

error of this Territory is hereby invested with full power to appoint all county officers for said county, who shall hold their offices from the time of their appointment until the next general election.

Take effect

SEC. 3. This act shall take effect from and after the first day of April next.

J. W. FURBER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—February thirteenth, one thousand eight hundred and fifty-seven

SECRETARY'S OFFICE, Minnesota, }

SAINT PAUL, March 10, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,

Acting Secretary.

CHAPTER LXIX.

An Act to Incorporate the Town of Winnebago City.

- SECTION 1 Land embraced in Town Site.
 2 The Town Council.
 3 Qualified voters—Election.
 4 Created a body corporate—Powers.
 5 Duty of President and Secretary.
 6 Powers and duties.
 7 Establish by laws and ordinances.
 8 Assess Tax.
 9 Collect Taxes—Sell property.
 10 Deliver books to successor.
 11 Pre-emption of town site, &c.
 12 Take effect.

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

Boundaries

SECTION 1. That so much land as is contained within the southeast quarter of section thirty-four (34) and the southwest quarter of section thirty-five (35) in township one hundred and four (104) north of range twenty-eight (28) west, be and the same is hereby created a town corporate by the name of "Winnebago City."

Officers

SEC. 2. That for the good order and improvement of said town, Andrew C. Dunn, be and is hereby appointed President, Elijah H. Barritt, C. H. Parker, James Sherlock and Warren N. Dunham, be and are hereby appointed Trustees, which Board of Trustees shall elect a Secretary; and said President,

Trustees and Secretary shall constitute the Council of said town, and shall hold their office until the first Wednesday of January next, or until their successors be elected and qualified.

SEC. 3. The male inhabitants of said town, being qualified voters, may at any election of territorial or county officers, elect successors to the aforesaid council who shall enter upon the duties of their office on the first Wednesday of January, and shall before entering upon the duties of their offices, take an oath to support the Constitution of the United States and also an oath of office. Election

SEC. 4. 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 town of Winnebago City, 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 town. They may have a common seal and may alter and renew the same at pleasure: may sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity, and when any suit shall be commenced against said town, the first process shall be served by an attested copy thereof with the Secretary, at his usual place of residence, at least twenty days previous to the return day of such process. The officers of said town shall have a right to action against all trespassers on the property of said town, and every person trespassing on any lands within the limits of said town, or occupying said lands without a conveyance from the proprietors of said town, or their trustees, agents or assigns, shall forfeit all improvements he may make on such lands, and shall be liable to pay damages to twice the amount of actual injuries done to said lands. Corporate

SEC. 5. The President, and in his absence, the Secretary, shall attend to all meetings of said council, and make a fair and accurate record of their proceedings, and of the by-laws, rules and ordinances, made or passed by said council and the same shall be open for inspection of the electors of said town; but in the absence of the Secretary the Trustees shall appoint one of their own body Secretary *pro tempore*. Record

SEC. 6. The said Town Council shall have power to fill all vacancies which may occur in said board from the householders of said town, who shall hold the appointment until their successors shall be elected and qualified; and in the absence of the President and Secretary from any meeting of the Town Council, the Trustees shall have power to appoint any two of their number to perform the duties of President and Secretary for the time being. Vacancies

SEC. 7. The Town Council aforesaid shall have power to make, ordain and establish by-laws and ordinances for the government of said town: *Provided*, That no such by-laws and ordinances shall conflict with the laws of the United States or of this Territory, and to fix reasonable fines and By-laws

Compensation penalties for the violation of such by-laws and ordinances, to provide for the election of a Treasurer and Marshal and suitable subordinate officers of said town and to fix the compensation of said officers, to regulate and improve the levees, piers, streets and alleys, determine the width of side-walks in said town, to regulate the public grounds, to remove all nuisances and obstructions from the streets and public grounds of said town, and to do all things which similar corporations have power to do in order to provide for the health, security and good order of said town.

Assess tax Sec. 8. For the purpose of enabling the said council to carry into effect the provisions of this act, they are hereby authorized and empowered to assess a tax for corporation purposes, on all taxable property within the limits of said corporation, which tax shall not exceed in any one year one cent on the dollar of valuation, as the same may be found on the books of the Commissioners of the county in which said town may be located at the time of assessing such tax.

Collect tax Sec. 9. When any tax is levied, it shall be the duty of the Secretary to make out a duplicate of the taxes assessed against each individual, and on each item of property, which duplicate shall be certified by the President and Secretary, and one copy placed in the hands of the Marshal, whose duty it shall be to collect such tax in the same manner and under the same regulations as county taxes are collected, in this Territory, and the said Marshal shall, immediately after collecting said tax, pay the same over to the Treasurer of said corporation, and take his receipt therefor. And said Marshal shall have power to sell property, both real and personal, in the same manner and under the same regulations as the collectors of county taxes, for the non-payment of said corporation tax, and when necessary the Secretary shall have power to make deeds in the same manner as Sheriffs do, and the Marshal shall receive for his fees such sum as the Town Council may direct, not to exceed six per cent. of the taxes by him collected.

Deliver books Sec. 10. The President, Secretary, and other officers of said town shall, on demand, deliver to their successors in office all books, papers, or other property belonging to said town.

Pre-emption Sec. 11. It shall be the duty of said council of said town to apply for a pre-emption of the land within the limits of said town, not exceeding three hundred and twenty acres, under the provisions of an Act of Congress, entitled "An Act for the relief of citizens of towns upon lands of the United States under certain circumstances, approved May 23d, 1844," and as soon as the title to said lands shall be obtained as aforesaid, to ascertain the persons entitled to the various lots and blocks within said town; who may have a valid right to the same, either by original claim or by transfer by the persons having made such original claim, and to deed under the hand of the President and Secretary, and sealed

by the seal of said corporation to such person so entitled, the lots or blocks, to which such person may be entitled; *Provided* That no street or alley, or other public ground shall be so deeded; *And Provided also*, That every person or persons to whom such lots or blocks shall be deeded as aforesaid, shall first pay to the Treasurer or Secretary of said town for such lots or blocks at the rate of three dollars per acre.

Sec. 12. This Act shall take effect from and after its pas- **Take effect**
sage.

J. W. FURBER,
Speaker of the House of Representatives.

JOHN B. BRISBIN,
President of the Council.

APPROVED—February nineteenth, one thousand eight hundred and fifty-seven.

W. A. GORMAN.

SECRETARY'S OFFICE, Minnesota, }
SAINT PAUL, March 10, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,
Acting Secretary.

CHAPTER LXX.

An Act to Establish the County of Isanti.

- SECTION 1 County Boundaries.
2 Temporary Seat of Justice.
3 Organization—First election.
4 Take effect.

SECTION 1. That so much of the present county of Ramsey as is embraced within the following described limits be and **Boundaries**
the same is hereby created into a separate County to be known as the County of Isanti, to wit: Beginning at a point on the boundary line between the counties of Ramsey and Chisago designated by the government survey as the southeast corner of section twenty-four (24) of township thirty-four (34) north of range twenty-two (22) west to the fourth principal meridian; thence running west upon section lines to the boundary line between the Counties of Ramsey and Sherburne; thence north on said boundary line between the counties of Ramsey and Sherburne, and upon the range line between ranges twenty-five (25) and twenty-six (26) to the south-west corner of Pine county; thence east upon the southern boundary line of Pine county to the northwest cor-