

poration of the city of Hastings, are hereby repealed, but the repeal of said Acts shall not affect any act done save in the election of city officers, or right accrued or established, or any proceeding, suit or prosecution, had or commenced previous to the time when such repeal shall take effect, but every such act, right, or proceeding, shall be as valid, and effectual, as if said Acts had remained in force. Repeal of form
or charter

Sec. 9. This Act is hereby declared to be a public Act, and may be read in evidence in all Courts of law in this State. This Act shall take effect from the passage thereof, but the Legislature may alter or repeal the same at any time. Public act

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

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

WILLIAM HOLCOMBE, *ad interim*.

SECRETARY'S OFFICE, Minnesota, }

June 22, 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 LXXII.

An Act to Incorporate the town of Minneiska.

SECTION 1. Boundaries of the Town.

2. First election for Town Officers.
3. Term of office and vested rights.
4. Oath of office.
5. Corporate powers of Trustees.
6. Vacancies in Town Council.
7. Duties of the President and Recorder.
- 8, 9, 10, 11. Powers of Town Council.
12. Authority to levy and assess tax.
13. Taxes, how to collect.
14. Books and papers of officers to be given to successors.
15. Manner of conducting elections.
16. Act takes effect on passage.

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

SECTION 1. That so much land in the county of Wabashaw, and State of Minnesota, as has been surveyed, platted and

Boundary recorded in the office of the Register of Deeds in and for said county, under the name and title of *Minneiska be*, and the same is hereby created a town corporate by the name of *Minneiska*.

First election **SEC. 2.** That for the good order and government of said town, it shall be lawful for the inhabitants thereof having the qualification of electors of the Legislature of Minnesota to meet at the place of holding the last general election in the *Minneiska* township, on the third Tuesday of August, A. D. eighteen hundred and fifty-eight, and annually thereafter, at such places as the Town Council may direct, and then and there proceed to ballot for one President, one Recorder and three Trustees, being residents of said town and having the qualifications of electors as aforesaid; and the Judges and Clerk of said first election shall be elected by acclamation by the voters then present.

Vested rights of officers **SEC. 3.** The President, Recorder and Trustees elected as aforesaid, shall hold their offices for one year and until their successors are elected and qualified, and shall constitute the Town Council of said town, three of whom shall constitute a quorum for the transaction of business pertaining to their duties; and in the said Town Council shall be vested the government of said town, and the exercise of its corporate powers, and the management of its fiscal, prudential and municipal concerns.

Oath of officers **SEC. 4.** Each member of said Town Council shall, before entering upon the duties of his office, take an oath or affirmation to support the Constitution of the United States and of this State, and also faithfully to perform the duties of his office.

Corporate powers **SEC. 5.** The President, Recorder and Trustees of said town shall be and they are hereby created a body corporate and politic, with perpetual succession, to be known and designated by the name and style of the town of *Minneiska*; and shall be capable in law by their corporate name aforesaid, to acquire property, real, personal and mixed, for the use of the said town, and may sell and convey the same 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 suits shall be commenced against said corporation, the first process shall be served by leaving an attested copy thereof with the Recorder, or at his usual place of residence, at least six days previous to the return day of such process.

Vacancies how filled **SEC. 6.** The Town Council shall have power to fill all vacancies which may happen in said board, from the qualified voters of said town, by appointment, and the persons so appointed shall hold their offices until the next annual election and until their successors shall be elected and qualified; and in the absence of the President and the 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.

Sec. 7. The President, and in his absence the Recorder, shall preside at all meetings of the Town Council, and the Recorder shall make a fair and accurate record of all their proceedings and of all the by-laws, rules and ordinances made and passed by the Common Council, and the same shall at all times be open for the inspection of the electors of said town. President and Recorder— duties

Sec. 8. The 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 and repeal at pleasure; to provide for the election or appointment of a Treasurer, Town Marshal, and such other subordinate officers as 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 or election, and the fees they shall be entitled to receive for their services, 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 performances of their duties while in office. The Town Council shall also have power to fix to the violation of by-laws and ordinances of this corporation, reasonable fines and penalties; *Provided*, That such by-laws and ordinances be consistent with the laws of the United States and of this State; *And Provided also*, that no by-law or ordinances of said corporation shall take effect or be in force until the same shall have been posted 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 the Town Council, shall be deemed and taken to be sufficient evidence of such publication. Powers of council

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

Sec. 10. The Town Council shall have power to regulate and improve the levees and streets, and determine the width of sidewalks in said town, to regulate the public grounds, 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. Improve levees streets &c

Sec. 11. The Town Council shall have power to grant licenses for the sale of spirituous liquors within the limits of said corporation, to such person or persons, and upon such conditions as they may deem proper. *Provided*, no license be granted by said Council until the person or persons receiving said license or licenses shall first have paid into the treasury of said town the sum of not less than twenty-five dollars. And said Council shall have power to punish Grant licenses &c

by fines and penalties, all persons selling spirituous liquors within said corporation, without first having obtained a license from the Town Council aforesaid.

Levy tax

SEC. 12. For the purpose of more effectually enabling the Town 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 property within the limits of said corporation, made taxable by the laws of this State, not exceeding in any one year ten mills on the dollar of valuation, as the same may be found on the assessment roll of the county in which said town may be located at the time of assessing said tax.

Manner of collecting

SEC. 13. When any tax is levied according to the provisions of the preceding section, 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 assessment roll of said county, which duplicates shall be certified by the President and Recorder, and a copy thereof placed in the hands of the Marshal or such other person as may be appointed collector, whose duty it shall be to collect said tax, in the same manner and under the same regulations as town, county and State taxes are collected, and 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 person appointed collector as aforesaid, shall have the same power to enforce the collection of said taxes, as is or hereafter may be given by the Legislature to the collectors of town, county and State taxes; and he shall receive for his services such sum as the Town Council may direct, not exceeding two per cent. on all moneys by him so collected, which sum shall be paid by the Treasurer on the order of the Recorder.

SEC. 14. The officers of this corporation shall, on demand, deliver to their successors in office, all books and other property in their possession or under their control in anywise pertaining to said corporation.

Manner of conducting elections

SEC. 15. At all elections 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 between the hours of nine and ten in the forenoon, and close at four in the afternoon of said day, and at the close of the polls the votes shall be counted by the judges, and a true statement thereof, proclaimed to the voters present by one of the judges, and the clerk shall make a true record of the result of said election, shall give notice to the persons elected of their election. And it shall be the duty of the Town Council, at least ten days before each and every election, to give notice of the same by posting up advertisements in three of the most public places in said town.

SEC. 16. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,
Speaker of the House of Representatives.
WILLIAM HOLCOMBE,
President of the Senate.

APPROVED--August the seventh one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }
August 7, 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 LXXIII.

An Act to incorporate the Town of St. Joseph.

- SECTION 1. Boundaries of the town.
2. First election; town government; first Town Council.
3. Manner of holding elections.
4. Town Council created a body corporate.
5. 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 in the plat of the Town of St. Joseph, in the County of Stearns, and recorded in the Register of Deeds' office in said county, containing three hundred and twenty (320) acres, be and the same is hereby created a town corporate by the name of St. Joseph, and shall have and enjoy all the powers, privileges and responsibilities usually enjoyed by municipal corporations. Boundaries of the town

SEC. 2. That for the good order and government of said town, it shall be lawful for the qualified voters of said town to meet on the first Wednesday of May next, and at the same time annually thereafter, at such place in said town as the Town Council hereinafter appointed or any three of them may direct, and then and there proceed to elect by ballot one President, one Secretary and three Trustees, qualified voters of said town, who shall hold their offices one year or until their successors shall be elected and qualified; and such President, Secretary and Trustees being so elected and qualified shall constitute the Town Council of said town, any First election--town government and town council