

CHAPTER 379

THE ORGANIZATION, FORMATION, AND PARTITION OF TOWNS AND
ALTERATION OF THEIR BOUNDARIES

379.01 ORGANIZATION.

The measure of the powers of a town board is found not in the law as it existed at the time the town was organized, but in the law as it is at this time. A town may purchase water service or may install a well for purposes of fire protection. 1942 OAG 141, Nov. 28, 1941 (916-B).

Where a town has adopted a resolution of dissolution and presented same to the county board, until the county board has adopted a resolution dissolving the town, the town officers continue to function, and may sell land designated but not used as a park. OAG June 17, 1946 (441-B).

379.06 APPORTIONMENT OF FUNDS; TAXES.

Where a town is bonded and a new town is set off from the town so bonded, until the bond issue has been paid and the bonds retired the original town cannot obtain a money judgment against the new town. *Canosia v Grand Lake*, 80 M 357, 83 NW 346.

Where a new town is organized from territory of an old town the two may make such contract of adjustment as to the existing indebtedness as meets their views of justice, and the terms of such agreement are enforceable. The holders of claims against the towns are not bound thereby. *Partridge v Dennie*, 105 M 66, 117 NW 234.

Where the city of Mankato, based upon an election May 25, 1946, annexed certain territory of the town of Mankato under the provisions of section 413.12, the city is entitled to receive out of the taxes in the hands of the county treasurer not distributed the proportion thereof represented by the territory detached from the town and annexed to the city. OAG June 8, 1946 (59-a-1).