

that a majority of the votes cast at said election on said question shall be against license, no license for the sale of intoxicating liquors in said village shall be granted by the common council of said village or the board of county commissioners of Olmsted county.

SEC. 3. In case the legal voters of said village shall determine as hereinbefore provided, that no license for the sale of intoxicating liquors in said village shall be granted, any person or persons thereafter who shall sell, barter or dispose of any spirituous, malt, vinous, fermented or intoxicating liquors within the corporate limits of said village, shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine of not less than twenty-five dollars nor more than one hundred dollars with the costs of prosecution, for each offense and be imprisoned in the county jail of Olmsted county, until said fine and costs are paid not exceeding ninety days.

SEC. 4. This act is hereby declared a public act and need not be pleaded or proven in any court of this state.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 24, 1876.

3

CHAPTER XXXVII.

AN ACT TO AMEND CHAPTER 17 OF THE SPECIAL LAWS OF 1875, RELATING TO THE INCORPORATION OF THE CITY OF NORTHFIELD.

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

SECTION 1. That at the general election of the city officers of said city in eighteen hundred and seventy-six, there shall be elected a mayor, treasurer, recorder and two justices of the peace, to be styled city justices, who shall hold their offices two years, and until their successors are elected and qualified, such justices shall supersede and be the successors of the present city justices of said city, and as soon as either of them shall qualify, the office of the present justice shall cease to exist. All the provisions of the charter of the said city, relating to the qualifications, duties, powers and jurisdiction of the city justice shall apply to said two justices and their successors, and at said general election in eighteen hundred and seventy-six, there shall be elected two aldermen in each ward who shall be citizens of said ward and qualified voters of said city; who shall hold their offices, one for one year and one for two years, and at every annual election thereafter, one alderman shall be elected from each ward who shall hold his office for two years and until his successor is elected and qualified, such aldermen so elected, shall supersede and be the successors of the present aldermen of said city and as soon as they shall qualify, the office of the present aldermen shall cease to exist.

SEC. 2. That section four of chapter one of said act be hereby amended as follows: There shall be an annual election for the election of officers held on the second Tuesday in March of each and every year at some one central place in said city of Northfield, to be designated by the common council of the city, and the polls shall be kept open from nine o'clock in the forenoon until five o'clock in the afternoon, and ten days previous notice shall be given by the common council of the time and place of holding such election, and of the officers to be elected, by posting notices thereof in three public places in said city and by publishing the same in at least one of the papers published in said city.

SEC. 3. That section number two of chapter number two of said act, be amended by adding thereto the following: "The mayor shall be, *ex-officio*, a member of the common council and president thereof, and shall have the same right to speak upon all questions as the aldermen elected from the various wards hereinbefore provided for, but shall not vote except in case of a tie, when he shall have the casting vote."

SEC. 4. That section number four of chapter number two of said act shall be amended so as to read as follows: At the first meeting of the common council in each year, they shall proceed to elect by ballot from their number a vice-president, who during the absence of the mayor from the city, or his inability from any cause to discharge the duties of his office, shall exercise all the powers and discharge all the duties of the mayor; in case the mayor shall be absent at any meeting of the common council, the vice-president shall act as presiding officer for the time being and discharge the duties of said mayor; the vice-president of the common council or temporary presiding officer while performing the duties of the mayor, shall be styled the acting mayor, and the acts performed by him while acting as mayor as aforesaid shall have the same force and validity as if performed by the mayor; the mayor and the vice-president of the common council shall have the right to administer oaths and affirmations.

SEC. 5. That section number three of chapter number four of said act shall be amended by striking out in the tenth line of said section the word "majority," and inserting in lieu thereof the words "two-thirds vote."

SEC. 6. That section number eight of chapter number four of said act be amended so as to read as follows: "It shall be lawful for the common council of said city at any time to levy a corporation poll tax upon every male inhabitant not otherwise exempt by law, which said tax shall be collected by the street commissioner, or by civil action in the name of the city or in such other manner as the council may by ordinance prescribe." *Provided*, that said tax shall not exceed the sum of two dollars to each person.

SEC. 7. That section number eight of chapter number nine of said act be and the same is hereby repealed.

SEC. 8. Such portions of the charter of said city as are inconsistent with the provisions of this act are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved February 26, 1876.