

CHAPTER XXXVII.

AN ACT TO AMEND SECTION ELEVEN, TITLE ONE, CHAPTER SEVEN, SPECIAL LAWS, EIGHTEEN HUNDRED AND SEVENTY-FOUR, RELATING TO CHARTER OF THE WINNEBAGO CITY, OF MINNESOTA.

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

SECTION 1. That section eleven, chapter seven, special laws, eight hundred and seventy-four, relating to charter village of Winnebago City, be and the same is hereby amended to read as follows :

Sec. 11. Whenever a vacancy shall occur in any elective office, it shall be filled by an election of the members of the council ; a majority vote shall elect, and persons so elected to fill a vacancy, shall hold their office and discharge the duties for the unexpired term thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 16, 1875.

CHAPTER XXXVIII.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF NEW TRIER, IN THE COUNTY OF DAKOTA," APPROVED MARCH THIRD, EIGHTEEN HUNDRED AND SEVENTY-FOUR.

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

SECTION 1. That section three of chapter ten of the special laws of eighteen hundred and seventy-four, being an act entitled "an act to incorporate the village of New Trier, in the county of Dakota," approved March third, eighteen hundred and seventy-four, be amended by inserting after the word "qualified," in the sixth line, except the justice of the peace and constable, whose term of office shall be two years, or until their successors are elected and qualified.

SEC. 2. That section six of said chapter be amended so as to read as follows :

Sec. 6. Said village of New Trier, and the remaining portion of the township of Hampton, outside of said village, shall for general

election purposes constitute, as heretofore, an election district of said Dakota county, and the qualified electors of said village shall be qualified electors of said township, for all township purposes, as heretofore, may vote for township officers, and hold any township office. The officers of said township shall conduct such general election under the laws of the state, and the said township of Hampton may hold their general and township elections within the corporate limits of said village of New Trier, if such township by a majority vote resolve so to do.

SEC. 3. That section seven of said chapter be amended by striking out the word "trustees," in the ninth line, and inserting the word "treasurer."

SEC. 4. That section eight of said chapter be amended so as to read as follows;

Sec. 8. The president, the three trustees and recorder shall be the village council of said village, any three of whom shall constitute a quorum for the transaction of any business, and shall have full power and authority to enact, adopt, modify and enforce, and from time to time to amend or repeal all such ordinances, rules and by-laws as they shall deem expedient for the following purposes, to-wit:

First.—To provide for the construction and maintenance of suitable sidewalks and street crossings, as they shall deem expedient, at the expense of the owners of the lots or parts of lots respectively opposite and adjoining to such sidewalks and crossings.

Second.—To prevent riots, noise, disturbance of meetings or public assemblies, to punish any person or persons who may be engaged therein or in any way connected with the same, and generally to promote and preserve good order and the public peace.

Third.—To prevent the encumbering of streets, sidewalks, lanes or alleys with carts, wagons, boxes, barrels, sleighs, firewood, lumber, or any other material or substance whatever.

Fourth.—To restrain the running at large of cattle, swine, sheep, horses, mules and poultry, and to authorize the impounding, destroying and sale of the same.

Fifth.—To prevent any person from bringing, depositing or having within the village, any putrid carcass or other unwholesome substance, to require the removal of the same by any person who shall have the same upon his premises, or by any person who may have put the same thereon, or from any street, lane, public square or alleys, and in default, to authorize the removal thereof at the expense of such person so required to remove the same.

Sixth.—To prevent open and notorious drunkenness, brawling and obscenity in the streets, alleys or public places, and to provide for the punishment of all persons who may be guilty of the same.

Seventh.—To direct the location and management of slaughter houses and markets in said village, and to regulate the sale, storage, conveying and keeping of gunpowder and other combustible material.

Eight.—To compel the owners, agents or lessees of any hog yard or hog pen, stable, privy, sewer, hide yard, slaughter house, markets or any unwholesome or nauseous house or place, to cleanse, remove

or abate the same from time to time, as the village council may deem necessary for the health, comfort and convenience of the inhabitants of said village.

Ninth.—To prevent the dangerous construction and conditions of chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers, boiler stacks and apparatus used in or about any building, and to cause the same to [be] placed in a safe condition, at the expense of owner or owners; to prevent the deposit of ashes in unsafe places, or the throwing of them into the street, to regulate and prevent the use of fireworks and firearms, and to establish such regulations for the prevention and extinguishment of fires, as they may deem expedient; also to adopt such regulations as they may deem proper to prevent the introduction and spread of contagious diseases.

Tenth.—To establish the grades of streets and the laying out and vacation of the same, and cause an accurate profile thereof to be made, a copy of which must be filed in the office of the village recorder.

Eleventh.—To license and regulate the exhibition of common showmen and shows of all kinds, or the exhibition of caravans, circuses, concerts or theatrical performances, billiard, bagatelle and pigeon tables, nine or ten pin alleys, bowling saloons and all games of skill, to grant license, to regulate auctions, auctioneers, groceries, taverns, and all persons vending or dealing in spirituous, vinous or fermented liquors.

Twelfth.—To restrain and prohibit all description of gambling and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gaming in said village, and to restrain any person from vending, giving or dealing in spirituous, fermented or vinous liquors, unless duly licensed by the village council.

Thirteenth.—Fines, penalties and punishments imposed by the village council for the breach of any ordinance, by-law or regulation of said village, may extend to a fine not exceeding one hundred dollars and imprisonment not exceeding thirty days in the county or village jail, or both, at the discretion of the justice, and offenders against the same may be required to give security for their good behavior, and to keep the peace for a period not exceeding six months, and in a sum not exceeding five hundred dollars.

Fourteenth.—All ordinances, rules and by-laws shall be enacted by a majority of all the members of the village council, and shall be signed by the president, attested by the recorder and published once in a newspaper published and printed in said village (if any there be) or posted conspicuously in three public places in said village, for ten days before the same shall be in force, and shall be recorded in a book kept for that purpose.

Fifteenth.—All prosecutions for violating any of the ordinances, rules or by-laws enacted under the provisions of this act, shall be brought in the name of the village of New Trier, and shall be commenced by warrant upon complaint being made as required by law in criminal cases before justices of the peace, and the same proceedings shall be had thereon as are required to be had by the laws of this state in criminal or civil actions before justices of the peace; *Provi-*

ded, No appeal shall be allowed in any case where the fine or penalty imposed is less than ten dollars. The justice of the peace of the village shall have exclusive and original jurisdiction of all cases arising under the provisions of this act.

Sixteenth.—All fines and penalties imposed under and by virtue of the provisions of this act, shall belong to the village of New Trier, and shall constitute a fund to pay the expenses incurred under the provisions of this charter.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 8, 1875.

CHAPTER XXXIX.

AN ACT TO AMEND AN ACT INCORPORATING THE VILLAGE OF WASECA, BEING CHAPTER FOUR OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-ONE.

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

SECTION 1. That there be added to chapter four of the special laws of eighteen hundred and seventy-one, being an act amendatory of the act incorporating the village of Waseca, the following sections, to be numbered sections thirty-five, thirty-six, thirty-seven and thirty-eight, to-wit :

Sec. 35. The trustees shall have power to cause sewers or gutters to be laid or kept in repair in any street or alley, or part of street or alley, at the expense of the owners of the lots fronting on such sewer or gutter, upon petition in writing signed by the owners of three-fifths of the lots chargeable therewith ; *Provided*, That if such sewer be laid in the centre of any street or alley, the lots on each side of such street or alley shall be considered as fronting on such sewer ; *And provided further*, That nothing herein contained shall prevent the laying of sewers or gutters in any street or alley, or part of street or alley, at the expense of the village, nor shall authorize the laying of such street or gutter at the expense of any unplatted portion of said village.

Sec. 36. Whenever the trustees are petitioned as provided in the last section, and shall deem such improvement necessary and proper, they shall cause an accurate survey thereof to be made by a competent surveyor, who shall make survey and report to the trustees in writing, showing the general plan, the specifications and profile, and other views showing the grade and necessary working plans, and an estimate of the cost of the same. Upon receiving the report of the surveyor, the trustees shall, if in their opinion the property charge-