each of said new towns, at three public places in each of said towns, at least ten days prior to said meeting; *provided*, that said first annual town meeting shall be held on the second Tuesday of March, A. D. one thousand eight hundred and seventy-nine.

SEC. 6. At said first annual town meeting in each of said towns there shall be had an entire new election of officers for each of said towns, and none of the officers of the present town of Norway Lake shall remain in office after said annual town meeting, unless they or either of them are elected to the same office by the voters of their respective towns.

SEC. 7. At such first annual election in each of said towns the voters present between nine and ten in the forenoon shall select one of their number chairman. They shall then proceed to elect one moderator and one clerk, and said moderator and said clerk shall act as the judges of election of said meeting, and all other proceedings be had as near as may be as prescribed for annual town meetings.

SEC. 8. If the division of said town is ratified by the voters thereof, as hereinbefore provided, all the property and moneys belonging to the present town of Norway Lake, shall be divided between the two new towns in the following manner: All of the property, except the moneys belonging to the present town of Norway Lake, shall be divided equally between said towns, and all moneys belonging to said town shall, after deducting the present indebtedness of the present town of Norway Lake, be divided between said new towns proportionate to the valuation of the taxable property of each of said towns, as the same was returned in the year one thousand eight hundred and seventy eight.

SEC. 9. H. S. Sjoberg, H. Sanderson and L. O. Thorpe are hereby appointed to act as arbitrators in the division of the property, as in the foregoing section provided, and upon their filing their decision in the office of the county auditor of said county, it shall be the duty of the present town treasurer of the present town of Norway Lake to pay over to the town treasurers for each of said new towns, from the moneys in his hands, the different sums awarded to each of said towns, and he shall take their respective receipts for the same.

SEC. 10. It shall be the duty of the auditor and treasurer of the county of Kandiyohi, on or before March fifteenth one thousand eight hundred and seventy-nine, to apportion between said

new towns all taxes belonging to the present town of Norway Lake extended and levied but not collected or paid to the town treasurer of Norway Lake on said day, proportionate to the valuation of the taxable property in each of said towns as returned in one thousand eight hundred and seventy-eight; and after such date it shall be the duty of the said county treasurer to pay such taxes thereafter collected to the respective town treasurers of such towns as the same have been apportioned and not otherwise.

SEC. 11. All taxes on property situate in the present town of Norway Lake not yet extended shall, by the county auditor of said county of Kandiyohi, be extended to the credit of the town of Norway Lake, or the town of Norway Hills, as the case may be, in the following manner: all taxes levied upon property situate in the town of Norway Lake shall be placed to the credit of said town, and all taxes levied upon property situate in the town of Norway Hills shall be placed to the credit of said town; and the same when collected shall be paid to the respective town treasurers accordingly.

SEC. 12. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved February 6, 1879.

CHAPTER CCCLIII.

AN ACT TO CONSTITUTE HESTER ELIZABETH HURLBERT AN HEIR
AT LAW OF WILLIAM M. HURLBERT AND HELEN M. HURLBERT.

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

SECTION 1. That Hester Elizabeth Hurlbert, adopted child of William M. Hurlbert and Helen M. Hurlbert, his wife, of the city of Winona, county of Winona and state of Minnesota, be and she hereby is constituted an heir at law of the said William M. Hurlbert and Helen M. Hurlbert, and invested with all rights and privileges, as respects such heirship, which she would enjoy if she were the child of said William M. Hurlbert and Helen M. Hurlbert by birth in lawful wedlock.

SEC. 2. This act shall take effect and be in force from and after its passage, and the acceptance of its provisions by said William M. and Helen M. Hurlbert in writing duly executed, acknowledged and recorded in the office of the register of deeds in and for Winona county.

Approved January 31, 1879.