

## CHAPTER 38.

AN ACT TO AMEND CHAPTER SIXTEEN (16) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872), AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF JORDAN IN THE COUNTY OF SCOTT AND STATE OF MINNESOTA."

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

SECTION 1. That section one (1) of chapter sixteen (16) of the special laws of one thousand eight hundred and seventy-two (1872), be amended so as to read as follows:

Section 1. All that part of the township of Sand Creek, in the county of Scott and State of Minnesota, included within the following described limits or boundaries, to-wit: The south-east quarter and the north-west quarter and the north-east quarter of section nineteen (19) and the south-west quarter of section eighteen (18) and the north-west quarter of the south-west quarter of section twenty (20) in township one hundred and fourteen (114), north of range twenty-three west, shall be, and the same is hereby created a village, by the name and style of "The Village of Jordan," and the people who do now or hereafter may reside within the said village, are hereby created a corporation for municipal purposes, with perpetual succession under the name and style of the "Village of Jordan," and as such corporation shall possess and enjoy all the powers, rights and privileges which can now or may hereafter be possessed and enjoyed by corporations for municipal purposes under the constitution and laws of the State.

SEC. 2. That section two (2) of said chapter sixteen (16) of the special laws of one thousand eight hundred and seventy-two (1872), be amended so as to read as follows:

Section 2. The male inhabitants of said village having the qualifications of electors of members of the Legislature of the State of Minnesota, as hereinafter provided, may elect a president, three (3) trustees, a recorder, a treasurer, a village attorney, two (2) justices of the peace and two (2) constables. The president, three trustees, recorder, treasurer and village attorney, shall hold their

respective offices for one (1) year or until their successors are elected and qualified. The justices of the peace and constables shall hold their respective offices for two (2) years or until their successors are elected and qualified. All of the aforementioned officers, before entering upon the duties of their respective offices and within ten (10) days after elected, shall each take an oath or affirmation, to support the constitution and laws of the State of Minnesota, also an oath of office. The treasurer shall give such bond as the village council may require, which bond shall be filed with the village recorder within ten (10) days after the treasurer is elected to his office; the sureties upon said bond shall, before it is filed with the recorder, be approved by the president. The treasurer shall keep a true account of all moneys by him received by virtue of his office, and the manner in which the same are disbursed, in a book provided for that purpose, and exhibit such account, together with his vouchers, to the village council, as its annual meeting for adjustment, or at such other time as the village council may require, and shall deliver all books and property belonging to his office and the balance of all moneys in his hands as such treasurer, to his successor in office, on demand, after such successor has qualified according to law. The village attorney shall be *the legal adviser of the officers and council of the said village*, in matters pertaining to them or any of them, whenever application therefor is made in writing, signed by the applicant, which writing shall contain the points upon which said advice is asked; and all the opinions by him shall be made in writing, copies of which, together with the original application therefor, shall be preserved in his office, and delivered by him to his successor in office; he shall be and act as the attorney of said village in all actions to which the village may be made a party; he shall be paid such compensation for his services as the village council shall deem proper.

SEC. 3. That section eight (8) of said chapter sixteen (16) be amended so as to read as follows:

Section 8. All prosecutions for violating any of the ordinances, rules or by-laws, enacted under the provisions of this act, shall be brought in the name of the State of Minnesota, and shall be commenced by warrant upon complaint being made as required by law in criminal cases before justices of the peace, and the same proceedings shall be had therein as are required to be had by the laws of this State in criminal or civil actions before justices of the peace. The justices of the peace of the village shall have and possess exclusive and original jurisdiction of all cases arising under the provisions of this act.

SEC. 4. That section fifteen (15) of said chapter sixteen (16) be amended so as to read as follows:

Section 15. The justices of the peace and constables of said village, shall have and may exercise in addition to the power and authority herein specially granted to such officers, all the power

and authority in any case possessed by a justice of the peace or constable elected by the said township of Sand Creek. The village justices and constables shall take the same oath of office and execute, before entering upon the discharge of their duties as such officers, the same bonds, approved by the president of said village, and file the bonds with the same parties, as justices of the peace and constables elected by said township of Sand Creek are now or may hereafter be required to do, and shall receive the same fees for their services as justices of the peace and constables elected by the said township of Sand Creek are allowed under the statutes of this State, and the constables may at any time, under the direction of the president or a majority of the village council, call to their assistance or to the assistance of either of the constables, any number of citizens, sufficient to aid him or them in the suppression of a riot or any public disturbance, or to aid him or them in making arrests.

SEC. 5. That section twenty-four (24) of said chapter sixteen (16) be amended so as to read as follows:

Section 24. The village justices shall report quarterly to the village council all the proceedings instituted before them in which the village is interested and shall at the same time account for and pay over to the village treasurer all fines and penalties collected by them belonging to said village; and said justices shall be entitled to receive from the county of Scott, such fees in criminal cases, accruing without the village, as are allowed to other justices for similar purposes.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved Feb. 28, 1878.

## CHAPTER 39.

### AN ACT TO AMEND THE CHARTER OF THE CITY OF AUSTIN.

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

SECTION 1. That chapter four (4) of an act entitled "an act to incorporate the city of Austin," approved February twenty-eighth (28th) A. D. eighteen hundred and seventy six, (1876) be amended as follows:

SEC. 2. Subdivision one (1) of section two (2) said chapter four (4) shall be amended to read as follows: