

CHAPTER LVII.

An Act to amend an act entitled "an act to amend an act entitled an act to incorporate the city of St. Anthony," approved March 10th, 1860.

- SECTION 1.** Amendment to section 5, chapter 3, of an act approved March 10th, 1860.—
 In case of vacancy of city officers, how filled.
2. Amendment to section 6, of chapter 4. Power of city council.
3. Amendment to section 1, of chapter 5. City council to levy and collect taxes.
4. Amendment to section 3, of chapter 5. Officers to give bonds for faithful performance of duties—may borrow money on the credit of the city—to be submitted to a vote of the people.
5. May have power to raise any bonds outstanding—in what manner.
6. Amendment to section 5, chapter 9. May levy and collect a special tax—for what purpose.
7. Amendment to section 1, of chapter 11. To require all male inhabitants to work out a road tax, or pay its equivalent in money.

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

SECTION 1. That section five of chapter three of said act, approved March 10th, 1860, be and the same is hereby amended so as to read as follows: Vacancy of city officers, how filled

Sec. 5. Whenever any vacancy shall happen in the office of either of the elective officers of the city, except that of mayor or aldermen, such vacancy may be filled by the city council until the next general election; and when a vacancy shall happen in the office of mayor, a new election may be ordered by the city council.

SEC. 2. That section six of chapter four of said act, be and the same is hereby amended so as to read as follows: Power of city council

Sec. 6. The city council may make, by ordinance, any provisions necessary for carrying out the provisions of this charter, not inconsistent therewith.

SEC. 3. That section one of chapter five of said act, be and the same is hereby amended so as to read as follows:

Sec. 1. The city council shall have power to levy and collect taxes on all property, real and personal, within the limits of the city, not exempt by law, not exceeding

City Council may
levy and collect
taxes

one half of one per cent. per annum, upon the assessed value thereof, and may enforce the payment of the same in the manner hereinafter prescribed; and in addition to the foregoing powers, the city council shall have power to levy and collect an additional tax on all the said property, not exceeding one fourth of one per cent. per annum upon the assessed value, for the purpose hereinafter named and none other, which shall be collected in gold or silver, or current bank bills, and the city council may enforce the payment of the same in like manner as the tax first above named; and the same, when collected, or so much thereof as may be necessary for that purpose, shall be set apart for the purpose of paying the interest and coupons on the outstanding bonds of said city, and the balance of said last named tax, after paying said interest or coupons, shall be applied to the payment of said bonds as they shall become due; and all qualified voters of said city shall be liable to a poll tax, not exceeding one dollar in any one year, to be levied by the city council.

SEC. 4. That section three of chapter five of said act, be and the same is hereby amended so as to read as follows :

To give bond for
performance of
duty—may bor-
row money on
the credit of the
city—to be sub-
mitted to a vote
of the electors

Sec. 3 The city council shall have power to require of all officers elected or appointed in pursuance of this charter, such bonds, with penalty, and security for the faithful performance of their respective duties, as may be deemed expedient; and also to require all officers elected or appointed as aforesaid to take an oath for the faithful performance of the duties of their respective offices, before entering upon the duties of the same; to borrow money on the credit of the city, *Provided*, That no sum or sums of money shall be borrowed at a greater interest than ten per cent. per annum. And *Provided*, That the city council shall not borrow on the credit of the city, without first submitting a proposition to a vote of the qualified electors of the city, at an annual or special election which said proposition shall state the object and amount of the proposed loan, the proposed time or times of payment and the proposed rate or rates of interest; and if a majority of the electors voting at such election shall vote in favor of the said proposition, then the city council shall be authorized to carry out the said proposition, but not otherwise; and the manner of submitting such proposition, the voting thereon and ascertaining the result thereof, shall be prescribed by ordinance.

SEC. 5. That in addition to the aforementioned powers the city council shall have power to raise any bonds now outstanding against said city, by issuing new bonds therefor in such amounts, not exceeding the principal sum of such outstanding bonds exclusive of interest, and on such time as said city council shall deem expedient.

SEC. 6. That section five of chapter nine of said act be and the same is hereby amended so as to read as follows:

SEC. 5. The city council shall have power to levy and collect a special tax on the owners of the lots on any street or part of any street, according to the respective fronts of such lots, for the purpose of grading, paving, and planking the sidewalks along such street or part of a street, which may be collected as follows, to wit: Whenever the city council shall, by resolution, order the sidewalks of any street, or any part thereof, to be graded and paved or planked, the supervisor of streets shall forthwith notify the owners of the lots adjacent to such sidewalks, (or if the owners thereof do not reside within said city then the notice may be left with the occupants thereof, or affixed thereon if such lots are unoccupied), to build such portions of such sidewalks as extend along the line of such lots, in conformity with the requirements of such resolution within thirty days after such notice, and if any of the owners of such lots shall fail or neglect to build his, her or their proportion of such sidewalk within the time above prescribed, the supervisor of streets shall proceed to build and complete the same, and shall keep and report to the city council, as soon as may be, an accurate account of the expense thereof, opposite to each lot respectively; and the city council shall thereupon levy the several amounts of such expense as a special tax on such lots respectively, and if not paid at or before the expiration of thirty days thereafter, the city clerk shall thereupon proceed to sell and convey such lots, or so much thereof as may be necessary to pay such tax, charges and interest, in the same manner, upon like notice, upon the same conditions, and with the like effect, as lands are sold under said act of incorporation for delinquent unpaid taxes; and such special tax and charges together with interest thereon from the time such tax and charges shall accrue, at the rate of twenty-five per cent. per annum, shall be and remain a lien on such lots from the time the same is assessed until paid.

SEC. 7. That section one of chapter eleven of said act be, and the same is hereby amended so as to read as follows :

Who to work out
road tax

Sec. 1. The city council shall have power, for the purpose of keeping the streets in repair to require every male inhabitant in said city over the age of twenty-one years and under the age of fifty years, to labor on said streets, not exceeding two days in each and every year or in lieu thereof to pay the sum of one dollar each per day to be expended on said streets for the purpose aforesaid ; and if any such person shall, after having been notified by the supervisor of streets, fail and neglect to appear and perform such labor, either in person or by a substitute, and shall neglect or refuse to pay the said sum in lieu thereof, the supervisor shall proceed forthwith to collect such sum by levy, distress and sale of the goods and chattels of such person at public auction, first giving six days notice of such sale, to be posted in three public places in said city, and no property shall be exempt from distress and sale for such tax.

Approved March 11th, A. D. 1861.

CHAPTER LVIII.

An Act to amend "an act to incorporate the City of Rochester."

SECTION 1. Who to have charge of the poor.

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

Who to have
charge of the
poor

SECTION 1. That section one (1) of chapter six (6) of an act entitled an act to incorporate the city of Rochester, be amended by adding to said section, as follows :

Thirty-Eighth—The common council shall have power and it is hereby made their duty to take charge of the poor of the city, and provide for the same at the expense of the city.

Approved January 30th, A. D. 1861.