

give the required notice shall not invalidate the vote and determination made under the provisions of this act. The votes upon said question shall be upon the same ballots used in the election of village officers, and shall be taken, canvassed, returned and announced in the same manner as is provided by law for taking, canvassing, returning and announcing the votes for the election of officers of said village, which determination so made shall continue until it shall be revoked at a subsequent annual election, and if such return show that a majority of votes cast at such election on said question shall be "For License," then the village council shall grant license, subject to such ordinances as may be in force or that said council may adopt. *Provided*, That the license fee shall not be less than three hundred dollars (\$300) nor more than one thousand (\$1,000), and all applicants for license must furnish a good and sufficient bond in the sum of two thousand dollars (\$2,000) in such form as said council may direct, and to be by them approved. And if the returns show that a majority of such votes cast at such election on said question are "Against License" then no license for such traffic shall be granted. All license money for the sale thereof, and all fines for the violation of any of the ordinances regulating such traffic, shall be paid into the treasury for the use of the village.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 26, 1883.

CHAPTER 39.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE THE ACT INCORPORATING THE CITY OF ROCHESTER, IN THE COUNTY OF OLNSTED AND STATE OF MINNESOTA, AND THE SEVERAL ACTS AMENDATORY THEREOF, AND THE ACT TO ORGANIZE A BOARD OF EDUCATION FOR THE CITY OF ROCHESTER, AND THE SEVERAL ACTS AMENDATORY THEREOF, TO ONE ACT, AND TO AMEND THE SAME," APPROVED MARCH NINTH (9TH), A. D. ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN (1867).

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

SECTION 1. That section one (1) of chapter two (2) of an act entitled "An act to reduce the act incorporating the city of Rochester, in the county of Olmsted and state of Minnesota, and the several acts amendatory thereof, and the act to organize a board of education for the city of Rochester, and the several acts amendatory thereof, to one

act, and to amend the same," approved March ninth (9th), one thousand eight hundred and sixty-seven (1867), be and the same is hereby amended so as to read as follows:

SECTION 1. There shall be an annual election for elective officers, hereinafter provided, held on the second (2d) Tuesday in March of each year, at such place within each ward as the common council shall designate, and the polls shall be kept open from ten (10) o'clock in the forenoon until four (4) in the afternoon, and ten (10) days' previous notice shall be given by the common council of the time and place of holding such election and the officers to be elected by posting notices thereof in three (3) of the most public places in the city, and by publishing the same in at least one (1) of the papers published in the city.

SEC. 2. That section eight (8) of chapter four (4) of said act is hereby amended by adding at the end thereof the following words: "and shall be under the immediate control and direction of said common council."

SEC. 3. That section nine (9) of chapter four (4) of said act is hereby amended by adding at the end thereof the following words: "and shall be under the immediate control and direction of said common council."

SEC. 4. That section five (5) of chapter three (3) of said act is hereby amended so as to read as follows:

Section 5. The common council shall have power to determine the rule of its proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds ($\frac{2}{3}$) of the members elected, expel a member, and also remove from office any officer of the city. *Provided*, That no member or officer shall be so expelled or removed except for due cause, nor unless specific charges are made in writing against the member or officer, a copy of which shall be furnished him, and he shall be allowed to be heard in his defense. The common council shall have power to compel the attendance of witnesses and the production of books and papers for the trial, and shall proceed within fifteen (15) days to hear and determine the case. A notice in writing specifying the time and place of hearing shall be served on the member or officer charged at least ten (10) days before the day of hearing. If such member or officer fails to appear and answer to such charges the common council may declare the office vacant. When charges are thus preferred the member or officer may be suspended until the disposition of the charges.

SEC. 5. That the following section is hereby added at the end of chapter four (4) of said act:

Section 20. The assessor of the city of Rochester shall perform the duties pertaining to his office in accordance with the laws of this state in regard to township assessors. He shall be subject to all liabilities and perform all the duties of a township assessor, and shall receive such compensation as the common council may direct. No assessment of property within the city of Rochester shall be made by any other than the city assessor, except as herein specially provided.

SEC. 6. That subdivision fourth (4th) of section one (1) of chapter five (5) of said act shall be and the same is hereby amended so as to read as follows:

Fourth.—To compel the owner or occupant of any grocery, cellar, tallow-chandler's shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome or nauseous house or place, to cleanse, remove or abate the same from time to time as often as may be necessary for the health, comfort and convenience of the inhabitants of the city, and to remove and abate any other nuisance injurious to the public health or safety, and remove or require to be removed any building or other structure which by reason of delapidation, defects in structure or other causes may have or shall become eminently dangerous to life or property, and to provide for the punishment of all persons who shall cause or maintain such nuisance

Whenever it shall become necessary to remove or abate any such nuisance, or remove any such building or structure, or cleanse, remove or abate any of the places above set forth, the said council shall cause a written or printed notice to be served on the owner or occupant of the lot or lots upon which such nuisance, building or structure is situated, requiring the owner or occupant within a specified time, not less than three (3) days from the date of service, to remove or abate the same at his own cost and expense; and if the premises are vacant and unoccupied, the council shall cause a notice to be posted at or near the nuisance, building or structure requiring the owner of said lot or lots to remove the nuisance, building or structure within a specified time, not less than three (3) days from the date of posting, proof of which shall be filed with the recorder of said city. If such nuisance, building or structure is not removed and premises and place cleansed within the time specified, the council may cause the same to be removed or cleansed and the expense thereof shall be assessed by the council upon the lot or lots. Said assessment shall be a lien on the lot or lots the same as city, county or state taxes, and shall be returned with and collected in the same manner as the other city taxes.

SEC. 6. That subdivision twentieth (20th) of section one (1) of chapter five (5) of said act is hereby amended by adding at the end thereof the following words: "The common council may compel the owners or occupants of buildings and lots to remove the substances herein named, or cause the same to be removed, and charge the expense thereof up to the lot or lots in the same manner as is provided in subdivision fourth (4th) of this section and with like effect"

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

Approved February 27, 1883.