

CHAPTER XLIX.

AN ACT TO AMEND SECTION TEN CHAPTER THREE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-SIX, BEING AN ACT FOR THE INCORPORATION OF THE CITY OF AUSTIN.

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

SECTION 1. That section ten of chapter three of the special laws of eighteen hundred and seventy-six, being an act for the incorporation of the city of Austin, be and the same is hereby amended so as to read as follows, to wit:

Section 10. The assessor of the city of Austin shall qualify and shall perform the duties pertaining to his office in accordance with the general statutes of the state in regard to township assessors, and upon the completion of the assessment roll, he shall return the same to the common council, who may alter, revise and equalize the same as they may deem it just and proper, and said assessment as revised and equalized by the common council shall be final, subject to the revision of the county board of equalization of Mower county. Said city assessor shall hold his office for one year and until his successor is elected and qualified.

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

Approved March 6, 1879.

CHAPTER L.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF MORRIS, COUNTY OF STEVENS," APPROVED FEBRUARY TWENTY-ONE, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT.

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

SECTION 1. That section two of chapter five of the above entitled act, is hereby amended so as to read as follows:

Section 2. The said village of Morris shall constitute one election district for all purposes of general and special elections under

the laws of this state, and the president and justices of the peace of said village of Morris, shall be and act as judges at all elections held in said village, and shall have power to appoint one clerk, who, with the recorder, shall be and act as clerks of such election, and administer the necessary oaths. Such election shall be held and conducted in the same manner and under the same penalties, and vacancies in the board of election filled as required by the election laws of this state. The recorder of said village shall give notice of all elections in the same manner as required by law of town clerks, and the councillors of said village shall perform all the duties pertaining to the registry list in the same way that township supervisors are required to do under the general election laws of this state, and chapter one of the general statutes of this state shall apply to and govern the judges and clerks of election at all elections in all cases wherein the same does not conflict with the provisions of this act, and the common council shall determine in what manner in said election district, elections shall be held, at least ten days before any election shall be held.

SEC. 2. That section three of said act shall be amended so as to read as follows:

Section 3. The elective officers of said village shall be one president of the common council, one recorder, one treasurer, two justices of the peace, four councillors, one assessor and one marshal, who shall each, except the justices of the peace, hold their respective offices for the term of one year, and until his successor is elected and qualified. The justice of the peace shall hold their offices for the term of two years, and until their successors are elected and qualified.

SEC. 3. That section four of said act be amended to read as follows:

Section 4. The president and the four councillors shall constitute the common council of the village of Morris, a majority of whom shall constitute a quorum for the transaction of business. The common council shall have power to determine the rule of its proceedings, compel the attendance of its members under such penalties as it may prescribe. It shall meet once in six months at such time and place as shall be prescribed by rule. Special meetings may be called by the president or the four councilors whenever they shall deem it for the interest of the corporation. The common council shall have power to appoint such officers as may be necessary for the government of said village, and define their duties and fix their salaries.

SEC. 4. Section nine of said act is hereby amended as follows:

Section 9. The justices of the peace provided for and elected under the provisions of this act shall have and possess, and may exercise all the powers and jurisdiction of justices of the peace provided for and elected under the general laws of the state, and, in addition thereto shall have cognizance and jurisdiction of all suits, prosecutions or proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation of said corporation, or under this act for breach or violation of any by-law, ordinance or regulation, and, in all cases of offences committed

against the same, all prosecutions for assaults, batteries and affrays, not indictable and for a breach or violation of any by-laws, ordinance or regulation shall be commenced in the name of the village of Morris, and the same proceedings shall be had in all civil and criminal suits or prosecutions before said justices not otherwise herein directed, as are established and required to be had in civil and criminal actions by the general laws of this state before justices of the peace. All fines, forfeitures and penalties, or proceedings had or commenced before them, shall be promptly paid by said justice to the recorder of said corporation for the use thereof. The justices of the peace shall take judicial notice of the by-laws, ordinances and regulations of said corporation, and it shall not be necessary in any action, civil or criminal, before said justices, to plead or refer to the same in any manner whatever, in any pleading or complaint, but said by-laws, ordinances or regulations shall in said justice court be held and deemed to be public law. Each justice of the peace shall, at least once in six months, make to the common council a full report of all moneys received by him for fines, forfeitures and penalties, and shall pay them into the hands of the recorder, taking his receipt therefor. The fees of the justices of the peace shall be the same as are allowed and fixed by the general laws of the state for justices of the peace; and all warrants, summonses, writs and processes of every nature, issued by such justices of the peace, shall be directed to the sheriff or any constable of Stevens county, and may be executed and served by the marshal elected under the provisions of this act, or by the sheriff or any constable of said county, and for such purpose said sheriff or constable of said county, shall have and possess the same power and authority which, by the general laws of the state, they have and possess in the execution or service of warrants, summonses, writs and other processes issued by justices of the peace, elected under the general laws of this state.

SEC. 5. Subdivisions eleven and twenty-six of section sixteen of said act is hereby amended so as to read as follows:

Section 16. *Eleventh*—To make and establish public grounds, pumps, wells, cisterns, hydrants and reservoirs; to provide for and control the erection of water works for the supply of water, and to organize, establish and equip fire, hose and hook and ladder companies.

Twenty-sixth—The style of all ordinances shall be: "The common council of the village of Morris do ordain;" and no ordinance shall be passed except by a majority of all the members of the common council. A record in book form shall be kept by the recorder, in which he shall record all the proceedings of the common council, and the ayes and noes on every ordinance voted upon shall be entered therein. The fine and imprisonment which the common council are authorized to impose for the violation of any ordinance or by-law, shall not exceed one hundred dollars and imprisonment not to exceed ninety days, or to compel any such offenders to work on the public streets or grounds of said village, under charge of the overseer of highways or village marshal of said village, any length of time not exceeding twenty-five days; and commitment to prison

under this act shall be to the county jail of Stevens county, under charge of the sheriff of said county; but when the common council of the village of Morris shall procure and designate any proper place as the village prison, then it shall be at the discretion of the village justices to commit offenders, as before specified in this section, or to the said village prison, in charge of the village marshal or his deputy.

SEC. 6. Section thirty-two of said act is amended so as to read as follows:

Section 32. The acts of the people of the said village of Morris in organizing a board of trade are hereby legalized, and the board of trade of said village is hereby declared to be legally organized, and incorporated, with full power to act under the general laws of the state relating thereto.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 26, 1879.

CHAPTER LI.

AN ACT IN RELATION TO THE INCORPORATION OF THE VILLAGE OF MORRISTOWN, IN COUNTY OF RICE.

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

SECTION 1. That chapter three of the special laws of one thousand eight hundred and seventy-seven, is hereby repealed, the same being an act incorporating the village of Morristown, in Rice county.

SEC. 2. The supervisors of the township of Morristown, in the county of Rice, shall have full power and authority to enact, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws, as they shall deem expedient for the purposes following, to wit:

First—To compel the owner or occupant of any grocery, cellar, tallow chandler shop, soap factory, tannery, hog-yard or hog-pen, stable, barn, privy, sewer, hide-yard and slaughter-house, market or other unwholesome or nauseous house or place, to cleanse, remove or abate the same from time to time, as may be deemed necessary for the health, comfort and convenience of the inhabitants of said town.

Second—To direct the location and management of slaughter-houses and markets in said town, and to regulate the sale, storage, conveying and keeping of gunpowder and other combustible materials.