

MINNESOTA STATUTES 1947 ANNOTATIONS

515

TOWN, VILLAGE AND CERTAIN CITY ELECTIONS 212.34

CHAPTER 212

TOWN, VILLAGE, AND CERTAIN CITY ELECTIONS TOWN MEETINGS

212.01 FIRST TOWN MEETING.

The Australian ballot system does not apply to a town election. Johnson v Slapp, 127 M 33, 148 NW 593.

212.03 SPECIAL TOWN MEETINGS TO FILL VACANCIES.

Where by judicial decision all present officers of the town are disqualified by reason of residence, they still have sufficient de facto powers to call a special election under section 212.03 to fill the said vacancies. OAG August 21, 1947 (437-a-21).

212.17 NOTICE TO SPECIFY EACH PROPOSITION TO BE VOTED ON.

Where the question of fire protection is to be considered at the annual town meeting, the notice should indicate the amount of probable cost. OAG July 11, 1945 (688-K).

212.20 OFFICERS ELECTED AT ANNUAL MEETING.

A town assessor or a village assessor must be a resident of the election district within which he serves. OAG Dec. 23, 1946 (440-F).

212.22 DISTRICT ELECTION BOARDS TO CERTIFY TO TOWN BOARD.

Ballots cast at a town election are placed in the custody of the town clerk. OAG April 3, 1945 (28-a-4).

VILLAGE ELECTIONS

212.28 PRESENT LAWS TO GOVERN VILLAGE ELECTIONS.

One of two constables elected for a two-year term at the December, 1940, village election did not qualify, and another was duly appointed to fill the vacancy. He is entitled to exercise his duties until Dec. 31, 1942. No election for the office should be held in 1941. 1942 OAG 230, Nov. 25, 1941 (847-A-3).

212.31 CANDIDATES SHALL FILE AFFIDAVIT OF CANDIDACY; FEE.

Under the limitations of section 202.03, a person cannot file as a candidate for more than one office in a village election. OAG Nov. 1, 1946 (184).

212.34 VILLAGE OFFICERS.

Amended by L. 1947 c. 410 s. 1.

Office of village trustee, when vacant, must be filled by appointment. There can be no election. OAG Nov. 13, 1945 (471-M).

Where there is a tie vote in the filling of a vacancy in the village council, the village president may appoint. OAG Dec. 27, 1945 (471-M).

Where an elected village treasurer failed to qualify, the person appointed to fill the vacancy holds office for the full term of two years. OAG Jan. 4, 1946 (456-G).

The president of the village board may not act as village attorney. OAG March 6, 1946 (358-E-3).

MINNESOTA STATUTES 1947 ANNOTATIONS

212.53 TOWN, VILLAGE AND CERTAIN CITY ELECTIONS

516

If a village fails to elect an assessor at the even numbered year election, the office becomes vacant the following January, and the village council may appoint for the remainder of the year. If no appointment is made, the old assessor holds over. OAG Dec. 12, 1946 (12-B-5).

The term of a justice of the peace is two years. In case of a vacancy, the successor justice is appointed for the full term for which his predecessor was elected. OAG March 11, 1947 (266-a-12).

ELECTIONS, CERTAIN CITIES OF FOURTH CLASS

212.53 NUMBER OF WARDS.

A city of the fourth class under special law providing for one election district may not create wards within the city and provide election of aldermen from the wards so created. OAG Jan. 28, 1947 (64-s).