

## CHAPTER XIX.

*An Act to amend Chapter Thirty of the Special Laws of eighteen hundred and sixty-eight, relating to the village of Brownsville.*

February 26,  
1872.

- SECTION 1. Amendment to Section 5, relating to town officers.  
 2. Amendment to Section 4, relating to official bonds.  
 3. Amendment to Section 16, relating to the village trustees.  
 4. Amendment to Section 25, relating to street improvements.  
 5. Amendment to Section 39, relating to the levy of a corporation tax.  
 6. Amendment to Section 40, relating to tax duplicate.  
 7. Amendment to Section 41, relating to the collection of taxes.  
 8. When act to take effect.

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

SECTION 1. That section five of said chapter thirty of the special laws of eighteen hundred and sixty eight, be and the same is hereby amended so as to read as follows:

Relating to  
town officers.

Sec. 5. Any vacancy in the office of any of the elective offices [officers] of said corporation, may be filled by appointment of the village council, except vacancies in the office of police justice and justices of the peace, which vacancies shall be filled by election; all other officers provided for in this act, and not specified in the preceding section, shall be appointed by the president and trustees of the village, and shall hold their respective offices during the term for which said trustees are elected, and shall be subject to removal by said president and trustees.

SEC. 2. That section fourteen of said chapter thirty, be and the same is hereby amended so as to read as follows:

Sec. 14. That the treasurer, recorder, marshal and constable of said village, before entering upon the duties of their respective offices, shall severally give bonds to the president and trustees of the village, for the faithful performance of the duties of their respective offices, in sums not less than five hundred dollars, nor more than ten thousand dollars, with such conditions and with such good and sufficient sure-

Relating to  
official bonds.

ties, as said trustees or a majority of them shall direct, all of which surties in said bonds, shall be residents of Houston county aforesaid, and shall each be worth, in real estate in his own name, located and recorded in some county of this state, double the amount of the penal sum expressed in the bond in which he is surety, and each shall justify to that effect; all of which bonds shall be for the benefit of said village and for any person or persons who may have been aggrieved by the neglect or willful misconduct of any of said officers in their official acts and duties. All other officers of said village, excepting the president and trustees, shall severally give bonds to the trustees, in such sums and with such conditions, and with such sureties, as said trustees or a majority of them may direct; and all bonds given under the provisions of this act, shall be filed with the recorder of the village, and by him be recorded in a book provided by the village and kept for that purpose *only*; for which recording he shall be paid out of the treasury of the village, the sum of fifteen cents a folio.

SEC. 3. That section sixteen of said chapter thirty, be and the same is hereby amended, so as to read as follows:

SEC. 16. The president and recorder of the village, shall each be *ex-officio* a trustee of the village, and shall each have a vote upon all questions before the council; the president, recorder and trustees shall constitute the council of the village, any three of whom shall form a quorum for the transaction of any business pertaining to their duties. The president shall preside at all meetings of the trustees, shall sign all orders, all ordinances, commissions, licenses and permits which may be granted by the trustees; he shall also maintain peace and good order and see that the ordinances of the village, are obeyed and executed.

SEC. 4. That the fifteenth subdivision of section twenty-five of said chapter thirty, be and the same is hereby amended so as to read as follows:

Fifteenth.—To make, open, keep in repair, grade, improve, lay out, alter, widen, vacate or discontinue streets, alleys, sewers and sidewalks and to keep and protect them from injury; to regulate and control all public squares, public levees, streets and grounds of said village; to let and lease the same for the benefit of said village, upon such terms and conditions as the trustees shall direct; but in no case shall the letting or leasing of said streets, squares or levees be for a longer time than one year.

SEC. 5. That section thirty-nine of said chapter thirty, be and the same is hereby amended, so as to read as follows:

Section 39. The president and trustees of the village,

Relating to village trustees

Relating to street improvements.

shall, on or before the second Monday of August in each and every year, by resolution entered upon their records, determine the amount of such corporation tax to be levied and assessed upon the taxable property of the village for the current year, and thereupon, and on or before the third Monday of the same month in each year, the recorder of the village shall make out upon the assessment roll of the village, in columns left for that purpose, a complete statement of the several taxes levied under any of the provisions of this act, in such separate columns as may be necessary, with the total footings carried out, opposite to each tract or lot of land or person named therein, which statement shall be the *tax list* of the village of Brownsville, and shall constitute a part of the records of the village.

Relating to the levy of a corporation tax.

SEC. 6. That section forty of said chapter thirty, be and the same is hereby amended so as to read as follows:

Relating to tax duplicate.

Section 40. Immediately after the making out of the tax list aforesaid, the recorder shall make out a duplicate thereof, and an order approving the same shall be entered in the proceedings of the council; and a certified copy of such order shall be appended to such duplicate tax list, signed by the president and recorder, and sealed with the corporate seal of the village; and thereafter, and on or before the first Monday of December of the same year, the recorder of the village shall deliver said duplicate tax list to the treasurer of the village for collection.

SEC. 7. That section forty-one of said chapter thirty, be and the same is hereby amended so as to read as follows:

Relating to the collection of taxes.

Section 41. The treasurer of the village, upon the reception of said duplicate tax list, shall proceed to collect the taxes therein specified in like manner, and shall have the same powers and be subject to the same requirements, liabilities and restrictions as county treasurers in this state, except as otherwise provided in this act; and except further that on or before the fifteenth day of February in each year, the said village treasurer shall make out and return to the treasurer of Houston county aforesaid, a list of lands and lots upon which taxes have not been paid, and it is hereby made the duty of said county treasurer to proceed and collect such delinquent taxes so returned in the same manner provided by law for the collection of delinquent taxes upon real estate in this state, and to add to such delinquent returns, the same interest, penalties and fees as are now or may hereafter be allowed or required by the laws of this state upon delinquent taxes upon real estate assessed and levied for town, county and state purposes; and from time to time, upon demand of said village treasurer, to pay

over to said village treasurer any and all sums of money collected upon said delinquent list, or lists for the use of said village; and any officer or person who shall neglect or refuse on demand of said village treasurer, to pay over to said treasurer any such corporation tax collected or received by him shall be liable to an action therefor with twenty-five per cent. damages added thereto, to be sued for and recovered in the corporate name of the village, [both] against such defaulting officer and his sureties or other persons.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved February 26, 1872.

When act to  
take effect.

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## CHAPTER XX.

February 27,  
1872.

*An Act to Amend an Act entitled An Act to Incorporate the Town of Freeborn. Approved August twelfth, one thousand eight hundred and fifty-eight.*

SECTION 1. Amendment to change town to village, and to amend Sections 5, 6, 7, 8, 9 and 10.

Sec. 5. Relating to corporate powers.

Sec. 6. The village council and duties of its officers.

Sec. 7. Authorizes a tax levy for corporation purposes.

Sec. 8. Tax levy to be collected by the county officers.

Sec. 9. Books &c., to be delivered to successors.

Sec. 10. When act to take effect.

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

To change town  
to village, and  
to amend Secs.  
5, 6, 7, 8, 9 and  
10.

SECTION 1. That wherever the word town occurs in said act, it shall read village. And that sections five (5), six (6), seven, (7), eight (8), nine and ten (10) of said act shall read as follows:

Section 5. The president, trustees and secretary of said town shall be and are hereby created a body corporate and politic, with perpetual succession, to be known by the name and title of the village of Freeborn, and shall be capable in law, by the corporate name aforesaid, to acquire, hold and convey property, real and personal, for the use of said

Relating to cor-  
porate powers.