

## CHAPTER XXVII.

*An act to amend an act entitled "An act to incorporate the City of St Paul, Ramsey County, Minnesota Territory."*

- SECTION —. Extension of corporate limits.
1. Time of holding election.
  2. Elective officers.
  3. Election of Aldermen at the first annual election.
  4. Election of Aldermen thereafter.
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  13. Enlargement of duties of officers.
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*Be it enacted by the Legislative Assembly of the Territory of Minnesota:*

*Corporate limits.* That the act to Incorporate the City of St. Paul, approved March 4th, 1854, be and the same is hereby amended as follows :

The corporate limits of said city shall include all of section 36, township 29 north, range 23 west, not now included in said limits, and shall exclude all islands in the Mississippi river, but this exclusion of islands shall not destroy or impair the civil and criminal jurisdiction of said city over said river ; *Provided*, that nothing in this section shall be so construed as to exclude said islands from being and remaining within the jurisdiction of the county of Ramsey ; *Provided*, also, that this exclusion shall not apply to Harriet Island, which is hereby constituted a part of the third ward of the said city.

SECTION 1. Section one of chapter two of said act of Incorporation is hereby amended so as to read as follows :

*Annual election.* Sec. 1.—The annual election for ward and city officers shall be held on the first Tuesday in May of each year, at such place in each ward as the Common Council shall designate ; and the polls shall be kept open from nine o'clock in the forenoon until five in the afternoon, and ten days previous notice shall be given by the Common Council of the time and place of holding such elections, and the city and ward officers to be elected.

Sec. 2. Section two of chapter two is hereby amended so as to read as follows :

*Officers.* The elective officers of said city shall be a Mayor, Treasurer, Marshal and Justice of the Peace for the city, who shall be styled City Justice.— Each ward shall elect three Aldermen, who shall be residents and voters of 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 City Justice, 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. The City Justice shall hold his office for two years, and until his successor is elected and qualified.

City Justice.

Sec. 3. Section eleven of chapter two aforesaid is hereby amended so as to read as follows :

Sec. 11.—There shall be elected at the election in May, 1856, one Alderman for each ward, who shall hold his office for two years, and one Alderman who shall hold his office for three years.

Aldermen.

Sec. 4. Section twelve of chapter two is hereby amended so as to read as follows :

Sec. 12.—At every annual election thereafter, there shall be elected one Alderman for each ward, who shall hold his office for three years.

Aldermen.

Sec. 5. Section thirteen of chapter two is hereby amended so as to read as follows :

Sec. 13.—The votes for all elective offices 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 at the election in May, 1856, the person voted for, for Alderman for two years, and the person intended for Alderman for three years.

Elections.

Sec. 6. Section fourteen of chapter two is hereby repealed.

Repealed.

Sec. 7. Section fifteen of chapter two is hereby amended so as to read as follows :

The term of every officer elected under this law, shall commence on the second Tuesday of May, of the year for which he was elected; and shall, unless therein otherwise provided, continue for one year, and until his successor is elected and qualified.

Terms of office.

Sec. 8. Section sixteen of chapter two is hereby repealed.

Repealed.

Section three of chapter three is hereby amended by the insertion of the following words at the close of said section :

“The Aldermen of said city shall have the right to administer oaths; take acknowledgement of deeds, and to do and perform generally all acts which may be done or performed by Notaries Public under the statutes of this Territory.”

Notaries public

Sec. 9. Section fourteen of chapter three is hereby amended by striking out the following words, to-wit:

“Except that he shall in no case entertain any civil proceedings to which the city is not a party”—so that the same shall read as follows:

Sec. 14.—The Justice of the Peace for the City, shall possess all the authority, powers and rights of a Justice of the Peace and shall in addition thereto, have sole, exclusive jurisdiction, to hear all complaints and conduct all examinations and trials in criminal cases within the City, cognizable before a Justice of the Peace; but warrants returnable before said Justice may be issued in criminal cases by any other Justice in the city, but no fee shall be received therefor by such Justice. The said Justice shall have exclusive jurisdiction in all cases in which the city is a party, and he shall have the same power and authority in case of contempt as a court of record; *Provided*, that nothing herein contained shall be deemed to divest the District Judges of their authority as conservators of the peace, nor to affect in any manner the jurisdiction or powers of the District Court of Ramsey county, or Supreme Court of the Territory. In case of the

Justice of the Peace.

absence, sickness or other inability of said Justice, or for any sufficient reason, the Mayor, by warrant, may authorize any other Justice of the Peace within said county to perform the duties of Justice for the city, and it shall thereupon be the duty of the Mayor to inform the Attorney, and Marshal of such substitution, and make report thereof to the Common Council, and they may confirm or set aside such appointment, or appoint some other Justice of the Peace, and the Justice so appointed shall, for the time being possess all the authority, powers and rights of said Justice of the Peace for the city.

Estimates of  
work.

SEC. 10. Section twenty of chapter three is hereby amended so as to read as follows:

Sec. 20—He shall examine all estimates of work to be done by Street Commissioners of the several wards, and countersign all contracts and certificates of work entered into or given by them, and shall audit their accounts, and no contract entered into or certificate issued, shall be of any validity unless countersigned by the Comptroller.

Duty of  
Comptroller.

It shall be the duty of the Comptroller to keep regular books of account, in which he shall enter all indebtedness of the city, or either of the wards, and which shall at all times show the precise financial condition of the city and the several wards; the amount of bonds, orders, certificates or other evidence of indebtedness issued by the Common Council or the Street Commissioners of either of the wards, the amount of all bonds, orders, certificates, &c., which have been redeemed, and the amount of each outstanding. To countersign all bonds, orders, or other evidences of indebtedness of the city or either of the wards, and to keep an exact account thereof, stating to whom, and for what purpose issued, and the amount thereof. To keep accounts with all the receiving and disbursing officers of the city, showing the amount which they have received from all the different sources of revenue, and the amount which they have disbursed under the direction of the Common Council.

Licenses.

SEC. 11. Subdivision one of section three, chapter four, is amended so as to read as follows:

To license and regulate the exhibitions of common showmen or shows of any kind, or the exhibitions of caravans, circuses, or theatrical performances, billiard tables, bowling saloons, and to provide for the abatement and removal of all nuisances under the ordinances or at common law; and to grant licenses and regulate groceries, taverns, victualing houses, and all persons vending or dealing in spirituous, vinous or fomented liquors. Provided, That the license for so dealing in or vending spiritous or fomented liquors shall be not less than fifty dollars a year, and that no license shall be granted for a less term than one year.

Duties.

SEC. 12. Subdivision 11 of section three, chapter four is amended so as to read as follows:

To make and establish public pounds, pumps, wells, cisterns and reservoirs, and to control the erection of water works for the supply of water to the inhabitants; to erect lamps and regulate and license hacks, cabs, drays, carts, omnibusses, and charges of hackmen, cabmen, draymen, cartmen and omnibus drivers in the city; and control the erection of gas works for lighting the streets, public grounds and public buildings with gas.

Health, &c.

SEC. 13. Subdivision twelve of section three, chapter four is hereby amended so as to read as follows:

12. To establish and regulate boards of health, provide hospitals, and

hospital grounds, regulate the burial of the dead and the return of the bills of mortality, and regulate or prevent the burial of the dead within the city limits.

SEC. 14. Section four of chapter four, is hereby amended so as to read as follows :

Section 4—All ordinances, regulations, resolutions, and by-laws, shall be passed by an affirmative vote of a majority of the members of the Common Council present, and shall be signed by the Mayor, and shall be published in the official paper of the City, before the same shall be in force, and within fifteen days thereafter they shall be recorded by the City Clerk in books to be provided for that purpose ; but before any of the said laws, ordinances, regulations or by-laws shall be recorded, the publication thereof, respectively within the said time, shall be proved by the affidavit of the foreman or publisher of such newspaper, and said affidavit shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of the time and manner of such publication. No appropriation shall be made without a vote of a majority of the members of the Common Council present in its favor, which shall be taken by ayes and noes, and entered among the proceedings of the Council.

Ordinances, &c.

SEC. 15. Section one of chapter seven, is hereby amended so as to read as follows :

Section 1—The Aldermen of the several wards shall be Street Commissioners, in and for their respective Wards, two of whom shall be a quorum, one of their number, or some person appointed by them shall be clerk of the board of commissioners, who shall keep a record of all their acts and doings, and shall keep and preserve all contracts, receipts and papers of the Board. The several Boards of Street Commissioners shall make report in detail to the Common Council, of their acts and doings quarterly; and at the expiration of each year and before their term of office shall expire, shall submit all their acts and doings, books, records, papers, accounts, receipts and vouchers to the Common Council for final settlement and adjustment.

Street Commissioners.

Sec. 6. Section six of chapter seven, is hereby amended so as to read as follows : Whenever the Commissioners shall determine to make any public improvements as authorized by sections 3, 4 and 5 of this chapter, they shall cause to be made an estimate of the whole expense thereof, and of the proportion to be assessed to each lot, which estimate shall be filed with the city comptroller for the inspection of the parties interested ; the said commissioners shall thereupon enter into contract for the doing thereof.

Public Improvements, how made.

SEC. 16. Section nine of chapter seven, is hereby amended so as to read as follows :

Section 9—The Mayor and Common Council shall have power to regulate and cause to be constructed, altered and maintained, wharves, or grading and paving along the banks of the Mississippi river, and shall have and exercise the same power and control over the said river that they may by virtue of this act, possess over streets and alleys. The expense of constructing, altering, and maintaining such wharves, grading and paving, shall be had out of the City Treasury.

Wharves, &c.

SEC. 17. Section ten of chapter seven is hereby amended so as to read as follows :

Section 10—After the completion and performance of any contract entered into by the Street Commissioners, for work chargeable to lots or lands by virtue of this Act, they shall give to the contractor or contrac-

Certificate.

tors a certificate under their hand, stating therein the amount of work done by such contractor, the nature thereof, and the description of the lot or parcel of land upon which the same is chargeable, which said certificate may be transferred by endorsement thereon, and which shall be on interest at the rate of thirty per cent per annum, and if the amount thereof shall not be paid before the time of making out the annual assessment roll, the same shall be assessed upon the said lots or parcels of land respectively and collected for the use and benefit of the holder of such certificate, as other taxes on real estate are collected by virtue of this act; and if the notice to do the work required shall have been given as herein provided, no informality or error in the proceedings shall vitiate such assessment. Provided, that in no event, where work is ordered to be done at the expense of any lot or parcel of land, shall either the city or ward be held responsible for the payment thereof.

SEC. 18. Section four of chapter ten is hereby amended so as to read as follows:

Actions.

Section 4—All actions brought to recover any penalty or forfeiture under this Act, or the ordinance, by-laws, or police, or health regulation made in pursuance thereof, shall be brought in the corporate name of the City.

SEC. 19. Section twenty of chapter ten is hereby amended so as to read as follows:

Petitions.

20—On the petition of the majority of the inhabitants liable to pay poll tax, of any district, in any ward, and consisting of contiguous territory, bounded by ward lines, or the centre of streets or alleys, the Street Commissioners of such Ward may constitute such district a road district, and appoint any person named in such petition, or if no person be named, then any proper person Road Master for such district, and the person so appointed shall have all the powers of Road Supervisors as provided in chapter eight, article ten of the Revised Statutes of this Territory, and shall report to the Street Commissioners when required. Provided, however, the Road Master shall receive his compensation out of the moneys collected on such poll tax; and that in no case shall any monies be drawn either from the Ward or City Funds for the compensation of Road Masters, or for any work performed by them or under their supervision.

Be in force.

SEC. 21. This act shall take effect from and after its passage.

CHARLES GARDNER,

*Speaker of the House of Representatives.*

JOHN B. BRISBEN,

*President of the Council.*

APPROVED—February twenty-seventh one thousand eight hundred and fifty-six.

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.*