

SESSION LAWS.

The Sixth Session of the Legislative Assembly of the Territory of Minnesota was convened in pursuance of law, Wednesday, the third day of January, 1855, and adjourned on Saturday, the third day of March, 1855.

WILLIS A. GORMAN, Governor.

S. B. OLMSTEAD, President of the Council.

J. S. NORRIS, Speaker of the House of Representatives.

CHAPTER I.

A Bill to amend an act entitled an act to incorporate the city of St. Paul, Ramsey County, Territory of Minnesota.

- SECTION 1. What sections are amended—who the elective officers shall be, their powers and liabilities, and the qualifications of voters.
2. The powers and privileges of the Mayor.
 3. The Clerk, how elected, his power and duties.
 4. Who shall constitute the Common Council and their duties.
 5. Power to levy a corporation or poll tax upon qualified voters.
 6. The power of the Common Council over public squares, grounds, streets and alleys.
 7. What notice shall be given of the time and place for correcting the assessment rolls.
 8. Powers and Offices abolished.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That an act entitled An act to incorporate the city of Saint Paul, Ramsey County, territory of Minnesota passed by the Legislative Assembly, and approved March 4th, 1854, be amended as follows: Act amended.

The second (2,) fifth (5,) seventh (7,) thirteenth (13,) sections of Chapter two (2,) are hereby repealed. The following is hereby enacted to take the place of the second (2) section: Section repealed.

"The elective officers of said city shall be: A Mayor, Treasurer, Marshal and Justice of the Peace for the city; and three Aldermen, one Constable and one Justice of the Peace for each ward. Said aldermen, Elective officers.

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constables and justices shall be residents and voters in the ward for which they may be elected. All other officers necessary for the proper management of the affairs of said city shall be appointed by the Common Council. All elective officers, except justices of the peace, shall, unless otherwise provided, hold their respective offices for one year, and until their successors are elected and qualified; *Provided*, however, the Common Council shall have power, for due cause, to expel any of their own number and to remove from office any officer or agent under the city government—due notice being first given to the officer complained of. Justices of the peace shall hold their respective offices for two years, and until their successors are elected and qualified."

The following is hereby enacted in lieu of the fifth (5) section :

All persons entitled to vote for territorial and county officers, and who shall have resided in the city for thirty days preceding the election, and ten days in the ward where they offer their vote, shall be entitled to vote for any officer to be elected under this law, and to hold any office hereby created. And the different wards established by law shall constitute the election precincts for territorial and county, as well as city elections, and the mode of conducting all territorial and county elections in said city shall be in the manner herein provided in reference to city officers, except that the returns thereof shall be made by the judges of election to the Register of deeds of the county of Ramsey, within the time and in the manner provided by law.

The following is hereby enacted in lieu of the seventh (7) section :

"If either of the inspectors of election shall suspect that any person offering to vote does not possess the qualifications of an elector, the inspector, before receiving the vote of any such, shall require him to take the following oath: 'You do solemnly swear (or affirm, as the case may be,) that you are twenty-one years of age; that you are a citizen of the United States, (or have declared your intention to become a citizen, conformably to the laws of the United States on the subject of naturalization;) that you have resided within this territory six months; within this city thirty days; and within this ward ten days next preceding this election; and that you have not voted at this election; and that you have made no bet or wager, or become directly or indirectly interested in any bet or wager, depending on the result of this election;' and if the person offering to vote shall take such oath, his vote shall be received.

And if such person shall take such oath falsely, he shall be deemed guilty of a wilful and corrupt perjury, and upon conviction thereof, upon indictment, shall suffer the punishment provided by law for persons guilty of perjury. If any person who is not a qualified voter, shall vote at any election, or if any person duly qualified shall vote in any other ward than the one in which he resides, or shall vote more than once at any one election, he shall be liable to indictment, and on conviction thereof, shall forfeit and pay a sum not exceeding one hundred dollars, or less than twenty-five dollars. It shall be the duty of the inspector to keep a list of the names of all persons whose votes may be challenged as aforesaid, and who shall swear in their votes; and if any inspector shall knowingly and corruptly receive the vote of any person not authorized to vote, or shall make out false returns of an election, or any clerk shall not write down the name of every voter as he votes, or shall wilfully make untrue and incorrect count and tallies of votes, each and every such inspector and clerk shall be liable to indictment, and on conviction thereof shall severally forfeit and pay a sum not exceeding five hundred dollars, nor less than

one hundred dollars. All such indictments shall be tried in the District Court of the county of Ramsey."

The following is hereby enacted in lieu of section thirteen (13):

"The votes for all elective officers under the provisions of this act at the annual election, shall be upon one ballot, which shall be written or printed, or partly written and partly printed, and which shall designate the person voted for Alderman for two years, and the person or persons intended for Aldermen for one year."

How ballots shall be prepared.

SEC. 2. Chapter 3 of said act is hereby amended as follows:

The second (2,) fourth (4,) seventh (7) and ninth (9) sections of said chapter are hereby repealed.

The following is hereby enacted in lieu of section two (2):

"The Mayor shall, when present, preside over the meetings of the Common Council, and take care that the laws of the Territory and the ordinances of the city are duly observed and enforced, and that all other executive officers of the city discharge their respective duties. He shall from time to time give the Common Council such information and recommend such measures as he may deem advantageous to the city. The Mayor shall be the chief executive officer and head of the police of the city; and in case of a riot or other disturbances, he may appoint as many special or temporary constables as he may deem necessary.

Power and privileges of the Mayor.

The Mayor shall have a vote only in case of a tie. He shall have full power and authority to take acknowledgments of deeds and to administer oaths in all cases where oaths are required by law to be made, and may attach to such acknowledgment or attestations the corporate seal of the city.

The following is hereby enacted in lieu of the fourth (4) section:

SEC. 3. The clerk shall be elected by ballot by the Common Council; he shall keep the corporate seal and all the papers and records of the city, and keep a record of the proceedings of the Common Council, and whose meetings it shall be his duty to attend; and copies of all papers filed in his office, and transcripts from the records of the Common Council, certified by him, under the corporate seal, shall be evidence in all courts in like manner as if the original were produced; he shall draw and countersign all orders on the Treasury, in pursuance of any order or resolution of the Common Council, and keep a full and accurate account thereof, in books provided for that purpose. The clerk shall have power and authority to administer oaths or affirmations.

How the Clerk shall be elected and his duties.

The following is hereby enacted in lieu of section seven (7):

The Marshal shall perform such duties as shall be prescribed by the Common Council for the preservation of the public peace, and the collection of license, moneys and fines; he shall possess the powers of constable at common law or by the laws of this Territory, and receive like fees.

The following is hereby enacted in lieu of section nine (9):

"The Common Council at their first meeting in each year, or as soon thereafter as may be, shall designate one newspaper, printed in said city, in which shall be published all ordinances and other proceedings and matters required by this act, or by the by-laws or ordinances of the Common Council, to be published in a public newspaper."

Publishing of ordinances.

The following is hereby enacted as a last or additional section to said Chapter 3:

"The Common Council shall, on or before the first day of May in each year, elect three assessors, one from each ward, who shall hold their office for the term of one year, and until their successors are elected and qualified."

SEC. 4. The fourth (4) chapter of said act of incorporation is hereby amended by repealing the first (1) section thereof, and the following is hereby enacted in lieu of the said section one :

"The mayor and aldermen shall constitute the Common Council, and the style of all ordinances shall be "The Mayor and Common Council of the city of Saint Paul do ordain," &c. The Common Council shall meet at such time and place as they, by resolution, shall direct. A majority of the aldermen or the mayor and four aldermen shall constitute a quorum."

SEC. 5. The fifth (5) chapter of said act of incorporation is hereby amended by inserting the following as an additional section to said chapter.

It shall and may be lawful for the Common Council of the said city, at any meeting convened and held by virtue of this act, to levy a corporation, or poll tax, upon every qualified voter in said city : *Provided*, that the said tax shall not, in any one year, exceed the sum of fifty cents on each person so to be taxed.

SEC. 6. The sixth (6) chapter of said act of incorporation is hereby amended as follows. The first section of said chapter is hereby repealed, and the following enacted in lieu thereof :

"The Common Council shall have power to lay out or alter public squares, grounds, streets and alleys, and to widen the same, as follows : Whenever ten or more freeholders residing in any ward, shall, by petition, represent to the Common Council that it is necessary to take certain lands within the ward where such petitioners may reside, for public use, for the purpose of laying out public squares, grounds, streets or alleys, or the enlarging or widening the same, the courses and distances, metes and bounds of the lands proposed to be taken, together with the names and residences of the owners of such premises, if the same shall be known to the petitioners, to be set forth in such petition ; the Common Council shall thereupon cause notice of such application to be given to the occupant or occupants of such lands, if there be any ; or if any portion of such lands shall not be in the actual occupation of any person then the Common Council shall cause such notice, describing as near as may be the premises proposed to be taken, to be published in the official paper of the city for four weeks, at least once in each week."

SEC. 7. The eighth (8) chapter of said act of incorporation is hereby amended as follows :

The third (3) section of said chapter is hereby repealed and the following enacted in lieu thereof ;

"When the same shall be completed, the assessors shall give twenty days notice thereof in the official paper of the city, and shall fix a time and convenient place, where they will meet for the purpose of hearing any objections of parties deeming themselves aggrieved by such assessment ; and after hearing the same, the assessors shall make such alterations or revisions as justice or equity may require : *Provided*, The time of hearing such objections shall not be extended more than two weeks from the expiration of such notices."

SEC. 8. The tenth (10) chapter of said act of incorporation is hereby amended as follows :

Thirteenth (13) section of said chapter is hereby amended so that all powers and duties granted or required therein of the commissioners there-

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in mentioned shall be repealed and annulled, and the said office of commissioners required and created in said act is hereby abolished.

J. S. NORRIS,
Speaker of the House of Representatives.

WM. P. MURRAY,
President of the Council.

APPROVED—March third, one thousand eight hundred and fifty-five.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER.

Secretary of Minnesota Territory.

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CHAPTER II.

An Act to amend an act entitled an act to Incorporate the City of Stillwater in the County of Washington.

SECTION 1. When and where the citizens may elect their city officers; the powers of such officers when elected, and in what cases commissioners may be appointed.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That section two of said act be and the same is hereby amended as follows:

That for the good order and government of said city, it shall be lawful for the male inhabitants thereof having the qualifications of electors of members of the Legislative Assembly of the Territory of Minnesota, and who shall have been bona fide residents within the city of Stillwater for one year, to meet at the court house in said city on the first Monday of April next, and at every subsequent election on the first Monday of January, in each year, at such place or places as the city council may direct, and then and there elect one Mayor, one Recorder, three Councilmen, and one city Justice of the Peace, being residents of said city and having qualifications of voters as aforesaid.

The Mayor, Recorder and Councilmen so elected and qualified, shall constitute the City Council of said city, any three of whom shall constitute a quorum for the transaction of business pertaining to their duties.

And be it further enacted, That section eleven of said act be amended as follows:

That for the purpose of more effectually enabling the said city council to carry into effect the provisions of this act they are hereby authorized and empowered to assess a tax for corporation purposes on property within the limits of said corporation made taxable by the laws of this Territory, so that said tax shall not exceed in any one year three mills on the dollar in value of valuation as the same may be found on the books of the county

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