

APPROVED—June twenty-third, one thousand eight hundred and fifty-eight.

WILLIAM HOLCOMBE,  
Governor *ad interim*.

SECRETARY' OFFICE, MINNESOTA, }  
June 28, 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 OXOIV.

### *An Act to Incorporate the Town of Belmont.*

- SECTION 1. Boundaries of the Town.  
 2. First Town Officers.  
 3. Annual Elections for Town Officers.  
 4. Corporate powers of Town officers.  
 5. Record of Council proceedings.  
 6. Vacancies, how filled.  
 7. Powers of the Town Council.  
 8. Corporation tax, authority to assess.  
 9. Collection of Taxes, how made.  
 10. Delivery of books and papers to successors.  
 11. Pre-emption of land in town site to be made by Town Council.

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

SECTION 1. That so much land as is contained in the town <sup>Boundaries of</sup> Belmont, according to the survey and plat of said town, <sup>the town</sup> as made by O. C. Mead, for the proprietors of Belmont, and situated in the county of Jackson, and State of Minnesota, shall be a town corporate by the name of Belmont.

SEC. 2. That for the good order and improvement of said town, Josuah Dyen, is hereby appointed President, S. B. Westcott, D. P. Cornell, George A. Bardwell, and Frederic Noble, be and are hereby appointed Trustees, Charles G. Berry, Secretary, E. W. Northup, Attorney, and S. A. Farrington, Treasurer, and Geo. E. Leary, Marshal. The President, Trustees and Secretary shall constitute the Council of said town. <sup>First town officers</sup>

SEC. 3. The male inhabitants of said town, being qualified <sup>Annual elec-</sup> voters, may at any election for State and county officers, and once a year thereafter, elect successors to the aforesaid offices, who shall enter upon the duties of their offices on the first Wednesday in January, and shall before entering on <sup>them</sup>

the duties of such offices, take an oath to support the Constitution of the United States, as well as an oath of office.

Corporate  
Powers

SEC. 4. The President, Trustees and Secretary of said town shall be and are hereby created a body corporate and politic, with perpetual successors, to be known by the name and title of the Town of Belmont, and shall be capable in law, by the corporate name aforesaid, to acquire, hold and convey property real and personal for the use of said town. They may have a common seal, and may alter and renew the same at pleasure, may sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity; and when any suit shall be commenced against said town, the first process shall be served by attested copy thereof with the Secretary, at his usual place of residence, at least twenty days previous to the return day of such process. The officers of said town shall have a right of action against all trespassers on the property of said town; and any person trespassing upon any lands within the limits of said town, or occupying said lands without a conveyance from the proprietors of said town, or their trustees, agents or assignees, shall forfeit all improvements he may make on such lands, and shall be liable to pay damages to twice the amount of actual injustices done to said lands.

Record of pro-  
ceedings

SEC. 5. The President, and in his absence, the Secretary shall attend to all meetings of the 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 the inspection of the electors of said town; but in the absence of the Secretary the Trustees shall appoint one of their own body Secretary *pro tem*.

Vacancies how  
filled

SEC. 6. 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 their appointment until their successors shall be elected and qualified; and in the absence of the President and Secretary 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. 7. The Town Council aforesaid, shall have power to make, and 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 fines and penalties for the violation of such by-laws and ordinances, to provide for the election of suitable subordinate officers of said town, and fix the compensation of said officers; to regulate and improve the levees, piers, streets and alleys, determine the width of side-walks in said town, to regulate public grounds, to remove all nuisances and obstructions on the streets, and the public grounds of said town, and to do all things which similar cor-

porations have power to do in order to provide for the health, security and good order of said town.

Sec. 8. 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 case, 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. Tax-authority  
to assess

Sec. 9. When any tax is levied, it shall be the duty of the Secretary 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 Secretary, 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 said tax pay the same to the Treasurer of said corporation, and take his receipt therefor; and said Marshal shall have power to sell property both real and personal, in the same manner and under the same regulations as the collector of county taxes, for the non-payment of said corporation tax; and when necessary, the Secretary shall have power to make deeds in the same manner as sheriffs do; and the Marshal shall receive for his fees such sum as the Town Council may direct, not to exceed six per cent. of the taxes by him collected. Collection of  
taxes how  
made

Sec. 10. The President, Secretary and other officers of said town shall, on demand, deliver to their successors in office all books, papers and other property belonging to said town. Delivery of  
books &c to  
successors

Sec. 11. It shall be the duty of said Council of said town, to apply for a pre-emption of the land within the limits of said town, not exceeding three hundred and twenty acres under the provisions of an Act of Congress, entitled An Act for the relief of citizens of towns upon lands of the United States, under certain circumstances, approved May 23, 1844; and as soon as the title of said land shall be obtained aforesaid, to ascertain the persons entitled to the various lots and blocks within said town, who may have a valid right to the same, either by original claim, or by transfer by the person having made such original claim, and to deed under the hand of the President and Secretary, and sealed with the seal of said corporation, to such persons so entitled, the lots or blocks to which such person may be entitled; *Provided*, That no street or alley, or other public ground shall be so deeded, *And Provided also*, That every person or persons to whom such lots or blocks shall be deeded as aforesaid, shall first pay to the Treasurer or Secretary of said town, for such lots Pre-emption of  
land in town  
site

or blocks the costs of entry, and incidental expenses of the same.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
WILLIAM HOLCOMBE,  
President of the Senate.

APPROVED—July the twenty-seventh, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
July 27, 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 OXOV.

*An Act to authorize a Re-survey of the town of Manannah.*

SECTION 1. Resurvey of the town of Manannah authorized.

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

Re-survey of  
the town

SECTION 1. That it shall be lawful for the town company of Manannah to have said town re-surveyed and platted; and shall file a plat of said re-survey with the Register of Deeds of Meeker County, and have it recorded according to law.

SEC. 2. This Act shall take effect from and after its passage.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
RICHARD G. MURPHY,  
President *pro tem.* of the Senate.

APPROVED—June tenth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
June 10, 1858.

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

FRANCIS BAASEN, Secretary of State.