

## CHAPTER LXXI.

*An Act to amend an act entitled "An Act to incorporate the City of Hastings, and to repeal its former Charter."*

- SECTION 1. Amends section five of chapter two of "An Act to Incorporate the City of Hastings, and to repeal its former Charter."  
 2. Amends section ten of chapter two of same act.  
 3. Amends section six of chapter three of same act.  
 4. Amends section nine of chapter three of same act.  
 5. Amends section fourteen of chapter three of same act.  
 6. Amends section fifteen of chapter three of same act.  
 7. Amends section four of chapter four of same act.  
 8. Amends section eight of chapter four of same act.  
 9. Amends section twelve of chapter four of same act.  
 10. Amends section one of chapter five of same act.  
 11. Amends section two of chapter five of same act.  
 12. Amends sections three, four and five of chapter five of same act.  
 13. Amends section fourteen of chapter five of same act.  
 14. Confers the veto power upon the Mayor.  
 15. Amends section twenty-two of chapter five of same act.  
 16. When Act takes effect.

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

SECTION 1. That section five (5) of Chapter two (2) be amended to read as follows : All persons entitled to vote for County and State officers, and who shall have resided in the city for four (4) months, and in the Ward in which he may offer to vote thirty days next preceding the day of election, shall be entitled to vote for any officer to be elected under this act, and to hold any office hereby created.

Qualifications of voters.

Sec. 2. That section ten (10) of Chapter two (2) be amended to read as follows : At all elections to be held under this Chapter the polls shall be opened between the hours of nine (9) and ten (10) o'clock in the forenoon and continue open until four o'clock in the afternoon of the same day, at which time the polls shall be closed : *Provided*, that the judges of election, if they shall deem it necessary for the purpose of receiving the votes of all the electors wishing to vote, may postpone the closing of the polls until five o'clock, P. M. Upon opening the polls, the clerk, under the direction of the judge or judges, shall make proclamation of the same; and thirty minutes before the closing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour, but the board may in their discretion adjourn the polls at twelve o'clock, noon, for one hour, proclamation of the same being made.

Opening and closing of polls.

Sec. 3. That Section six (6) of Chapter three (3) be amended to read as follows : The City Council shall have

Officers elected by City Council.

power to elect a City Attorney, Treasurer, Marshal, Surveyor, and Police Justice, and define their duties.

**Duties of City Marshal.** SEC. 4. That Section nine (9) of Chapter three (3), be amended to read as follows: The Marshal shall execute such orders, and perform such duties as are prescribed by the City Council for the preservation of the public peace, for the good order, cleanliness and government of the city and for all other purposes. He shall possess the powers of constable at common law and under the statutes of this State and receive like fees, and shall be collector of taxes.

**Duty of City Printer.** SEC. 5. That Section fourteen (14) of Chapter three (3) be amended to read as follows: The City printer or printers immediately after the publication of any notices or ordinances or resolutions, or other matters which by this Act or by City ordinances shall be, required to be published, shall file with the clerk a copy of such publication with his affidavit, or the affidavit of his foreman of the length of time the same has been published.

**City Council to prescribe duties of officers and fix compensation.** SEC. 6. That Section fifteen (15) of Chapter three (3) be amended to read as follows: The City Council shall have power from time to time to require other and further duties by any officer whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this Act, and to prescribe their duties and fix the compensation of all officers elected or appointed by them, except those officers whose compensation is provided for by this Act; such compensation shall be fixed at the time the office is created or at the commencement of the year, and shall not be increased or diminished during the time such officer shall remain in office: *Provided*, no member of the City Council shall receive from the city any compensation for his services, except such as now are allowed by law to inspectors of election for services as such inspectors.

**Orders on City Treasury.** SEC. 7. That Section four (4) of Chapter four (4) be amended to read as follows: All funds in the City Treasury shall be under the control of the City Council and shall be drawn out upon the order of the Mayor and Clerk, duly authorized by vote of the City Council, and all orders shall specify the purpose for which they were drawn, but the sum total of the amount of orders issued for any one year shall not exceed the anticipated revenue to meet the current expenses of that year. No appropriation shall be made without the majority of a full Council voting in favor of it, the vote shall be taken by calling the roll, and the vote of each councilman shall be entered on the journal of the Council. No moneys shall be appropriated except such as are especially authorized by this Act.

**Amount of Orders Limited.**

**Appropriations.**

SEC. 8. That Section eight (8) of Chapter four (4) be amended to read as follows: The cost and expense of surveying streets, lanes, alleys, sidewalks, sewers, public grounds and reservoirs

and estimating work thereon, and of cleaning streets and alleys, and of constructing and repairing reservoirs and sewers, may be paid out of the city funds, but the expenses of opening, grading, graveling, planking or paving streets and alleys to the centre thereof shall be chargeable to and payable by lots fronting on such streets or alleys, and all street crossings shall be graded, and all cross walks built at the expense of and payable by the lots cornering upon said crossings or square, each corner lot being liable for the expense of improving that quarter of the square adjoining or cornering upon said lot. Sewers may be built and the expense apportioned by the City Council among the lots or parcels of land benefited thereby, provided no grading of streets or alleys to be done or sewers constructed at the expense of lots fronting such improvements, or sewers, the expense of which is to be charged to the lots drained or benefited as before provided, shall be ordered by the Common Council except upon the petition in writing of a majority of the owners of property whose lots will be so chargeable with the expense thereof.

Expense of City  
Improvements;  
by whom paid.

Petitions for Im-  
provements.

SEC. 9. That Section twelve (12) of Chapter four (4) be amended to read as follows: The City Council shall have power to regulate and cause to be constructed, altered and maintained, wharves along the Mississippi River, and shall have and exercise the same control over the said river that it possessed by virtue of this Act over the streets and alleys in said city. The expense of constructing, altering, grading, paving and maintaining the same shall be apportioned by the City Council among, and is hereby made payable by the lots or parcels of land extending to said river, in proportion to the work done opposite to said lot or parcel of land to be estimated by the Surveyor: *Provided*, however, that the owners of such lots shall have the same power of petitioning the City Council as is prescribed by Section eleven (11) of this Chapter in regard to grading the streets and alleys, when the same proceeding shall be had and the work apportioned as therein provided: *Provided*, however, no such constructing, altering, grading, paving or maintaining to be done at the expense of the lots fronting such improvements, the expense of which is to be charged to the lots so benefited, shall be ordered by the Common Council, except upon the petition in writing of a majority of the owners of property whose lots will be chargeable with the expense thereof.

Wharves.

Expenses to be  
apportioned.

Petitions.

SEC. 10. That Section one (1) of Chapter five (5) be amended to read as follows: All property real and personal within the city, except such as may be exempt by the laws of this State or by ordinances of the city of Hastings, shall be subject to taxation for the support of the city government and the payment of its debts and liabilities, and the same shall be assessed in the manner provided, but such

City Tax not to  
exceed six hun-  
dred dollars.

assessment shall not exceed in the aggregate six hundred (600) dollars per annum. All qualified voters shall be liable to a poll tax not exceeding one dollar in any one year to be levied by the City Council.

City Tax not to exceed six hundred dollars.

City Assessor; his powers.

SEC. 11. That Section two (2) of Chapter five (5) be amended to read as follows: The City Council shall annually appoint an assessor, who shall have and possess the same powers that are or may be enforced by the laws of this State upon town or county assessors, except so far as may be altered by this Act: *Provided*, that the City Council may prescribe the form of the assessment roll and may fully define the duties of the assessor, and make such rules and regulations in regard to revising, altering or adding to such rolls as they may from time to time deem advisable.

Makes verbal amendments.

SEC. 12. That Sections three (3), four (4) and five (5) of Chapter five (5) be amended by striking out the word "assessors" wherever it may occur in said Sections and inserting therefor "assessor."

Twelve per cent. interest on the redemption of lands sold for taxes.

SEC. 13. That Section fourteen (14) of Chapter five (5) be amended by striking out "thirty-six (36) per cent. per annum," and inserting instead thereof "twelve per cent. per annum."

Mayor has veto power.

SEC. 14. The Mayor shall have the power and right to refuse his assent and signature to any ordinance or order passed by the City Council, and in case the Mayor refuses his assent to any ordinance or order it shall require two-thirds of all the Council to vote for said ordinance or order before it shall be in force.

Fees of Collector.

SEC. 15. That Section twenty-two (22) of Chapter five (5) be amended to read as follows: The collector shall be allowed the following fees to wit: such per cent. on all taxes collected as the City Council may allow, not to exceed five (5) per cent; and in case of distress and sale by him of goods and chattels for the payment of taxes, he shall be entitled to such fees as Sheriffs are allowed by law upon sale under execution. For each certificate by him issued on the sale of lands for the payment of taxes, ten (10) cents, for each additional parcel of land described therein after the first, one (1) cent, to be added to the amount of such tax or assessment, and included in such certificate. For each lot or parcel of land redeemed for which he shall issue a certificate, ten (10) cents, and one (1) cent for each additional lot or parcel embraced in such certificate to be paid by the person redeeming before he shall be entitled to redcem. The collector granting such certificate of sale or of redemption shall include therein as many parcels of land bid off, owned or redeemed, as the purchaser or redemptioner may desire.

Fees for Certificates of Tax Sales, and of Redemption.

Act takes effect.

SEC. 16. This Act shall take effect from and after the first day of June, A. D., eighteen hundred and sixty, except the provisions in Section fifteen (15) relating to the fees and

compensation of the Marshal which said provisions shall take effect from and after the passage of this Act, and shall apply to the tax-collector under the present charter of said city.

GEO. W. GREEN,  
Speaker of the House of Representatives, *pro tem.*  
IGNATIUS DONNELLY,  
President of the Senate.

APPROVED—February fifteenth, one thousand eight hundred and sixty.

ALEX. RAMSEY.

SECRETARY'S OFFICE, Minnesota, }  
February 16th, 1860. }

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

J. H. BAKER, Secretary of State.

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## CHAPTER LXXII.

### *An Act changing the boundary lines of Sherburne County.*

SECTION 1. Defines boundary lines of Sherburne County.  
2. Vote of the electors.

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

SECTION 1. The boundary lines of Sherburne County shall be as follows : Commencing at the intersection of the Mississippi River and the range line between range twenty-five (25) and twenty-six, (26), thence north on said line to the township line between township thirty-five (35) and thirty-six, (36), thence west on said line to the Mississippi River, thence along the main channel of the Mississippi River to the place of beginning.

SEC. 2. It shall be legal for the qualified voters of the Counties of Ramsey and Sherburne, at the next general election, to vote for or against said change of county lines. Those voting for said change shall insert upon their ballots the words "For addition to Sherburne County," and those voting against such change shall insert upon their ballots "Against addition to Sherburne County." The returns of said election shall be made in the usual manner, and the Auditors of said Counties shall make and return to the Secretary of State a separate abstract of the votes upon said question, in the same manner as in the case of State officers,

Boundary lines of  
Sherburne  
County.

Vote.