

bly in any manner so as not to destroy or impair the vested rights of said corporation.

J. W. FURBER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—May twenty-third, one thousand eight hundred and fifty-seven.

S. MEDARY.

SECRETARY'S OFFICE, Minnesota, }  
SAINT PAUL, July 22, 1857. }

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

CHAS. L. CHASE,

Secretary of Minnesota Territory.

### CHAPTER III.

#### *An Act to Incorporate certain Towns in this Territory.*

| SECTION | 1 | Corporate limits of the Town of Mountain Pass. |    |                                |
|---------|---|--|----|--------------------------------|
| 2       |   | do   | do | Medary.                        |
| 3       |   | do   | do | Breckenridge.                  |
| 4       |   | do   | do | Sioux Falls City.              |
| 5       |   | do   | do | Shayenne City.                 |
| 6       |   | do   | do | Janesville.                    |
| 7       |   | do   | do | Canwall City.                  |
| 8       |   | do   | do | Elk City.                      |
| 9       |   | do   | do | New Auburn.                    |
| 10      |   | do   | do | Crow Wing City.                |
| 11      |   | do   | do | Glastenbury.                   |
| 12      |   | do   | do | Crow Wing West.                |
| 13      |   | do   | do | Saxton.                        |
| 14      |   | do   | do | Beaver Bay.                    |
| 15      |   | do   | do | Sankagun City.                 |
| 16      |   | do   | do | Cakagun.                       |
| 17      |   | do   | do | Otter Tail City.               |
| 18      |   | do   | do | Oneota.                        |
| 19      |   | do   | do | Bellville.                     |
| 20      |   | do   | do | Burlington.                    |
| 21      |   | do   | do | Glencoe.                       |
| 22      |   | do   | do | Lynd.                          |
| 23      |   | do   | do | Encampment Island.             |
| 24      |   | do   | do | Hlaawatha.                     |
| 25      |   | do   | do | Brisbin.                       |
| 26      |   | do   | do | Lancaster.                     |
| 27      |   | do   | do | Sarsfield.                     |
| 28      |   | do   | do | Galitzin.                      |
| 29      |   | do   | do | Rothscopp.                     |
| 30      |   | do   | do | Dayton, Waterville & Portland. |
| 31      |   | do   | do | Marengo.                       |
| 32      |   | do   | do | Trenton.                       |
| 33      |   | do   | do | Napoleon.                      |
| 34      |   | do   | do | Pokegamon.                     |

|    |  |
|----|--|
| 35 | President, Recorder and Trustees of, Portland.         |
| 36 | do do Dayton.  |
| 37 | do do Waterville.                                      |
| 38 | Corporate limits of the Town of Irving.                |
| 39 | do do Lower Monticello.                                |
| 40 | do do Fremont.   |
| 41 | do do St. Joseph.                                      |
| 42 | do do Adamsville.                                      |
| 43 | do do St. Domingo.                                     |
| 44 | do do Hanover.   |
| 45 | do do Kandiyohi.                                       |
| 46 | do do Charlton.  |
| 47 | do do Whitefield.                                      |
| 48 | do do Milltown.  |
| 49 | do do Detroit.   |
| 50 | do do Wannatan.  |
| 51 | do do Red Wood Center.                                 |
| 52 | President, Recorder and Trustees of Breckenridge.      |
| 53 | Corporate limits of the Town of Randolph.              |
| 54 | do do Flandrau.  |
| 55 | do do St. Francis.                                     |
| 56 | General election of Town officers of said Towns.       |
| 57 | Trustees to be Judges of Election—Clerk.               |
| 58 | Oath or affirmation of office.                         |
| 59 | President, Recorder and Trustees a body corporate.     |
| 60 | Presiding officer.                                     |
| 61 | Town Council may fill vacancies.                       |
| 62 | By-Laws—Provision for—Proviso.                         |
| 63 | Receipts and Expenditures.                             |
| 64 | Improvement of Levees, Streets, &c.                    |
| 65 | May assess Tax.  |
| 66 | Collector to be appointed.                             |
| 67 | Deliver up Books.                                      |
| 68 | Power to enter the Land.                               |
| 69 | Town Plat to be Surveyed.                              |
| 70 | Make Deeds to all persons entitled.                    |
| 71 | May assess tax on each Lot for Street Improvements.    |
| 72 | Plat to be recorded.                                   |
| 73 | Survey and Record of all land within Corporate Limits. |
| 74 | Corporate Right to land not otherwise claimed.         |
| 75 | Relating to officers.                                  |
| 76 | Governor's authority to appoint officers.              |
| 77 | St. Vincent Incorporated.                              |

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

SECTION 1. That one mile square at the south-west end of the Lake of Hole-in-the-Mountain, be, and the same is hereby created a town corporate and politic, by the name and style of Mountain Pass; and the corporate name of the town organization shall be "The Town Council of Mountain Pass." Mountain Pass  
Incorporated

SEC. 2. That so much land as is embraced within one half mile on each side of the Government road from Fort Ridgley to the South Pass, and extending one mile east from the Sioux River, be, and the same is hereby created a town corporate and politic, by the name and style of "Medary," and the corporate name of the town organization shall be "The Town Council of Medary." Medary incor-  
porated

SEC. 3. That so much land on the Sioux Wood River as is included within the town plat of the Town of Breckenridge as surveyed by order of the Minnesota Improvement Company be, and the same is hereby created a town corporate and politic, by the name and style of "Breckenridge," and the corporate name of the town organization shall be "The Town Council of Breckenridge." Breckenridge  
Incorporated

Sioux Falls  
City incor-  
porated.

SEC. 4. That one half mile above and below the Falls, on the Sioux River, and extending one mile east from said river, be, and the same is hereby created a town corporate and politic, by the name and style of "Sioux Falls City," and the corporate name of the town organization shall be "The Town Council of Sioux Falls City."

Shayenne City  
incorporated

SEC. 5. That the town of Shayenne City as surveyed and platted by B. C. Baldwin, located on the east side of the Red River of the North, and extending east one mile from the said Red River of the North, be, and the same is created a town corporate and politic, by the name and style of "Shayenne City," and the corporate name of the town organization shall be "The Town Council of Shayenne City."

Janesville in-  
corporated

SEC. 6. That so much land in the County of Todd, Territory of Minnesota, as has been surveyed, platted and recorded in the office of the Register of Deeds for said County, under the name and title of Janesville, be and the same is hereby created a town corporate by the name of Janesville, and the corporate name of the town organization shall be "The Town Council of the Town of Janesville."

Canwell City  
incorporated

SEC. 7. That one section of land at the outlet of Chetek Lake, and between said Lake and the said outlet, (the Des Moines River,) be, and the same is hereby created a town corporate and politic, by the name and style of "Canwell City," and the corporate name of the town organization shall be "The Town Council of Canwell City."

Elk City incor-  
porated

SEC. 8. That one section of land in the County of Todd, at the junction and between the Little Elk and the Mississippi Rivers, be, and the same is hereby created a town corporate and politic by the name and style of "Elk City," and the corporate name of the town organization shall be "The Town Council of Elk City."

New Auburn  
incorporated

SEC. 9. That so much land in the County of Sibley, contained within the following limits, viz: the south-west fractional quarter of section number seventeen, the north-west quarter of section number twenty, and the north east fractional quarter of section twenty, town one hundred and fourteen, range twenty-eight west, is hereby created a town corporate by the name of New Auburn. Edward Scantlebury is hereby appointed President of said town, Robert Duncau Recorder, and Thomas Kennedy, W. B. Williams and Nelson Frederick, Trustees; who shall act as the officers of said town, and discharge all the duties of said officers for one year from the passage of this act, and until their successors are elected and qualified.

Crow Wing  
City incor-  
porated

SEC. 10. That so much land in the County of "Todd," and Territory of Minnesota, not exceeding three hundred and twenty acres, as has been surveyed, platted, and recorded in the office of the Register of Deeds of Morrison County, under the name and title of "Crow Wing City," be, and the same is hereby created a town corporate by the name of "Crow Wing City," and the corporate name of the town organ-

ization shall be "The Town Council of Crow Wing City."

SEC. 11. That so much land in township thirty-four, (34,) range twenty-three, (23) in the County of Ramsey, as may hereafter be entered as the town site of Glastenbury, not exceeding one hundred and sixty acres, be, and the same is hereby created a town corporate by the name of Glastenbury.

Glastenbury  
incorporated

SEC. 12. That so much land in the Territory of Minnesota as is contained site of Crow Wing West, situate on the west bank of the Mississippi river, near the junction of the Crow Wing River, with the same, not exceeding three hundred and twenty acres, be and the same is hereby created a town corporate by the name of Crow Wing West, and the corporate name of the town organization shall be "The Town Council of Crow Wing West."

Crow Wing  
West incor-  
porated

SEC. 13. That so much land in the County of Lake as is contained within the town of Saxton, as surveyed, platted and recorded in the County of St. Louis, be, and the same is hereby created a town corporate and politic, by the name of Saxton, and the corporate name of the said town organization shall be "The Town Council of the Town of Saxton." Horace Saxton, Alexander McLean, Alexander Paul, Francis Hacker, Thomas Clark, jr., E. B. Hutchinson, and Robert Johnson, are hereby appointed Trustees who shall hold their offices until their successors are elected and qualified under this act.

Saxton incor-  
porated

SEC. 14. That so much land as is contained in the town of Beaver, on Lake Superior, in the County of St. Louis, as surveyed and platted and recorded in the office of the Register of Deeds of said county, by Thomas Clark, be, and the same is hereby created a town corporate and politic, by the name and style of "Beaver Bay," and the corporate name of said town organization shall be "The Town Council of the Town of Beaver Bay."

Beaver Bay  
incorporated

SEC. 15. That so much land as is contained in the town of Saukagun City, situated on the north end of Mille Lac, where the Sandy Lake trail strikes Mille Lac, and being one half mile east, and one half mile west of said trail, and one mile north and back from Mille Lac as located by William Sturgis and Lewis Stone, be, and the same is hereby created a town corporate by the name of Saukagun City, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations.

Saukagun City  
incorporated

SEC. 16. That so much land as is contained in the town of Cakagun, situated on Mille Lac, due half mile south of where the Muddy Lake trail strikes Mille Lac, and according to a map and survey and said town record in the office of the Register of Deeds of Ramsey county, be, and the same is hereby created a town corporate by the name of Cakagun, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations.

Cakagun incor-  
porated

SEC. 17. That so much land as is contained in the town

**Otter Tail City incorporated** of "Otter Tail City," as surveyed by I. C. Iddings and recorded in the office of the Register of Deeds in the County of Stearns, be, and the same is hereby created a body corporate and politic, by the name and style of "Otter Tail City," and the corporate name of the town organization shall be the "Town Council of Otter Tail City."

**Oneota incorporated** SEC. 18. That so much land as is contained in the present town site of "Oneota," already platted and recorded in the office of the Register of Deeds of St. Louis county, and situated in township 49 north, range 14 west, be, and the same is hereby created a town corporate by the name of "Oneota," with all the powers, privileges, and responsibilities usually enjoyed by municipal corporations, and the corporate name of the said town organization shall be the "Town Council of the Town of Oneota."

**Bellville incorporated** SEC. 19. That so much land as is contained within the south-east quarter of section five, and north-east quarter of section eight, in township one hundred and seventeen north, range twenty west, not exceeding three hundred and twenty acres, be, and the same is hereby created a town corporate by the name of Bellville.

**Burlington incorporated** SEC. 20. That so much land as is contained in the present town site of Burlington, in the county of Lake, be, and the same is hereby created a town corporate, by the name of Burlington, with all the powers, privileges, and responsibilities usually enjoyed by municipal corporations, and the corporate name of the town organization shall be the "Town Council of the Town of Burlington."

**Glenwood incorporated** SEC. 21. That so much land in the County of Meeker, and Territory of Minnesota, as is contained in the town of Glenwood, not exceeding three hundred and twenty acres, be, and the same is hereby created a town corporate by the name of Glenwood, with all the rights, privileges and responsibilities usually enjoyed by municipal corporations in the Territory aforesaid.

**Lynd incorporated.** SEC. 22. That so much land as is contained in the present town site of Lynd, in the county of Brown, be, and the same is hereby created a town corporate by the name of Lynd, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations, and the corporate name of the town organization shall be the "Town Council of the Town of Lynd."

**Encampment Island incorporated** SEC. 23. That so much land as is contained in the present town site of Encampment Island, in the County of Lake, be, and the same is hereby created a town corporate by the name of "Encampment Island," with all the powers, privileges and responsibilities usually enjoyed by municipal corporations, and the corporate name of the town organization shall be the "Town Council of the Town of Encampment Island."

**Hiawatha incorporated** SEC. 24. That so much land as is contained in the town site of "Hiawatha," in the County of Lake, be, and the same is hereby created a town corporate by the name of Hiawatha,

with all the powers, privileges and responsibilities usually enjoyed by municipal corporations, and the corporate name of the town organization shall be the "Town Council of the Town of Hiawatha."

SEC. 25. That so much land as is contained in the town site of "Brisbin," situated on White Oak Lake, as located by Wm. W. Hendricks, be and the same is hereby created a town corporate by the name of Brisbin, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations. The said William W. Hendricks shall be the first President, who shall have power to appoint three Trustees, who hold their offices until their successors are elected and qualified. Brisbin incorporated

SEC. 26. That so much land as is contained in the town site of Lancaster, as located by William Reed and situated in Renville county, be, and the same is hereby incorporated by the name of Lancaster, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations. William Reed shall be the first President of said town, and the said William Reed shall appoint three Trustees for said town, who shall hold their respective offices until their successors are elected and qualified. Lancaster incorporated

SEC. 27. That so much land not exceeding one mile square on both sides of Buffalo River, at its junction with the Red River of the North, is hereby incorporated by the name of the President and Town Council of the Town of Sarsfield. Sarsfield incorporated

SEC. 28. That so much land, not exceeding one square mile, on the south bank of the Wild Rice River, at its junction with the Red River of the North, is hereby incorporated by the name of the President and Town Council of Gallitzin. Gallitzin incorporated

SEC. 29. That so much land as is contained in Rothscopp's Addition to St. Cloud, be, and the same is hereby created a town corporate by the name of the town of Rothscopp, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations; that the corporate authorities of said town shall be a President and Common Council which shall be known as "The President and Common Council of Rothscopp." Rothscopp incorporated

SEC. 30. That so much land in the counties of Wright and Hennepin as is contained in the town site of "Dayton," "Waterville," and "Portland," as recorded in the office of the Register of Deeds of Hennepin county, be and the same are hereby created towns corporate and politic under the name and style of "Dayton," "Waterville," and "Portland," and the corporate names of the town organizations shall be the towns of "Dayton," "Waterville" and "Portland." Dayton, Waterville & Portland incorporated

SEC. 31. That so much land in the County of Faribault as is contained in the town site of Marengo, not exceeding three hundred and twenty acres, be, and the same is hereby created a town corporate by the name of "Marengo." Marengo incorporated

SEC. 32. That so much land in the county of Freeborn as is contained in the town site of Trenton, not exceeding three Trenton incorporated

hundred and twenty acres, be and the same is hereby created a town corporate, by the name of Trenton.

Napoleon in-  
corporated

SEC. 33. That one section of land on the east bank of the Otter Tail River opposite the town of Breckenridge, be and the same is hereby created a body corporate and politic, under the name and style of the town corporation of "Napoleon," and the town organization of the said town shall be the "Town Council of Napoleon."

Pokegamon in-  
corporated

SEC. 34. That one section of land on the north bank of the Mississippi, at or near the Falls of Pokegamon, be, and the same is hereby created a town corporate and politic, by the name and style of Pokegamon, and the corporate name of the town organization shall be the "Town Council of Pokegamon."

Officers of  
Portland

SEC. 35. That L. C. Dayton is hereby appointed President of said town of Portland and John Baxter, Recorder, and E. H. Robinson, Lyman C. Dayton and George A. Cameron, are hereby appointed Trustees, who shall hold their offices until their successors are elected and qualified under this act. The officers above named shall take the oath of office hereinafter prescribed before they enter upon the duties of their several offices and the said officers shall constitute the corporate authorities of said town.

Officers of Day-  
ton

SEC. 36. That E. H. Robinson is hereby appointed President of said town of Dayton, and O. H. Kelley, Recorder, and Lyman Dayton, George Lewis, and John Baxter are hereby appointed Trustees, who shall hold their offices until their successors are elected and qualified under this act. The officers above named shall take the oath of office hereinafter prescribed before they enter upon the duties of their several offices, and the said officers shall constitute the corporate authorities of said Town.

Officers of Wa-  
terville

SEC. 37. That John Baxter is hereby appointed President of the said town of Waterville, and O. H. Kelly, Recorder, and L. C. Dayton, W. J. Cahoon and L. Dayton are hereby appointed Trustees who shall hold their office until their successors are duly elected and qualified.

Irving incorpo-  
rated

SEC. 38. That so much land as has been surveyed by the Irving Town Company, on Cornelian Lake, not exceeding three hundred and twenty acres, according to the map thereof, be and the same is hereby created a town corporate by the name of Irving, with the usual powers, privileges and responsibilities of corporate towns.

Lower Monticello in-  
corporated

SEC. 39. That so much land in the county of Wright, Territory of Minnesota, as is contained in the town site of Lower Monticello, not exceeding three hundred and twenty acres, be and the same is hereby created a town corporate by the name of Lower Monticello.

Fremont incor-  
porated

SEC. 40. That so much land in the county of Wright, Territory of Minnesota, as is contained in the town site of Fremont, not exceeding three hundred and twenty acres, be and

the same hereby is created a town corporate by the name of Fremont.

SEC. 41. That so much land not exceeding one mile square on the Pembina River, known as the town of St. Joseph, be, and the same is hereby incorporated by the name of the President and Town Council of St. Joseph. Saint Joseph  
incorporated

SEC. 42. That so much land as is contained in the town site of Adamsville, on Kandiyohi Lake, be, and the same is hereby incorporated by the name of Adamsville, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations. That C. P. Adams shall be the first President, who shall have power to appoint three Trustees, who shall hold their offices until their successors are elected and qualified, and the said officers shall constitute the corporate authorities of said town, and shall be known as the "Town Council of Adamsville." Adamsville in-  
corporated

SEC. 43. That so much land lying on Sauk River, in Stearns County, as located by Austin Edlebrock, as the town of St. Domingo, be, and the same is incorporated by the name and style of the town of St. Domingo, and the same shall have all the rights and privileges conferred on other towns incorporated in this act, and Austin Edilbrock is hereby appointed President, and R. H. Richmond, Reuben Corbett, and J. J. Dask, are hereby appointed Trustees of said town who shall hold said offices until their successors are elected and qualified, and the said President and Directors shall appoint the Clerk, Register and other officers for the good government of said town. Saint Domingo  
incorporated

SEC. 44. That so much land in the County of Ramsey, Territory of Minnesota, as is contained in the town site of Hanover, not exceeding three hundred and twenty (320) acres, be, and the same is hereby created a town corporate by the name of Hanover. Hanover incor-  
porated.

SEC. 45. That so much land as is contained in the town of Kandiyohi, near Lake Kandiyohi, as surveyed and platted by Charlton & Smith, is hereby created a body corporate and politic by the name and style of Kandiyohi. The corporate name of said town organization shall be "The Town Council of the Town of Kandiyohi." Kandiyohi in-  
corporated

SEC. 46. That so much land as is contained in the town of Charlton, as surveyed and platted by the Kandiyohi Town Site Company, be, and the same is hereby created a body corporate and politic by the name and style of Charlton, and the corporate name of said town organization shall be the "Town Council of the Town of Charlton." Charlton incor-  
porated

SEC. 47. That so much land as is contained in the town of Whitefield, as surveyed and platted by the "Kandiyohi Town Site Company," be, and the same is hereby created a body politic and corporate by the name and style of Whitefield, and the corporate name of said town organization shall be "The Town Council of the Town of Whitefield." Whitefield in-  
corporated

SEC. 48. That so much land as is included within the

**Milltown incor-** limits of Milltown, on the outlet of Otter Tail Lake, as sur-  
**porated** veyed and platted by L. Stone, for the Minnesota Improve-  
 ment Company, be, and the same is hereby created a town  
 corporate and politic by the name and style of Milltown, and  
 the corporate name of said town organization shall be "The  
 Town Council of Milltown.

**Detroit incor-** **SEC. 49.** That so much land as is included in the town of  
**porated** Detroit, on Lake Detroit, as surveyed and platted by C. W.  
 Iddings, be, and the same is hereby created a body politic and  
 corporate by the name and style of Detroit, and the corpo-  
 rate name of said town organization shall be the Town  
 Council of the Town of Detroit.

**Wannatan in-** **SEC. 50.** That so much land as is contained in the town  
**corporated** of Wannatan near the head of Lake Traverse as surveyed  
 and platted by order of the Minnesota Improvement Com-  
 pany, be, and the same is hereby created a body corporate  
 and politic by the name and style of Wannatan, and the cor-  
 porate name of said town organization shall be the Town  
 Council of the Town of Wannatan.

**Red Wood** **SEC. 51.** That so much land as is included within the town  
**Center in-** site of Red Wood Center, in the County of Brown, according  
**corporated** to the map thereof, be, and the same is hereby created a town  
 corporate by the name of Red Wood Center, with the powers  
 and privileges of incorporated towns and the corporate name  
 of said corporation shall be the Town Council of Red Wood  
 Center.

**Officers of** **SEC. 52.** That Lewis Stone shall be President, I. V. Wren  
**Breckenridge** shall be Recorder, and S. F. Brown, George Culver and Jo-  
 seph Rolette, shall be Trustees of the Town of Breckenridge,  
 who shall hold their offices until their successors are elected  
 and qualified under this act.

**Randolph in-** **SEC. 53.** That so much land as is contained in the north  
**corporated** half of section twenty-seven, (27,) township twenty-eight,  
 (28,) range twenty-four, (24,) and lot six, (6,) section twenty-  
 six, (26,) township twenty-eight, (28,) range twenty-four,  
 (24,) be, and the same is hereby created a town corporate  
 by the name of "Randolph."

**Flandrau in-** **SEC. 54.** That so much land as has been surveyed and  
**corporated** laid out by the Dakota Land Company, as the Town of  
 Flandreau, be and the same is hereby created a town corpo-  
 rate and politic by the name and style of the town of Flan-  
 drau, and the corporate name of the town organization shall  
 be the Town Council of the Town of Flandrau.

**St. Francis in-** **SEC. 55.** That so much land lying on White Bear Lake, lo-  
**corporated.** cated by J. H. Procton, not exceeding three hundred and  
 twenty (320) acres be, and the same is hereby incorporated  
 as the town St. Francis, and N. P. Clarke shall be first  
 President, and R. M. Richardson, P. Richmond and J. W.  
 Leawoods are hereby appointed Trustees of said town,  
 who shall hold their respective offices until their successors  
 are elected and qualified; said President and Trustees may

appoint a Recorder and other officers for good government of said town.

SEC. 56. That for the good order and improvement of said towns, the male inhabitants of said towns having the qualifications of Electors of the Legislative Assembly of the Territory of Minnesota, may, at the first general election of Territorial and County officers, in the Precinct in which said towns are located respectively, and at the same time annually thereafter, at such place in each of said towns as the **Town Officers.** several Town Councils may direct, elect one President, one Recorder and three Trustees, having the qualifications of electors as aforesaid, who shall hold their offices one year and until their successors shall be elected and qualified, and any three of said Council elected in each town shall constitute a quorum for the transaction of business pertaining to their duties.

SEC. 57. At all elections under the provisions of this Act, subsequent to the first, the Trustees of each town, or any two of them, shall be Judges, and the Recorder, or in his absence some person to be appointed by the Judges, shall be Clerk. The polls shall be opened between the hours of ten and eleven o'clock in the forenoon, and close at four in the afternoon of said day, and at the close of the polls the **Trustees—  
Judges of  
Election.** votes shall be counted, and a true statement thereof proclaimed to the voters of each town present, by one of the Judges, and the several Clerks shall make a true record of the election in their respective towns, and within five days thereafter shall give notice to the persons so elected in their respective towns of their election, and it shall be the duty of the Town Council in each of said towns, at least ten days before each and every election, to give notice of the same by setting up advertisements in three of the most public places in said towns. But at the first election under this Act the Judges of Election of the several Precincts in which said towns may be located shall give to each person elected to office in said towns as aforesaid a certificate of election.

SEC. 58. Each member of each of said Town Councils before entering upon the duties of his office shall take an oath or affirmation to support the Constitution of the United States, and also an oath of office. **Oath.**

SEC. 59. The President, Recorder and Trustees of each of said towns shall be, and are hereby created a body corporate and politic with perpetual succession, to be known and distinguished by the name and style hereinbefore prescribed, and shall be capable in law, by the corporate name aforesaid, to acquire property, real, personal and mixed, for the use of said towns respectively, and may sell and convey the same at pleasure. Each town may have a common seal, which the Town Council may break, alter or renew at pleasure. Each town may sue and be sued, plead and be impleaded, defend and be defended in all manner of actions in all Courts of Law and Equity; and when any suit shall be commenced **Body Corporate.**

against either of said corporations, the first process shall be served by an attested copy thereof left with the Recorder at his usual place of residence, at least twenty days previous to the return day of such process. And each of said corporations shall have a right to action against all trespassers on the property of the town, and any person trespassing on any lands within the limits of either of said towns, or occupying said lands without a conveyance from the proprietors of said town, or their trustees, agents or assigns, shall forfeit all improvements he shall make on such lands, and shall be liable to pay damages to twice the amount of actual injuries done to said lands.

**Presiding Officer.** SEC. 60. The President, and in his absence the Recorder of each town, shall preside at all meetings of the said Town Council; and the Recorder shall attend all meetings of the Town Council; and make a fair and accurate record of their proceedings and of the by-laws, rules and ordinances made or passed by the Common Council of his town, and the same shall at all times be open for inspection of the electors of said town; but in case of the absence or inability of any Recorder, the Trustees may appoint a Clerk pro tempore.

**Fill vacancies.** SEC. 61. The Town Council of each town may have power to fill all vacancies which may happen in their respective Boards, from the householders who are qualified voters of said town, who shall hold their several appointments until the next annual election, and until successors are elected and qualified; and in the absence of the President and Recorder from any town 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.

**By-laws.** SEC. 62. Each of said Town Councils shall have power to make, ordain and establish by-laws, ordinances, rules and regulations for the government of said town; and to alter, amend or repeal at pleasure; to provide in such by-laws for the appointment or election of a Treasurer, Town Marshal, and all the subordinate officers they may think necessary for the good government and well-being of said town; to prescribe their duties, and determine the period of their appointment, and the fees they shall be entitled to receive for their respective services, when the same is not otherwise provided for by this Act, and to require of them to take an oath of office previous to entering upon the duties of their respective offices, and may require of them a bond with security conditioned for the faithful performance of their respective offices. The Town Council shall also have power to fix to the violations of the by-laws and ordinances of the corporation reasonable fines and penalties. *Provided*, That such by-laws and ordinances be not inconsistent with the laws of the United States or of this Territory. *And* **Proviso.** *Provided Also*, That no by-laws or ordinances of said corporation shall take effect or be in force until the same shall

have been posted up at least ten days in one of the most public places within said town; and the certificate of the Recorder entered upon the record of said Town Council shall be deemed and taken to be sufficient evidence of such publication.

Sec. 63. Each Town Council shall, at the expiration of each and every year, cause to be made out and posted up as <sup>Receipts and Expenditures.</sup> aforesaid the receipts and expenditures of the preceding year.

Sec. 64. Each Town Council shall have power to regulate and improve the levees, streets and alleys, determine the <sup>improve Levees, &c.</sup> width of the sidewalks in said town, to regulate the public grounds, to erect a new market-house and regulate the markets, to remove all nuisances and obstructions from the streets and commons of said town, and do all things which similar corporations have power to do, in order to provide for and secure health, cleanliness and good order in said town.

Sec. 65. For the purpose of more effectually enabling the Town Council of each town to carry into effect the provisions of this Act, they are hereby authorized and empowered to assess a tax for corporation purposes, within the limits of <sup>May assess tax</sup> said corporation, made taxable by the laws of this Territory; so that said 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 County Commissioners of the County within which said town may be located at the time of assessing said tax. Each Town Council shall also have power, if authorized to do so by a majority of the electors in said town at any meeting called for that purpose, to levy an additional tax as above prescribed sufficient to organize and establish a Fire Company and purchase an engine, hose and other necessary apparatus for the extinguishment of fires in such town; public notice of which meeting and the objects thereof shall be given by posting up a written or printed notice thereof in at least three of the most public places of said town ten days before the time of such meeting.

Sec. 66. When any tax is levied in either of said towns it shall be the duty of the Recorder to make out a duplicate of the taxes, charging each individual owning property in said corporation with the amount assessed on each item of property as found on the books of the County Commissioners of the County, which duplicate shall be certified by the President and Recorder, and one copy thereof shall be placed in the hands of the Marshal, or such other person as shall be appointed Collector, whose duty it shall be to collect such <sup>Collector to be appointed.</sup> tax, in the same manner, under the same regulations as other County taxes are collected, and the said Marshal, or such other persons as may be appointed Collector, shall immediately after collecting such tax pay the same over to the treasurer of said corporation and take his receipt therefor; and the said Marshal or Collector shall have the same

power to sell both real and personal property for the non-payment of the corporation taxes, as is given to the County Collector, and when necessary the Recorder shall have the same power to make deeds in the same manner as Sheriffs do, and the Marshal or other Collector shall receive for his fees such sum as the Town Council of his town may direct, not exceeding six per centum on all moneys so by him collected, to be paid by the Treasurer on the order of the Recorder.

**Deliver up Books.** SEC. 67. The President, Recorder or other officers of said corporations shall on demand deliver to their successors in office all such books and other property as appertain in any wise to said corporation.

**Power to enter the land.** SEC. 68. It shall be the duty of the Common Council of said town to enter so much land within the corporate limits of said towns as can be entered under the provisions of the Act of Congress entitled "An Act for the relief of citizens of towns upon lands of the United States under certain circumstances, approved May 23, 1844."

**Town plot to be surveyed** SEC. 69. It shall be the duty of the Town Council of said towns, as soon as practicable, to cause three hundred and twenty acres of land within the corporate limits of their respective towns to be surveyed and laid out into squares and lots and streets and alleys, in such manner as said Town Council may deem proper, and to authorize such improvements to be made on such streets or alleys or any of them as the said Town Council may deem proper.

**Make deeds to all persons entitled.** SEC. 70. It shall be the duty of the Town Council of each of said towns, as soon as the title to said lands shall be obtained, under the provisions of said Act of Congress aforesaid, to ascertain the number of persons entitled to lots or squares within the said town, who may have a valid right, either by an original claim to said lands, and to deed under the hands of the President, and attested by the Recorder and sealed with the seal of said corporation, to every such person entitled as aforesaid; *Provided*, That no street or alley shall be so decided; *And Provided Also*, That any person or persons to whom lots or squares shall be decided as aforesaid shall previously have paid to the Treasurer or Recorder of said town at the rate of two dollars per acre on all lots or squares so decided.

**May assess tax on each lot for street improvements.** SEC. 71. The Town Council of each of said towns are authorized to assess a tax not exceeding one dollar on each lot in such town immediately after said survey as aforesaid, to defray the expense of such survey, and of any improvement on any of the streets or alleys or levees in such town which the said Council ordain to be made, and said tax shall be collected by the Treasurer or Recorder, as the said Council shall direct, and all lots on which said tax shall not be paid within three months from the date of said assessment shall be deemed to be the property of the town until

said tax with interest at the rate of twenty per cent. per annum from date of assessment, shall have been paid; *Provided*, That after the expiration of three years the said Council may order such lot or lots to be sold to the highest bidder, and in no case shall said lot or lots thereafter be subject to redemption.

Sec. 72. It shall be the duty of the Town Council of each of said towns to cause a plat of said survey as aforesaid to be recorded in the office of the Register of Deeds in the County wherein said town shall be located, in conformity with the provisions of the statute authorizing the record of town plots in this Territory; *Provided*, that if the County is not organized, or for other cause there is no Register of Deeds in the County, it shall be legal to file said deed with the Recorder of said town, and when so filed the record shall have the same validity it would have had if filed in the office of the Register of Deeds of the County; but the said Town Recorder shall file said plat in the office of the Register of Deeds of his County for record, so soon as there shall have been a Register of Deeds office established in such County.

Plat to be recorded.

Sec. 73. The said Town Council may at any time cause the survey and record in like manner of all the land within the corporate limits; *Provided*, That no survey shall be made within said corporate limits without the consent of the claimant thereto, if such lands have been regularly claimed previous to the passage of this Act.

Survey and record of all land within corporation limits.

Sec. 74. All lands within said corporate limits which has not heretofore been claimed as aforesaid shall be deemed to belong to said town and may be sold by the corporate authorities thereof, the proceeds to be expended in the improvement of streets and levees within said town.

Corporate right to land not otherwise claimed

Sec. 75. No officers herein designated shall continue in office after the first general election; *Provided*, That nothing herein contained shall be so construed as to prevent the re-election of any such officers.

Re-electing to Office.

Sec. 76. The Governor is hereby authorized to appoint all the officers authorized to be elected in any of the towns herein incorporated, where officers have not been herein appointed, if required so to do by five residents of the town; and such persons so appointed shall qualify as provided by law, and shall hold their several offices until their successors are elected and qualified.

Governor authorized to appoint officers.

Sec. 77. That so much land as is contained in the town of St. Vincent, situated on the east side of the Red River, opposite the mouth of the Pembina River be, and the same is hereby created a town corporate by the name of St. Vincent, with all the powers, privileges and responsibilities usually enjoyed by municipal corporations. And Joseph Rolette shall be the first President who shall have power to appoint

St. Vincent incorporated.

three (3) Trustees, who shall hold their offices until successors are elected and qualified.

J. W. FURBER,

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—May twenty-three, one thousand eight hundred and fifty-seven.

S. MEDARY.

SECRETARY'S OFFICE, Minnesota, }

SAINT PAUL, July 22, 1857. }

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

CHAS. L. CHASE,

Secretary of Minnesota Territory.

## CHAPTER IV.

### *An Act to Incorporate the Saint Paul Water Company.*

#### SECTION 1 Incorporators and object of Incorporation.

- 2 Capital Stock—To be personal property.
- 3 Board of Directors—Vacancies.
- 4 May hold Real Estate—Erect necessary works.
- 5 Powers of Directors.
- 6 Wilful Injuries to works—Penalties.
- 7 When organized—Wor' to be commenced.
- 8 When to be in operation—Fire Plugs---City to pay interest on first cost.
- 9 City may purchase Works at the end of twenty years.
- 10 City empowered to subscribe stock.
- 11 Bonds, Notes, &c., may be received in payment for stock.
- 12 Charter to be in force twenty-five years---If not sold to City, ten years longer.
- 13 Deemed to be a public act.

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

Corporate  
name

SECTION 1. That Roswell A. Fish, Wm. H. Leonard, William Divier, Justin C. Ramsey, and Wm. L. Banning and their present and future associates shall be, and are hereby created, constituted and declared to be a body politic and corporate by the name of the Saint Paul Water Company, with full power and authority, at any time hereafter, to introduce water into the City of Saint Paul from any place or places situate in the County of Ramsey, and to lay water pipes in and through the streets, avenues, lanes, alleys and squares thereof, and to have the sole and exclusive right to lay pipes

Purposes of  
corporation