

area as a separate election district, and shall also, as a part of said resolution, fix the location of a polling place within such area. Within ten days thereafter the Clerk of said Town shall file with the County Auditor of the County within which said Town is located; a certified copy of said resolution and upon the filing of such copy, the area therein designated shall constitute a separate election district.

The location of such polling place may, from time to time, be changed by said Town Board, but the same shall always be situated within such new election district.

Sec. 3. Application.—Nothing in this act shall apply to town elections, and all town meetings and the election of all town officers shall continue to be held at such place within said town as has heretofore been designated for such purpose, or may hereafter be designated in accordance with law.

Sec. 4. Notice of new election district to be posted.—A suitable notice of the establishment of such new election district shall be posted in three public places in such Town within ten days from the filing of such certified copy of such resolution with the County Auditor, and thereafter all elections of every kind, both primary and general, except the election of town officers, held within said area not less than thirty days distant from the date of the filing of such copy with the County Auditor shall be held at said designated polling place.

The said Town Board shall, after such separate election district has been so constituted, at the times prescribed by law for such action, appoint three election judges and two election clerks as provided by law to serve in such separate election district as a board of registration and as an election board.

Such election judges and clerks shall reside within the election district within which they are appointed to serve.

Sec. 5. Law repealed.—Chapter 95 of the Laws of 1929 is hereby expressly repealed.

Approved April 24, 1929.

CHAPTER 345—H. F. No. 892

An act providing for the vacation and discontinuance of town organizations in any county now or hereafter having an area in excess of 750,000 acres and now or hereafter having not more than

8500 inhabitants, and now or hereafter having not more than 10 organized towns, and settling the affairs of towns so vacated and providing for government of unorganized territory in such counties.

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

Section 1. Counties may vacate townships in certain cases.—Any county which now has or may hereafter have an area in excess of 750,000 acres and now or hereafter having not more than 8500 inhabitants, and not to exceed 10 organized towns may discontinue and vacate the organization of all towns therein whenever a majority of the electors of the counties voting on the question shall so determine in substantially the manner hereinafter provided.

Sec. 2. Petition—Election.—Whenever a petition shall be presented to the county board of any such county asking that the question of discontinuing and vacating the organization of all towns in any such county submitted to a vote of the electors of such County, which petition is signed by qualified voters equal in number to at least 10 per cent of the total number of votes cast in the last general election in said county, the county board shall submit said question at the next general election in said county held not less than 40 days after the filing of such petition or said board may call a special election to vote on such question.

Sec. 3. Ballots.—At such election the ballot for voting upon such question shall be in substantially the following form;

“Shall all town organizations be vacated?

YES..... NO.....”

Sec. 4. Sixty per cent of vote required to carry.—If it shall appear from the returns of said election that not less than 60 per cent of the vote cast on the question are in favor of discontinuing and vacating such town organizations, such discontinuance and vacation thereof shall take effect on the second Tuesday in March following such election and the entire territory in such county, outside the limits of the various cities, villages and boroughs thereof shall be governed in the same manner as unorganized territory in any county of a class to which such county may belong, is or may hereafter be governed. After such discontinuance of town organization becomes effective as above provided, the term of office of all town officers shall thereupon cease, except that the town officers holding office immediately prior to the time of such discontinuance shall continue to hold office for a reasonable period for the purpose

of performing any duties connected with the winding up of the affairs of said town prescribed by this act.

Sec. 5. Clerks of discontinued towns to deposit records with county auditor.—Within 30 days after such discontinuance of town organizations takes effect, it shall be the duty of the town clerk in each town of said county to deposit with the County Auditor of such County, all town records, papers and documents pertaining to the affairs of such town and to certify to him the amount of outstanding indebtedness of said town, if any. The county board shall have full and complete power to audit all claims against said town and all floating or bonded indebtedness, and to settle all the unfinished business thereof as fully as might have been done by the town itself. The county board shall dispose of all property belonging to such town and apply the proceeds therefrom to the payment of the outstanding indebtedness of the town, if any.

In the event the county shall desire to purchase for its own use any of the equipment or property of such towns, it may do so without advertising for bids, by agreement with the town boards.

In the event that funds on hand and the amounts realized from the sale of the property of any such town shall exceed the outstanding indebtedness thereof, the excess shall be held by the county and placed in such fund or funds and expended in such manner as in the judgment of the county board will best give to the tax payers of the territory formerly included in such town the benefit thereof.

Sec. 6. Taxes to be paid in county treasury.—All taxes levied by such town and in process of collection shall be paid into the treasury of said county and credited to said town and so far as practicable be applied and expended by the county for the purposes for which levied by the town and in such manner as shall give such town the benefit of such taxes, or shall be applied in reducing the outstanding indebtedness of such town.

Sec. 7. County to provide for payment of indebtedness.—If any town so discontinued shall have a floating or bonded indebtedness in excess of any moneys available for payment thereof as herein provided, it shall be the duty of the proper county officers to provide for the payment of such indebtedness by making levies of taxes therefor upon all real and personal property in the territory formerly comprising any such town at the time of the discontinuance of such organization, which taxes shall be entered on the tax rolls and collected the same as other taxes. Such levies shall be in such amounts as shall retire such indebtedness at least as rapidly as it could have been retired by such town.

Sec. 8. County Board may levy for road and bridge purposes.—The county board of any such county may in its discretion, after the vacation and discontinuance of all the towns in any such County, annually levy a tax for road and bridge purposes on all the real and personal property in the unorganized territory of such county not exceeding, however, ten mills on the dollar of the assessed value of such property, not including money and credits. Such tax if levied shall be in addition to all taxes which such county may be authorized to levy for county road and bridge purposes. Such tax shall be levied, extended and collected and the payment thereof enforced in the same manner as other county taxes, and said road and bridge taxes shall be expended by said County board wholly within the town within which the property on which taxes were levied was located.

Sec. 9. Moneys to be placed in road and bridge fund.—The moneys raised by such tax from each commissioner's district in such county shall constitute a separate fund to be known as the road and bridge fund for such commissioner's district. The moneys in such fund, as far as reasonably possible, shall be expended under the direction of the county board for the construction, improvement, maintenance and repair of roads and bridges in the town in the commissioner's district, in which the property taxed to create such fund was located.

Sec. 10. County auditor to be assessor of unorganized territory.—The county auditor of such county shall be the assessor for the unorganized territory in such county with all the powers and duties imposed on assessors by law. When authorized by the county board he shall have the right to hire such assistants as may be necessary to carry on his work including deputies for each commissioner's district. The salary or fees to be paid to such deputies shall be fixed by the county board, payable as the salary of other county employees is paid, and their reasonable and necessary expenses shall be audited and paid in the same manner as other claims against said County are paid.

In addition to all other sums authorized by law the county board of any such county which has vacated and abolished town organization hereunder may levy against all real and personal property in the unorganized territory of such county a tax not exceeding two mills for the purpose of defraying the expenses of assessment of taxable property in such unorganized territory and the holding of elections therein.

Sec. 11. Majority of electors to reorganize town.—After any county shall have vacated and discontinued town organizations under

the provisions of this law, no territory therein shall be organized as a town until such time as a majority of the electors of any such county voting on such question shall have voted to permit town organizations therein. The question of permitting town organizations in such county shall be submitted at any general election upon petition to the board of county commissioners signed by qualified voters equal in numbers to at least 20 per cent of the total number of votes cast in the last general election in said county. If a majority of the voters of any such County shall vote in favor of permitting town organization in any such county, any such unorganized territory may be organized into towns under the statutes of the State of Minnesota providing for such town organization.

Sec. 12. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 13. **Effective May 1, 1929.**—This act shall take effect and be in force from and after May 1st, 1929.

Approved April 24, 1929.

CHAPTER 346—H. F. No. 951

An act to amend Sections 3, 4, 5 and 7, Chapter 525, General Laws 1921, relating to a court of conciliation and small debtors court for the city of St. Paul.

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

Section 1. **Powers of Conciliation Judge.**—That Section 3 of Chapter 525, General Laws 1921, be and the same is hereby amended so as to read as follows:

“Sec. 3. Said conciliation judge shall have all the powers of a court of conciliation and shall exercise all the special powers conferred by this act. Said conciliation court shall be open every day except Sundays and holidays at such hours as may be fixed by rule and shall be open for at least two evenings in each week, for the hearing and determining of controversies submitted to such court in accordance with the provisions of this act. When such judge is not acting as such conciliation court, under this act, he shall act as a regular judge of said municipal court. No costs shall be taxed to