

to ascertain the number of persons entitled to lots or squares within the said town, who may have a valid right, either by an original claim, or by transfer from any person or persons having made an original claim to said lands, and to deed under the hand of the President, and attested by the Recorder, and sealed with the seal of the said corporation, to every such person entitled as aforesaid, the lots or squares of land to which every such person may be entitled as aforesaid; Provided, that no street or alley shall be so deeded; and provided also, that any person or persons to whom lots or squares shall be deeded as aforesaid, shall previously have paid to the Treasurer or Recorder of said town, at the rate of two dollars per acre for all lots or squares so deeded.

SEC. 15. The county seat of Stearns county is hereby located at the town of St. Cloud, on Columbia square, in said town, as recorded at the office of Register of Deeds for Stearns county.

To be county seat.

SEC. 16. This act shall take effect and be in force from and after its passage.

Take effect

CHARLES GARDNER,  
*Speaker of the House of Representatives.*  
JOHN B. BRISBIN,  
*President of the Council.*

APPROVED—March first, one thousand eight hundred and fifty-six.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in my office.

J. TRAVIS ROSSER, *Secretary of Minnesota Territory.*

## CHAPTER CXXVII.

*An Act for an act to incorporate the Town of Minneapolis, in the County of Hennepin.*

- SECTION 1. Incorporation of Minneapolis.
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  3. Division of town into Wards.
  4. Time of holding election.
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  6. Manner of choosing Judges and Clerks of election.
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*Be it enacted by the Legislative Assembly of the Territory of Minnesota.*

SECTION 1. That all the country in the county of Hennepin, contained within the limits and boundaries hereinafter described, shall be a town by

Town incorporated

the name of "Minneapolis," and the people now inhabiting, and those who shall hereafter inhabit within the district of country herein described municipal corporation by the name of the "Town of Minneapolis," and shall possess the powers by their corporate name, to acquire property, real, personal and mixed, for the use of said town, and may sell and convey the same at pleasure. They may have a common seal which they may change at pleasure. They may sue and be sued, plead and be impleaded, defend and be defended, in all manner of actions, in all courts of law or equity.

Boundaries

SEC. 2. That territory included within the following boundaries and limits shall constitute the Town of Minneapolis: Beginning at a point on the Mississippi River where the line between sections ten (10) and fifteen (15), intersects said river; thence west on said line between sections ten and fifteen to the north-west corner of section fifteen; thence south on section line to the south-west corner of section twenty-seven (27), thence east on the south line of section twenty-seven (27), twenty-six (26), and twenty-five (25), to the Mississippi river; thence up said river to the place of beginning.

Wards

SEC. 3. The said town shall be divided into four wards, as follows: All that part of the town lying between Harrison street and the north line of said town shall be the first ward; all that part of the town lying between Harrison street and Helen street shall constitute the second ward; all that part of the town lying between Helen street and Huy street shall constitute the third ward; all that part of the town lying between Huy street, and the south line of said town shall constitute the fourth ward.

Election

SEC. 4. That for the good order and government of said town, it shall be lawful for the male inhabitants thereof, having the qualifications of electors of members of Legislative Assembly of the Territory of Minnesota, to meet at the place of holding elections in said town, on the first Monday of June next, and at the same time, annually thereafter, at such place in said town as the Town Council may direct, and then and there proceed by ballot to elect the elective officers of said town.

Election officers

SEC. 5. The elective officers of said town shall be, a Justice of the Peace and three Trustees, and have the qualifications of electors aforesaid, who shall hold their offices one year and until their successors shall be elected and qualified. The Justice of the Peace, when so elected, shall be President, and the President and Trustees so elected and qualified shall constitute the Town Council of the said Town of Minneapolis. One of said Trustees shall be resident and elected in each ward; any three of the members of said Council shall constitute a quorum for the transaction of business pertaining to their duties.

Judges &amp; Clerks

SEC. 6. At the first election held under this act, there shall be chosen viva voce, by the electors present, two Judges and a Clerk of said election, who shall take an oath or affirmation, faithfully to discharge the duties required of them by this act, and at all subsequent elections, the Trustees or any two of them shall be Judges, and the Clerk of the Town Council, or in his absence, some person to be appointed by the Judges, shall be Clerk. The polls shall be opened between the hours of ten and eleven o'clock in the forenoon and close at four o'clock in the afternoon of said day; and at the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters present by one of the Judges, and the Clerk shall make a true record thereof, and within five days thereafter, he shall give notice to the persons so elected, of their election; and it shall be the duty of the said Town Council, at least ten days before each and every election, to give notice of the same, by set-

ting up advertisements at three of the most public places in said town. Each member of said Town Council, before entering upon the duties of his office, shall take an oath or affirmation, to support the Constitution of the United States, and also an oath of office.

SEC. 7. The President shall preside at all meetings of the Town Council, and in his absence, one of the Trustees may be elected President *pro tempore*. The Town Council shall have power to fill all vacancies which may happen in said board, from the voters of said town, who shall hold their appointments until the next annual election, and until their successors shall be elected and qualified.

Fill vacancies

SEC. 8. The said Town Council shall have power to make, ordain, and establish by-laws, ordinances, rules and regulations for the government of said town; and the same to alter, amend or repeal at pleasure; to provide in such by-laws for the appointment or election of Clerk, Treasurer, Town Marshal and of all of the subordinate officers which they may think necessary for the good government and well being of said town; to prescribe their duties, and determine the period of their appointment, and the fees they shall be entitled to receive for their respective services, when the same is not provided for by law, and to require of them to take an oath of office previous to entering upon the duties of their respective offices, and may further require of them a bond with security, conditioned for the faithful performance of their respective offices. The Town Council shall also have power to fix the violation of the by-laws and ordinances of the corporation, such reasonable fines and penalties: Provided, that such by-laws and ordinances be not inconsistent with the Constitution and Laws of the United States, or of this Territory. And provided also, that no by-laws, or ordinances of said corporation, shall take effect or be in force until the same shall have been posted up at least ten days in one of the most public places in each ward, within said town, and the certificate of the Clerk, entered upon the record of said Town Council, shall be deemed and taken to be sufficient evidence of such publication.

Powers of Council

SEC. 9. The Town Council shall at the expiration of each and every year cause to be made out and posted up as aforesaid, the receipts and expenditures of the preceding year.

Receipts and expenditures

SEC. 10. The Town Council shall have power to regulate and improve the streets and alleys and determine the width of side-walks in said town, to regulate the public grounds, to erect a market-house and regulate the markets, and to remove all nuisances and obstructions from the streets and commons of said town, to prevent any riots, noise, disturbance, disorderly assemblages, suppress and restrain disorderly houses, groceries, or tipping houses, and houses of ill-fame, and to authorize the destruction of all instruments used for the purpose of gaming, and to do all things which similar corporations have power to do, in order to provide for and secure health, cleanliness and good order in said town.

Improve streets

SEC. 11. The town Council is hereby authorized and empowered to assess a tax for corporation purposes, within the limits of said corporation, made taxable by the laws of this Territory, so that said tax shall not exceed in any year, five mills on the dollar of valuation, as the same may be found on the books of the County Commissioners of the County of Hennepin, at the time of assessing said tax. The Town Council shall also have power, if authorized to do so by a majority of all the electors in said town, at any meeting called for that purpose, to levy an additional tax as above specified, sufficient to organize and establish a fire company, and purchase an engine, hose and other necessary apparatus, for extinguishment of fires

Assess tax

in said town ; public notice of which meeting, and the object therefor, shall be given by posting up a written or printed notice thereof, in at least three of the most public places in said town, ten days before the time of such meeting.

**Collecting taxes** SEC. 12. When any tax is levied, it shall be the duty of the Clerk to make out a duplicate of the taxes, charging each individual owning property in said corporation, with the amount assessed on each item of property, as found on the books of the County Commissioners of said county, which duplicate shall be certified by the President and Clerk, and one copy thereof shall be placed in the hands of the Marshal, or such other person as shall be to collect said tax, in the same manner and under the same regulations as the county taxes are collected ; and the said Marshal, or such other person as may be appointed collector, shall immediately after collecting said tax, pay the same over to the Treasurer of said corporation, and take his receipt therefor ; and the said Marshal or other collector, shall have the same power to sell both real and personal property for the non-payment of the corporation taxes, as is given to the county collector ; and when necessary, the Clerk shall have power to make deeds in the same manner that other sheriffs do, and the Marshal or other collector, shall receive for his fees, such sum as the Town Council may direct, not exceeding six per centum on all monies so by him collected, to be paid by the Treasurer on the order of the Clerk.

**Give Bond**

SEC. 13. The Justice of the Peace elected under the provisions of this act, shall give bonds, taken in the name of the town of Minneapolis, and filed with the Clerk with his oath of office written thereon. He shall possess all the authority, powers and rights of a Justice of the Peace, except he shall in no case entertain any civil proceedings to which the Town of Minneapolis is not a party, and shall have sole exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases within the town, cognizable before a Justice of the Peace ; but warrants returnable before the said Justice may be issued in criminal cases by any other Justice in the town ; but no fee shall be received therefrom by such Justice. Said Justice shall have exclusive jurisdiction in all cases in which the town is a party, and he shall have the same power and authority in cases of contempt, as a Court of Record ; Provided, nothing herein contained shall be deemed to divest the District Judges of their authority as conservators of the peace, nor to effect in any manner the jurisdiction or powers of the District Court of Hennepin County. In case of the absence, sickness, or other inability of said Justice, or for any other sufficient reason, the Town Council shall authorize any other Justice of the Peace, within the said town, to perform the duties of said Justice, and it shall thereupon be the duty of said Council to inform the Marshal of such substitution and cause a record thereof to be made in the records of the Town ; such Justice of the Peace so appointed, shall, for the time being possess all the authority, powers and rights of said Justice of the Peace for the town of Minneapolis. The Justice of the Peace of said town shall keep a docket, and a fair and true record of his proceedings, judgments and executions in all cases which may come before him, and shall be entitled to the same fees as are allowed to Justices of the Peace for similar services.

**Duty of Clerk**

SEC. 14. The Clerk shall be elected by ballot by the Town Council ; he shall keep the corporate seal and all papers and records of the said town ; and keep a record of the proceedings of the Town Council, at whose meetings it shall be his duty to attend ; and copies of all papers filed in his office, and transcripts from the records of said Town Council, certified by him under the corporate seal, shall be evidence in all courts in like man-

ner, as if the original were produced; he shall draw and countersign all orders on the Treasurer, in pursuance of any order or resolution of the Town Council, and keep a full and accurate account thereof, in books provided for that purpose. The Clerk shall have power and authority to administer oaths or affirmations.

Sec. 15. The Treasurer shall perform such offices, receive and disburse the monies of said town according to by-laws and ordinances. Duty of Treasurer

Sec. 16. The Marshal shall perform such duties as shall be prescribed by the Town Council, for the preservation of the public peace and for the collection of monies and fines. He shall possess the powers of constable at common law, or by the laws of this Territory, and receive like fees, but shall not serve civil processes, except when the town is a party. Duty of Marshal

Sec. 17. Said corporation shall be allowed the use of the jail of the county for the imprisonment of such persons as may be liable to imprisonment under the by-laws and ordinances of said corporation, and such persons shall be under the charge of the Sheriff of said county as in other cases. Use jail

Sec. 18. The officers of said corporation shall, on demand, deliver to their successors in office, all such books and other property as appertain in any wise to said corporation. Deliver books

Sec. 19. The Marshal or any other officer authorized to execute writs or other process issued by the Justice of the Peace, shall have power to execute the same within the limits of Hennepin and Ramsey counties, and shall be entitled to the same fees for traveling, as are allowed to constables in similar cases. Execute writs

Sec. 20. No tax shall be raised for the following purposes, to-wit:— to purchase public grounds, to procure fire engines and necessary apparatus therefor, and implements for hook and ladder companies, to erect engine houses and a market house, to make public wells and other reservoirs, to erect a town pound, to make and repair streets and side-walks, excepting in the following manner: At any meeting to elect town officers, or at any other meeting of such electors, duly notified by the Trustees, the persons entitled to vote to raise taxes in said town, may by resolution, direct the Trustees to cause to be raised by a tax upon the taxable property liable to be assessed for taxes in said town. The notice of holding such meetings required by this section, shall be twenty days, and such notice shall specify the amount and objects of such tax, and that such meeting will be called upon to vote in respect to raising the sum or sums specified. No person shall vote at any such meeting in respect to raising any such tax, unless he shall be qualified to vote for Trustees of the town, and shall own property liable to be assessed for taxes therein, or have property in his possession upon which he is liable to pay taxes for town purposes. Taxes

Sec. 21. Said town shall have no power to borrow money, nor shall it be liable to pay money borrowed on its account, or advances in its behalf by its officers, or any other person, nor shall any of its money or property be applied to any such purpose, nor shall such town incur any debt or liability except for the purposes, and in the manner specifically set forth and provided for by this act. Not to borrow money

Sec. 22. This act shall be in force from and after its passage. Take effect

CHARLES GARDNER, *Speaker of the House of Representatives.*

JOHN B. BRISBIN, *President of the Council.*

APPROVED—March first, one thousand eight hundred and fifty-six.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER, *Secretary of Minnesota Territory.*