

CHAPTER 135.

S. F. No. 298.

Payment of
village and
township in
indebtedness,
when separ-
ated.

An act to provide for the payment of any indebtedness of a township which indebtedness has been created prior to the incorporation of a village therein, and apportioning the same between the township and such village.

Be it enacted by the Legislature of the state of Minnesota.

SECTION 1. In case of any indebtedness against any town in which any village or city has been or may hereafter be organized since the creation of said indebtedness, and where such indebtedness is evidenced by any form of obligations, it shall be the duty of the county auditor to apportion for the purposes of taxation the respective liability of such town and village incorporation, which shall be apportioned in proportion to the existing valuation of real estate and personal property in such town and village incorporation respectively as appears by the last assessment preceding such division; and thereafter as such obligations mature it shall be the duty of the county auditor to extend a tax for the purpose of meeting such obligations against the property of such town and village incorporation respectively upon the basis of such apportionment.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 16, 1897.

CHAPTER 136.

S. F. No. 365.

Transfer of
action from
justice of
peace.

An act to amend section four thousand nine hundred and seventy-four (4974), general statutes one thousand eight hundred and ninety-four (1894), the same being section twenty (20) of chapter sixty-five (65), general statutes one thousand eight hundred and seventy-eight (1878), relating to transfer of action to another justice of the peace.

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

Amendment.

SECTION 1. That section four thousand and nine hundred and seventy-four (4974) general statutes one thousand

eight hundred and ninety-four (1894), the same being section twenty (20) of chapter sixty-five (65), general statutes one thousand eight hundred and seventy-eight (1878), be and the same is hereby amended to read as follows:

If, on the return of the process, or at any time before the trial commences, in any action or proceeding, civil or criminal, either party, his agent or attorney, makes and files an affidavit stating that the justice before whom the same is pending is a material witness for said defendant, without whose testimony he cannot safely proceed to trial; or that from prejudice, bias, or other cause, he believes such justice will not decide impartially in the matter; or if the justice is near of kin to the plaintiff, said justice shall on demand transfer said action, and all papers appertaining to the same, to some other justice of the same or an adjoining election district, or in case there be no other justice the same or in the adjoining election district, then to the nearest qualified and acting justice of the peace in the same county, who may thereupon proceed to hear and determine the same in the same manner as the justice before whom the said action or proceeding was commenced might have done; but no cause or proceeding shall be removed more than once, and no justice is required to transfer any civil action until all his costs in the same are paid.

When and how action may be transferred.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 19, 1897.

CHAPTER 137.

S. F. No. 50.

An act to amend section two (2) of chapter two hundred and seventy-six (276) of the general laws of eighteen hundred and ninety-five (1895), entitled An act relating to primary elections.

Primary elections.

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

SECTION 1. That section two of chapter two hundred and seventy-six of the general laws of eighteen hundred and ninety-five, be and the same is hereby amended by adding at the end thereof the words following; to-wit: *Provided*, that the provisions of this section shall not apply to primary elections held to elect delegates to a political convention to nominate one or more candidates for office to be voted for at a special

Not to apply to special elections.