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the fire department of said city, and for necessary repairs of the water works of said city; Provided, That said last mentioned tax shall not, in any one year, exceed three mills on the dollar of assessed valuation.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 9, 1871.

CHAPTER XXXI.

An Act to amend the Charter of the City of St. Paul.

SECTION 1. That subdivisions of section four (4) of Chapter five (5), be amended by striking out the limitation of five (5) mills on the dollar, of the assessed value of the taxable property, and inserting in the place of the words
"five (5) mills," when they occur, the words "teu (10)
mills."

SEC. 2. That subdivision four of said chapter five,
be amended as follows: By striking out the whole of
the proviso in said subdivision, and substituting therein
the following proviso: Provided, That so much of
said tax as may be levied on the real estate in each ward
of said city respectively, shall be appropriated in the
wards in which it may be levied respectively, and so
much of the tax as may be levied upon personal property,
shall be divided equally among said wards.

SEC. 3. That the assessor of said city shall hereafter
be elected by the common council, at their last regular
meeting in December. Provided, There shall, however,
be an assessor elected by said common council, at their first
regular meeting after the passage of this act, or as soon
thereafter as practicable, whose term of office shall com-
mence at the expiration of the term of the present incum-
bent; and the assessor so elected next after the passage
of this act, shall hold his office until the first day of
January, one thousand eight hundred and seventy-three,
and until his successor is elected and qualified, and the
term of office of the assessor shall thereafter commence
on the first day of January; and continue for two years,
and until his successor is elected and qualified.

SEC. 4. That section two (2) of chapter two, of said
charter be amended by adding the following: Provided,
That the term of office of the city comptroller shall be
three years, and until his successor shall be elected and
qualified.

SEC. 5. That section nine (9) of said chapter two, be
amended by adding the following: Provided, That the
city surveyor shall hold his office for the term of three
years, and until his successor is elected and qualified.

SEC. 6. That the common council of the city of St.
Paul, shall not let any contract, until the subject has been
referred to and approved by the commissioners of the
interest and sinking fund, and not until said commission-
ers have reported the same to the council, showing how,
and when, and out of what fund the same is to be paid,
unless three-fourths of all the members elect shall vote
in favor thereof.

SEC. 7. That at the annual spring election in the city
of St. Paul, after the passage of this act, there shall be
elected by the qualified voters, one street commissioner
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in and for the third and fourth wards, and one street com-
misssioner for the second, first and fifth wards, each of
whom so elected, shall hold his office for the term of
two years, and until his successor is elected and qual-
ified; and they shall each perform the duties now pre-
scribed for the street commissioner, and be required to
give bonds and take the oath now provided by the city
charter and ordinances, and be subject to the orders of
the common council. Their salary shall be not to exceed
one thousand dollars a year.

Sec. 8. That the taxes authorized to be levied by this
act, and by any other law heretofore passed and still in
force, for city purposes in any one year, shall be for the
following specific objects, which shall be annually includ-
ed and itemized in the report required to be made to the
city council, as prescribed in section fourteen of chapter
three, of the amended charter of the city of St. Paul,
approved March sixth, one thousand eight hundred and
sixty-eight, to-wit: Salaries of city officers, expenses
of city hall, police department, fire department, board of
health, water department, street lamp department, con-
tingent fund. And for such other specific purpose or
purposes as are prescribed by laws heretofore enacted
and still in force, as aforesaid, and the taxes levied and
collected for such specific object or objects, shall be ap-
plied only to defray the expenditures, together with the
arrearages due and unpaid, for such specific object or
objects, which arrearages or indebtedness shall be provid-
ed for in the next tax levy, in accordance with the first
section of this act. Any willful neglect or refusal on the
part of the city comptroller to itemize the specific object
or objects as aforesaid, in his annual report, and any
diversion or attempt to divert, by any city official, the
taxes to be levied and collected as prescribed in this sec-
tion, from the particular object for which such taxes shall
be levied or collected, to any other object, is hereby
declared to be a felony, punishable on conviction thereof,
as prescribed in section ten of chapter three, of the
amended charter of the city of St. Paul, approved March
sixth, one thousand eight hundred and sixty-eight. Pro-
vided, That in case of the neglect or refusal of the city
comptroller to itemize the expenditures of the city in his
annual report, as required by this section, it shall be the
duty of the common council to provide for such deficiency,
by including it in the tax levy of the current year.
SEC. 9. From and after the passage of this act, it shall be the duty of the city comptroller, in auditing and adjusting claims and accounts against the city, to designate and specify upon each claim, demand and account so audited and adjusted, the particular fund out of which the same shall be paid; and the same shall not be audited or adjusted by him, or reported to the common council until there shall be sufficient funds to the credit of the particular fund out of which the same is payable, to pay the same, as well as all other claims before that time audited and allowed against such fund. Provided, That nothing in this section shall be construed to prevent the application to the credit of the particular objects specified in this section, of a due proportion of the taxes collected upon the assessment or levy for the year one thousand eight hundred and seventy-one, for such particular object or objects, as specified in the report or estimate of the city comptroller.

SEC. 10. The control of the city prisoners in working on the streets, or in the chain gang, is hereby placed with the police force, under the direction of the chief of police.

SEC. 11. The city justice shall not have the power to commit for vagrancy, any person to the city prison or county jail, or to work on the streets or in the chain gang, for a longer period than thirty days.

SEC. 12. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 13. This act shall take effect from and after its passage.

Approved March 2, 1871.