

board of each town, and the mayor or president of each city and village, in the commissioner district in which such vacancy occurs, which shall meet at the auditor's office for that purpose, upon three days' written notice given by such auditor and served personally; provided that, if such commissioner district is wholly within the limits of an incorporated city or village, such vacancy shall be filled by the council of such municipality; *provided further that if such board of appointment as so constituted consists of an even number of members and shall fail to fill such vacancy within ten days after the date of the first meeting thereof, upon notice given to him by the county auditor the county attorney shall also become and be a member.* Absence from the county for six successive months shall be deemed to create a vacancy.

Approved April 18, 1923.

CHAPTER 316—S. F. No. 480.

An act to provide for the manner of dissolving consolidated school districts and re-organizing the original school districts, or parts of districts comprising the same.

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

Section 1. Consolidated school districts may be dissolved.

—Any consolidated school district, which has not issued any bonds since its organization, and in which district the voters thereof have voted against issuing bonds may be dissolved in the following manner:

Upon presentation, prior to May first of any year, the clerk of any such consolidated school district of a petition signed and acknowledged by at least twenty-five (25) per cent of the resident free-holders, qualified to vote at school meetings, of such consolidated school district, asking that the question of the dissolution of such consolidated school district be submitted to the qualified voters of said district, the clerk shall, within ten days, cause ten days posted notice to be given in each of said original school districts, or parts of districts, and one week's published notice, if there be a newspaper published in such original school districts or parts of districts, of an election or special meeting to be held, at a time and place specified in such notice, to vote upon the question of such dissolution.

Sec. 2. Voters of district to vote on question of dissolution.

—At such meeting the electors shall elect from their number a chairman and clerk who shall be the officers of the meeting. The chairman shall appoint two tellers, and the meeting and election shall be conducted as are annual meetings in consolidated school districts. The vote at such election or meeting shall be by ballot which shall read "For Dissolution" or "Against Dissolution".

The officers at such meeting or election shall, within ten days thereafter, in case of dissolution, certify the result of the vote to the superintendents of the counties in which such original school districts or parts of districts lie, and in case of no dissolution, to the superintendent of the county in which such consolidated district mainly lies. If a majority of the votes cast be for dissolution, the county superintendents, within ten days thereafter, shall make proper orders to give effect to such vote, and shall thereafter transmit a copy thereof to the auditor of each county in which any of said original school districts or parts of districts lie, and to the clerk of each of said districts, and also to the superintendent of education. The county superintendents shall also cause ten days posted notice to be given of a meeting to elect officers for such original school district, or parts of districts, and thereupon such original school districts, or parts of districts, shall be governed by such laws, and acts amendatory thereof and supplementary thereto, as were applicable to them prior to such consolidation.

The school board of the consolidated school district shall, notwithstanding such vote of dissolution, continue to maintain the schools therein until the end of the school year in the same manner as if no dissolution had been voted, and the terms of office of the members of said board shall not terminate until all the provisions of Section 3 hereof have been fully performed.

Sec. 3. Funds to be distributed to original districts.—In case of the dissolution of any such consolidated school district, the funds in its treasury and undistributed taxes, shall be apportioned to the original school districts, and parts of districts, to the extent the same were collected from the territories thereof. All taxes collected after such dissolution shall be paid to the original school district, or part of district, in which the property upon which the taxes are collected is located; such board shall also apportion to the several original school districts, or parts of districts, that portion of the debts of the dissolved district represented by outstanding orders or otherwise, and shall also apportion the property thereof as may seem to it right and proper, and said apportionment when so made shall be binding upon the said original school districts, or parts of districts, affected, but shall be subject to review by the district court.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1923.

CHAPTER 317—S. F. No. 514.

An act relating to elections in cities of the fourth class in certain cases.