

CHAPTER LXIII.

An Act to amend the Charter of the City of Saint Paul.

- SECTION 1. Amends section one of chapter five.
 2. Amends section two of chapter five.
 3. Amends section three of chapter five.
 4. Amends section four of chapter five.
 5. Debt not to be limited to its present amount.
 6. Amends section three of chapter four.
 7. Repeals sub-division nineteen of section three of chapter four.
 8. Amends sub-division twenty three of section three of chapter four.
 9. Amends section nine of chapter three.
 10. Amends provision to section eleven of chapter three.
 11. Amends section twelve of chapter two.
 12. Amends section one of chapter two.
 13. Amends sub-division thirty two of section three of chapter four.
 14. Amends section six of chapter ten.
 15. Amends section two of chapter two.
 16. Amends section twenty eight of chapter three.
 17. Repeals section twenty-four of chapter ten.
 18. Amends sub-division one of section two of chapter six.
 19. Amends section two of chapter seven.
 20. Amends section five of chapter seven.
 21. When Act takes effect.

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

SECTION 1. That Section one of Chapter five of the act entitled "an Act to reduce the law incorporating the city of Saint Paul, in the County of Ramsey and State of Minnesota, and the several acts amendatory thereof into one act, and to amend the same," approved March twentieth, eighteen hundred and fifty-eight, shall be amended and shall read as follows :

Section One. All funds in the treasury, except State, School and County funds shall be under the control of the Common Council, and be drawn out upon the order of the Mayor and Clerk and countersigned by the Comptroller duly authorized by a vote of the Common Council ; and all orders drawn upon the treasurer shall specify the purpose for which they were drawn, and shall be payable, generally, out of any funds in the treasury belonging to the city ; and all such orders shall be received in payment for any tax or assessment levied by authority of the city.

All orders shall be payable to the order of the person in whose favor they may be drawn, and they may be transferred by endorsement ; and from and after the second Tuesday of May, eighteen hundred and sixty, no order on the treasury shall be drawn or issued until there shall be funds sufficient to pay the same, together with the orders that may then be outstanding—and the Comptroller is prohibited from countersigning any such order until there shall be sufficient funds in the treasury to meet such orders, together with the orders which may then be outstanding.

And for the purpose of providing a fund to meet the orders upon the treasury of said city and bonds issued under the provisions of the aforesaid act of incorporation, payable in one and two years from date, heretofore issued and outstanding, the Common Council of said city are authorized to issue the bonds of said city to an amount not exceeding fifty thousand (50,000) dollars, payable in not less than ten years from date with interest at seven per cent. per annum, payable in the city of New York half yearly; and to negotiate said bonds for the purposes aforesaid, and to provide for the payment of the interest and for a sinking fund for the payment of the principal by a tax not exceeding one mill on the dollar, to be levied and collected annually, as other taxes of said city.

New city bonds authorized.

Tax for interest and sinking fund.

SEC. 2. That Section two of said Chapter five be amended and shall read as follows:

Amends section two of chapter five.

Section 1. That said Council shall have power to annually levy a tax upon all the property in said city, subject to taxation, not exceeding three mills on the dollar per annum, to defray the current expenses of the city, and also to annually levy a farther tax upon said property, not exceeding one mill on the dollar, to create a fund to pay the interest on the bonds of said city, which have been heretofore issued, and are at present outstanding, and to provide a sinking fund for the payment of the principal thereof.

Tax for current expenses.

Tax for interest on outstanding bonds.

SEC. 3. That Section three of said Chapter five be amended and shall read as follows:

Amends section three of chapter five.

Section 3. The said Council shall also have power to annually levy a tax upon the property liable to taxation in each ward, not exceeding one mill on the dollar, per annum, to defray the current expenses of such Ward.

Ward tax.

SEC. 4. That Section four of said Chapter five be amended and shall read as follows:

Amends section four of chapter five.

Section Four. That no other or greater taxes than those mentioned shall be levied by the Common Council of said city, except the special taxes now authorized by law to be levied upon the property in the Second and Third Wards, for the payment of the interest and principal of sewer bonds heretofore issued: *Provided*, that nothing herein contained shall be construed to affect the power of the Council to levy the special assessments chargeable to lots of land under the provisions of Chapters six and seven of said act of incorporation and for abating nuisances; and to levy and collect the wharfage and wharf dues provided by said act of incorporation.

No other tax, except certain special taxes now authorized by law.

Provide.

SEC. 5. That the debt of the said city of Saint Paul shall not be increased beyond its present amount; and the Common Council shall issue no more bonds or other evidences of debt except those authorized by this act, or in settlement of debts or liabilities already existing: *Provided*, however, that nothing herein contained shall prevent the issue of new

Debt of city not to be increased beyond present amount.

bonds of said city, of either like or different character and terms to take up bonds or other evidence of debt of said city now outstanding, or to pay the interest on the present debt of said city.

Amends section SEC. 6. That subdivision first of Section three of Chapter
three of chap-
ter four. four of said act of incorporation be amended and shall read as follows:

Licenses *First.* To license and regulate the exhibition of common showmen and shows of all kinds, or the exhibition of caravans, circuses, concerts or theatrical performances, billiard tables, nine or ten pin allies, bowling saloons, to grant licenses and regulate groceries, taverns, and the traffic of all persons vending or dealing in spirituous or fermented liquors: *Provided*, that the power of said Council, as to regulating auctions and auctioneers, shall be limited to the amount of license, and requiring payment of the same.

Repeals sub-divi- SEC. 7. Subdivision nineteen of Section three of said
sion nineteen of
section three of
chapter four. Chapter four of said act of incorporation is hereby repealed.

Amends sub-divi- SEC. 8. That subdivision twenty-third of said Section
sion twenty-
three of section
three of chap-
ter four. three of said Chapter four of said act of incorporation be amended and shall read as follows:

Quarantine. *Twenty Third.* To regulate, control and prevent the landing of persons from boats or vessels, whereon are contagious or infectious diseases or disorders, and to make such disposition of such persons as to preserve the health of said city; and also to regulate, control and prevent the landing and conveyance of paupers and persons in a destitute condition into said city, and not having a legal settlement or residence therein, by any boat or vessel, or other means of conveyance, and to require that such persons shall be taken back to the place from whence they may have been brought, by the person or persons bringing or leaving them in said city.

Paupers. SEC. 9. That Section nine of Chapter three of said act of incorporation be amended and shall read as follows:

Amends section The Common Council of said city shall at their first meet-
three of chapter
three. ing after each annual municipal election, select and appoint a suitable person as Street Commissioner of said city, who shall hold his office for one year and said Council shall have power to fill any vacancy that may occur in such office.

Street Commis- sioner.
Duties. It shall be the duty of the said Street Commissioner to render his personal services and perform labor in repairing the streets of said city, and to superintend all local improvements throughout the said city, under the direction of the Common Council, and to carry into effect all orders of the Common Council in relation thereto, and perform such other duties as may be herein prescribed to be performed by Street Commissioners, or ordained by the Common Council. Said Street Commissioner shall receive a compensation to be fixed by the Common Council, not exceeding five hundred (500) dollars per annum, and shall keep accurate accounts of all expenditures incurred in the discharge of his duties, and

Compensation.

render monthly accounts thereof to the Common Council, or oftener, if required, and the words "Street Commissioner" shall be substituted in said act of incorporation, wherever the words "Street Commissioners" or "Street Commissioner" of the proper Ward, or of the respective Wards shall occur.

Provided, that the present Street Commissioners of the several Wards of said city shall continue in office, and perform the duties hereinbefore assigned them, until the term of their said office shall expire, and that thereafter no Alderman shall be competent to act as Street Commissioner.

SEC. 10. That the Proviso to Section eleven of Chapter three of said act of incorporation be amended and shall read as follows :

Amends proviso to section eleven of chapter three.

Provided, that in case of prosecution for a breach or violation of an ordinance, by-law, or regulation of said city or its charter, or for an assault, battery or breach of the peace or affray not indictable, committed within the city limits no appeal shall be allowed where the judgment or fine imposed, exclusive of costs, is less than twenty five (25) dollars.

Limits appeals in certain cases.

SEC. 11. That Section twelve of Chapter two of said act of incorporation be amended and shall read as follows :

Amends section twelve of chapter two.

Section Twelve The term of every officer elected under this law shall commence on the second Tuesday of April, of the year, for which he was elected, and shall, unless otherwise provided, continue for one year and until his successor is elected and qualified, except that on and after the first Tuesday of April, A. D., eighteen hundred and sixty, the Treasurer of said city shall be elected and hold his office for two years, and until his successor is elected and qualified.

Terms of City officers.

SEC. 12. That the Section one of Chapter two of said act of incorporation be amended and shall read as follows :

Amends section one of chapter two.

Section One. There shall be an annual election for elective officers hereinafter provided, held on the first Tuesday of April of each and every year at such place in each Ward as the Common Council shall designate ; and the polls shall be kept open from nine o'clock in the forenoon until five in the afternoon ; and ten days previous notice shall be given by the Common Council of the time and place of holding such election, and of the officers to be elected.

Annual election.

SEC. 13. That subdivision thirty second of Section three of Chapter four of said act of incorporation be amended and shall read as follows :

Amends subdivision thirty-two of section three of chapter four.

Thirty Second. To remove and abate any nuisance injurious to the public health or safety, and to remove or require to be removed any building, which by reason of dilapidation, defects in its structure or other causes may have or shall become imminently dangerous to life and property ; and to provide for the punishment of all persons who shall cause or maintain such nuisances, and to charge and assess the expense of removing or abating the same upon the lot or lots

Abatement of nuisances.

upon which such nuisance or dangerous building may be maintained.

Amends section
six of chapter
ten.

SEC. 14. That Section six of Chapter ten of said act of incorporation be amended, and shall read as follows :

Commitments to
County Jail or
City Prison.

Section Six. In all cases of the imposition of any fine or penalty, or of the rendering of a judgment by the City Justice of said City, pursuant to any ordinance or by-law of the said City of Saint Paul, or pursuant to any provision of the charter of said City, as a punishment for any offence, or for the violation of any by-law or ordinance as aforesaid, the offender shall be forthwith committed to the Common Jail of Ramsey County, and be there imprisoned for a term not exceeding six months, in the discretion of the City Justice, unless the fine or penalty aforesaid be sooner paid or satisfied, and in all cases where the punishment of such offenders shall be by imprisonment, such imprisonment shall be in the said Common Jail of Ramsey County ; and from and after the time of arrest of any person or persons, for any offence whatsoever, until the time of the trial or hearing, the person or persons so arrested may be imprisoned in the said Common Jail of Ramsey County, or in the City Prison, and in all cases where the said City Justice is or may be authorized to commit any person or persons for any other cause by virtue of the provisions of the charter of said City, he may commit such person or persons to the said Common Jail of Ramsey County or the City Prison.

Duty of Sheriff
and County
Jailors.

The Sheriff of Ramsey County and Jailors and Prison Keepers of said Common Jail of Ramsey County and their and each of their deputies, are required to receive such persons in custody, and confine them safely in said Common Jail of Ramsey County, until they may be discharged by due course of law ; and such Sheriff, Jailors, Prison Keepers and their deputies, offending in the premises, shall be liable to the same pains and penalties, and the parties aggrieved shall be entitled to the same remedies against them or any of them, as if such prisoners had been committed to their custody by virtue of legal process, issued under the authority of this State

City to pay ex-
penses.

The said City of Saint Paul shall be liable to pay for the support and keeping of said prisoners, the same charges and allowances as are allowed for the support and keeping of prisoners, committed under the authority of the State.

Amends section
two of chapter
two.

SEC. 15. That Section two of Chapter two of said act of incorporation be amended by adding thereto the following proviso :

Justices of the
Peace.

Provided, That at the next Municipal election of said city, and at every annual Municipal election thereafter, there shall be elected one Justice of the Peace and two constables, in and for each Ward, who shall be residents of such Ward, and hold their office for the term of one year, and until their successors shall be qualified ; said Justices of the Peace shall

be Justices of the Peace of Ramsey County, and have and possess all the authority, powers and jurisdiction of other Justices of the Peace of Ramsey County under the laws of this State. Said Justices of the Peace, when elected and qualified, shall supercede all other Justices of the Peace, except the City Justice within the said City of Saint Paul, but nothing herein contained shall be construed to affect the office of the said City Justice, or to abridge or affect his jurisdiction.

City Justice.

SEC. 16. That Section twenty-eight of Chapter three of said act of incorporation be amended, by adding thereto the following proviso :

Amends section twenty-eight of chapter three.

Provided, That the Mayor and Aldermen of said City shall receive no salary or compensation for their services.

Mayor and Aldermen to have no salaries.

SEC. 17. That Section twenty-four of Chapter ten of said act of incorporation is hereby repealed.

Repeals section twenty-four of chapter ten.

SEC. 18. That subdivision first of Section two of Chapter six of said act of incorporation be amended by adding thereto the following proviso :

Amends subdivision one of section two of chapter six.

Provided, That the said petition shall be signed by the owners of the land fronting or abutting on the line of the proposed improvement, to the extent of at least three-fourths of the number of front feet of land fronting on said proposed improvement aforesaid, before the said Council shall proceed further in the matter.

Petitions for City Improvements.

SEC. 19. That Section two of Chapter seven of said act of incorporation, be amended by adding thereto the following proviso :

Amends section two of chapter seven.

Provided, That before the said Common Council shall order the construction of such sidewalk, a petition of the owners of the land fronting or abutting on the line of such proposed sidewalk, shall be filed with the City Clerk, requesting the same, and shall be signed by such owners to the extent of at least three-fourths of the number of front feet of land fronting on said proposed sidewalk.

Petitions for sidewalk.

SEC. 20. That Section five of Chapter seven of said act of incorporation shall be amended and read as follows :

Amends section five of chapter seven.

Section Five. No grading of streets or alleys to be done at the expense of lots fronting such improvements or sewers, the expense of which is to be charged to the lots drained or benefitted, as before provided, shall be ordered by the Common Council, except upon the petition in writing of the owners of the land fronting or abutting on the line of the proposed improvement and chargeable therewith to the extent of at least three-fourths of the front or running feet of land fronting or abutting on such improvement, and chargeable therewith ; and whenever the Council shall thereon determine upon a public improvement under this section, they shall pass a resolution to that effect, and shall require the Street Commissioner, with the assistance of the City Surveyor, to examine the premises and report an estimate of the

Petitions for grading.

Survey of premises, and report.

whole expense thereof, and the lots chargeable with the expense, and the owner's name, if known, and the proportion of the expense to be assessed to each lot; and, in the case of grading a street or alley, a proper grade; and the Common Council may adopt, revise, correct, or remand the same with instructions. Upon such report being adopted, an accurate survey and profile of such grade shall be prepared by the City Surveyor, and filed in his office of record. The Common Council may thereupon order the said work to be placed under contract, upon such terms and under such regulations as they may deem advisable.

Survey and profile
to be recorded.

Contract.

Not to impair pro-
ceedings already
pending.

Provided, That nothing in this Section or Sections eighteen and nineteen of this act contained shall impair the validity of any proceeding heretofore commenced and pending under the said Chapters six or seven of the said act of incorporation, but such proceedings shall continue and be conducted with the same effect as if commenced under the provisions of this act.

SEC. 21. This act shall take effect from and after its publication.

AMOS COGGSWELL,
Speaker of the House of Representatives.
IGNATIUS DONNELLY,
President of the Senate.

APPROVED—February twenty-fifth, one thousand eight hundred and sixty.

ALEX. RAMSEY.

SECRETARY'S OFFICE, Minnesota, }
Feb. 25th, 1860. }

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

J. H. BAKER, Secretary of State.

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CHAPTER LXIV.

An Act to remove the County Seat of Mille Lac County.

SECTION 1. County Seat of Mille Lac County removed from Hanover to Princeton.
2. Subject to a vote.

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

County Seat re-
moved.

SECTION 1. That the county seat of Mille Lac County be and the same hereby is removed from Hanover to Princeton.