

21079
65

GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

ONE HUNDRED COPIES ORDERED PRINTED.



SAINT PAUL:

FREDERICK DRISCOLL, STATE PRINTER.

(PRESS PRINTING COMPANY.)

1865.

29

D

39 The salary of the keeper of the state arsenal is four hun-
40 dred dollars per annum, in time of war, and one hundred
41 and fifty dollars per annum in time of peace.

42 The salary of each of the judges of the supreme court is
43 two thousand dollars per annum.

44 The salary of the clerk of the supreme court is six hun-
45 dred dollars per annum.

46 The salary of the reporter of the supreme court is five
47 hundred dollars per annum.

TITLE II.

OF DISTRICT OFFICERS.

1 SECT. 2. The salary of each of each of the judges of the ^{c 56}
2 district court is two thousand dollars per annum. C. S. p. 477, Sect. 18.

TITLE III.

1 SECT. 3. The county attorneys receive a salary of, not ^{c 32}
2 exceeding twelve hundred dollars per annum, to be fixed by 1862-p. 89, Sect. 7.
3 the board of county commissioners, and paid from the treas-
4 ury of the county.

1 SECT. 4. The salary of the county auditor and county ^{c 2}
2 superintendent of schools shall be fixed and determined by 1860-p. 64, Sect. 55,
& 1864-p. 20, Sect.
9 combined. c 1
3 the board of county commissioners, and paid from the county
4 treasury.

CHAPTER VIII.

COUNTIES AND COUNTY OFFICERS.

TITLE I.

TERRITORIAL DIVISIONS.

1 SECTION 1. The state is divided into the following coun-
2 ties: Aiken, Andy Johnson, Anoka, Becker, Benton, Big-
3 stone, Blue Earth, Brown, Carlton, Carver, Cass, Chippewa,
4 Chisago, Clay, Cottonwood, Crow Wing, Dakota, Dodge,
5 Douglas, Faribault, Fillmore, Freeborn, Goodhue, Henne-
6 pin, Houston, Isanti, Itasca, Jackson, Kanabec, Kandiyo-

7 hi, Lac qui Parle, Lake, Le Sueur, Lincoln, Manomin,
 8 Martin, McLeod, Meeker, Mille Lacs, Monongalia, Morri-
 9 son, Mower, Murray, Nicollet, Nobles, Olmsted, Ottertail,
 10 Pembina, Pine, Pipestone, Polk, Pope, Ramsey, Redwood,
 11 Renville, Rice, Rock, Saint Louis, Scott, Sherburne, Sibley,
 12 Stearns, Steele, Stevens, Todd, Traverse, Wabashaw, Wa-
 13 dena, Waseca, Washington, Watonwan, Winona, Wright.

1862—^{c 28}p. 265, Sect. 1.

1 SECT. 2. The county of Aiken is established and bound-
 2 ed as follows: Beginning in the centre of the channel of
 3 the Mississippi river at the point where the line between
 4 townships forty-seven and forty-eight, north of the fourth
 5 principal meridian, intersects the same; thence eastwardly
 6 along said township line to the north east corner of township
 7 forty-seven of range twenty-two; thence southwardly on
 8 the line between ranges twenty-one and twenty-two to the
 9 south east corner of township forty-three of range twenty-
 10 two; thence westwardly on the line between townships for-
 11 ty-two and forty-three to the south west corner of township
 12 forty-three of range twenty-four; thence northwardly on
 13 the line between ranges twenty-four and twenty-five to the
 14 south west corner of township forty-four of range twenty-
 15 four; thence westwardly on the line between townships forty-
 16 three and forty-four to the south west corner of township
 17 forty-four of range twenty-seven; thence northwardly on
 18 the line between ranges twenty-seven and twenty-eight to
 19 the centre of the channel of the Mississippi river; thence up
 20 the centre of said channel to the place of beginning.

1863—^{c 13}p. 196, Sect. 2.

1 SECT. 3. The county of Andy Johnson is established
 2 and bounded as follows: Beginning in the centre of the
 3 channel of the Red River of the North, at the point where
 4 the line between townships one hundred and thirty-six and
 5 one hundred and thirty-seven north of the fifth principal
 6 meridian, first intersects the same; thence eastwardly along
 7 said township line to the north east corner of township one
 8 hundred and thirty-six of range forty-four; thence south-
 9 wardly on the line between ranges forty-three and forty-
 10 four to the south east corner of township one hundred and
 11 thirty-seven of range forty-four; thence westwardly on the
 12 line between townships one hundred and twenty-nine and
 13 one hundred and thirty to the centre of the channel of the
 14 Red River of the North; thence along the main channel of
 15 said river, following the western boundary of the state, to
 16 the place of beginning.

1 SECT. 4. The county of Anoka is established and bound-
 2 ed as follows: Beginning at the south east corner of town-
 3 ship thirty-one of range twenty-two west of the fourth
 4 principal meridian; thence west on the township line be-

5 tween townships thirty and thirty-one to the centre of the
 6 main channel of the Mississippi river; thence up the main ^{c 1}
 7 channel thereof to its intersection with the line between ^{c. s. p. 102, Sect.}
 8 ranges twenty-five and twenty-six; thence north along said ^{200.}
 9 range line to the north west corner of section thirty of
 10 township thirty-four of range twenty-five; thence easterly
 11 on the section line to the north east corner of section twen-
 12 ty-five of township thirty-four of range twenty-two; thence
 13 southerly on the line between ranges twenty-one and twen-
 14 ty-two to the place of beginning.

1 SECT. 5. The county of Becker is established and
 2 bounded as follows: Beginning at the northwest corner of ^{c 3 1}
 3 township one hundred and forty-two, range forty-three; ^{1862-p. 271, Sect. 1.}
 4 thence eastwardly along the line between townships one
 5 hundred and forty-two and one hundred and forty-three, to
 6 the northeast corner of township one hundred and forty-
 7 two, range thirty-six; thence southwardly along the line
 8 between ranges thirty-five and thirty-six to the southeast
 9 corner of township one hundred and thirty-eight, range
 10 thirty-six; thence westwardly along the line between town-
 11 ships one hundred and thirty-seven and one hundred and
 12 thirty-eight, to the southwest corner of township one hun-
 13 dred and thirty-eight, range forty-three; thence northward-
 14 ly along the line between ranges forty-three and forty-four,
 15 to the place of beginning.

1 SECT. 6. The county of Benton is established and
 2 bounded as follows: Beginning in the centre of the main ^{c 1}
 3 channel of the Mississippi river at the point where the line ^{c. s. p. 91, Sect.}
 4 between townships thirty-eight and thirty-nine north of the ^{118. Special Laws}
 5 fourth principal meridian intersects the same; thence to and ^{of 1860-p. 97. c. 59}
 6 along said township line to the northwest corner of town-
 7 ship thirty-eight of range twenty-eight; thence southerly
 8 on the line between ranges twenty-seven and twenty-eight
 9 to the south east corner of township thirty-six of range
 10 twenty-eight; thence west on the township line between
 11 townships thirty-five and thirty-six to the centre of the main
 12 channel of the Mississippi river; thence up and along said
 13 channel to the place of beginning.

1 SECT. 7. The county of Big Stone is established and ^{c 2 2}
 2 bounded as follows: Beginning at the point where the line ^{1862-p. 257, Sect.}
 3 between townships one hundred and twenty-four and one
 4 hundred and twenty-five north of the fifth principal merid-
 5 ian intersects the western boundary of the state; thence
 6 eastwardly on said township line to the northeast corner of
 7 township one hundred and twenty-four of range forty-four;
 8 thence southerly on the line between ranges forty-three and
 9. forty-four to its intersection with the channel of the Minne-

10 sota river; thence up the main channel of said river to Big
 11 Stone lake; thence through said lake and along the western
 12 boundary of the state to the place of beginning.

^{c1}
 C. S. P. 84, Sect. 65.

1 SECT. 8. The county of Blue Earth is established and
 2 bounded as follows: Beginning at the southeast corner of
 3 township one hundred and five north of range twenty-five
 4 west from the fifth principal meridian; thence westerly
 5 on the line between townships one hundred and four and
 6 one hundred and five to the southwest corner of township
 7 one hundred and five of range twenty-nine; thence norther-
 8 ly on the line between ranges twenty-nine and thirty to the
 9 centre of the main channel of the Minnesota river; thence
 10 down said main channel to its intersection with the section
 11 line between sections thirteen and twenty-four of township
 12 one hundred and nine of range twenty-seven; thence east
 13 along the section lines to the northeast corner of section
 14 twenty-four of township one hundred and nine of range
 15 twenty-five; thence south on the range line between ranges
 16 twenty-four and twenty-five to the place of beginning.

^{c1}
 1862—P. 255, Sect. 1.

1 SECT. 9. The county of Brown is established and bound-
 2 ed as follows: Beginning at the intersection of the Minne-
 3 sota river, and the range line between ranges twenty-nine
 4 and thirty; thence south on said line, to the township line
 5 between townships one hundred and seven and one hundred
 6 and eight; thence west on said line, to the range line be-
 7 tween ranges thirty-three and thirty-four; thence north on
 8 said line, to the middle of the Minnesota river; thence south
 9 easterly along the middle of the main channel of the Min-
 10 nesota river to the place of beginning.

^{c1}
 C. S. P. 99, Sect. 177.

1 SECT. 10. The county of Carlton is established and
 2 bounded as follows: Beginning at the north east corner of
 3 township forty-nine north of range sixteen west from the
 4 fourth principal meridian; thence south on the range line
 5 between ranges fifteen and sixteen to its intersection with
 6 the main channel of the Saint Louis river; thence along the
 7 main channel of said river to the boundary line between
 8 Minnesota and Wisconsin; thence south along said line be-
 9 tween Minnesota and Wisconsin to its intersection with the
 10 township line between townships forty-five and forty-six;
 11 thence westerly along said township line to the south-west
 12 corner of township forty-six of range twenty-one; thence
 13 north on the line between ranges twenty-one and twenty-
 14 two to the northwest corner of township forty-nine of range
 15 twenty-one; thence easterly on the line between townships
 16 forty-nine and fifty to the place of beginning.

1 SECT. 11. The county of Carver is established and

2 bounded as follows: Beginning in the centre of the main
 3 channel of the Minnesota river at its intersection with the
 4 line between ranges twenty-four and twenty-five; thence
 5 north on said range line to the southeast corner of section
 6 thirteen of township one hundred and fourteen north
 7 of range twenty-five west from the fifth meridian; thence
 8 west on the section line to the southwest corner of section
 9 eighteen in said township; thence north on the west line of
 10 said township to the northwest corner of said township;
 11 thence west on the line between townships one hundred and
 12 fourteen and one hundred and fifteen to the southwest cor-
 13 ner of township one hundred and fifteen of range twenty-
 14 six; thence north on the range line between ranges twenty-
 15 six and twenty-seven to the northwest corner of town one
 16 hundred and seventeen of range twenty-six; thence east on
 17 the line between townships one hundred and seventeen and
 18 one hundred and eighteen to the northeast corner of town
 19 one hundred and seventeen of range twenty-five; thence
 20 south on the east line of said town to the southeast corner
 21 thereof; thence east on the line between townships one hun-
 22 dred and sixteen and one hundred and seventeen to the
 23 north east corner of town one hundred and sixteen of range
 24 twenty-three; thence south on the line between ranges
 25 twenty-two and twenty-three to the centre of the main
 26 channel of the Minnesota river; thence up and along the
 27 centre of said channel to the place of beginning.

C. S. p. 86, Sect. 74;
 C. S. p. 93, Sect. 135. c /

1 SECT. 12. The county of Cass is established and bound-
 2 ded as follows: Beginning at the intersection of the main
 3 channel of the Crow Wing river with the main channel
 4 of the Mississippi river; thence up the centre of the
 5 main channel of said Crow Wing river to its first inter-
 6 section with the range line between ranges thirty-two
 7 and thirty-three west from the fifth principal meridian;
 8 thence north on said range line to the north east corner of
 9 township one hundred and thirty-eight of range thirty-
 10 three; thence west on the line between townships one
 11 hundred and thirty-eight and one hundred and thirty nine
 12 to the south west corner of township one hundred and thirty-
 13 nine of range thirty-five; thence north on the line between
 14 ranges thirty-five and thirty-six to the north west corner of
 15 township one hundred and forty-two of range thirty-five;
 16 thence easterly (on the line between townships one hundred
 17 and forty-two and one hundred and forty-three to its inter-
 18 section with Itasca lake or the principal branch of the Mis-
 19 sissippi river,) thence down the main channel of said river
 20 to the place of beginning.

C /
 C. S. p. 76, Sect. 9;
 C. S. p. 88, Sect. 85; C /
 C. S. p. 109, Sect. c /
 246; 1862-p. 271.
 C 3 /

1 SECT. 13. The county of Chippewa is established and
 2 bounded as follows: Beginning at the north west corner of

3 township one hundred and twenty-two north of range forty
 4 west from the fifth principal meridian; thence easterly on
 5 the line between townships one hundred and twenty-two
 6 and one hundred and twenty-three to the north east corner
 7 of town one hundred and twenty-two of range thirty-seven;
 8 thence southerly on the line between ranges thirty-six and
 9 thirty-seven to the south east corner of town one hundred
 10 and eighteen of range thirty-seven; thence westerly on the
 11 line between townships one hundred and seventeen and one
 12 hundred and eighteen to the south west corner of township
 13 one hundred and eighteen of range forty; thence north-
 14 wardly on the line between ranges forty and forty-one to
 15 the place of beginning.

c. 1, c. 2
 1862-p. 287, Sect. 2.

1 SECT. 14. The county of Chisago is established and
 2 bounded as follows: Beginning at the intersection of the
 3 main channel of the Saint Croix river with the line between
 4 townships thirty-two and thirty-three north on the fourth
 5 principal meridian; thence westerly on said township line to
 6 the south west corner of township thirty-three of range
 7 twenty-one; thence northerly on the line between ranges
 8 twenty-one and twenty-two to the south east corner of town
 9 thirty-six of range twenty-two; thence west on the south
 10 line of said town to the south west corner thereof; thence
 11 north on the line between ranges twenty-two and twenty-
 12 three to the north west corner of township thirty-seven of
 13 range twenty-two; thence east on the line between town-
 14 ships thirty-seven and thirty-eight to the centre of the main
 15 channel of the St. Croix river; thence down along the cen-
 16 tre of said channel to the place of beginning.

c. 1
 C. S. p. 75, Sect. 4;
 C. S. p. 95, Sect. 143.

1 SECT. 15. The county of Clay is established and bound-
 2 ed as follows: Beginning in the centre of the channel of the
 3 Red River of the North, at the first intersection of the line be-
 4 tween townships one hundred and forty-two and one hun-
 5 dred and forty-three, with said channel; thence east-
 6 wardly along said township line to the north east corner of
 7 township one hundred and forty-two, range forty-four;
 8 thence southwardly on the line between ranges forty-three
 9 and forty-four, to the south east corner of township one hun-
 10 dred and thirty-seven, range forty-four; thence westwardly
 11 on the line between townships one hundred and thirty-six
 12 and one hundred and thirty-seven, to the centre of the chan-
 13 nel of the Red River of the North; thence down the main
 14 channel of said river, following the western boundary of
 15 the state, to the place of beginning.

c. 1, c. 2
 1862-p. 282, Sect. 1.

1 SECT. 16. The county of Cottonwood is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township one hundred and five north of range thirty-four

4 west from the fifth principal meridian; thence north on the
 5 line between ranges thirty-three and thirty-four to the north ^{c/}
 6 east corner of town one hundred and eight, of range thirty- C. S. p. 101, Sect. 187.
 7 four; thence west on the line between townships one hun-
 8 dred and eight and one hundred and nine to the north-west
 9 corner of town one hundred and eight, of range thirty-eight;
 10 thence south on the line between ranges thirty-eight and
 11 thirty-nine to the south west corner of town one hundred
 12 and five, of range thirty-eight; thence east on the line be-
 13 tween towns one hundred and four and one hundred and
 14 five, to the place of beginning.

1 SECT. 17. The county of Crow Wing is established and ^{c/}
 2 bounded as follows: Beginning at the south-east corner of C. S. p. 89, Sect. 178;
 3 town forty-three north, of range twenty-eight west of the C. S. p. 91, Sect. 117.
 4 fourth principal meridian; thence north on the line between
 5 ranges twenty-seven and twenty-eight to the centre of the
 6 main channel of the Mississippi river; thence down along
 7 the centre of said channel to its intersection with the line
 8 between townships forty-two and forty-three; thence on
 9 said township line to the place of beginning. _{c/}

1 SECT. 18. The county of Dakota is established and
 2 bounded as follows: Beginning at the centre of the channel
 3 of the Minnesota river opposite the mouth of Credit river;
 4 thence on a straight line to the north east corner of town- ^{c/}
 5 ship one hundred and twelve of range twenty-one west from C. S. p. 84, Sect. 69;
 6 the fifth meridian; thence south on the line between ranges C. S. p. 98, Sect. 178.
 7 twenty and twenty-one to the south west corner of section
 8 thirty in town one hundred and twelve of range twenty;
 9 thence east on the section lines to the south east corner of
 10 section twenty-five in township one hundred and twelve of
 11 range nineteen; thence north on the east line of said town-
 12 ship to its intersection with the main channel of Cannon
 13 river; thence down along said channel to its intersection
 14 with the line between ranges seventeen and eighteen; thence
 15 north on said range line to the north west corner of town
 16 one hundred and twelve of range seventeen; thence east on
 17 the line between one hundred and twelve and one hun-
 18 dred and thirteen to the south east corner of town one
 19 hundred and thirteen of range seventeen; thence north
 20 on the east line of said town to the north east corner
 21 thereof; thence east on the line between towns one hun-
 22 dred and thirteen and one hundred and fourteen to the
 23 south east corner of section thirty-three in township one
 24 hundred and fourteen of range sixteen; thence north on the
 25 section line passing through the centre of said township to
 26 its intersection with the main channel of the Mississippi
 27 river; thence up along said channel to the mouth of the
 8

- 28 Minnesota river; thence up the centre of the channel of said
 29 Minnesota river to the place of beginning.

c1
 C. S. p. 89, Sect. 62;
 C. S. p. 93, Sect. 132

1 SECT. 19. The county of Dodge is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township one hundred and five north of range sixteen west;
 4 thence west on the line between townships one hundred and
 5 four and one hundred and five to the south west corner of
 6 township one hundred and five of range eighteen; thence
 7 north on the line between ranges eighteen and nineteen to
 8 the north west corner of town one hundred and eight of
 9 range eighteen; thence east on the line between townships
 10 one hundred and eight and one hundred and nine to the
 11 north east corner of town one hundred and eight of range
 12 sixteen, thence south on the line between ranges fifteen and
 13 sixteen to the place of beginning.

c1
 C. S. p. 107, Sect.
 235.

1 SECT. 20. The county of Douglas is established and
 2 bounded as follows: Beginning at the north east corner of
 3 township one hundred and thirty north of range thirty-six
 4 west from the fifth principal meridian; thence west on the
 5 line between townships one hundred and thirty and one hun-
 6 dred and thirty-one to the north west corner of township
 7 one hundred and thirty of range forty; thence south on the
 8 line between ranges forty and forty-one to the south west
 9 corner of town one hundred and twenty-seven of range forty;
 10 thence east on the line between towns one hundred and
 11 twenty-six and one hundred and twenty-seven to the south
 12 east corner of town one hundred and twenty-seven of range
 13 thirty-six; thence north on the line between ranges thirty-
 14 five and thirty-six to the place of beginning.

c1
 C. S. p. 84, Sect. 66;
 C. S. p. 100, Sect.
 181.

1 SECT. 21. The county of Faribault is established and
 2 bounded as follows: Beginning at the southeast corner of
 3 township one hundred and one north of range twenty-four
 4 west; thence west on the boundary line between Minnesota
 5 and Iowa to the south west corner of town one hundred and
 6 one of range twenty-eight; thence north on the line between
 7 ranges twenty-eight and twenty-nine to the northwest cor-
 8 ner of town one hundred and four of range twenty-eight;
 9 thence on the line between towns one hundred and four and
 10 one hundred and five to the north east corner of town one
 11 hundred and four of range twenty-four; thence south on
 12 the line between ranges twenty-three and twenty-four to
 13 the place of beginning.

1 SECT. 22. The county of Fillmore is established and
 2 bounded as follows: Beginning at the southeast corner of
 3 township one hundred and one north of range eight west
 4 from the fifth meridian; thence north on the line between

5 ranges seven and eight to the northeast corner of township
 6 one hundred and four of range eight; thence west on the ^{c/}
 7 line between townships one hundred and four and one hun- ^{C. S. p. 81, Sect. 46;}
 8 dred and five to the northwest corner of township one hun- ^{C. S. p. 83, Sect. 61.}
 9 dred and four of range thirteen; thence south on the line ^{c/}
 10 between ranges thirteen and fourteen to the southwest cor-
 11 ner of township one hundred and one of range thirteen;
 12 thence east on the state boundary line to the place of be-
 13 ginning.

1 SECT. 23. The county of Freeborn is established and
 2 bounded as follows: Beginning at the southeast corner of ^{c/}
 3 township one hundred and one, north, of range nineteen ^{C. S. p. 83, Sect. 61.}
 4 west of the fifth meridian; thence west on the state bound-
 5 ary line to the southwest corner of town one hundred and
 6 one of range twenty-three; thence north on the line between
 7 ranges twenty-three and twenty-four to the northwest cor-
 8 ner of township one hundred and four of range twenty-
 9 three; thence east on the line between townships one hun-
 10 dred and four and one hundred and five to the northeast
 11 corner of town one hundred and four of range nineteen;
 12 thence south on the line between ranges eighteen and nine-
 13 teen to the place of beginning.

1 SECT. 24. The county of Goodhue is established and
 2 bounded as follows: Beginning at the southwest corner of
 3 township one hundred and nine north of range eighteen west; ^{c/}
 4 thence north on the range line between ranges eighteen and ^{C. S. p. 87, Sect. 80.}
 5 nineteen to its intersection with the centre of the main
 6 channel of Cannon river; thence down the middle of said
 7 channel to the line between ranges seventeen and eighteen;
 8 thence north on said range line to the line between town-
 9 ships one hundred and twelve and one hundred and thir-
 10 teen; thence east on said line to the southwest corner of
 11 township one hundred and thirteen of range sixteen; thence
 12 north on the west line of said township to the northwest
 13 corner thereof; thence east on the north line of said town-
 14 ship to the southwest corner of section thirty-four of town
 15 one hundred and fourteen of range sixteen; thence north
 16 along the section line to the middle of the main channel of
 17 the Mississippi river; thence down the middle of said chan-
 18 nel and of Lake Pepin to a point due east of the termination
 19 of the line between townships one hundred and eleven and
 20 one hundred and twelve; thence to and along said line to
 21 the northeast corner of township one hundred and eleven
 22 of range fourteen; thence south upon the east line of said
 23 town to the southeast corner thereof; thence west upon the
 24 south line of said township to the southwest corner thereof;
 25 thence south upon the line between ranges fourteen and
 26 fifteen to the line between townships one hundred and eight

27 and one hundred and nine; thence west upon said township
28 to the place of beginning.

1 SECT. 25. The county of Hennepin is established and
2 bounded as follows: Beginning in the centre of the main
3 channel of the Mississippi river at its intersection with the
4 north line of township twenty-nine north of range twenty-
5 four west from the fourth principal meridian; thence east
6 on said township line to the north east corner of section
7 six in township twenty-nine of range twenty-three; thence
8 south on the section lines to the Mississippi river; thence
9 down said river in the western channel thereof to the centre
10 of the main channel of the Minnesota river; thence up the
11 centre of said channel to the line between ranges twenty-
12 two and twenty three west from the fifth meridian; thence
13 north on said line to the north-west corner of town one
14 hundred and sixteen of range twenty-two; thence west on
15 the line between towns one hundred and sixteen and one
16 hundred and seventeen to the south west corner of town
17 one hundred and seventeen of range twenty-four; thence
18 north on the line between ranges twenty-four and twenty-
19 five to the middle of the main channel of Crow river; thence
20 down along the middle of said channel to the middle of the
21 main channel of the Mississippi river; thence down the
22 middle of said channel to the place of beginning.

c1
C. S. p. 77, Sect. 22;
C. S. p. 75, Sect. 3;
c1 C. S. p. 80, Sects. 74,
77; Special Laws of
1861—p. 272.
C 3 b

1 SECT. 26. The county of Houston is established and
2 bounded as follows: Beginning in the middle of the main
3 channel of the Mississippi river on the line between Iowa
4 and Minnesota; thence west on the state boundary line to
5 the southwest corner of township one hundred and one of
6 range seven; thence north on the line between ranges seven
7 and eight to the northwest corner of town one hundred and
8 four of range seven; thence east on the line between town-
9 ships one hundred and four and one hundred and five to
10 the middle of the main channel of the Mississippi river;
11 thence down the centre of said channel to the place of be-
12 ginning.

c1
C. S. p. 80, Sect. 45.

1 SECT. 27. The county of Isanti is established and
2 bounded as follows: Beginning at the southeast corner of
3 section twenty-four in town thirty-four north of range
4 twenty-two west from the fourth principal meridian; thence
5 west upon the section lines to the southwest corner of sec-
6 tion nineteen in township thirty-four of range twenty-five;
7 thence north upon the line between ranges twenty-five and
8 twenty-six to the northwest corner of town thirty-seven of
9 range twenty-five; thence east upon the line between town-
10 ships thirty-seven and thirty-eight to the northeast corner
11 of town thirty-seven of range twenty-three; thence south

c1
C. S. p. 93, Sect. 155;
C. S. p. 93, Sect. 175;
c1 C. S. p. 95, Sect. 143;
c1 C. S. p. 75, Sect. 4;
Sp c 2 8 1861—p. 209.

12 upon the line between ranges twenty-two and twenty-three
 13 to the northwest corner of town thirty-five of range twenty-
 14 two; thence east on the north line of said town to the north-
 15 east corner thereof; thence south on the line between ranges
 16 twenty-one and twenty-two to the place of beginning.

1 SECT. 28. The county of Itasca is established and
 2 bounded as follows: Beginning on the north boundary line
 3 of the state in the middle of the Lake of the Woods; thence
 4 on a line running due south to the middle of the main chan-
 5 nel of the Mississippi river; thence down said channel to
 6 the line between townships forty-seven and forty-eight north
 7 on the fourth meridian; thence east on said township line
 8 to the line between ranges twenty-one and twenty-two;
 9 thence due north to the boundary between the United States
 10 and British Possessions; thence westerly along said bound-
 11 ary to the place of beginning.

c/
 C. S. p. 78, Sect. 6;
 C. S. p. 94, Sect. 140; *c/*
 1862—p. 235.
9/10/28

1 SECT. 29. The county of Jackson is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township one hundred and one north of range thirty-four
 4 west; thence north on the line between ranges thirty-three
 5 and thirty-four to the north east corner of town one hun-
 6 dred and four north of range thirty-four west; thence west
 7 on the line between towns one hundred and four and one
 8 hundred and five to the north west corner of town one
 9 hundred and four of range thirty-eight west; thence south
 10 on the line between ranges thirty-eight and thirty-nine to
 11 the south west corner of town one hundred and one of range
 12 thirty-eight, thence east on the state boundary line to the
 13 place of beginning.

c/
 C. S. p. 100, Sect.
 182.

1 SECT. 30. The county of Kanabec is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township thirty-eight, range twenty-three west; thence
 4 west to the south west corner of township thirty-eight, range
 5 twenty-five west; thence north to the north west corner of
 6 township forty, range twenty-five west; thence east to the
 7 south west corner of township forty-one, range twenty-four
 8 west; thence north to the north west corner of township
 9 forty-two, range twenty-four west; thence east to the north
 10 east corner of township forty-two, range twenty-two west;
 11 thence south to the south east corner of township forty-one,
 12 range twenty-two west; thence west to the north east corner
 13 of township forty, range twenty-three west; thence south
 14 to the place of beginning.

c/
 C. S. p. 105, Sect.
 216.

1 SECT. 31. The county of Kandiyohi is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township one hundred and seventeen, range thirty-three;

^{c1}
C. S. p. 106, Sect.
228.

4 thence running west to the south west corner of township
5 one hundred and seventeen, range thirty-six; thence north
6 to the north west corner of township one hundred and nine-
7 teen, range thirty-six; thence east to the north east corner
8 of township one hundred and nineteen, range thirty-three,
9 and thence south to the place of beginning.

^{c1}
1863—p. 228, Sect.
3.

1 SECT. 32. The county of Lac qui Parle is established
2 and bounded as follows: Beginning in the centre of the
3 channel of the Minnesota river at the intersection of the
4 line between ranges forty-three and forty-four; thence
5 northwardly on said range line to the north west corner of
6 township one hundred and twenty-four; range forty-three;
7 thence eastwardly on the line between townships one hun-
8 dred and twenty-four and one hundred and twenty-five, to
9 the north east corner of township one hundred and twenty-
10 four, range forty-one; thence southwardly on the line be-
11 tween ranges forty and forty-one, to the south east corner
12 of township one hundred and eighteen, range forty-one;
13 thence westwardly on the line between townships one hun-
14 dred and seventeen and one hundred and eighteen to the
15 centre of the channel of the Minnesota river; thence up the
16 centre of the main channel of said river to the place of be-
17 ginning.

^{c1}
C. S. p. 94, Sect. 139.

1 SECT. 33. The county of Lake is established and bound-
2 ed as follows: Beginning at the mouth of Knife river on
3 the north shore of Lake Superior; thence due north to the
4 boundary line between the United States and British Pos-
5 sessions; thence easterly on said boundary line to the
6 boundary line between Minnesota and Wisconsin; thence
7 westwardly on said state boundary to a point due south of
8 the mouth of Knife river; thence to the place of beginning.

^{c1}
C. S. p. 85, Sects. 71,
73; C. S. p. 89, Sect.
100. ^{c1}

1 SECT. 34. The county of LeSueur is established and
2 bounded as follows: Beginning at the centre of the main
3 channel of the Minnesota river where the line between sec-
4 tions eighteen and nineteen of township one hundred and
5 nine of range twenty-six crosses said river; thence east on
6 said section line to the line between ranges twenty-four and
7 twenty-five; thence south on said line to the line between
8 townships one hundred and eight and one hundred and
9 nine; thence east on said line to the line between ranges
10 twenty-two and twenty-three; thence north on said range
11 line to the line between townships one hundred and twelve
12 and one hundred and thirteen; thence west on said town-
13 ship line to the northwest corner of town one hundred and
14 twelve of range twenty-five; thence south on the west line
15 of said town to its intersection with the main channel of the
16 Minnesota river; thence following said channel to its next

17 intersection with said lines ; thence following said line to its
 18 third intersection with said channel on the west side of section
 19 seven in said town ; thence up said channel to the line be-
 20 tween sections twenty-four and twenty-five in town one
 21 hundred and twelve of range twenty-six ; thence west on
 22 said line to the northwest corner of said section twenty-five ;
 23 thence south on the west line of said section to the quarter
 24 post ; thence west on the quarter line to the west quarter
 25 post of section twenty-six in said town ; thence south on
 26 the section line to the middle of the channel of the Minne-
 27 sota river ; thence up said channel to the place of begin-
 28 ning.

1 SECT. 35. The county of Lincoln is established and
 2 bounded as follows : Beginning at the northeast corner of
 3 town one hundred and seventeen, of range thirty-one ; 1861-p. 231. sp c 22
 4 thence in a southerly direction, along the range line be-
 5 tween ranges thirty and thirty-one to the south east corner
 6 of town one hundred and fifteen, of range thirty-one ;
 7 thence in a westerly direction, along the town line between
 8 towns one hundred and fourteen and one hundred and fif-
 9 teen, to the south west corner of town one hundred and fif-
 10 teen of range thirty-five ; thence in a northerly direction,
 11 along the range line between ranges thirty-five and thirty-
 12 six, to the north west corner of town one hundred and six-
 13 teen of range thirty-five ; thence in an easterly direction,
 14 along the town line between towns one hundred and sixteen
 15 and one hundred and seventeen to the south east corner of
 16 town one hundred and seventeen of range thirty-three ;
 17 thence in a northerly direction, along the range line
 18 between ranges thirty-two and thirty-three, to the north
 19 west corner of town one hundred and seventeen, of range
 20 thirty-two ; thence east to the place of beginning.

1 SECT. 36. The county of Manomin is established and
 2 bounded as follows : Beginning in the middle of the chan- c /
 3 nel of the Mississippi river at its intersection with the line C. S. P. 102, Sect.
 4 between townships twenty-nine and thirty, north of range 196.
 5 twenty-four, west from the fourth meridian ; thence east on
 6 said township line to the south east corner of town thirty
 7 of range twenty-four ; thence north on the east line of said
 8 town to the north east corner thereof ; thence west on the
 9 north line of said town to the centre of the channel of the
 10 Mississippi river ; thence down the middle of said channel
 11 to the place of beginning.

1 SECT. 37. The county of Martin is established and
 2 bounded as follows : Beginning at the south west corner
 3 of township one hundred and one, north of range twenty-
 4 eight west ; thence north on the line between ranges twenty-

c/1
C. S. p. 100, Sect.
181.

5 eight and twenty-nine to the north east corner of town one
6 hundred and four of range twenty-nine; thence west on the
7 line between townships one hundred and four and one hun-
8 dred and five, to the north west corner of town one hun-
9 dred and four of range thirty-three; thence south on the
10 line between ranges thirty-three and thirty-four to the south
11 west corner of town one hundred and one of range thirty-
12 three; thence east on the line between Iowa and Minne-
13 sota to the place of beginning.

c/1
C. S. p. 99 Sect. 135.

1 SECT. 38. The county of McLeod is established and
2 bounded as follows: Beginning at the south east corner of
3 town one hundred and fifteen of range twenty-seven west
4 from the fifth meridian; thence north on the line between
5 ranges twenty-six and twenty-seven to the north east cor-
6 ner of town one hundred and seventeen of range twenty-
7 seven; thence west on the line between towns one hundred
8 and seventeen and one hundred and eighteen to the north
9 west corner of town one hundred and seventeen of range
10 thirty; thence south on the line between ranges thirty and
11 thirty-one to the south west corner of town one hundred
12 and fourteen of range thirty; thence east on the line be-
13 tween towns one hundred and thirteen and one hundred
14 and fourteen to the south east corner of town one hundred
15 and fourteen of range twenty-nine; thence north on the
16 east line of said town to the north east corner thereof;
17 thence east on the line between townships one hundred and
18 fourteen and one hundred and fifteen to the place of begin-
19 ning.

9.023
1801-p. 262.

1 SECT. 39. The county of Meeker is established and
2 bounded as follows: Beginning at the south east corner of
3 town one hundred and eighteen north of range twenty-nine
4 west from the fifth meridian; thence north on the line be-
5 tween ranges twenty-eight and twenty-nine to the north
6 east corner of section twenty-four of town one hundred and
7 twenty-one in range twenty-nine; thence west on the sec-
8 tion lines to the north east corner of section twenty-four of
9 town one hundred and twenty-one of range thirty; thence
10 north on the east line of said town to the north east corner
11 thereof; thence west on the line between towns one hun-
12 dred and twenty-one and one hundred and twenty-two to
13 the north west corner of town one hundred and twenty-one
14 of range thirty-two; thence south on the line between
15 ranges thirty-two and thirty-three to the south west corner
16 of town one hundred and eighteen of range thirty-two;
17 thence east on the line between townships one hundred and
18 seventeen and one hundred and eighteen to the place of be-
19 ginning.

1 SECT. 40. The county of Mille Lacs is established and
 2 bounded as follows: Beginning at the south east corner of
 3 township thirty-six north of range twenty-six west from ^{c/}
 4 the fourth meridian; thence north on the line between ^{C. S. p. 88, Sect. 176;}
 5 ranges twenty-five and twenty-six to the north east corner ^{Special Laws of}
 6 of township forty of range twenty-six; thence east on the ^{1860-p. 97. c59}
 7 line between townships forty and forty-one to the south
 8 east corner of town forty-one of range twenty-five; thence
 9 north on the line between ranges twenty-four and twenty-
 10 five to the north east corner of town forty-three of range
 11 twenty-five; thence west on the line between towns forty-
 12 three and forty-four to the north west corner of town forty-
 13 three of range twenty-seven; thence south on the line be-
 14 tween ranges twenty-seven and twenty-eight to the south
 15 west corner of town thirty-six of range twenty-seven; thence
 16 east on the line between towns thirty-five and thirty-six to
 17 the place of beginning.

1 SECT. 41. The county of Monongalia is established and
 2 bounded as follows: Beginning at the south east corner of
 3 town one hundred and twenty of range thirty-three; and ^{1861-p. 267, Sect. 1.}
 4 running thence in a westerly direction along the line be- ^{s/ c27}
 5 tween towns one hundred and nineteen and one hundred
 6 and twenty, to the south west corner of town one hundred
 7 and twenty of range thirty-six; thence in a northerly di-
 8 rection along the range line, between ranges thirty-six and
 9 thirty-seven, to the north west corner of town one hundred
 10 and twenty-two, of range thirty-six; thence in an easterly
 11 direction, along the lines between towns one hundred and
 12 twenty-two and one hundred and twenty-three, to the north
 13 east corner of town one hundred and twenty-two, of range
 14 thirty-three; thence in a southerly direction along the line
 15 between ranges thirty-two and thirty-three to the place of
 16 beginning.

1 SECT. 42. The county of Morrison is established and
 2 bounded as follows: Beginning in the main channel of ^{c/}
 3 the Mississippi river at its intersection with the line between ^{C. S. p. 91, Sect. 117.}
 4 townships thirty-eight and thirty-nine north on the fourth
 5 meridian; thence on said township line to the line between
 6 ranges twenty-seven and twenty-eight; thence north on
 7 said range line to the line between townships forty-two and
 8 forty-three; thence west on said township line to the centre
 9 of the main channel of the Mississippi river; thence down
 10 along said channel to the place of beginning.

1 SECT. 43. The county of Mower is established and
 2 bounded as follows: Beginning at the south east corner
 3 of township one hundred and one north of range fourteen
 4 west of the fifth principal meridian; thence west on the line

C
C. S. p. 83, Sect. 69;
C. S. p. 103, Sect.
204. C

5 between Minnesota and Iowa to the line between ranges
6 eighteen and nineteen; thence north on said range line to
7 the line between townships one hundred and four and one
8 hundred and five; thence east on said township line to the
9 north east corner of town one hundred and four of range
10 sixteen; thence south on the east line of said town to the
11 north east corner of section twelve in said town; thence
12 east on the section line to the north east corner of section
13 twelve in town one hundred and four of range fourteen;
14 thence south on the line between ranges thirteen and four-
15 teen to the place of beginning.

C
C. S. p. 101, Sect.
188.

1 SECT. 44. The county of Murray is established and
2 bounded as follows: Beginning at the south east corner
3 of town one hundred and five north of range thirty-nine
4 west; thence north on the line between ranges thirty-eight
5 and thirty-nine to the north east corner of town one hun-
6 dred and eight of range thirty-nine; thence west on the line
7 between townships one hundred and eight and one hundred
8 and nine to the north west corner of town one hundred and
9 eight of range forty-three; thence south on the line between
10 ranges forty-three and forty-four to the south west corner
11 of town one hundred and five of range forty-three; thence
12 east on the line between towns one hundred and four and
13 one hundred and five to the place of beginning.

C
C. S. p. 85, Sect. 72.

1 SECT. 45. The county of Nicollet is established and
2 bounded as follows: Beginning in the centre of the chan-
3 nel of the Minnesota river on the line between townships
4 one hundred and eleven and one hundred and twelve north
5 in range twenty-six west; thence west on said township line
6 to the centre of the channel of the Minnesota river in range
7 thirty-three west; thence down along the middle of the main
8 channel of said river to the place of beginning.

C
C. S. p. 100, Sect.
183.

1 SECT. 46. The county of Nobles is established and
2 bounded as follows: Beginning at the southeast corner of
3 township one hundred and one north of range thirty-nine
4 west of the fifth principal meridian; thence north on the
5 line between ranges thirty-eight and thirty-nine to the
6 north east corner of township one hundred and four north
7 of range thirty-nine west; thence west on the line between
8 townships one hundred and four and one hundred and five
9 to the north west corner of township one hundred and four
10 of range forty-three; thence south on the line between
11 ranges forty-three and forty-four to the south west corner
12 of town one hundred and one of range forty-three; thence
13 east on the line between Minnesota and Iowa to the place
14 of beginning.

1 SECT. 47. The county of Olmsted is established and
 2 bounded as follows: Beginning at the south east corner C. S. p. 83, Sect. 61;
 3 of township one hundred and five north of range eleven C. S. p. 103, Sect.
 4 west from the fifth principal meridian; thence west on the 204.
 5 line between townships one hundred and four and one hun-
 6 dred and five to the north east corner of town one hundred
 7 and four of range fourteen; thence south on the east line of
 8 said town to the south east corner of section one in said
 9 town; thence west on the section line to the south west
 10 corner of section six in town one hundred and four of range
 11 fifteen; thence north on the line between ranges fifteen and
 12 sixteen to the north west corner of town one hundred and
 13 eight of range fifteen; thence east on the line between town-
 14 ships one hundred and eight and one hundred and nine to
 15 the north east corner of town one hundred and eight of
 16 range thirteen; thence south on the east line of said town
 17 to the line between townships one hundred and seven and
 18 one hundred and eight; thence east on said township line
 19 to the north east corner of town one hundred and seven of
 20 range eleven; thence south on the line between ranges ten
 21 and eleven to the place of beginning.

1 SECT. 48. The county of Otter Tail is established and
 2 bounded as follows: Beginning at the north west corner 1862-p. 272. 5/11 232
 3 of township one hundred and thirty-seven, of range forty-
 4 three; thence eastwardly on the line between townships
 5 one hundred and thirty-seven and one hundred and thirty-
 6 eight, to the north east corner of township one hundred and
 7 thirty-seven, of range thirty-six; thence southwardly on
 8 the line between ranges thirty-five and thirty-six, to the
 9 south east corner of township one hundred and thirty-one,
 10 of range thirty-six; thence westwardly on the line between
 11 townships one hundred and thirty and one hundred and
 12 thirty-one, to the south west corner of township one hundred
 13 and thirty-one, of range forty-three; thence northwardly on
 14 the line between ranges forty-three and forty-four, to the
 15 place of beginning.

1 SECT. 49. The county of Pembina is established and
 2 bounded as follows: Beginning at a point in the middle of
 3 the main channel of the Red River of the North, opposite C. S. p. 107, Sect.
 4 the mouth of Turtle river; thence east to a line running 230; C. S. p. 78, Sect.
 5 due south from the centre of Lake of the Woods; thence 6.
 6 north on said line to the centre of said Lake of the Woods;
 7 thence westerly on the line between the United States and
 8 British Possessions to the middle of the main channel of
 9 the Red river; thence up said river along the middle of the
 10 main channel thereof to the place of beginning.

1 SECT. 50. The county of Pine is established and boun-

cl
 c
 5) c 31
 C. S. p. 95, Sect. 149;
 C. S. p. 96, Sects.
 176, 177; C. S. p.
 105, Sect. 218; 1861
 p. 273.

2 ded as follows: Beginning in the centre of the main chan-
 3 nel of the St. Croix river on the line between townships
 4 thirty-seven and thirty-eight north of the fourth meridian;
 5 thence west on said township line to the south west corner
 6 of town thirty-eight of range twenty-two; thence north on
 7 the line between ranges twenty-two and twenty-three, to
 8 the north west corner of town forty of range twenty-two;
 9 thence east on the line between townships forty and forty-
 10 one, to the south west corner of town forty-one of range
 11 twenty-one; thence north on the line between ranges
 12 twenty-one and twenty-two to the north west corner of town
 13 forty-five of range twenty-one; thence east on the line be-
 14 tween towns forty-five and forty-six, to the boundary line
 15 between Wisconsin and Minnesota; thence southerly along
 16 said boundary line to the place of beginning.

5) c 30
 1862-p. 270, Sect. 2.

1 SECT. 51. The county of Pipestone is established and
 2 bounded as follows: Beginning at the intersection of the
 3 line between townships one hundred and eight and one hun-
 4 dred and nine, with the western boundary of the state;
 5 thence eastwardly on said township line to the north east
 6 corner of township one hundred and eight, range forty-four;
 7 thence southwardly on the line between ranges forty-three
 8 and forty-four, to the south east corner of township one
 9 hundred and five, range forty-four; thence westwardly on
 10 the line between townships one hundred and four and one
 11 hundred and five, to its intersection with the western bound-
 12 ary of the state; thence north along said boundary to the
 13 place of beginning.

cl
 c
 5) c 31
 C. S. p. 107, Sect.
 231; C. S. p. 96, Sect.
 6; 1862-p. 262 & 271.

1 SECT. 52. The county of Polk is established and bound-
 2 ded as follows: Beginning in the middle of the main chan-
 3 nel of the Red river of the north, opposite the mouth of
 4 Turtle river; thence up along the centre of said channel to
 5 the line between townships one hundred and forty-two and
 6 one hundred and forty-three; thence easterly on said town-
 7 ship line to Itasca lake or the Mississippi river; thence
 8 down the centre of the main channel of said river to a line
 9 running due south from the centre of the Lake of the
 10 Woods; thence north on said line to a line running due
 11 east from the mouth of Turtle river; thence west on said
 12 line to the place of beginning.

5) c 22
 1862-p. 258, Sect. 4.

1 SECT. 53. The county of Pope is established and bound-
 2 ed as follows: Beginning at the north west corner of town-
 3 ship one hundred and twenty-six range forty; thence east-
 4 wardly on the line between townships one hundred and
 5 twenty-six and one hundred and twenty-seven, to the north
 6 east corner of township one hundred and twenty-six, range
 7 thirty-six; thence southwardly on the line between ranges

8 thirty-five and thirty-six to the south east corner of town-
 9 ship one hundred and twenty-three, range thirty-six; thence
 10 westwardly on the line between townships one hundred and
 11 twenty-two and one hundred and twenty-three, to the south
 12 west corner of township one hundred and twenty-three,
 13 range forty; thence northwardly on the line between ranges
 14 forty and forty-one to the place of beginning.

1 SECT. 54. The county of Ramsey is established and
 2 bounded as follows: Beginning at the north west corner of
 3 town thirty north of range twenty-three west of the fourth
 4 principal meridian; thence east on the line between town-
 5 ships thirty and thirty-one to the north east corner of town
 6 thirty of range twenty-two; thence south on the line be-
 7 tween ranges twenty-one and twenty-two to the south east
 8 corner of section twenty-four in town twenty-eight of range
 9 twenty-two; thence west on the section line to the middle
 10 of the main channel of the Mississippi river; thence up the
 11 middle of said channel to the mouth of the Minnesota river;
 12 thence following the western channel of said Mississippi
 13 river, so as to include in Ramsey county the islands in said
 14 Mississippi river at and above the mouth of said Minnesota
 15 river, to the line between sections thirty-one and thirty-
 16 two of town twenty-nine in range twenty-three; thence
 17 north on the section line to the north west corner of section
 18 five in said town; thence west on the north line of said
 19 town to the north west corner thereof; thence north on the
 20 line between ranges twenty-three and twenty-four to the
 21 place of beginning.

c/
 C. S. p. 75, Sects. 2 & c/
 3, p. 85, Sect. 60, p. c/
 91, Sects. 115 to 118, c/
 p. 95, Sect. 143, p. c/
 93, Sect. 155, p. 98, c/
 Sect. 175, p. 102, c/
 Sects. 196 & 200;
 1861—p. 200, 271; *S/c 28*
 1862—p. 255. *S/c 28*

1 SECT. 55. The county of Redwood is established and
 2 bounded as follows: Beginning in the centre of the chan-
 3 nel of the Minnesota river on the line between ranges thir-
 4 ty-three and thirty-four, west of the fifth meridian; thence
 5 south on said range line to the line between towns one hun-
 6 dred and eight and one hundred and nine; thence west on
 7 said township line to the western boundary of the state;
 8 thence north along said boundary line to the Bigstone lake;
 9 thence, following the main channel of the Minnesota river,
 10 to the place of beginning.

S/c 21
 1862—p. 255, 256; C.
 S. p. 87, Sect. 79, p. c/
 73, Sect. 34, p. 76, c/
 Sect. 8, p. 108, Sects. c/
 187, 188, 189.

1 SECT. 56. The county of Renville is established and
 2 bounded as follows: Beginning in the middle of the main
 3 channel of the Minnesota river on the line between town-
 4 ships one hundred and seventeen and one hundred and
 5 eighteen north, on the fifth principal meridian; thence west
 6 on said township line to the line between ranges thirty-six
 7 and thirty-seven; thence south on said range line to the
 8 line between townships one hundred and sixteen and one
 9 hundred and seventeen; thence east on said township line

c/
 C. S. p. 88, Sect. 75;
 C. S. p. 85, Sect. 73; c/
 C. S. p. 106, Sect. c/
 226; 1861—p. 261.
S/c 22.

10 to the north east corner of town one hundred and sixteen,
 11 of range thirty-six; thence south on the line between rang-
 12 es thirty-five and thirty-six, to the line between townships
 13 one hundred and fourteen and one hundred and fifteen;
 14 thence east on said township line to the line between ranges
 15 thirty-one and thirty-two; thence south on said range line
 16 to the line between townships one hundred and eleven and
 17 one hundred and twelve; thence west on said township line
 18 to the centre of the main channel of the Minnesota river;
 19 thence up said channel, to the place of beginning.

c/
 C. S. p. 84, Sect. 68;
 C. S. p. 98, Sect. 173.

1 SECT. 57. The county of Rice is established and bound-
 2 ed as follows: Beginning at the south west corner of town-
 3 ship one hundred and nine north, of range eighteen west
 4 of the fifth meridian; thence west on the line between
 5 towns one hundred and eight and one hundred and nine, to
 6 the line between ranges twenty-two and twenty-three; thence
 7 north on said range line to the township line between town-
 8 ships one hundred and twelve and one hundred and thir-
 9 teen; thence east on said township line to the line between
 10 ranges twenty and twenty-one; thence south, on said range
 11 line to the north west corner of section thirty-one of town-
 12 ship one hundred and twelve, in range twenty; thence east
 13 on the section line to the north east corner of section thir-
 14 ty-six of town one hundred and twelve, in range nineteen;
 15 thence south on the line between ranges eighteen and nine-
 16 teen, to the place of beginning.

9/1330
 1862—p. 269, Sect. 1.

1 SECT. 58. The county of Rock is established and bound-
 2 ed as follows: Beginning at the intersection of the line
 3 between townships one hundred and four and one hundred
 4 and five, with the western boundary of the state; thence
 5 eastwardly on said township line to the north east corner
 6 of township one hundred and four range forty-four; thence
 7 southwardly on the line between ranges forty-three and
 8 forty-four to the south east corner of township one hun-
 9 dred and one, range forty-four; thence westerly on the line
 10 between townships one hundred and one hundred and one,
 11 following the southern boundary of the state, to its inter-
 12 section with the western boundary of the state; thence due
 13 north along said boundary to the place of beginning.

c/
 C. S. p. 94, Sect. 140;
 C. S. p. 98, Sect. 177.

1 SECT. 59. The county of Saint Louis is established and
 2 bounded as follows: Beginning at the south west corner
 3 of township fifty north of range twenty-one west of the
 4 fourth meridian; thence due north to the north boundary of
 5 the state; thence east on the boundary line between the
 6 United States and British Possessions to a line drawn due
 7 north from the mouth of Knife river; thence south on
 8 said line to the boundary between Minnesota and Wiscon-

9 sin in Lake Superior; thence following said boundary line
10 and the main channel of the St. Louis river to the line be-
11 tween ranges fifteen and sixteen; thence north on said
12 range line to the line between townships forty-nine and
13 fifty; thence east on said township line to the place of be-
14 ginning.

1 - SECT. 60. The county of Scott is established and bound-
2 ed as follows: Beginning at the north east corner of town-
3 ship one hundred and twelve north in range twenty-one
4 west of the fifth meridian; thence west on the township
5 line between townships one hundred and twelve and one
6 hundred and thirteen to the middle of the main channel of
7 the Minnesota river; thence down said channel to the mouth
8 of Credit river; thence in a direct line to the place of be-
9 ginning.

c/
C. S. p. 85, Sects. 69
& 70.

1 SECT. 61. The county of Sherburne is established and
2 bounded as follows: Beginning in the centre of the main
3 channel of the Mississippi river on the line between town-
4 ships thirty-five and thirty-six; thence east on said town-
5 ship line to the line between ranges twenty-five and twenty-
6 six; thence south on said range line to the centre of the
7 main channel of the Mississippi river; thence up said
8 channel to the place of beginning.

c/
C. S. p. 91, Sect. 116;
C. S. p. 87, Sect. 82; *c/*
1861-p. 269. *s/* *c/* 28

1 SECT. 62. The county of Sibley is established and
2 bounded as follows: Beginning in the centre of the main
3 channel of the Minnesota river on the line between town-
4 ships one hundred and eleven and one hundred and twelve;
5 thence west on said township line to the line between ranges
6 thirty-one and thirty-two; thence north on said range line
7 to the line between townships one hundred and fourteen and
8 one hundred and fifteen; thence east on said township line
9 to the line between ranges thirty and thirty-one; thence
10 south on said range line to the line between townships one
11 hundred and thirteen and one hundred and fourteen; thence
12 east on said township line to the line between ranges twenty-
13 eight and twenty-nine; thence north on said range line to the
14 line between townships one hundred and fourteen and one
15 hundred and fifteen; thence east on said township line to the
16 line between ranges twenty-five and twenty-six; thence
17 south on said range line to the north west corner of section
18 nineteen of township one hundred and fourteen of range
19 twenty-five; thence east on the section line to the north
20 east corner of section twenty-four in said township; thence
21 south on the east line of said township to the centre of the
22 main channel of the Minnesota river; thence up said chan-
23 nel to the line between townships one hundred and twelve
24 and one hundred and thirteen; thence east on said town-

c/
C. S. p. 85, 86, Sect.
73; C. S. p. 89, Sect.
100; C. S. p. 93, 94,
Sect. 135. *c/*

25 ship line to the north west corner of town one hundred and
 26 twelve of range twenty-six; thence south on the east line
 27 of said town to its intersection with the main channel of
 28 the Minnesota river; thence following said channel to its
 29 next intersection with said line; thence following said line
 30 to its third intersection with said channel on the east side
 31 of section twelve in said town; thence up said channel to
 32 the line between sections twenty-four and twenty-five in
 33 said town; thence west to the north west corner of said
 34 section twenty-five; thence south on the west line of said
 35 section to the quarter post; thence west on the quarter line
 36 of section twenty-six in said town to the section line be-
 37 tween said section twenty-six and section twenty-seven;
 38 thence south on said section line to the middle of the main
 39 channel of the Minnesota river; thence up said channel to
 40 the place of beginning.

1 SECT. 63. The county of Stearns is established and
 2 bounded as follows: Beginning in the centre of the main
 3 channel of the Mississippi river opposite the mouth of Clear-
 4 water river; thence up the middle of the main channel of
 5 said Clearwater river to the line between ranges twenty-
 6 eight and twenty-nine west of the fifth principal meridian;
 7 thence south to the north east corner of section twenty-four
 8 of town one hundred and twenty-one of range twenty-nine;
 9 thence west on the section line to the south west corner of
 10 section eighteen in said town; thence north on the west
 11 line of said town to the north west corner of said town;
 12 thence west on the line between townships one hundred and
 13 twenty-one and one hundred and twenty-two to the line
 14 between ranges thirty-two and thirty-three; thence north
 15 on said range line to the line between towns one hundred
 16 and twenty-two and one hundred and twenty-three; thence
 17 west on said township line to the line between ranges thirty-
 18 five and thirty-six; thence north on said range line to the
 19 north west corner of section thirty of town one hundred and
 20 twenty-seven in range thirty-five; thence east on the sec-
 21 tion line to the centre of the main channel of the Mississip-
 22 pi river nearly opposite the mouth of Platte river; thence
 23 down the centre of said channel to the place of beginning.

c/1
 C. S. p. 86, Sects. 77
 & 78; 1861—p. 260,
 262, 267.

g. c. 21

1 SECT. 64. The county of Steele is established and
 2 bounded as follows: Beginning at the south east corner of
 3 town one hundred and five north of range nineteen west of
 4 the fifth principal meridian; thence west on the line be-
 5 tween townships one hundred and four and one hundred
 6 and five to the line between ranges twenty-one and twenty-
 7 two; thence north on said range line to the line between
 8 townships one hundred and eight and one hundred and
 9 nine; thence east on said township line to the line between

c/1
 C. S. p. 84, Sect. 67;
 C. S. p. 93, Sect. 132;
 C. S. p. 96, Sect. 159.

10 ranges eighteen and nineteen; thence south on said range
11 line to the place of beginning.

1 SECT. 65. The county of Stevens is established and
2 bounded as follows: Beginning at the north west corner of
3 township one hundred and thirty, range forty-three; thence
4 eastwardly on the line between townships one hundred and
5 thirty and one hundred and thirty-one to the north east
6 corner of township one hundred and thirty, range forty-
7 one; thence southwardly on the line between ranges forty
8 and forty-one to the south east corner of township one hun-
9 dred and twenty-five, range forty-one; thence westwardly
10 on the line between townships one hundred and twenty-
11 four and one hundred and twenty-five, to the south west
12 corner of township one hundred and twenty-five, range
13 forty-three; thence northwardly on the line between ranges
14 forty-three and forty-four to the place of beginning.

1862-p. 253. 3/ c 12 55

1 SECT. 66. The county of Todd is established and bound-
2 ed as follows: Beginning in the centre of the main channel
3 of the Mississippi river on the section line running parallel
4 with, and two miles north of, the line between townships
5 one hundred and twenty-six and one hundred and twenty-
6 seven; thence west on said section line to the line between
7 ranges thirty-five and thirty-six; thence north on said
8 range line to the line between townships one hundred and
9 thirty-three and one hundred and thirty-four; thence east
10 on said township line to the line between ranges thirty-two
11 and thirty-three; thence north on said range line to the
12 centre of the main channel of Crow Wing river; thence
13 down the centre of the main channels of said Crow Wing
14 river and of the Mississippi river to the place of begin-
15 ning.

c/
C. S. p. 85, Sect. 88;
C. S. p. 109, Sect. c /
246.

1 SECT. 67. The county of Traverse is established and
2 bounded as follows: Beginning in the centre of the channel
3 of the Bois des Sioux (Sioux Wood) river at the intersec-
4 tion of the line between townships one hundred and twenty-
5 nine and one hundred and thirty; thence eastwardly on
6 said township line to the north east corner of township one
7 hundred and twenty-nine, range forty-four; thence south-
8 wardly on the line between ranges forty-three and forty-
9 four to the south east corner of township one hundred and
10 twenty-five, range forty-four; thence westwardly on the
11 line between townships one hundred and twenty-four and
12 one hundred and twenty-five to the western boundary of
13 the state; thence on said boundary line, passing through
14 Lake Traverse and along the Bois des Sioux river, to the
15 place of beginning.

1862-p. 253. 3/ c 12 56

C. S. p. 81, Sects. 47,
48; C. S. p. 83, Sect.
61; C. S. p. 87,
Sects. 80, 83.

1 SECT. 68. The county of Wabashaw is established and
2 bounded as follows: Beginning at the south east corner of
3 town one hundred and eight north of range eleven west
4 from the fifth principal meridian; thence west on the line
5 between towns one hundred and seven and one hundred
6 and eight to the line between ranges twelve and thirteen;
7 thence north on said range line to the line between town-
8 ships one hundred and eight and one hundred and nine;
9 thence west on said township line to the line between ranges
10 fourteen and fifteen; thence north on said range line to the
11 line between townships one hundred and fourteen and one
12 hundred and fifteen; thence east on said township line to
13 the line between ranges thirteen and fourteen; thence north
14 on said range line to the line between townships one hun-
15 dred and fifteen and one hundred and sixteen; thence east
16 on said township line to the centre of Lake Pepin; thence
17 down the middle of said lake and of the main channel of
18 the Mississippi river to the line between townships one
19 hundred and eight and one hundred and nine; thence west
20 on said township line to the line between ranges ten and
21 eleven; thence south on said range line to the place of be-
22 ginning.

C. S. p. 109, Sect.
246.

1 SECT. 69. The county of Wadena is established and
2 bounded as follows: Beginning at the south west corner
3 of township one hundred and thirty-four north, of range
4 thirty-five west of the fifth principal meridian; thence north
5 on the line between ranges thirty-five and thirty-six, to the
6 north west corner of town one hundred and thirty-eight, of
7 range thirty-five; thence east on the line between townships
8 one hundred and thirty-eight and one hundred thirty-nine,
9 to the north east corner of town one hundred and thirty-
10 eight, of range thirty-three; thence south on the line be-
11 tween ranges thirty-two and thirty-three to the south east
12 corner of town one hundred and thirty-four, of range thir-
13 ty-three; thence west on the line between townships one
14 hundred and thirty-three and one hundred and thirty-four,
15 to the place of beginning.

C. S. p. 96, Sect. 159.

1 SECT. 70. The county of Waseca is established and
2 bounded as follows: Beginning at the south west corner
3 of town one hundred and five, of range twenty-one west, of
4 the fifth meridian; thence west on the line between towns
5 one hundred and four and one hundred and five to the
6 south west corner of town one hundred and five, of range
7 twenty-four; thence north on the line between ranges twen-
8 ty-four and twenty-five, to the north west corner of town
9 one hundred and eight, of range twenty-four; thence west
10 on the line between townships one hundred and eight and
11 one hundred and nine, to the north east corner of town one

12 hundred and eight, of range twenty-two; thence south on
 13 the line between ranges twenty-one and twenty-two, to the
 14 place of beginning.

1 SECT. 71. The county of Washington is established and
 2 bounded as follows: Beginning in the middle of the main
 3 channel of the Mississippi river on the line between sections *c/*
 4 twenty-three and twenty-six, of town twenty-eight north, *C. S. p. 75, Sect. 2.*
 5 in range twenty-two west; thence east on said section line
 6 to the line between ranges twenty-one and twenty-two;
 7 thence north on said range line to the line between town-
 8 ships thirty-two and thirty-three; thence east on said town-
 9 ship line to the centre of the main channel of the St. Croix
 10 river; thence down the middle of said channel and of St.
 11 Croix lake to the Mississippi river; thence up the middle
 12 of the channel of said Mississippi river, to the place of be-
 13 ginning.

1 SECT. 72. The county of Watonwan is established and
 2 bounded as follows: Beginning at the north east corner of *Special Laws of*
 3 town one hundred and seven, of range thirty, west of the *1860-p. 37. C. 13*
 4 fifth meridian; thence west on the line between townships
 5 one hundred and seven and one hundred and eight to the line
 6 between ranges thirty-three and thirty-four; thence south on
 7 said range line to the line between townships one hundred
 8 and four and one hundred and five; thence east on said
 9 township line to the line between ranges twenty-nine and
 10 thirty; thence north on said range line to the place of be-
 11 ginning.

1 SECT. 73. The county of Winona is established and
 2 bounded as follows: Beginning at the south west corner *c/*
 3 of township one hundred and five north of range ten west; *C. S. p. 81, Sect. 47.*
 4 thence north on the line between ranges ten and eleven to
 5 the line between townships one hundred and eight and one
 6 hundred and nine; thence east on said township line to the
 7 centre of the main channel of the Mississippi river; thence
 8 down along the middle of said channel to the line between
 9 townships one hundred and four and one hundred and five;
 10 thence west on said township line to the place of beginning.

1 SECT. 74. The county of Wright is established and *c/*
 2 bounded as follows: Beginning at the most northern in- *C. S. p. 86, Sects. 77,*
 3 tersection of the Clearwater river with the line between *74; 1861-p. 202.*
 4 ranges twenty-eight and twenty-nine; thence south on said
 5 range line to the line between townships one hundred and
 6 seventeen and one hundred and eighteen; thence east on
 7 said township line to the line between ranges twenty-four
 8 and twenty-five; thence north on said range line to the cen-
 9 tre of the main channel of the south branch of Crow river;

10 thence down the middle of said channel, and of the main
 11 channel of Crow river to the Mississippi river; thence up
 12 the middle of the main channel of the Mississippi river and
 13 of the Clearwater river to the place of beginning.

TITLE II.

ORGANIZATION, POWERS AND DUTIES.

1 SECT. 75. Each organized county within this state is a
 2 body politic and corporate, and, as such, empowered to act
 3 for the following purposes:

4 *First.*—To sue and be sued.

5 *Second.*—To purchase and hold real and personal estate
 6 for the use of the county, and lands sold for taxes, as pro-
 7 vided by law, and to purchase and hold for the benefit of
 8 the county, real estate sold by virtue of judicial proceedings
 9 in which the county is plaintiff.

10 *Third.*—To sell and convey any real and personal estate,
 11 owned by the county, and make such order respecting the
 12 same as may be deemed conducive to the interests of the
 13 inhabitants.

14 *Fourth.*—To make all contracts and do all other acts in
 15 relation to the property and concerns of the county, neces-
 16 sary to the exercise of its corporate powers.

c 15
 1860—p. 132, Sect.
 2; 1884—p. 71, Sect.
 1 combined.
 23

1 SECT. 76. All real and personal estate conveyed by any
 2 form of conveyance, to any county, or the inhabitants
 3 thereof, or to any person for the use and benefit thereof, or
 4 its inhabitants, shall be deemed to be the property of such
 5 county; and all such conveyances have the same force and
 6 effect as if they were made to the inhabitants of such county
 7 by their corporate name.

c 15
 1860—p. 132, Sect. 3.

1 SECT. 77. The powers of the county, as a body politic
 2 and corporate, can only be exercised by the board of com-
 3 missioners thereof, or in pursuance of a resolution by them
 4 adopted.

c 15
 1860—p. 132, Sect. 4.

1 SECT. 78. Each county organized for judicial purposes,
 2 shall provide a suitable court house, and a suitable and
 3 sufficient jail, and fire-proof offices and other necessary
 4 buildings, and keep the same in good repair.

c 15
 1860—p. 132, Sect. 6.

1 SECT. 79. When any action is commenced against a
 2 county, the process shall be served on the clerk of the
 3 board of county commissioners, either during a session of
 4 the board; or so that a session shall be held at least ten

c 15
 1860—p. 132, Sects. 9
 & 12 combined &
 amended.

5 days before the return day of such process, and the said clerk shall forthwith notify the county attorney for said county, and lay before the board of commissioners at their next annual meeting all the information he may have in regard to such action. The inhabitants of a county suing or being sued, may be jurors or witnesses, if otherwise competent or qualified according to law.

1 SECT. 80. In all actions or proceedings by or against a
2 county, the name in which the county shall sue or be sued,
3 shall be "the board of county commissioners of the county
4 of _____," (the name of the county); but this provision ^{c 15}
5 shall not prevent other county officers, when authorized by _{1890-p. 133, Sect. 11.}
6 law, from suing in their name of office for the benefit of the
7 county.

1 SECT. 81. When the claim of any person against a
2 county is disallowed in whole or in part by the board of
3 county commissioners, such person may appeal from the
4 decision of such board to the district court in the same
5 county by causing a written notice of such appeal to be filed ^{c 29}
6 in the office of the county auditor within thirty days after <sub>1862-p. 81, Sect. 1.
Amended.</sub>
7 the decision appealed from was made. When the claim of
8 any person against a county is allowed in whole or in part
9 by the board of county commissioners, no order shall be is-
10 sued in payment of such claim or any part thereof until the
11 expiration of thirty days from the date of the decision; and
12 the county attorney may in any case, and if the amount al-
13 lowed exceeds twenty-five dollars he shall, upon the request
14 of three tax payers of the county, unless he is clearly of the
15 opinion that the allowance is just and probably would not
16 be reduced, on behalf of and in the name of such county,
17 appeal from the decision of such board to the district court
18 in the same county, by causing a written notice of such ap-
19 peal to be filed in the office of the county auditor within
20 thirty days after the date of the decision appealed from;
21 and thereafter no order shall be issued in payment of any
22 part of such claim, until the judgment of the district court
23 in the proceedings shall be certified and filed in the of-
24 fice of the county auditor. When notice of appeal is
25 filed as aforesaid, the district court shall have jurisdiction
26 of the parties and of the subject matter of the proceeding
27 and may compel a return to be made in the same manner as
28 in case of an appeal from a judgment of a justice of the
29 peace.

1 SECT. 82. Upon an appeal being taken as provided in
2 the preceding section, the county auditor shall without any
3 fee or charge for such service, within ten days thereafter, file
4 in the office of the clerk of the district court in the same

1862—P. 85, Sect. 2.
Amended.

5 county, a certified copy of the claim and a transcript from
6 the record in the auditor's office of the action of the commis-
7 sioners thereon, with a copy of the notice of appeal and the
8 date of the filing thereof in his office. In case of an appeal
9 by a claimant, the county auditor shall immediately notify
10 the county attorney thereof. The proceeding shall be put
11 upon the trial calendar among the issues of fact for trial at
12 the next general term of the district court in the county
13 holden, after eight days from the date of the appeal; and on
14 or before the second day of such term, the court shall direct
15 pleadings to be made up as in civil actions, and thereon
16 the proceeding shall be tried, all questions of law aris-
17 ing on the case being summarily heard and determined upon
18 the same pleadings; the issues of fact shall be tried as other
19 issues of fact are tried in the same court, and judgment
20 rendered and perfected as in civil actions; but no execu-
21 tion shall issue thereon, except for the collection of a coun-
22 ter claim, or the collection of costs and disbursements, in
23 case of a judgment therefor against a claimant. An appeal
24 from the judgment of the district court may be taken to the
25 supreme court, as in civil actions, within thirty days after
26 the actual entry of the judgment; if no appeal is taken
27 within that time, a certified copy of the judgment shall be
28 filed in the office of the county auditor, and if an appeal is
29 taken to the supreme court, the determination of that court
30 shall be certified to the district court and judgment entered
31 in accordance therewith, and that judgment certified to and
32 filed in the office of the county auditor. In all of which
33 cases, after a certified copy of the judgment is filed in the
34 office of the county auditor, orders shall be drawn on the
35 county treasury in payment of any judgment in favor of a
36 claimant; and execution may issue out of the district court
37 for the collection of any costs against a claimant. *Provided,*
38 That in any case where costs are awarded against a claim-
39 ant, and there is any allowance on the claim in his favor,
40 the amount of such costs shall be deducted from such al-
41 lowance; and in any case of an appeal the county may in
42 the district court interpose as a counter claim any demand
43 which the county has against such claimant and have exe-
44 cution for the collection of any judgment in its favor.

1 SECT. 83. When any judgment is recovered against the
2 board of commissioners of any county, or against any county
3 officer, in any action prosecuted by or against him in his
4 name of office, where the same is to be paid by the county,
5 no execution shall be awarded or issued upon such judg-
6 ment except as herein provided; but unless revised the
7 amount of such judgment shall be levied and collected as other
8 county charges, and when so collected shall be paid by the
9 county treasurer to the person in whose favor such judg-

10 ment was rendered, upon the delivery of a proper voucher
 11 therefor; but if payment is not made within thirty days
 12 after the time the collector of taxes is required by law to ^{c 15}
 13 make his return of county taxes, next after the rendition of ^{1860-p. 133, Sect.}
 14 such judgment, then execution may be issued on such judg- ^{15. Amended.}
 15 ment, but the property of the county only is liable thereon;
 16 *Provided*, That if at the time of the rendition of such judg-
 17 ment, there are sufficient funds belonging to the county in
 18 the treasury, the treasurer shall pay the same upon applica-
 19 tion being made to him by the person in whose favor such
 20 judgment was rendered, his agent or attorney.

TITLE III.

COUNTY COMMISSIONERS.

1 SECT. 84. Every county shall be deemed an organized
 2 county for the purposes of this title, and shall have a
 3 board of county commissioners. In those counties which
 4 poll eight hundred votes or more, the said board shall con-
 5 sist of five members, and in all other counties of three mem-
 6 bers, whose term of office shall be three years, and until
 7 their successors are elected or appointed and qualified.

1 SECT. 85. The counties which are organized into town- ^{c b}
 2 ships, shall be divided into a number of districts equal to the ^{1861-D. 46, Sect. 1.}
 3 number of members constituting the board of commission- ^{1860-p. 134, Sect. 2.}
 4 ers of each county, respectively, and numbered in numeri- ^{Amended & com-}
 5 cal order. The said districts shall be bounded by township ^{15 a 2}
 6 or ward lines, be composed of contiguous territory, and
 7 contain as nearly as practicable, an equal population. The
 8 board of commissioners may re-district their counties re-
 9 spectively, after each United States or state census, taking
 10 the population as shown by their said census as the basis.

1 SECT. 86. In each of said districts one commissioner ^{c 15 a 2}
 2 shall be elected by the electors thereof, who shall, at the ^{1860-p. 136, Sect. 3.}
 3 time of his election, be a resident of said district, and shall
 4 reside therein during his continuance in office; and the elec-
 5 tion of said commissioner shall be conducted in all respects
 6 like that of other county officers, and the returns made and
 7 certified to in like manner to the county auditor, who shall
 8 proceed to canvass the votes according to law, and issue
 9 certificates of election to the persons entitled to the same.

1 SECT. 87. Every county which has not a township or-
 2 ganization, shall be divided into three commissioner dis-
 3 tricts, which shall contain as near an equal number of elec-

¹⁶⁴
1866—p. 125, Sect. 1.

4 tors as convenient, and in one of each of said districts, a
5 commissioner shall be elected, and the person elected from
6 district number one shall hold his office for the term of one
7 year; the person elected from district number two shall
8 hold his office for the term of two years; and the person
9 elected from district number three shall hold his office for
10 the term of three years; and a commissioner shall be elect-
11 ed annually thereafter, for the term of three years. *Pro-*
12 *vided*, That if the county commissioners are not elected as
13 herein provided for, they shall be appointed by the gover-
14 nor from the qualified electors of the said county, and shall
15 qualify in the same manner as commissioners elected in ac-
16 cordance with general laws.

¹⁶
1861—p. 40, Sect. 1.
Amended.

1 SECT. 88. At the first election, when the board of county
2 commissioners will consist of five members, the person
3 elected from district number one, shall hold his office for
4 one year, the persons elected from districts number two
5 and three, for two years, and the persons elected from dis-
6 tricts number four and five, for three years, and thereafter,
7 the commissioners elected shall hold for the term of three
8 years; and in every county, where the board of county com-
9 missioners will consist of three members, the person elected
10 from district number one, shall hold his office for one year,
11 the person elected from district number two for two years,
12 and the person elected from district number three for three
13 years, and a commissioner shall be elected annually there-
14 after for three years.

^{15 a 2}
1860—p. 134, Sect. 2.
Amended.

1 SECT. 89. For the first districting under this chapter,
2 and for any re-districting to increase the number of com-
3 missioners from three to five, rendered necessary in conse-
4 quence of increase of population, the votes cast at the last
5 annual election shall be taken as the basis, but this shall
6 not apply to a re-districting based upon any census taken
7 under the authority of the United States or of this state.

^{15 a 2}
1860—p. 135, Sect. 4.

1 SECT. 90. If the requisite number of county commis-
2 sioners is not elected by reason of two or more persons
3 having an equal number of votes for the said office, the au-
4 ditor shall give notice in writing to the persons so having
5 an equal number of votes, to attend at the office of the
6 auditor, at a time to be appointed by the said auditor, who
7 shall then and there proceed publicly to decide by lot,
8 which of said persons, shall be declared duly elected, and
9 the said auditor shall make and deliver to the person thus
10 declared duly elected, a certificate of his election as herein-
11 before provided.

1 SECT. 91. Each person elected as a commissioner,

2 shall, on receiving a certificate of his election, take an
 3 oath to support the constitution of the United States, the
 4 constitution of this state, and faithfully and impartially to
 5 discharge the duties of his office as such commissioner, be-
 6 fore any person authorized to administer oaths, which oath
 7 shall be certified on the back of such certificate, by the per-
 8 son administering the same, and said certificate so indorsed
 9 shall be filed with the clerk of the district court of the
 10 proper county, and thereupon, said commissioner shall en-
 11 ter upon the duties of his office.

c 15 a 2
1860—p. 133, Sect.
5. Amended.

1 SECT. 92. The county commissioners shall each re-
 2 ceive three dollars per day, for each day they are necessari-
 3 ly employed in transacting the county business, and six
 4 cents per mile for every mile traveled in going to or return-
 5 ing from the meeting of the county board, in the discharge
 6 of any official duty, computed by the nearest traveled route.
 7 But no county commissioner shall receive pay for more than
 8 twenty days in any one year, or be entitled to travelling
 9 fees for attendance on more than six sessions in any one
 10 year.

c 61
1865—p. 124, Sect. 1.

1 SECT. 93. A majority of the board of commissioners
 2 shall be a quorum; but no business shall be done unless
 3 voted for by a majority of the whole board.

c 15 a 2
1860—p. 130, Sect.
10.

1 SECT. 94. The board of commissioners shall meet at
 2 the county seat of their respective counties, for the purpose
 3 of transacting such business as may devolve upon or be
 4 brought before them, on the first Tuesday of January and
 5 September in each year, and may hold such extra sessions
 6 as they deem necessary for the interest of the county.
 7 Such extra session shall be called by a majority of the
 8 board, and the clerk shall give at least ten days notice there-
 9 of to the commissioners, but no regular session shall contin-
 10 ue longer than six days and no extra session longer than
 11 three days.

c 15 a 2
1860—p. 130, Sect.
11. Amended.

1 SECT. 95. Whenever there is a vacancy in the office of
 2 county commissioner from death, resignation or otherwise,
 3 and the interests of the county require such vacancy to be
 4 filled before the next annual election, the probate judge,
 5 auditor and register of deeds of such county, or a majority
 6 of them, shall meet at the county seat and fill such vacancy,
 7 and the person so appointed shall continue in office until
 8 the next annual election, and until the commissioner then
 9 elected is qualified and no longer; and the absence of any
 10 commissioner from the county for six months in succession,
 11 shall be deemed a resignation of office.

c 15 a 2
1860—p. 130, Sect.
13.

11502
1860—p. 137, Sect.
14. Amended.

1 SECT. 96. The commissioners shall have and use the
2 seal of the auditor of their county as their common seal, and
3 copies of their proceedings when signed, sealed and attest-
4 ed, as provided by law, shall be evidence of such proceed-
5 ings in any of the courts of this state.

11502
1860—p. 137, Sect.
15.

1 SECT. 97. The commissioners, at their annual session
2 in January, or at their first session in each year, shall elect
3 one of their number as chairman, who shall preside at the
4 meetings of the Board, and sign all documents requiring
5 the signature of the board, and the signature of such per-
6 son, as chairman of the board of commissioners, attested
7 by the auditor, shall be as legal and binding as if the entire
8 board had affixed their names; *Provided*, That in case the
9 chairman so elected, is absent at any meeting of the board,
10 all documents requiring the signature of the board, shall be
11 signed by all the members present.

11502
1860—p. 137, Sect.
16. Amended.

1 SECT. 98. The board of commissioners, at their annual
2 meeting in January, shall select from the qualified electors
3 of the several election districts of their respective counties,
4 or of the counties attached thereto for judicial purposes
5 seventy-two persons, properly qualified, to serve as grand
6 jurors, and the same number of persons, properly qualified,
7 to serve as petit jurors, and shall make out separate lists
8 thereof, which lists shall be certified and signed by the
9 chairman of the board, attested by the clerk, and shall be
10 forthwith delivered to the clerk of the district court; *Pro-*
11 *vided*, That if in any county the county commissioners are
12 not able to select the number required by this section for
13 grand and petit jurors, they shall select a less number, and
14 the highest number possible.

11502
1860—p. 137, Sect.
17.

1 SECT. 99. If for any cause such list is not made and
2 delivered as aforesaid, by the board of county commission-
3 ers at their annual meeting in January, they shall make out
4 and deliver the same as aforesaid, at any regular or special
5 session thereafter.

11502
1860—p. 137, Sect.
18.

1 SECT. 100. In preparing such list the board of county
2 commissioners shall select such persons as they know, or
3 have good reason to believe are possessed of the qualifica-
4 tions of jurors and not exempt by law.

11502
1860—p. 138, Sect.
19.

1 SECT. 101. The board of commissioners shall provide
2 offices for the sheriff, the register of deeds, and the clerk
3 of the district court, and also provide all books and sta-
4 tionery necessary for the use of the board, the office of
5 register of deeds, and county surveyor, the clerk of the
6 district court, probate court, and county treasurer, and

7 also provide convenient desks for the preservation and se-
 8 curity of the books and other documents in the several offi-
 9 ces ; but said commissioners shall not appropriate for books,
 10 stationery and furniture to any one office in any one year
 11 more than one hundred dollars.

1 SECT. 102. In case the office of register of deeds be-
 2 comes vacant by death, resignation or otherwise, the said
 3 board shall meet forthwith, at the place where their next
 4 regular meeting would be held, and appoint some suitable
 5 person to perform the duties of the said office until the next
 6 annual election, and until his successor is duly elected and
 7 qualified.

c. 15 a 2
 1860—p. 138, Sect.
 20. Amended.

1 SECT. 103. The board of commissioners on the second
 2 Tuesday of March annually, shall make a full and accurate
 3 statement of the receipts and expenditures of the preceding
 4 year, which statement shall contain a full and correct de-
 5 scription of each item, from whom, and on what account
 6 received, to whom paid, and on what account expended,
 7 together with an accurate statement of the finances of the
 8 county at the end of the fiscal year, including all debts and
 9 liabilities of every description, and the assets and the other
 10 means to discharge the same, and have the same posted up
 11 at the court house door, and at two other public places in
 12 their county, and published in some newspaper therein, if
 13 there is one, for three successive weeks. Said board shall
 14 at its meeting in September and January of each year, ex-
 15 amine and count all the funds in the treasury, and shall ex-
 16 amine the accounts and vouchers of the auditor and trea-
 17 surer, and make a written certificate of the condition of the
 18 treasury, and file the same with the auditor, showing how
 19 much money, and what kind, is in the treasury, and all
 20 other matters in connection therewith.

c. 15 a 2
 1860—p. 138, Sect.
 21, & p. 77, Sect. 48
 combined.

1 SECT. 104. Said board have full power to examine and
 2 settle all accounts of the receipts and expenditures of the
 3 county, and shall have the care of the county property and
 4 the management of the county funds and business, except in
 5 cases otherwise provided for, but shall exercise no other
 6 powers than such as are given by law. Such board shall,
 7 in addition to the powers above enumerated, have power
 8 to set off, organize, and vacate towns, and change the
 9 boundaries thereof in their respective counties, to designate
 10 the time and place of holding the first election therein, and
 11 make all necessary orders for the disposition and preserva-
 12 tion of the records of any town which may be vacated by
 13 said board ; *provided*, that no town shall be vacated, nor
 14 any town with an area of thirty-six sections or less be di-
 15 vided or have any part stricken therefrom without first

c. 15 a 2
 1860—p. 138, Sect.
 23.

84 COUNTIES AND COUNTY OFFICERS. [CHAP. VIII.]

16 submitting the question to a vote of the electors of the
17 town.

c 15 a 2
1860—p. 140, Sect.
27.

1 SECT. 105. The board of commissioners of any county,
2 not divided into towns, shall at their stated meeting in said
3 county in each year, divide their county into road and as-
4 sessment districts, and appoint a person of suitable qualifi-
5 cations as assessor for each district, and one as overseer of
6 roads in each road district, who shall reside within the lim-
7 its thereof, and shall respectively possess the powers and
8 perform the duties of a town assessor and a town overseer
9 of roads, and shall each hold his office for the term of one
10 year.

c 15 a 2
1860—p. 140, Sect.
28.

1 SECT. 106. The commissioners of such county shall at
2 their stated meetings in January and September, upon the
3 petition of not less than ten legal voters, not residing with-
4 in ten miles of any established election district, create and
5 establish within said county an election district, at such
6 point as will be most convenient for the persons so petition-
7 ing; but no place of holding elections shall be located in
8 said election district within ten miles of any other place of
9 holding elections previously established, nor shall the com-
10 missioners create any election district, except at the time
11 of their stated meetings, and then only in compliance with
12 the request of ten or more legal voters residing not less
13 than ten miles from any established election district.

c 15 a 2
1860—p. 140, Sect.
29.

1 SECT. 107. The board of commissioners of such county
2 at their session last before an election, shall appoint judges
3 of election for each election district, and thereupon cause
4 notice to be posted in at least three of the most public pla-
5 ces in such county, containing a complete list of all such
6 election districts, with the names of the several judges of
7 election in each election district.

c 15 a 2
1860—p. 140, Sect.
30.

1 SECT. 108. There shall be elected in each of such elec-
2 tion districts, at the general state election, two justices of
3 the peace and two constables, who shall hold their respec-
4 tive offices for the term of two years, and until their suc-
5 cessors are elected and qualified, and shall take the oath of
6 office and execute the bond required of town justices and
7 constables, such bond approved by the chairman of the cou-
8 ty board; and any vacancies that may occur in either of
9 said offices, shall be filled by appointment of the county
10 board.

c 15 a 2
1860—p. 140, Sect.
31.

1 SECT. 109. The official oaths and other papers required
2 by law to be filed in the office of town clerk, shall in all
3 counties not divided into towns, be filed with the register
4 of deeds for such county.

1 SECT. 110. 1 No county commissioner shall receive
 2 any money or other valuable thing as a condition or in- New Section.
 3 ducement to voting for any contract under consideration of
 4 the board, nor shall he become a party to, or interested in,
 5 directly or indirectly, any contract made by the board; and
 6 every contract voted for or made contrary to the provisions
 7 of this section is void.

TITLE IV.

COUNTY AUDITORS.

1 SECT. 111. There shall be elected in each organized
 2 county a county auditor, who shall hold his office for two 1860—c 2
 3 years from the first Monday of March next succeeding his p. 53, Sect. 1.
 4 election, and until his successor is elected and qualified, and
 5 shall keep his office at the county seat.

1 SECT. 112. Each county auditor, previous to entering
 2 upon the duties of his office, shall give bond to the state of 1860—c 2
 3 Minnesota with two or more sureties, to be approved by p. 53, Sect. 2.
 4 the board of county commissioners in such penal sum, not Amended.
 5 less than two thousand dollars nor more than twenty thou-
 6 sand dollars as the said commissioners require, conditioned
 7 for the faithful discharge of the duties of his office, and
 8 shall also take and subscribe the oath required by law to be
 9 endorsed upon the said bond, which bond so endorsed shall
 10 be filed and recorded in the office of register of deeds.

1 SECT. 113. If any county auditor fails to make settle-
 2 ment, or pay over all moneys with which he stands charged, at
 3 the time and in the manner prescribed by law, or misapplies 1860—c 2
 4 any money which comes into his possession in the discharge p. 53, Sect. 3.
 5 of his official duties, the county commissioners shall com-
 6 mence an action against such auditor and his sureties, in the
 7 district court of said county, or other court of competent
 8 jurisdiction. Whenever an action is commenced against
 9 any delinquent county auditor in manner aforesaid, the
 10 commissioners of such county may at their discretion, re-
 11 move such auditor from office, and appoint some person to
 12 fill the vacancy thereby created until the next general elec-
 13 tion, and until a successor is elected and qualified.

1 SECT. 114. An action may be brought against the
 2 county auditor and his sureties in the name of the state of 1860—c 2
 3 Minnesota and for its use or for the use of any county or p. 53, Sect. 4.
 4 person injured by the misconduct in office of the auditor, or
 5 by the omission of any duty required of him by law.

1860—p. 53, Sect. 5.
Amended.

1 SECT. 115. If any person elected to the office of county
2 auditor shall not give bond and take the oath aforesaid, on
3 or before the first Monday of March next after his election,
4 it shall be deemed a refusal to serve.

1860—p. 54, Sect. 6.

1 SECT. 116. When from any cause a vacancy happens in
2 the office of county auditor, the board of county commis-
3 sioners shall appoint some suitable person to fill such va-
4 cancy, and the person so appointed shall give bond, and
5 take and subscribe the oath aforesaid, and shall hold his
6 office until the next annual election, and until his successor
7 is elected and qualified.

1860—p. 54, Sect. 7.

1 SECT. 117. When any county auditor, having no depu-
2 ty, is unable, by reason of sickness, or from any other
3 cause, to perform the duties of his office, within the time
4 specified by law for their performance, or when both the
5 auditor and his deputy are so disabled by sickness or other-
6 wise, the board of county commissioners shall appoint some
7 suitable person to do and perform the duties of county
8 auditor, during such disability, and may require of the per-
9 son so appointed such bond and security for the faithful dis-
10 charge of the duties of the appointment, as they deem ex-
11 pedient.

1860—p. 54, Sect. 8.

1 SECT. 118. No county commissioner, county surveyor,
2 or county treasurer, is eligible to the office of county audi-
3 tor.

1863—p. 120, Sect. 2.
Amended.

1 SECT. 119. County auditors are authorized to appoint
2 deputy auditors, by a certificate in writing, who shall, be-
3 fore entering upon the duties of their office, take and sub-
4 scribe the oath required by law, which oath shall be en-
5 dorsed on the certificate of appointment, and filed in the
6 office of the register of deeds. Such deputies are author-
7 ized to sign all papers and do all other things which county
8 auditors themselves may do. The county auditors shall be
9 responsible for the acts of their deputies, and may revoke
10 their appointment at any time. They shall require bonds
11 of their deputies in such amounts and with such sureties as
12 they may deem proper.

1860—p. 54, Sect. 10.

1 SECT. 120. The county auditor shall, by virtue of his
2 office, be clerk of the board of county commissioners of his
3 county, and keep an accurate record of their official pro-
4 ceedings, and carefully preserve all the documents, books,
5 records, maps, and other papers, required to be deposited
6 or kept in his office.

1 SECT. 121. On going out of office he shall deliver up

2 to his successor in office all the moneys, books, records,
 3 maps, documents, papers, vouchers, and other property in ^{c 2} 1860—p. 64, Sect. 11.
 4 his hands belonging to the county; and in case of the death
 5 of any county auditor, his personal representatives shall,
 6 in like manner, deliver up all such books, moneys, records,
 7 maps, documents, and other property.

1 SECT. 122. He shall keep an accurate account current ^{c 2}
 2 with the treasurer of his county, and when any person shall ^{1860—p. 64, Sect. 12.}
 3 deposit with the auditor any receipt given by the treasurer
 4 for any money paid into the treasury, the auditor shall file
 5 such receipt in his office, and charge the treasurer with the
 6 amount thereof.

1 SECT. 123. No claims against the county shall be paid ^{d 2}
 2 otherwise than upon the allowance of the county commis- ^{1860—p. 65, Sect. 13.}
 3 sioners upon the warrant of the chairman of the board, at-
 4 tested by the county auditor, except in those cases in which
 5 the amount due is fixed by law, or is authorized to be fixed
 6 by some other person or tribunal, in which cases the same
 7 shall be paid upon the warrant of the county auditor, upon
 8 the proper certificate of the person or tribunal allowing the
 9 same; *Provided*, That no public money shall be disbursed
 10 by the county commissioners, or any of them, but the same
 11 shall be disbursed by the county treasurer, upon the war-
 12 rant of the chairman of the board of county commissioners,
 13 attested by the county auditor, specifying the name of the
 14 party entitled to the same, on what account, and upon
 15 whose allowance, if not fixed by law; and all such orders
 16 shall be progressively numbered, and the number, date,
 17 and amount of each, and the name of the person to whom
 18 payable, and the purpose for which drawn, shall, at the
 19 time of issuing the same, be entered in a book to be kept
 20 by the auditor for that purpose.

1 SECT. 124. The county auditor shall receive an annual ^{c 2}
 2 salary to be fixed and determined by the board of county ^{1860—p. 64, Sect. 55.}
 3 commissioners, and shall receive no other fee or reward for
 4 his services; but, if said auditor receives fees and perquis-
 5 ites as provided by law, for the use of the county, he shall
 6 keep an account thereof and pay the same into the county
 7 treasury upon the order of the chairman of said board.

TITLE V.

COUNTY TREASURERS.

1 SECT. 125. In each county there shall be elected a coun-

1860—p. 67, Sect. 1. Amended. 2 ty treasurer, whose term of office shall commence on the first
3 day of March next succeeding his election, and continue
4 for two years, and until a successor is elected and qualified.

1860—p. 67, Sect. 2. 1 SECT. 126. The county treasurer, before he enters upon
2 the duties of his office, shall take the oath required by law ;
3 which oath shall be subscribed and certified on the back of
4 the certificate of his election, and filed and recorded in the
5 office of the register of deeds ; and he shall give bond
6 with two or more sureties, freeholders, to be approved by
7 the board of county commissioners, and in such sum as they
8 direct, payable to the state of Minnesota, and conditioned
9 for the safe keeping and paying over according to law, of
10 all moneys which come into his hands for state, county,
11 township, school, road, bridge, poor, town and all other
12 purposes ; which bond shall be filed and recorded in the
13 office of the register of deeds in said county.

1860—p. 67, Sect. 3. 1 SECT. 127. If any person elected to the office of county
2 treasurer, shall not give bond and take oath, as required by
3 the preceding section, on or before the fifteenth day of
4 January next succeeding his election, it shall be deemed a
5 refusal to serve.

1860—p. 67, Sect. 4. 1 SECT. 128. In case of a vacancy in the office of county
2 treasurer, by death, resignation or otherwise, the board of
3 county commissioners shall appoint some suitable person, a
4 resident and qualified elector of their county, to be treasurer,
5 who shall file the bond and take the oath prescribed by sec-
6 tion one hundred and twenty-six aforesaid, and shall hold
7 the office until a county treasurer is elected and qualified ;
8 *Provided*, That no person who holds the office of county
9 attorney, sheriff, register of deeds, county auditor, or coun-
10 commissioner at the time of said election, shall be eligible
11 to said office of county treasurer.

1860—p. 67, Sect. 5. 1 SECT. 129. Each county treasurer shall keep his office
2 at the county seat, and shall keep a fair and accurate ac-
3 count of all moneys by him received, showing the amount
4 thereof, the time when, by whom, and on what account paid.
5 He shall keep his books so as to show the amount received
6 and paid on account of separate and distinct funds, or ap-
7 propriations which he shall exhibit in separate accounts ;
8 *Provided*, That no money received for taxes charged in the
9 duplicate of the current year, shall be entered by the treas-
10 urer on his account with the county until he makes his an-
11 nual settlement with the county auditor and commissioners
12 in each year. The treasurer's books shall be provided at
13 the expense of the county.

1 SECT. 130. The county treasurer shall receive all moneys
 2 directed by law to be paid to him as such treasurer,^{c 3}
 3 and shall pay them out only upon the order of the proper
 4 authority. All moneys belonging to the county shall be
 5 paid out upon the order of the board of county commissioners,
 6 signed by the chairman thereof, and attested by the county
 7 auditor, and not otherwise. All moneys due the state, aris-
 8 sing from the collection of taxes, or other sources, shall be
 9 paid upon the draft of the state auditor drawn in favor of
 10 the state treasurer, a duplicate copy of which the state au-
 11 ditor shall forward to the county auditor, who shall pre-
 12 serve the same and credit the county treasurer with the
 13 amount thereof. 1860-p. 68, Sect. 6.

1 SECT. 131. When any money is paid to the county
 2 treasurer (excepting that paid on account of taxes charged
 3 on the duplicate) the treasurer shall give to the person pay-^{c 3}
 4 ing the same, duplicate receipts therefor; one of which
 5 such person shall forthwith deposit with the county auditor,
 6 in order that the county treasurer may be charged with the
 7 amount thereof. 1860-p. 68, Sect. 7.

1 SECT. 132. On the last day of February and tenth^{c 3}
 2 day of October in each year, the treasurer shall exhibit his
 3 accounts since the last settlement, balanced to said day, to
 4 the board of commissioners and county auditor, and in the
 5 event of the board of commissioners not being in session,
 6 then to the county auditor alone, showing all the moneys
 7 received and disbursed by him since his last settlement, and
 8 the balance remaining in his hands. The books, accounts
 9 and vouchers of the treasurer, and all moneys remaining in
 10 the treasury, shall at all times be subject to the inspection
 11 and examination of the board of county commissioners, or
 12 any committee thereof. 1861-p. 68, Sect. 1.

1 SECT. 133. The county treasurer shall, on the last day^{c 3}
 2 of February and on the tenth day of October in each year,
 3 make settlement with the board of commissioners, or with
 4 the county auditor of his county, and at such settlement in
 5 February return to said auditor the tax duplicate for the
 6 current year, showing the amount which remains unpaid
 7 thereon. 1861-p. 68, Sect. 2.

1 SECT. 134. The county treasurer shall, on the last day
 2 of February, the fifteenth day of June, and the tenth day^{c 2}
 3 of October in each year, make settlement with the auditor
 5 of his county, and on the fifteenth day of March and the
 6 first day of November in each year, the county treasurer
 7 shall send by express, from the nearest public express
 8 office, to the state treasurer, all moneys by him received for
 12

9 state purposes, according to the last certificate of settle-
 10 ment with the auditor of his county, and the state auditor
 11 is hereby authorized to draw upon any county treasurer, in
 12 favor of the treasurer of state, for any money in the county
 13 treasury belonging to the state, at any time after the June
 14 settlement in each year, as herein provided for; and the
 15 county treasurer shall pay such drafts to an amount equal
 16 to the June certificate of settlement with the auditor of his
 17 county, and the state treasurer shall give duplicate receipts
 18 for the moneys so paid, one of which he shall deposit with
 19 the state auditor. And the county treasurer is hereby re-
 20 quired to pay over to any town; city or school district trea-
 21 surer, any money found to be in the county treasury, at
 22 either of the within named settlements, belonging to any
 23 town, city, road, or special school fund, or other fund, in
 24 the manner required by law.

1860—^{c 3}p. 70, Sect. 89. 1 SECT. 135. If any county treasurer fails to make settle-
 2 ment with the state treasurer within fifteen days of the time
 3 herein prescribed, he shall forfeit and pay the sum of one
 4 hundred dollars, in addition to the penalties provided
 5 in the next section, to be recovered in a civil action, which
 6 forfeiture shall be paid into the state treasury to the credit
 7 of the common school fund; *Provided*, That the auditor of
 8 state at any time before an action is commenced, may for
 9 good cause shown, remit said penalty.

1860—^{c 3}p. 69, Sect. 14. 1 SECT. 136. If any county treasurer fails to make re-
 2 turn or settlement, or to pay over all money with which
 3 he stands charged, at the time and in the manner prescribed
 4 by law, the county auditor, on receiving instructions for
 5 that purpose from the auditor of state, or from the county
 6 commissioners of his county, shall cause an action to be com-
 7 menced against such treasurer and his sureties, in the dis-
 8 trict court of his county; and judgment may be rendered
 9 therein against them for the amount due from such treas-
 10 urer with interest and a penalty of ten per centum thereon.

1860—^{c 3}p. 70, Sect. 15. 1 SECT. 137. Whenever an action is commenced against
 2 any delinquent county treasurer, as aforesaid, the county
 3 commissioners may, at their discretion remove such treas-
 4 urer from office, and appoint some one to fill the vacancy
 5 thereby created, as hereinbefore provided.

1860—^{c 3}p. 70, Sect. 16. 1 SECT. 138. The sheriff or other officer who collects any
 2 money from a delinquent county treasurer or his sureties,
 3 shall, within ten days after the collection thereof, pay the
 4 same into the treasury of the county to which such money
 5 is due.

1 SECT. 139. If any sheriff or other officer, to whom an
 2 execution against a delinquent treasurer and his sureties is
 3 delivered, neglects or refuses to execute the same, or ne-
 4 glects or refuses to pay over any money collected thereon,
 5 as required in the preceding section, he and his sureties
 6 shall be liable to the same penalties, and shall be proceeded
 7 against in the same manner as is herein provided in relation
 8 to delinquent treasurers. ^{c 3}
 1863-p. 70, Sect. 17.

1 SECT. 140. If the deputy treasurer fails to pay over to
 2 his principal, on demand, any taxes or other money by him
 3 collected as deputy treasurer, the same proceedings may be
 4 had against him and his sureties at the instance of the trea-
 5 surer, as are by this title authorized against treasurers for
 6 failing to make payment according to law. ^{c 3}
 1860-p. 70, Sect. 18.

1 SECT. 141. The county commissioners may require the
 2 county treasurer to give a new bond with sureties to be
 3 approved by them, whenever in the opinion of a majority
 4 of said commissioners, the sureties, or any of them, on the
 5 original bond are deemed insufficient for any cause, and
 6 may also require a new bond with sureties to be approved
 7 by them, whenever the penalty of such original bond is
 8 deemed insufficient; *provided*, that when a new bond is
 9 taken under the provisions of this section, the original bond
 10 and the rights and liabilities of the parties thereto, incur-
 11 red or existing at or prior to the time of the approval and
 12 acceptance of such new bond, shall not be anywise affected
 13 or impaired. ^{c 3}
 1860-p. 74, Sect. 31.
 Amended.

1 SECT. 142. If any county treasurer fails or refuses to
 2 give such additional bond, for and during the time of ten
 3 days from and after the day on which said commissioners
 4 require said treasurer so to do, his office shall be consid-
 5 ered vacant, and another treasurer shall be appointed
 6 agreeably to the provisions of section one hundred and
 7 twenty-eight of this title. ^{c 3}
 1860-p. 74, Sect. 32.

1 SECT. 143. No county treasurer or deputy county trea-
 2 surer shall either directly or indirectly contract for or purchase
 3 any orders or warrants issued by the county of which he
 4 is treasurer, or any state warrants or town orders, or of any
 5 city, town or other body politic for which he is the collect-
 6 or of taxes, at any discount whatever, upon the sum due
 7 on such orders or warrants; and if any treasurer or deputy
 8 treasurer directly or indirectly contracts for, purchases, or
 9 procures any such orders or warrants, at any discount
 10 whatever upon the sum for which the same are respectively
 11 issued, he shall not be allowed on settlement the amount
 12 of said warrants or orders, or any part thereof, and shall ^{c 3}
 1860-p. 75, Sect. 33.
 Amended.

13 also forfeit the whole amount due on such warrants or or-
 14 ders, and shall also forfeit the sum of one hundred dollars
 15 for each and every breach of the provisions of this sec-
 16 tion, to be recovered in a civil action at the suit of the
 17 state for the use of the county. And the treasurer of state
 18 or the person to whom the county treasurer of any county
 19 is required to return the state, county, township, city,
 20 town, village, school or road tax, is hereby respectively
 21 prohibited from receiving from any county treasurer any
 22 orders, warrants or bonds in payment of taxes collected by
 23 him or his deputies, unless with said orders, warrants or
 24 bonds, said county treasurer shall file his affidavit with the
 25 treasurer of state or the person entitled to receive said tax,
 26 stating therein that all such orders, warrants and bonds
 27 were received at their par value; and whoever swears
 28 falsely in such affidavit is guilty of perjury, and upon con-
 29 viction shall be punished by confinement in the state prison
 30 not more than three years.

c 3
 1860—p. 75, Sect. 34.

1 SECT. 144. If any county treasurer loans any money
 2 belonging to his county, with or without interest, or uses
 3 the same for his own individual purpose, he shall forfeit
 4 and pay for every such offence a sum not exceeding one
 5 thousand dollars nor less than five hundred dollars, to be
 6 recovered in a civil action at the suit of the state, for the
 7 use of the county, city, town or body politic injured.

c 3
 1861—p. 43, Sect. 11.

1 SECT. 145. The treasurer and auditor of every county
 2 conjointly shall make out and cause to be published in at
 3 least one newspaper of general circulation in the county in
 4 and for which they are such treasurer and auditor, a state-
 5 ment of the exact amount of money remaining in the treas-
 6 ury of such county on the last day of February and tenth
 7 day of October in every year, and oftener if the commis-
 8 sioners of the county direct, particularly specifying in such
 9 statement the amount belonging to each particular fund,
 10 together with all other property, bonds, securities, claims,
 11 assets and effects belonging to the county, in the custody
 12 or under the control of such treasurer. Such statement
 13 shall be signed by said county treasurer and auditor, and
 14 the expense of such publication shall be paid out of the
 15 county treasury, on warrants drawn by the chairman of the
 16 board of county commissioners, and attested by the county
 17 auditor, particularly specifying the same; and if at any
 18 time it is found that such statement was untrue or false, in
 19 regard to the amount of money or other property then on hand
 20 and in the treasury, the said treasurer and said auditor
 21 making the same shall, without regard to lapse of time, be
 22 deemed guilty of a misdemeanor, and on conviction thereof
 23 shall be sentenced to pay a fine of not less than one hundred
 24 dollars nor more than five hundred dollars.

1 SECT. 146. The treasurers of the several counties may,
 2 in their official capacity, prosecute to final judgment and
 3 execution, all actions on bonds, notes, or other securities
 4 given to them or their predecessors in office, and all ac-
 5 tions commenced by their predecessors in office, and pend-
 6 ing at their removal therefrom.

c 3
 1863—p. 70, Sect. 20.

1 SECT. 147. The county treasurer when any order drawn
 2 on him as treasurer, by the auditor of the county, signed
 3 by the chairman of the board of county commissioners, is
 4 presented for payment, shall, if there is money in the treas-
 5 ury for that purpose, redeem the same, and shall write on
 6 the face of such order "redeemed," the date of the redemp-
 7 tion, and sign his name thereto. County orders properly
 8 drawn and attested shall be entitled to preference as to pay-
 9 ment, according to the time when presented; and upon the
 10 receipt of money into the treasury, the treasurer shall ap-
 11 propriate and set apart the money necessary for the pay-
 12 ment of the county orders so presented.

c 3
 1863—p. 71, Sect. 21.

1 SECT. 148. He shall, on the last day of February and the
 2 10th day of October, in each year, deposit with the auditor
 3 of his county, all orders on the treasury by him redeemed,
 4 and take the auditor's receipt therefor, the said orders being
 5 at that time, and in presence of the treasurer, so far can-
 6 celled by the auditor as to prevent their being again issued.

c 2
 1863—p. 22, Sect. 22,
 in part.

1 SECT. 149. Express charges shall be paid for forward-
 2 ing state moneys, and mileage allowed to each county treas-
 3 urer for traveling fees in going to and returning from the
 4 nearest express office, in order to send by express to the
 5 state treasurer, the moneys received by him for state pur-
 6 poses, at the rate of ten cents per mile, to be computed by
 7 the auditor of state, according to the distance on the near-
 8 est post route.

c 2
 1863—p. 23, Sect. 2.

1 SECT. 150. Each county treasurer shall be allowed at the
 2 time of his settlement, for his services, three per cent. on
 3 all moneys by him collected, excepting that on which some
 4 other rate of compensation is fixed by law, and shall be
 5 credited with the sum paid by him for printing such adver-
 6 tisements as he is required to publish, at the rates pre-
 7 scribed by law, and with the sum paid by him for blank
 8 books and stationery, necessarily used in his office; *Pro-*
 9 *vided*, That no compensation shall be allowed to the treas-
 10 urer on any moneys received from his predecessor in office,
 11 or his legal representatives; *Provided further*, That the
 12 county treasurer, shall receive for his services in counties
 13 where the annual tax collected is ten thousand dollars or less,
 14 five per cent.; on all sums collected over ten thousand and

c 2
 1863—p. 23, Sect. 3;
 1863—p. 133, Sect. 1
 combined. c 66

15 less than twenty thousand dollars, four per cent. ; and when
 16 the amount collected is over twenty thousand dollars, three
 17 per cent. thereon. *Provided also*, That the county treas-
 18 urers shall receive one per cent. as fees, for receiving and
 19 disbursing all moneys on account of the sales of school
 20 lands, or the payment of interest on school lands. And
 21 for offering for sale all tracts of land in pursuance of sec-
 22 tion twenty-three, of an act entitled "an act prescribing the
 23 duties of county auditors," approved March 6th, 1860, they
 24 shall receive from the county three dollars per day, for a
 25 time not to exceed eight days.

²
 1860—p. 73, Sect. 20.

1 SECT. 151. Each county treasurer on going out of office
 2 shall deliver to his successor in office all the public money,
 3 books, accounts, papers and documents in his possession ; and
 4 in case of the death of any county treasurer, his legal repre-
 5 sentatives shall in like manner deliver up all such moneys,
 6 books, accounts, papers and documents as come into their
 7 possession.

TITLE VI.

REGISTERS OF DEEDS.

¹
 C. S. p. 160, Sect. 19.
 Amended.

1 SECT. 152. In each county there shall be elected a re-
 2 gister of deeds whose term of office shall be two years and
 3 until his successor is elected and qualified.

¹
 C. S. p. 160, Sect. 20.

1 SECT. 153. Every register of deeds, before he enters
 2 upon the duties of his office, shall take and subscribe the
 3 oath prescribed by law ; which said oath shall be endorsed
 4 on the certificate of his election or appointment, recorded
 5 in a book kept for the purpose in his office, and filed in the
 6 office of the clerk of the district court of the county, or if
 7 there is no such officer, with the clerk of the district court
 8 of the county to which his county is attached for judicial
 9 purposes ; and he shall also give a bond, with good and suffi-
 10 cient sureties, in the penal sum of one thousand dollars, to
 11 be approved by the board of commissioners of his county,
 12 conditioned that he will faithfully and impartially fulfill the
 13 duties of his office.

¹
 C. S. p. 160, Sect. 21.
 Amended.

1 SECT. 154. Every register of deeds, at the expiration
 2 of the term for which he was elected, or appointed, on ap-
 3 plication by his successor, duly elected or appointed, and
 4 qualified as aforesaid, shall deliver over promptly, all books,
 5 records, papers, and other property pertaining to his office ;
 6 and if, on such application, he refuses to surrender up all

7 books, records, and other property and papers belonging
 8 to said office, he shall forfeit and pay to the use of the pro-
 9 per county, fifty dollars for each and every day he so re-
 10 fuses, which may be recovered in an action brought upon
 11 his official bond.

1 SECT. 155. Every register of deeds shall keep two
 2 books, to be denominated respectively the grantor's and
 3 the grantee's reception book, each page of which shall be
 4 divided into seven columns in the following form, viz :

Date of Recep- tion, year, day, hour and minute.	Grantor.	Grantee.	Where situated.	To whom de- livered after record.	Fees received.	Book and page where recorded and kind of instrument.
--	----------	----------	--------------------	---	-------------------	--

Date of Recep- tion, year, day, hour and minute.	Grantee.	Grantor.	Where situated.	To whom de- livered after record.	Fees received.	Book and page where recorded and kind of instrument
--	----------	----------	--------------------	---	-------------------	---

5 The register shall enter in each of said books, in the order
 6 and manner aforesaid, as soon as the same are received, all
 7 deeds and other instruments left for record, and all copies
 8 left as cautions or notices of liens, authorized by law to be
 9 recorded, and when mortgages are discharged in whole or
 10 in part, by an acknowledgment of satisfaction written on
 11 the margin of the page where the mortgage is recorded, the
 12 register shall note the fact by writing the word "satisfied,"
 13 or "satisfied in part," as the case may be, across the entry
 14 in the reception books, where the instrument satisfied is en-
 15 tered, and the other particulars in their appropriate col-
 16 umns. The pages of each of the said reception books shall
 17 be lettered in alphabetical order, a convenient number of
 18 consecutive pages being allotted to each letter of the alpha-
 19 bet, and each and every entry made in the said books as
 20 aforesaid shall be made in the grantor's reception book un-
 21 der the letter which is the initial letter of the grantor's sur-
 22 name; and in the grantee's reception book, under the letter
 23 which is the initial letter of the grantee's surname; and all
 24 the entries under each letter shall appear upon said books
 25 consecutively, and in the order as to time in which the in-
 26 struments were received. The said register shall make an
 27 entry in the record immediately after the copy of every in-
 28 strument recorded, specifying the time of the day, month,
 29 and year, when the same was recorded, and shall also cer-
 30 tify upon each instrument recorded by him, the time when
 31 it was recorded, and the book and page in which it was
 32 recorded, and every instrument shall be considered as re-
 33 corded at the time so noted.

C. S. p. 156, Sect. 22;
 C. S. p. 404, Sect. 53
 combined &
 amended. 35

1 SECT. 156. The register shall exhibit, free of charge,
 2 during the hours when his office is, or is required by law to
 3 be open, any of the records of his office or papers in his

c 7
C. S. p. 157, Sect. 22,
last part.

4 official custody, to the inspection of any person demanding
5 to see the same. But no register of deeds is bound to re-
6 cord any deed or mortgage or other instrument unless the
7 fees therefor are tendered him in advance.

c 7
C. S. p. 157, Sect.
23.

1 SECT. 157. He shall keep suitable books, and record at
2 large and in full, word for word, any and all instruments
3 left with him for record, keeping separate books of deeds,
4 mortgages, and other instruments. He shall also keep in
5 separate books an alphabetical index, wherein he shall re-
6 cord, under the proper letter of the alphabet, the name of
7 each grantor and grantee in any deed, mortgage, or other
8 instrument left with him for record.

c 7
C. S. p. 157, Sect.
24.

1 SECT. 158. He may appoint a deputy register in writ-
2 ing, who shall, before entering upon the duties of his of-
3 fice, take and subscribe an oath faithfully to perform the
4 duties of his office, which oath shall be endorsed on the
5 appointment, and recorded in the office of the register of
6 deeds. Registers of deeds shall be responsible for the acts
7 of their deputies, and may revoke their appointment at
8 pleasure.

c 22
C. S. p. 245, Sect. 1.

1 SECT. 159. The register of deeds, on the application of
2 any person residing in his county, shall record a description
3 of the marks or brands, with which such person may be
4 desirous of marking his horses, cattle, sheep or hogs; but
5 the same description shall not be recorded for more than
6 one resident of the same county.

c 7
C. S. p. 158, Sect. 29.
Amended.

1 SECT. 160. The register of deeds shall make out, under
2 his certificate and seal, and deliver to any person requesting
3 the same, a full and perfect abstract of the title to any real
4 estate, together with all incumbrances, liens and instru-
5 ments in any manner affecting such title as the same appears
6 of record or on file in his office, on being paid his lawful
7 fees therefor.

c 7
C. S. p. 158, Sect. 30.

1 SECT. 161. No register of deeds shall record any con-
2 veyance, mortgage, or other instrument by which any in-
3 terest in real estate is or may be in any way affected, unless
4 the same is duly signed and executed and acknowledged,
5 according to law; and any such officer offending herein,
6 shall be adjudged guilty of a misdemeanor, and on convic-
7 tion be subject to fine and imprisonment, and liable in dama-
8 ges to the party injured, in a civil action.

c 7
C. S. p. 158, Sect. 31.
Amended.

1 SECT. 162. Registers of deeds are authorized and em-
2 powered to administer oaths, and take acknowledgments of
3 deeds, conveyances, and other instruments in writing. But

4 no deputy register shall have power to perform any of the
5 acts authorized by this section.

1 SECT. 163. Every register of deeds shall have an offi- ^{c 7}
2 cial seal and affix the same to all documents requiring his C. S. p. 158, Sect. 32.
3 official signature. Amended.

TITLE VII.

SHERIFFS.

1 SECT. 164. There shall be elected in each county a ^{c 7}
2 sheriff, who shall hold his office for two years, and until C. S. p. 161, Sect. 47.
3 his successor is elected and qualified.

1 SECT. 165. Every person elected or appointed to the
2 office of sheriff, shall, before he enters on the duties of said
3 office, give bond to the state of Minnesota in the penal sum ^{c 7}
4 of five thousand dollars, with two or more sureties to be C. S. p. 161, Sect. 48.
5 approved by the board of commissioners, and the approval Amended.
6 endorsed thereon, conditioned that the said sheriff shall
7 well and faithfully, in all things, perform and execute the
8 duties of sheriff according to law, during his continuance in
9 office, without fraud, deceit, or oppression, which bond
10 shall be filed and recorded in the office of register of deeds
11 of his county. He shall also take the oath required by law,
12 which shall be subscribed to and certified by the officer ad-
13 ministering the same, on the back of his certificate of elec-
14 tion, and filed and recorded in the office of register of deeds
15 aforesaid.

1 SECT. 166. If any person elected to the office of sheriff ^{c 7}
2 does not give the bond and take the oath prescribed in the C. S. p. 161, Sect. 49.
3 preceding section on or before the tenth day of January Amended.
4 next succeeding his election, it shall be deemed a refusal
5 to serve.

1 SECT. 167. The sheriff shall keep and preserve the
2 peace in his county, for which purpose he is empowered to
3 call to his aid such persons or power of his county as he ^{c 7}
4 deems necessary. He shall also pursue and apprehend all C. S. p. 161, Sect. 53.
5 felons, execute all warrants, writs, and other process from Amended.
6 a justice of the peace, district court, or other competent tri-
7 bunal, directed to him by legal authority; shall attend
8 upon the terms of the district court, keep his office at the
9 county seat, and perform all the duties pertaining to his
10 office.

c 7
c. s. p. 162, Sect. 54.
1 SECT. 168. In case of a vacancy in the office of sheriff
2 by death, resignation, or otherwise, the board of county
3 commissioners shall forthwith appoint some suitable person
4 to be sheriff of the county until the next general election,
5 and until a successor is elected and qualified.

c 7
c. s. p. 162, Sect. 55.
1 SECT. 169. Every sheriff to whom any process is de-
2 livered in the county where it is to be executed, shall, if
3 required by the person delivering the same, give to such
4 person a certificate, under his hand, without charge, where-
5 in the names of the parties and the day of delivering the
6 process shall be mentioned.

c 7
c. s. p. 162, Sect. 56. Amended.
1 SECT. 170. If any sheriff fails to settle with and pay
2 over to the person entitled thereto any money he may have
3 collected or received by virtue of any execution, process,
4 judgment, order or decree, such person may proceed against
5 the sheriff in a summary manner before the district court
6 by an order upon the sheriff to show cause why he should
7 not pay over such money; and upon the hearing thereof,
8 the court shall order such sheriff to pay to the person en-
9 titled thereto, the amount found due with twenty per cent-
10 um thereon as damages for such failure, and may commit
11 such sheriff to the common jail until the order is complied
12 with; *Provided*, That nothing herein contained shall pre-
13 vent such person from proceeding against such sheriff and
14 his sureties on his official bond.

c 7
c. s. p. 163, Sect. 64. Amended.
1 SECT. 171. If any sheriff neglects to make due return
2 of any writ, or other process, delivered to him to be exe-
3 cuted, or is guilty of any misconduct in relation to the exe-
4 cution thereof, he may be proceeded against by the party
5 interested in the manner provided in the preceding section,
6 and in addition to requiring the performance of the duty
7 neglected or the correction of the injury done, the court may
8 impose upon such sheriff a fine for the use of the county,
9 not exceeding two hundred dollars; *Provided*, That noth-
10 ing herein shall prevent the person injured from maintaining
11 an action for damages against the sheriff or upon his offi-
12 cial bond.

c 7
c. s. p. 162, Sect. 57.
1 SECT. 172. No sheriff or other officer shall directly or
2 indirectly ask, demand or receive for any services or acts
3 by him performed in pursuance of any official duty, any
4 more fees than are allowed by law, under penalty of forfeit-
5 ing for such offense to the party aggrieved treble the sum
6 so demanded or received, to be recovered in a civil action.

1 SECT. 173. No sheriff shall become the purchaser, or
2 procure any person to become the purchaser for him, of any

3 property, real or personal, by him exposed to sale, by vir-
 4 tue of any execution or other process; and all such pur-
 5 chases made by any sheriff, or any other person in his behalf,
 6 shall be absolutely void.

c 7
 C. S. p. 162, Sect. 58.

1 SECT. 174. Every sheriff going out of office by expira-
 2 tion of his term, and having any attachment, execution or
 3 other process in his hands, which he has begun to execute,
 4 by a levy upon property, shall be authorized to proceed
 5 thereon, and execute the same, and to sell and give title to
 6 the property so levied on, in the same manner as if still in
 7 office; *Provided*, That if such late sheriff dies, becomes
 8 insane, removes from the state, or is in any manner unable
 9 to act, the sheriff in office shall, upon the delivery to him of
 10 such attachment, execution or other process, together with
 11 a certificate, return, or memorandum of the action of the
 12 late sheriff, under the same, if any, complete the execution
 13 thereof in the same manner, and with the like effect, as if
 14 such process had been originally delivered to him, and give
 15 title to any property so levied on by such late sheriff, and
 16 the return of such succeeding sheriff upon any such process,
 17 or his deed given in pursuance of the execution of any such
 18 process, shall be *prima facie* evidence of the disability of
 19 the late sheriff to complete the execution of such process or
 20 give such deed.

c 2 2
 1862-p. 77, Sect. 1.

1 SECT. 175. The sheriff shall receive and safely keep in
 2 prison all persons legally committed thereto, and shall not
 3 let out of prison any person so in his custody, until dis-
 4 charged by due course of law, under penalty of being punish-
 5 ed by fine and imprisonment: *Provided*, That if there is no
 6 jail for the confinement of prisoners in the county, or the jail
 7 is insufficient, the sheriff, with the approbation of the judge
 8 of the district court, shall employ such means as may be
 9 necessary for the safe keeping of all prisoners committed to
 10 his custody.

c 7
 C. S. p. 161, Sect.
 52. Amended.

1 SECT. 176. Any sheriff or other officer, who legally ar-
 2 rests any person in any county, may pass across and through
 3 such parts of any other counties as he deems necessary to
 4 convey the person arrested to the place where he is to be
 5 conveyed, according to the command of the process by vir-
 6 tue of which such arrest is made.

c 7
 C. S. p. 163, Sect.
 62. Amended.

1 SECT. 177. No sheriff, deputy sheriff, or coroner, shall
 2 appear or practice as an attorney, solicitor, or counsellor,
 3 in any court, nor draw or fill up any process, pleading, or
 4 proceeding, for any party in any action, nor with intent to be
 5 employed in the collection of any demand, or the service of
 6 any process, advise or counsel any person to commence any

c 7
 C. S. p. 163, Sect.
 63. Amended.

7 action or proceeding, nor shall any sheriff or deputy sheriff
 8 be eligible to any other civil office, and either of said offi-
 9 cers for a violation of any of the provisions of this section,
 10 shall forfeit a sum not exceeding fifty dollars, to be recov-
 ered by the county in a civil action.

⁷
 C. S. p. 161, Sect.
 61. Amended.

1 SECT. 178. Every sheriff shall appoint, under his hand
 2 and seal, a sufficient number of persons as deputy sheriffs,
 3 for whose acts he shall be responsible, and whom he may
 4 remove at pleasure. Each deputy shall, before entering on
 5 his official duties, take the oath required by law, which oath
 6 and appointment shall be filed and recorded in the registry
 7 of deeds of the proper county.

New.

1 SECT. 179. The sheriff shall settle with and pay over
 2 to the board of county commissioners, at their regular ses-
 3 sions, and as often as they require, all money collected or
 4 received by him for the use of or belonging to the county.

B. J. Thompson

TITLE VIII.

COUNTY ATTORNEYS.

⁵
 1860—p. 44, Sect. 60

1 SECT. 180. There shall be elected in each county organ-
 2 ized for judicial purposes, a county attorney, who shall hold
 3 his office for the term of two years, and until his successor
 4 is elected and qualified; such county attorney shall, before
 5 he enters upon the duties of his office, take and subscribe
 6 the oath required by law, and shall also execute a bond in
 7 the penal sum of one thousand dollars, to the board of coun-
 8 ty commissioners with one or more sufficient sureties, to be
 9 approved by said commissioners, conditioned, that he will
 10 faithfully and impartially discharge the duties of county at-
 11 torney, and pay over without delay, to the county treasurer
 12 all moneys which come into his hands, by virtue of his of-
 13 fice, which bond, together with his oath of office shall be
 14 deposited in the office of the clerk of the district court of
 15 the proper county.

⁵
 1800—p. 95, Sect. 2;
 1804—p. 122, Sect. 4,
 combined.

1 SECT. 181. The county attorney shall appear in all cases
 2 where the county is a party, and prosecute or defend for
 3 the county, as the case may be; give opinions and advice
 4 to the county commissioners or any other officers of said
 5 county, upon request of such commissioners or officers, up-
 6 on all matters in which the county is or may be interested,
 7 or in relation to the official duties of any of said officers;
 8 attend on all terms of the district court for such county, and
 9 all other courts having criminal jurisdiction, and attend all

10 preliminary examinations of criminals, when the magistrate
 11 before whom such examination is held, shall request his at-
 12 tendance, and furnish him with a copy of the complaint;
 13 attend before the grand jury of such county upon the spe-
 14 cial request of said jury, and examine witnesses in their
 15 presence; he shall give them advice in any legal matter
 16 before them, and issue subpoenas and process to bring in
 17 witnesses before them, or any magistrate before whom he is
 18 conducting an examination, and shall attend all coroner's
 19 inquests at the request of the coroner, and shall draw all
 20 bills of indictment and all presentments found by the grand
 21 jury of his county, and shall prosecute all such presentments
 22 and indictments to their final determination in the district
 23 court. County attorneys, whenever requested by the at-
 24 torney general, shall appear for the state in their respective
 25 counties, in any cause instituted by him, or before the land
 26 offices, in any case of applications to pre-empt or locate any
 27 of the public lands claimed by this state, and assist him in
 28 the trial and preparation of any such case.

1 SECT. 182. No county attorney shall receive any fee or
 2 reward from or on behalf of any prosecutor or other indi- ^{c 5}
 3 vidual, for services in any prosecution or business to which 1860-p. 95, Sect. 3.
 4 it is his duty to attend.

1 SECT. 183. Whenever there is no county attorney for
 2 the county, or when he is absent at the session of the dis-
 3 trict court for the county, the court shall appoint, if neces- ^{c 5}
 4 sary, by an order to be entered in the minutes of the court, 1860-p. 133, Sect. 4;
 5 some suitable person to perform for such term of court the 1862-p. 88, Sect. 1,
 6 duties required by law to be performed by the county attor- combined. c 3/
 7 ney; and the person so appointed shall thereupon be vest-
 8 ed with all the powers of such county attorney, for that
 9 purpose, and shall receive a reasonable compensation for his
 10 services, to be allowed by the board of commissioners, and
 11 paid out of the treasury of such county; which amount
 12 shall be deducted from the salary of the county attorney.

1 SECT. 184. Every county attorney, on or before the first ^{c 5}
 2 day of January in each year, shall make out and file in the 1860-p. 95, Sect. 5.
 3 office of the county auditor, an account in writing, under
 4 oath, of all moneys received by him during the preceding
 5 year, by virtue of his office, for fines, recognizances, for-
 6 feitures, penalties, or costs, and he shall specify in such ac-
 7 count the name of the person from whom he received such
 8 moneys, the particular amount paid by such person, and the
 9 cause for which each payment was made, and shall at the
 10 same time, or previously, pay over such money to the
 11 county treasurer, and take a receipt and duplicate for the
 12 same, and file the duplicate with the county auditor.

102 COUNTIES AND COUNTY OFFICERS. [CHAP. VIII.]

^{c30}
1862—p. 77, Sects. 1
& 3 combined.

1 SECT. 185. He shall, on or before the fifteenth day of
2 November of each year, prepare and transmit in such form
3 as the attorney general prescribes, a report of the number,
4 character and result of all criminal cases prosecuted by him
5 during the current year, together with the cost of each of
6 said prosecutions to the county or state, and the amount of
7 any fines or penalties collected, and if he neglects to do this,
8 he shall forfeit and pay for the use of the county, the sum
9 of ten dollars, to be recovered before a justice of the peace
10 in the name of the state, at the instance of the attorney gen-
11 eral.

^{c5}
1863—p. 96, Sect. G.

1 SECT. 186. When the county attorney refuses or neg-
2 lects to account for and pay over the moneys received by
3 him, the county auditor shall cause an action to be institu-
4 ted upon the bond of such county attorney, for the recovery
5 of the money so received and unpaid by him, and for
6 damages in failing to account.

New Section.

1 SECT. 187. Whenever a vacancy occurs in the office of
2 county attorney, the board of county commissioners at their
3 first session thereafter, shall appoint some suitable person
4 to be county attorney, who shall take the oath and file the
5 bond required of the county attorney, and shall hold his of-
6 fice until the next general election, and until his successor
7 is elected and qualified.

TITLE IX.

JUDGES OF PROBATE.

^{c7}
C. S. p. 165, Sect. 76.

1 SECT. 188. Every judge of probate shall, before he en-
2 ters upon the duties of his office, execute a bond to the
3 county commissioners in the penal sum of one thousand
4 dollars, with one or more sufficient sureties, to be approved
5 by the said commissioners, conditioned for the faithful dis-
6 charge of the duties required of him by law, and for the
7 faithful application of all moneys and effects that may come
8 into his hands in the execution of the duties of his office;
9 and take the oath required by law, which bond and oath of
10 office shall be filed and recorded in the office of the register
11 of deeds.

^{c7}
C. S. p. 165, Sect.
77. Amended.

1 SECT. 189. The judge of probate shall keep his office at
2 the county seat, and keep a record of all orders, decrees
3 and other official acts made or done by him, which record
4 shall be open to the inspection of all persons without charge.

1 SECT. 190. Whenever the term of office of any judge
 2 of probate expires, he shall deliver over to his successor in ^{c 7}
 3 office, all books and papers relating to said office of judge C. S. p. 165, Sect. 79.
 4 of probate, in his possession, and upon failure to do so
 5 within five days after demand by his successor, he shall be
 6 liable to indictment and punishment by fine not exceeding
 7 one thousand, nor less than one hundred dollars.

1 SECT. 191. Every judge of probate may appoint a clerk ^{c 59}
 2 who shall perform all the duties assigned him by law or C. S. p. 495, Sects.
 3 said judge; such appointment shall be in writing, signed 47, 48 & 49, com-
 4 by the judge and filed in the office of the clerk of the dis- bined & amended.
 5 trict court of the county in which the same is made.

1 SECT. 192. Before entering upon the duties of his office,
 2 such clerk shall take the oath required by law, and execute ^{c 59}
 3 a bond to the county commissioners, with one or more C. S. p. 495, Sect.
 4 sureties to be approved by them, in the penal sum of five 50. Amended.
 5 hundred dollars, conditioned for the faithful discharge of
 6 his duties; said oath and bond shall be filed and recorded
 7 in the office of the register of deeds and an action may be
 8 maintained on said bond by any party aggrieved by a viola-
 9 tion of the condition thereof.

TITLE X.

COURT COMMISSIONERS.

1 SECT. 193. There shall be chosen in each organized ^{c 43}
 2 county, one person who shall be called a court commission- 1860—p. 203, Sect. 1.
 3 er and hold his office for the term of three years, and until
 4 his successor is elected and qualified.

1 SECT. 194. Court commissioners shall be men learned ^{c 43}
 2 in the law; and shall have and may exercise the judicial 1860—p. 203, Sect. 2.
 3 powers of a judge of the district court at chambers. Amended.

1 SECT. 195. Before entering upon his duties each court
 2 commissioner shall execute to the board of county commis- ^{c 43}
 3 sioners, a bond in the sum of two thousand dollars with 1860—p. 203, Sect. 3.
 4 surety to be approved by the board, conditioned for the Amended.
 5 faithful performance of the duties required of him by law,
 6 and shall take, and subscribe, an oath of office, which with
 7 his bond shall be filed and recorded in the office of the re-
 8 gister of deeds.

1 SECT. 196. The court commissioner shall keep his office ^{c 43}
 2 at the county seat, and keep a record of all proceedings had 1860—p. 203, Sect. 4.

104. COUNTIES AND COUNTY OFFICERS. [CHAP. VIII.

3 before him, in books procured at the expense of the county,
4 which books shall be delivered to his successor in office.

^{c 43}
1860—p. 203, Sect. 6,
last part.

1 SECT. 197. Nothing in this title shall prevent the same
2 person from holding at the same time the office of judge of
3 probate and that of court commissioner.

^{c 42}
1862—p. 100, Sect. 1.

1 SECT. 198. Whenever a vacancy occurs in the office of
2 court commissioner, the judge of the district court for the
3 district in which such county is situated, shall appoint some
4 competent person to fill such vacancy, who shall give such
5 bond and take such oath as is by law required of court
6 commissioners and who shall hold his office until the next
7 general election, and until his successor is elected and qual-
8 ified.

TITLE XI.

COUNTY SURVEYORS.

^{c 7}
C. S. p. 167, Sect. 83.

1 SECT. 199. There shall be elected in each county a sur-
2 veyor, who shall hold his office for two years and until his suc-
3 cessor is elected and qualified; he shall reside in the coun-
4 ty for which he is elected, and shall, previous to his enter-
5 ing upon the duties of his office, take and subscribe the
6 oath required by law, and give bond to the board of county
7 commissioners in the sum of five hundred dollars, condi-
8 tioned for the faithful discharge of his duties.

^{c 7}
C. S. p. 167, Sects. 84
& 85 combined.

1 SECT. 200. The said surveyor may appoint such num-
2 ber of deputies as he thinks proper, who shall severally
3 take an oath, for the faithful performance of whose duties
4 he shall be responsible, and by himself or one of his depu-
5 ties shall execute any survey which may be required by or-
6 der of any court, or upon application of any individual or
7 corporation.

^{c 7}
C. S. p. 167, Sect. 86.

1 SECT. 201. The said surveyor shall keep a correct and
2 fair record of all surveys made by him or his deputies, in
3 a book to be provided by the county commissioners for
4 that purpose, which he shall transmit to his successor in
5 office; he shall also number such surveys progressively,
6 and shall preserve a copy of the field notes and calculations
7 of each survey, endorsing thereon its proper number, a
8 copy of which, and also a fair and accurate plat, together
9 with a certificate of survey, shall be furnished by said sur-
10 veyor to any person requiring the same.

1 SECT. 202. In all surveys the courses shall be expressed
 2 according to the true meridian, and the variation of the
 3 magnetic meridian from the true meridian shall be expressed
 4 on the plat, with the year, month and day of the same.

c 7
 C. S. P. 107, Sect. 89.

1 SECT. 203. Whenever a surveyor is required to make
 2 a subdivision of a section, as established by the United
 3 States survey, he shall proceed as follows, whether the
 4 section is fractional or not, excepting on the northern and
 5 western tier of sections of those townships whose northern
 6 boundary is a "standard parallel," or "correction line,"
 7 hereinafter provided for: commencing at either quarter
 8 section corner of the section, he shall run direct lines to the
 9 opposite quarter section corner of the section, and at the
 10 intersection of said lines he shall establish a common cen-
 11 tre therefor, at which a post marked " $\frac{1}{4}$ S." on opposite
 12 sides, with a suitable instrument, shall be firmly fixed and
 13 driven into the ground, and if practicable two bearing trees
 14 shall be marked in the same manner, and their course and
 15 distance from the said post noted in the plat and field notes:
 16 In those townships whose northern boundary is a "stand-
 17 ard parallel," or "correction line," but on which no quar-
 18 ter section posts are established for the sections adjoining
 19 it on the south by the United States surveyors, the county
 20 surveyor, whenever required to subdivide such sections,
 21 shall establish a quarter post on such "standard parallel"
 22 or "correction line," equi-distant from the section posts es-
 23 tablished at the intersection of the parallel by the section
 24 lines south; such quarter post to be marked only on the
 25 side facing the south, and (when practicable) two bearing
 26 trees south of such line marked and their course and dis-
 27 tance from such quarter post duly noted; the subdivision
 28 of such sections may then be proceeded with as hereinbe-
 29 fore directed.

c 8
 1861—p. 50, Sect.
 2. Amended.

1 SECT. 204. Any less subdivision than a quarter section
 2 shall be made in the following manner. If the quarter sec-
 3 tion is not fractional, as follows: Establish a course on the
 4 boundaries or lines marking the quarter section to be divid-
 5 ed equi-distant from the adjacent corners of the same, and
 6 from such corners run direct lines to the opposite corners,
 7 and establish a common centre of the quarter section at the
 8 intersection thereof. Any subdivision of the fractional
 9 north east and north west quarter sections on the north
 10 boundary, and of the fractional north west and south west
 11 quarter sections, on the west boundary of townships, shall
 12 be made by ascertaining the distance by measurement from
 13 the quarter section posts to the north and west boundaries
 14 respectively, then as the distance returned in the United
 15 States field notes, or plats from the quarter section corner
 16

c 9
 1861—p. 51, Sect. 3.
 Amended.

17 to the north and west boundaries respectively, is to the dis-
 18 tance of the same found by measurement, so is the distance
 19 returned in such notes or plats as the width of the south
 20 half of the north east quarter and the east half of the north
 21 west quarter and south west quarter respectively, to the
 22 required measurement of the same.

^{c 8}
 1861—p. 51, Sect. 4.

1 SECT. 205. If the quarter section, or section post, as
 2 originally fixed by the United States survey, is destroyed,
 3 the surveyor shall fix a new post on such land as he may be
 4 called upon to survey, with similar marks to those placed
 5 on like posts by the United States surveyors, graved there-
 6 in; said posts to be fixed in accordance with the govern-
 7 ment field notes.

^{c 1}
 C. S. p. 168, Sect.
 90. Amended.

1 SECT. 206. Whenever a vacancy occurs in the office of
 2 county surveyor the board of county commissioners, at their
 3 first session thereafter, shall appoint some suitable person
 4 to fill such vacancy until the next general election, and un-
 5 til a successor is elected and qualified.

TITLE XII.

CORONERS.

^{c 1}
 C. S. p. 168, Sect. 98.
 Amended.

1 SECT. 207. A coroner shall be elected in each organized
 2 county for the term of two years and until his successor is
 3 elected and qualified, who shall before he enters upon the
 4 duties of his office, give bond to the board of county com-
 5 missioners in such penal sum, not less than five hundred
 6 dollars nor more than ten thousand dollars, with such suffi-
 7 cient sureties, not less than two, as the said board directs
 8 and approves, the condition of which bond shall be, in sub-
 9 stance, the same as that required to be given by the sheriff,
 10 except in the description of the office, and take the oath re-
 11 quired by law; which bond and oath shall be filed and re-
 12 corded in the office of register of deeds.

^{c 1}
 C. S. p. 168, Sect. 98.

1 SECT. 208. When there is a vacancy in the office of
 2 sheriff the coroner shall exercise the powers and duties of
 3 said office until a sheriff is elected, and qualified; and when
 4 the sheriff for any cause is committed to the jail of his county,
 5 said coroner shall be keeper thereof during the time the
 6 sheriff remains a prisoner therein.

^{c 1}
 C. S. p. 168, Sect. 65.

1 SECT. 209. Whenever the coroner executes the office of
 2 sheriff, he shall perform all the duties, and be subject to all
 3 liabilities and penalties imposed by law upon a sheriff duly
 4 elected and qualified.

1 SECT. 210. Every coroner shall serve and execute pro- c 7
2 cess of every kind, and perform all other duties of the sher- c. s. p. 169, Sect.
3 iff, when the sheriff is a party in the action, or whenever 97. Amended.
4 affidavit is made and filed, as provided in the succeeding
5 section; and in all such cases he shall exercise the same
6 powers, and proceed in the same manner as prescribed for
7 the sheriff in the performance of similar duties.

1 SECT. 211. Whenever any party, his agent or attorney, c 7
2 makes and files with the clerk of the district court, an affi- c. s. p. 169, Sect.
3 davit, stating that he believes the sheriff of such county will 98.
4 not, by reason either of partiality, or prejudice, consan-
5 quinity or interest, faithfully perform his duties in any ac-
6 tion commenced, or about to be commenced, the clerk shall
7 direct all process in such action to the coroner.

1 SECT. 212. Coroners shall take inquest upon view of c. s. p. 169, Sect. 99.
2 the dead body of such persons only as are supposed to have
3 come to their death by violence, and not when the death
4 is believed to have been, and was evidently, occasioned by
5 casualty.

1 SECT. 213. As soon as the coroner has notice of the
2 dead body of any person supposed to have come to his
3 death by violence, found or lying within his county, he shall c 7
4 make his warrant to the constable of the election district c. s. p. 169, Sect.
5 where such dead body is, or one of the adjoining election 100. Amended.
6 districts in the same county, requiring such constable forth-
7 with to summon six good and lawful men of the county, to
8 appear before such coroner at the time and place expressed
9 in such warrant; and the warrant may be in substance as
10 follows:

11 State of Minnesota, }
12 County of } ss. The State of Minnesota.
13 To any constable of the county of , greeting :
14 You are hereby commanded immediately to summon six
15 good and lawful men, of the county of to appear
16 before me, coroner of the said county, (state place and
17 time) then and there to inquire, upon view of the body of
18 , there lying dead, how and by what means he came
19 to his death; hereof fail not.
20 Given under my hand the day of A. D.
21 Coroner.

1 SECT. 214. The constable to whom such warrant is di- c 7
2 rected and delivered, shall forthwith execute the same, and c. s. p. 169, Sect.
3 shall, at the time mentioned in the warrant, repair to the 101.
4 place where the dead body is, and make return thereof, and
5 of his doings thereon, to the coroner, under his hand; and
6 any constable who unnecessarily neglects or fails to execute

7 or return such warrant, shall forfeit the sum of five dollars,
 8 and if any person summoned as a juror fails to appear
 9 without a reasonable excuse therefor, he shall forfeit the sum
 10 of five dollars, each of which forfeitures may be recovered
 11 to the use of the county by civil action, to be brought by
 12 the coroner before any justice of the peace in the county.

c 1
 C. S. p. 170, Sect.
 102.

1 SECT. 215. When the jurors who have been summoned
 2 appear, the coroner shall call over their names, and then, in
 3 view of the dead body, administer to them the following
 4 oath:

5 You do solemnly swear [or affirm, *as the case may be*] that
 6 you will diligently inquire, and due presentment make, on
 7 behalf of the state of Minnesota, when, how, and by what
 8 means, the person whose body lies before you dead, came
 9 to his death, and return a true inquest thereof, according to
 10 your knowledge and such evidence as shall be laid before
 11 you; so help you God:

12 If the jurors or any of them shall not appear, the coroner
 13 may require the constable, or any other person whom he
 14 shall appoint, to return other jurors until a jury is obtained.

c 1
 C. S. p. 171, Sect.
 103.

1 SECT. 216. The coroner may issue subpoenas for wit-
 2 nesses, returnable forthwith, or at such time and place as
 3 he shall direct. The persons served with subpoenas shall
 4 be allowed the same fees, and their attendance shall be en-
 5 forced in the same manner by the coroner, and they shall
 6 be subject to the same penalties, as if they had been served
 7 with a subpoena in behalf of the state of Minnesota to at-
 8 tend in a criminal action before a justice of the peace.

c 1
 C. S. p. 171, Sect.
 104. Amended.

1 SECT. 217. An oath to the following effect shall be ad-
 2 ministered to the witnesses by the coroner:

3 You do solemnly swear that the evidence you shall give
 4 to this inquest, concerning the death of the person lying
 5 here dead, shall be the whole truth, and nothing but the
 6 truth: so help you God.

c 1
 C. S. p. 171, Sect.
 105.

1 SECT. 218. The testimony of all witnesses examined
 2 before any inquest shall be reduced to writing by the coro-
 3 ner, or some other person, by his direction, and be sub-
 4 scribed by the witnesses, respectively.

c 1
 C. S. p. 171, Sect.
 106. Amended.

1 SECT. 219. The jury, upon inspection of the dead body,
 2 and after hearing the testimony, and making the needful in-
 3 quires, shall draw up and deliver to the coroner, the in-
 4 quision, under their hands, in which they shall find and
 5 certify when, how, and by what means the deceased person
 6 came to his death, and his name if it was known, together
 7 with all the material circumstances attending his death; and

8 if it appears that his death was caused by criminal violence,
 9 the jurors shall further state who were guilty, either as
 10 principals or accessories, if known, or were, in any manner,
 11 the cause of his death, which inquisition may be, in sub-
 12 stance, as follows :

13 State of Minnesota, }
 14 County of } ss.

15 An inquisition taken at _____, in the county of _____,
 16 on the _____ day of _____, A. D. _____, before
 17 _____ coroner of the said county of _____, upon view
 18 of the body of _____, (or a person) lying there dead, by
 19 the oaths of the jurors whose names are hereunto sub-
 20 scribed, who being sworn to inquire on behalf of the state
 21 of Minnesota, when, how, and by what means the said
 22 _____ (or person) came to his death, upon their oaths do
 23 say, [*then insert when, how, and by what person, means,*
 24 *weapon or instrument he was killed.*]

25 In testimony whereof, the said coroner and jurors of
 26 this inquest have hereunto set their hands the day and year
 27 aforesaid.

1 SECT. 220. If the jury find that any murder, manslaugh-
 2 ter, or assault has been committed on the deceased, the coro-
 3 ner shall bind over, by recognizance, such witnesses as he ^{c 7}
 4 shall think proper, to appear and testify at the next court _{C. S. p. 170, Sect.}
 5 to be held in the same county, at which indictment for such _{107.}
 6 offence can be found; he shall also return to the same
 7 court, the inquisition, written evidence, and all recogniz-
 8 ances and examinations by him taken, and may commit to
 9 the jail of the county any witnesses who refuse to recognize
 10 in such manner as he shall direct.

1 SECT. 221. If any person, charged by the inquest with ^{c 7}
 2 having committed such offence is not in custody, the coro- _{C. S. p. 171, Sect.}
 3 ner shall have the same power as a justice of the peace, to _{108.}
 4 issue process for his apprehension, and such warrant shall
 5 be made returnable before any justice of the peace, or other
 6 magistrate or court having jurisdiction of the case, who
 7 shall proceed therein in the same manner that is required of
 8 justices of the peace (or other court) in like cases.

1 SECT. 222. When any coroner takes an inquest upon ^{c 7}
 2 view of the dead body of any person unknown, or being _{C. S. p. 171, Sect.}
 3 called for that purpose, shall not think it necessary, on view _{109.}
 4 of such body, that any inquest should be taken, he shall
 5 cause the body to be decently buried, and all expenses of
 6 the inquisition and burial shall be paid by the county in
 7 which such dead body is found.

1 SECT. 223. Every coroner is authorized and required to

c 7
C. S. p. 171, Sect.
110. Amended.

2 appoint one or more deputy coroners, who shall in the ab-
3 sence or inability to act, of the coroner, possess the same
4 powers and be subject to the same liabilities as coroners.
5 Each deputy shall be appointed in writing, and before en-
6 tering upon the duties of his office, shall take and subscribe
7 the oath required by law, and give bond to the board of
8 county commissioners with sureties to be approved by said
9 board, in such sum, not less than five hundred dollars, nor
10 more than five thousand dollars, as said board directs, con-
11 ditioned for the faithful performance of his official duties,
12 which bond, oath and appointment shall be filed and record-
13 ed in the office of register of deeds.

New Section.

1 SECT. 224. Each deputy shall act in his own name as
2 deputy coroner and hold his office during the pleasure of
3 the coroner.

TITLE XIII.

CLERK OF DISTRICT COURT.

c 7
C. S. p. 173, Sect.
121. Amended.

1 SECT. 225. Every clerk of the district court before en-
2 tering on the duties of his office, shall execute a bond
3 to the board of county commissioners, with two or more
4 sureties to be approved by said board in the penal sum of
5 one thousand dollars, conditioned for the faithful discharge
6 of his official duties, and take and subscribe the oath re-
7 quired by law; which oath and bond shall be filed and re-
8 corded in the office of register of deeds.

c 7
C. S. p. 173, Sect.
120; C. S. p. 174,
Sect. 123 com-
bined.

1 SECT. 226. Every clerk shall keep his office at the
2 county seat and perform all duties which are or may be
3 assigned him by law, and by the rules of the court of which
4 he is clerk.

c 7
C. S. p. 174, Sect.
124.

1 SECT. 227. He may at his discretion, with the approval
2 of the judge of his court, appoint a deputy clerk for whose
3 acts he shall be responsible; said deputy shall be appointed
4 under the hand and official seal of the clerk, with the ap-
5 proval of the judge endorsed on such appointment.

c 7
C. S. p. 174, Sect.
125. Amended.

1 SECT. 228. Before any deputy clerk of the district
2 court shall enter upon the duties of his office, he shall take
3 and subscribe the oath required by law, which oath, toge-
4 ther with the appointment of such deputy clerk, shall be
5 filed and recorded in the office of the register of deeds;
6 such deputy may be removed at the pleasure of the clerk.

1 SECT. 229. Every clerk shall procure at the expense of
2 his county and keep the following books :

3 *First.*—A register of actions, in which he shall enter the
4 title of each action, a minute of each paper filed in the
5 cause, and of all proceedings therein.

c 7
C. S. p. 630, Sect. 40;
C. S. p. 666, Sect. c 7
72 & 78 combined.

6 *Second.*—A judgment book, in which shall be entered
7 the judgment in each action.

8 *Third.*—A docket, in which he shall enter alphabetical-
9 ly, the name of each party to the judgment, the amount of
10 the judgment, and the precise time of his entry.

1 SECT. 230. Whenever any vacancy occurs in the office
2 of clerk of the district court, the judge of the district court
3 for the district in which such county is situate, shall ap-
4 point some suitable person to fill such vacancy, who shall
5 give such bond and take such oath as is by law required of
6 clerks of the district court, and who shall hold his office
7 until the next general election, and until his successor is
8 elected and qualified.

c 32
1861—p. 143, Sect. 1.

CHAPTER IX.

RESIGNATIONS, VACANCIES AND REMOVALS.

1 SECTION 1. Resignations shall be made—

2 *First.*—By all incumbents of elective offices, to the offi-
3 cer authorized by law to fill a vacancy in such office by ap-
4 pointment, or to order a special election to fill such vacancy.

c 10
C. S. p. 246, Sect. 1.
Amended.

5 *Second.*—By all officers holding their offices by appoint-
6 ment, to the body, board or officer that appointed them,
7 unless otherwise specially provided.

1 SECT. 2. Every office shall become vacant on the hap-
2 pening of either of the following events before the expira-
3 tion of the term of such office :

c 10
C. S. p. 247, Sect. 2.

4 *First.*—The death of the incumbent.

5 *Second.*—His resignation.

7 *Third.*—His removal.

8 *Fourth.*—His ceasing to be an inhabitant of the State, or
9 if the office is local, his ceasing to be an inhabitant of the
10 district, county, city, or village, for which he was elected
11 or appointed, or within which the duties of his office are
12 required to be discharged.

13 *Fifth.*—His conviction of any infamous crime, or of any
14 offence involving a violation of his official oath.

15 *Sixth.*—His refusal or neglect to take his oath of office,