

nor shall said town incur any debt or liability for any purpose whatever, which is not fully covered and provided for by the tax authorized in Section eight of this Act. Prohibition against borrowing money

SEC. 14. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,
Speaker of the House of Representatives.
RICHARD G. MURPHY,
President *pro tem.* of the Senate.

APPROVED—JUNE twelfth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }
June 12, 1858. }

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

FRANCIS BAASEN, Secretary of State.

CHAPTER CXC.

An Act to incorporate the Town of Le Sueur City.

- SECTION 1. Boundaries of the Town.
2. Annual election for Town officers.
 3. Manner of conducting Town elections.
 4. Oath of office to be taken by members of Town Council.
 5. Corporate powers vested in Town officers.
 6. Record of proceedings of Town Council.
 7. Vacancies in Town Council, how filled.
 8. General powers of Town Council.
 9. Receipts and expenditures to be posted annually.
 10. Powers of Council to regulate and improve streets, &c.
 11. Corporation tax, limit of.
 12. Collection of tax, how made.
 13. Delivery of books to successors.
 14. Town Council to pre-empt town site.
 15. Town Council to deed lots to original claimants.
 16. Officers of Town named.
 17. Act takes effect on passage.

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

SECTION 1. That so much land as is contained within the north-west quarter of section No. thirty-six, of township No. one hundred and twelve, range twenty-six west, the west half of the south-east quarter, and lots five, six and seven, of section No. twenty-five, of township No. one hundred and twelve, north of range No. twenty six west, be and the same is hereby created a town corporate by the name of Le Sueur City. Boundaries.

SEC. 2. That for the good order and government of said

Annual elec-
tions

town, it shall be lawful for the inhabitants thereof, having the qualifications of electors of the Legislative Assembly to meet at the house of K. K. Peck, on the first Monday of April 1859, and at the same time annually thereafter, at such place in said town as the Town Council shall direct, and then and there proceed to elect one President, one Recorder, and three Trustees, being householders of said town, and having the qualifications of electors as aforesaid, who shall hold their offices one year, and until their successors shall be elected and qualified, and such President, Recorder and three Trustees, being so elected and qualified, shall constitute the Town Council of said town, any three of whom shall constitute a quorum for the transaction of business pertaining to their duties.

Manner of con-
ducting elec-
tions

Sec. 3. At the first election to be holden under this Act, the Trustees 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 at nine o'clock in the forenoon, and close at four o'clock in the afternoon of said day, and at the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters present by one of the Judges, and the Clerk shall make a true record thereof, and within five days thereafter he shall give notice to the persons so elected of their election; and it shall be the duty of the said Town Council, at least ten days before each and every election, to give notice of the same, by setting up advertisements at three of the most public places in said town.

Oath of office

Sec. 4. Each member of said Town Council before entering upon the duties of his office, shall take an oath or affirmation to support the Constitution of the United States, and also, faithfully and impartially to discharge the duties of his office.

Corporate pow-
ers

Sec. 5. The President and Recorder, be and are hereby created a body corporate and politic, with perpetual succession, to be known and distinguished by the name and style of "The Town of Le Sueur City," and shall be capable in law by their corporate name aforesaid, to acquire property, real, personal and mixed for the use of said town, and may sell and convey the same at pleasure. They may have a common seal, which they may break, alter or renew at pleasure; they 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 against said corporation, the first process shall be served by an attested copy thereof, left with the Recorder, or at his usual place of residence, at least six days previous to the return day of such process.

Sec. 6. The President, and in his absence, the Recorder shall preside at all meetings of the Town Council, and make a fair and accurate record of all their proceedings,

and of the by-laws, rules and ordinances made or passed by the Town Council aforesaid, and the same shall at all times be open for the inspection of the electors of said town; but in case of the absence or inability of the Recorder, the Trustees may appoint one of their body Clerk *pro tempore*.

Record of proceedings of town council

Sec. 7. The Town Council shall have power to fill all vacancies which may happen in said board, from the householders who are qualified voters of said town, who shall hold their appointments until the next annual election, and until their successors shall be elected and qualified; and in the absence of the President and Recorder 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 Recorder for the time being.

Vacancies how filled

Sec. 8. The said Town Council shall have power to make, ordain and establish by laws, ordinances, rules and regulations for the government of said town; and the same 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 which 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 further require of them a bond with security, conditioned for the faithful performance of their of their respective offices. The Town Council shall have power to fix to the violation 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 Constitution and laws of the United States or of this State; *And 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 in 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.

General power of town council

Sec. 9. The Town Council shall, at the expiration of each and every year, cause to be made out and posted up as aforesaid, the receipts and expenditures of the preceding year.

Receipts and expenditures posted annually

Sec. 10. The Town Council to regulate and improve the levees, streets and alleys, and determine the width of the side-walks 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 to 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.

Powers of some all to regulate and improve streets &c

Corporation
tax—limit of

SEC. 11. For the purpose of more effectually enabling the said Town Council to carry into effect the provisions of this Act, they are hereby authorized and empowered to assess a tax for corporation purposes, upon the property within the limits of said corporation, made taxable by the laws of this State, so that said tax shall not exceed, in any one year, five mills 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. The town shall also have power, if authorized by a majority of all the electors in said town, at any meeting called for that purpose, to levy an additional tax as above specified, sufficient to organize and establish a fire company, and purchase an engine, hose and other necessary apparatus for the extinguishment of fires in said town, public notice of which meeting, and the object thereof, shall be given by posting up written or printed notice thereof, in at least three of the most public places in said town, ten days before the time of said meeting.

Collection of
tax—how made

SEC. 12. When any tax is levied, 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 said 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 may be appointed Collector, whose duty it shall be to collect the tax, in the same manner, and under the same regulations as other county taxes are collected; and the said Marshal, or other person as shall be appointed Collector, shall, immediately after collecting said tax, pay the same over to the Treasurer of said corporation, and take his receipt therefor, and the said Marshal, or other Collector, shall have the same power to sell, both real or personal property, for the non-payment of the corporation taxes, as is given to the County Collector; and when necessary, the Recorder shall have power to make deeds in the same manner that Sheriffs do, and the Marshal, or other Collector, shall receive for his fees such sum as the Town Council 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.

Delivery of
books to suc-
cessors

SEC. 13. The President, Recorder, or other officers of said corporation, shall on demand deliver to their successors in office all such books and other property as appertain in anywise to said corporation.

Town council
to pre-empt
town site

SEC. 14. It shall be the duty of the Common Council of said town, to enter so much land within the corporate limits of said town as can be entered under the provisions of an Act of Congress, entitled "An Act for the relief of citizens of towns upon the lands of the United States, under certain circumstances," approved May 23, 1844.

Sec. 15. It shall be the duty of said Town Council, 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, squares or blocks within the said town, who may have a valid right, either by an original claim or by transfer from any person or persons having made an original claim to said lands, and to deed, under the hand of the President, attested by the Recorder, and sealed with the seal of said corporation, to every such person entitled as aforesaid, the lots, blocks or squares of land to which every such person may be entitled as aforesaid. *Provided*, That no street or alley shall be so deeded; and *provided* also, that any person or persons to whom lots, blocks or squares shall be deeded as aforesaid, shall previously have paid to the Treasurer or Recorder of said town, at the rate of two dollars per acre for all lots, blocks or squares so deeded, together with a reasonable amount to be paid to the Attorney or other person who shall prepare said deeds as aforesaid.

Town council
to deed lots to
original claim-
ants

Sec. 16. Aurelius F. De LaVergne, shall hold the office of President, Ira Myrick, shall hold the office of Recorder, and Kortuna K. Peck, Samuel Wise, Ramsom Bigelow, shall hold the office of Trustees, until the time appointed for the first election, and until others shall be elected or appointed, and qualified as prescribed by law.

Officers of
town council

Sec. 17. This Act shall take effect from and after its passage.

GEORGE BRADLEY,

Speaker of the House of Representatives.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—June seventeenth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }

June 17, 1858. }

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

FRANCIS BAASEN, Secretary of State.

CHAPTER CXCL

An Act legalizing the Acts of the late County Commissioners of Houston, Brown, Stearns and Chicago Counties in relation to Township Organization.

SECTION 1. Acts of the County Commissioners legalized in relation to the organization in the counties named.

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

SECTION 1. That in all cases where the late County Com-