

CHAPTER V.

An Act to incorporate the Town of Osseo.

- SECTION. 1. . Boundary of the Town.
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 3. First election of Officers.
 4. Powers of the Corporation.
 5. Duty of the President of Council.
 6. Power of Council to fill vacancies.
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Be it enacted by the Legislature of the State of Minnesota:

Boundary SECTION 1. That so much land as is contained within the town of Osseo, according to a survey and plat of said town, made by J. W. Sanders, for the proprietors of said town of Osseo, and situated in the county of Wright, and State of Minnesota, as appears by the recorded plat of the same in the office of the Register of Deeds of Wright county.

Trustees SEC. 2. That for the good order and improvement of said town, Elijah Doble be, and is hereby appointed President, Thomas Doble, John McDonald, H. W. McGrory, Charles J. Daiken, Wm. McDonald, John Doble, Lorenzo Doble, T. H. Daiken and Amos McDonald be, and are hereby appointed Trustees, which Board of Trustees shall elect a Secretary, and said President, Trustees and Secretary, shall constitute the Council of said Town, and shall hold their offices until their successors be elected and qualified.

First election SEC. 3. The male inhabitants of said town being qualified voters, may at any election of State and County officers, elect successors to the aforesaid Council, who shall enter upon the duties of their offices on the first Wednesday of January, and shall before entering upon the duties of their offices, take an oath to support the Constitution of the United States, and also 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 succession, to be known by the name and title of the town of Osseo, 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 an 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 upon the property of said town, and every 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 assigns, shall forfeit all improvements he may make on such lands, and shall be liable to pay damages to twice the amount of actual injustice done to said lands.

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

President

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.

Vacancies how to be filled

SEC. 7. 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 such by-laws and ordinances, to provide for the election of Treasurer and Marshal, and 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 the public grounds, to remove all nuisances and obstructions from the streets and 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.

Powers of council

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 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.

Tax how to be assessed

SEC. 9. When any tax is levied, it shall be the duty of the Secretary to make out a duplicate of the taxes assessed

Tax manner
of collecting

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 over to the Treasurer of said corporation, and take his receipt therefor. And said Marshal shall have the power to sell property, both real and personal in the same manner and under the same regulations as the collectors 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 fee such sum as the Town Council may direct, not to exceed six per cent. of the taxes by him collected.

Books and pa-
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SEC. 10. The President, Secretary and other officers of said town shall, on demand, deliver to their successors in office all books, papers, or other property belonging to said town.

Pre-emption
of town site

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 23d, 1844; and as soon as the title to 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 by the seal of said corporation, to such person 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 or blocks, the cost of entry and incidental expenses of the same.

GEORGE BRADLEY,

Speaker *pro tem.* of the H. of R.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—February twenty-five, eighteen hundred and fifty-eight.

CHAS. L. CHASE, Acting Governor.

SECRETARY'S OFFICE, Minnesota, }
February 25, 1858. }

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

CHAS. L. CHASE, Secretary.