

CHAPTER CXXXVI.

An Act to Incorporate the Town of Freeborn.

- SECTION 1.** Boundaries of the Town.
 2. Town Officers named.
 3. Town Council—oath of office of members.
 4. Town elections, how conducted.
 5. Pre-emption of town site to be made by Town Council.
 6. Powers and privileges of Town Officers to be same as in incorporation of Winnebago City.

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

SECTION 1. That so much land in township one hundred and four (104), north of range twenty-three (23) west, as is contained within the boundary lines of the town of Freeborn, according to the original plot of said town now on record in the office of the Register of Deeds of the county of Freeborn, in this State, be and the same is hereby created a town corporate by the name of "Freeborn." Boundaries of the town

SEC. 2. That for the good order and improvement of said town, Edwin S. Dunn, be and is hereby appointed President, and Joseph S. Rickards, Charles P. Giddings, John Wood, and John Purdie, 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. Town officers, named

SEC. 3. The male inhabitants of said town being qualified voters, may at any election of State, county or town officers, upon the posting of a notice at least ten days previous to such election in three public places in said town, by the Secretary of said town, per order of the Town Council aforesaid, elect successors to the aforesaid Council, who shall enter upon the duties of their office upon the first Wednesday of the first month next after their election, and shall before entering upon the duties of their offices, take and subscribe to an oath to support the Constitution of the United States, and of the State of Minnesota, and also an oath of office. Successors to town council—oath of office

SEC. 4. At all elections for members of Town Council, or other officers of said town, the legal voters assembled shall at the appointed hour for opening the polls, appoint by acclamation three Judges to preside at such election, who shall take an oath of office before proceeding to act as such, and the polls shall be kept open by them at least three hours, and they shall give notice at least half an hour before the closing Town elections how conducted

of the polls [of the time of the closing of the polls,] and no votes shall be received by them, after the expiration of the time so noticed and proclaimed. The parties receiving the highest number of votes for their respective offices to which their names are subscribed upon the ballots, shall be declared elected, and in case of a tie vote for any two or more persons to any office, the election of one of them shall be determined by lot, in the presence of the Judges of said election, and the parties who shall have received such tie vote.

Pre-emption of
town site how
made

Sec. 5. It shall be the duty of said town to apply for a pre-emption of the town site of said town of Freeborn, under the provisions of the Act of Congress, entitled "An Act for the relief of the citizens of towns upon the 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 person or persons having made such original claim, and to deed under the hand of the President of said town, and sealed by the seal of said corporation, to such person or persons so entitled, the lots or blocks to which such person or persons may be entitled, *Provided*, That no street, alley or other public ground shall be so deeded.

Powers and
privileges of
town council

Sec. 6. 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 and distinguished by the name and style of the Town of Freeborn, and their duties, powers and privileges shall be the same as those prescribed and allowed in Sections four (4), five (5), six (6), seven (7), eight (8), nine (9), and ten (10), of an Act to incorporate the town of Winnebago City, approved February 19th, A. D. 1857.

Sec. 7. This Act shall take effect from and after its passage.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

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

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }
August 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.