

## CHAPTER OXVIII.

*An Act to Incorporate the Town of Mankato.*

- SECTION 1. Boundaries of the Town.  
 2. Town elections to be held.  
 3. Corporate powers.  
 4. Record of Council proceedings.  
 5. Vacancies, how filled.  
 6. Powers of the Town Council.  
 7. Corporation tax, authority to assess.  
 8. Collection of taxes, how made.  
 9. Delivery of books and papers to successors.  
 10. Act to take effect on passage.

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

SECTION 1. That so much Territory as is contained in the following described limits, viz: Lots number one, two and three, and the south-west quarter of the south-east quarter of section seven, and the north half of the north-west quarter of the north-east quarter of section eighteen, in township one hundred eight, north of range twenty-six west of the fifth principal meridian, be and the same is hereby created a town corporate by the name of the Town of Mankato. <sup>Boundaries of the town</sup>

SEC. 2. 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 the State Legislature, to meet at the usual place of holding elections in said town, on the fifteenth day of April next, and annually thereafter at such time and place as the Town Council may direct, and then, and there proceed to elect by ballot one President, one Recorder and three Trustees, being householders of said town, and having the qualifications of electors as aforesaid. <sup>Town elections to be held</sup>

SEC. 3. The President, Recorder and Trustees of said town are hereby created a body politic, and corporate with perpetual succession, to be known by the name of "The Town Council of Mankato," and they shall be capable by their corporate name aforesaid, to sue and be sued, plead and be impleaded, defend and be defended, in all Courts of law and equity; they may 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 alter or renew at pleasure, and when any suit shall be commenced against said corporation, the first process shall be served by an attested copy thereof, left with the Recorder at his usual place of residence, at least six days previous to the return day of such process, and this corporation shall be competent to have and exercise all rights and privileges, and be subject to all the duties and obligations usually appertaining to municipal corporations. And the <sup>Corporate powers</sup>

members of said Town Council shall, before entering upon the duties of their offices, take and subscribe an oath to support the Constitution of the United States, and also an oath of office.

Records of  
council pro-  
ceedings

SEC. 4. The President, and in his absence the Recorder shall attend all meetings of said Council, and make a fair and accurate record of their proceedings, and of the by-laws, rules and ordinances made or passed by said Council, and the same shall be open for inspection of the electors of said town.

Vacancies how  
filled

SEC. 5. The said Town Council shall have power to fill all vacancies which may occur in said Board, from the householders of said town, who shall hold the appointment until their successors shall be elected and qualified; and in the absence of the President and Recorder from any meeting of the Town Council, the Trustees shall have power to appoint any two of their number to perform the duties of President and Secretary for the time being.

Powers of the  
town council

SEC. 6. The Town Council aforesaid, shall have power to make, ordain and establish by-laws and ordinances for the government of said town; *Provided*, That no such by-laws and ordinances shall conflict with the laws of the United States, or of this State; and to fix reasonable fines and penalties for the violation of the same, to provide for the election of a Treasurer and Marshal and suitable subordinate officers of said town, and to fix the compensation of said officers, to regulate and improve the levies, piers, streets and alleys, determine the width of side-walks, to regulate the public grounds, to remove all nuisances and obstructions from the streets and public grounds of said town, and to do all things which similar corporations have power to do, in order to provide for the health, security and good order of said town.

Corporation  
tax authority  
to assess

SEC. 7. For the purpose of enabling the said Council to carry into effect the provisions of this Act, they are hereby authorized and empowered to assess a tax for corporation purposes, on all taxable property within the limits of said corporation, which tax shall not exceed in any year, one cent on the dollar valuation, as the same may be found on the books of the Commissioners of the county in which said town may be located, at the time of assessing such tax.

Collection of  
taxes how  
made

SEC. 8. When any tax is levied it shall be the duty of the Recorder to make out a duplicate of the taxes assessed against each individual, and on each item of property, which duplicate shall be certified by the President and Recorder, and one copy placed in the hands of the Marshal, whose duty it shall be to collect such tax in the same manner, and under the same regulations as county taxes are collected in this State; and the said Marshal shall immediately after collecting such tax, pay the same over to the Treasurer of said Corporation and take his receipt therefor. And the Marshal

shall have power to sell property both real and personal, in the same manner and under the same regulations as the collector for county taxes; for the non-payment of said corporation tax, and when necessary, the Recorder shall have power to make deeds in the same manner as Sheriffs' do, and the Marshal shall receive for his fee, such sum as the Town Council may direct, not to exceed six per cent. of the taxes by him collected.

Sec. 9. The President, Recorder and other officers of said town, shall on demand deliver to their successors in office all books, paper or other property belonging to said town. Delivery of books and papers to successors

Sec. 10. This Act shall take effect from and after its passage.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
THOMAS COWAN,  
President *pro tem.* of the Senate.

APPROVED—July fifteenth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
July 15, 1858. }

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

FRANCIS BAASEN, Secretary of State.

## CHAPTER CXIX.

*An Act to amend an Act entitled "An Act to Incorporate the Town of Bancroft," Approved May 23, 1857.*

- SECTION 1. Amendment to Chapter 51, Extra Session Laws of 1857, relating to Town Boundaries.  
2. Amendment relating to first Town officers.  
3. Repeal of former Acts.

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

SECTION 1. That Section one of an Act entitled "An Act to incorporate the Town of Bancroft," Approved May 23, 1857, is hereby amended so as to read as follows :

Sec. 1. That the following designated and described