

CHAPTER VII.

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

- SECTION 1.** Disposition of persons convicted of any offence subjecting such offenders to imprisonment.
2. Amendment to Chapter 5, as amended by act passed Feb. 25, 1860.
3. At what rate of interest bonds may be issued.
4. Where bonds already issued bearing a higher rate of interest than seven per cent., how to proceed.
5. Holders of bonds bearing a greater rate of interest than seven per cent. may exchange them for "Preferred Bonds."
6. Power to issue bonds to aid families of volunteers—in what sum—interest how paid.
7. May issue bonds to the amount of indebtedness to the Board of Education.
8. May levy a tax annually for school purposes.
9. To license and regulate exhibitions of caravans, circuses, &c.
10. To create the office of City Assessor—duty of Assessor—term of office.
11. Duty of City Clerk upon return of City Assessor.
12. Common Council may make alterations and revision of assessment rolls.
13. Duty of Common Council before the annual meeting of the Board of County Commissioners.
14. Property subject to taxation—repeal of former sections.
15. Repeal of Section four of Chapter one.
16. Qualifications of voters.
17. Repeal of former sections.
18. Division of city into wards—boundary lines of each ward.
19. Repeal of former sections.

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

SECTION 1. That an act to reduce the laws incorporating the city of Saint Paul, in the county of Ramsey and State of Minnesota, and the several acts amendatory thereto into one act, and to amend the same, approved March 20th, 1858, and "an act to amend the charter of the City of Saint Paul," approved February 25th, 1860, and also an act to amend an act entitled "an act to amend the charter of the city of Saint Paul," approved February 21st, 1861, are amended as follows:

Sub-division 36, of Section 3, of Chapter 4, of said consolidated act to which this act is an amendment, shall be amended so as to read as follows: *Thirty-six.*—The Common Council of said city may provide by ordinance, that any one convicted of an offence before the City Justice, subjecting such offender to imprisonment under the charter and ordinances of said city, may be kept at hard labor in any work-house established by said city

Disposition of persons convicted of any offence subjecting such offenders to imprisonment

for that purpose, or in case of a male offender may be kept at hard labor during his term of imprisonment, in such work-house, or upon the public streets and improvements of said city, or both; and may also provide by ordinance, that any one convicted of an offence before the City Justice as aforesaid, and committed upon non-payment of a fine imposed, may be kept at hard labor in any work-house of said city as aforesaid, or in case of a male offender, may be kept at hard labor either in such work house, or upon the public streets and improvements or both, until such person shall work out the amount of such fine, at such rate of compensation as said common council may prescribe, for a time not exceeding the term of such commitment, and the common council shall have full power to establish by ordinance, all needful regulations for the security of such prisoners, thus employed, and to prevent escape and ensure proper discipline, and shall have power to establish a suitable work-house in said city for the purposes aforesaid, under such regulations as the said common council may provide; *Provided*, That the common council aforesaid, shall be and is hereby authorized to use the jail of Ramsey county as the work-house of the city of Saint Paul provided for in this act; the prisoners of the city to be, as at present, in the custody of the Sheriff of Ramsey county, except when employed upon the public streets and improvements of said city.

SEC. 2. That Chapter 5, of said consolidated act, as amended by an act to amend the charter of the city of Saint Paul, approved February 25th, 1860, shall be amended by adding thereto the following new sections:

Sec. 6. From and after the passage of this act, the said city of Saint Paul shall issue no bonds of said city, bearing a higher rate of interest than seven per cent. per annum.

Sec. 7. In all cases where the bonds of said city, heretofore issued, bear a higher rate of interest than seven per cent. per annum, the common council of said city shall have power to issue new bonds of said city, to be called "Preferred Bonds," which shall bear interest at the rate of seven per cent. per annum, payable semi-annually in the city of New York, and redeemable in not less than five, nor more than twenty-five years after their dates, in such form and amounts as the common council of said city may direct; and wherever any spe-

At what rate of interest bonds may be issued

Bonds already issued bearing a higher rate of interest—how to proceed

cial fund or revenue shall have been set apart by law, or pledged for the payment of the interest or principal of any of said bonds bearing a higher rate of interest than seven per cent. per annum, such special fund or revenue shall stand pledged in like manner for the payment of the interest and principal of said "Preferred Bonds," when exchanged for said other bonds, bearing a higher rate of interest aforesaid, and the interest on said "Preferred Bonds," so exchanged, shall be preferred and paid first out of such special fund or revenue, before any other bonds aforesaid; and for the purpose of making ample provisions for the payment of the interest of said "Preferred Bonds," a tax of three mills on the dollar, shall be levied on all the taxable property in said city, to pay the interest, and for a sinking fund for the payment of the principal of the bonds of said city, shall be levied annually, and first appropriated to the payment of any deficit in the interest of said "Preferred Bonds," and thereafter to the interest of any other bonds of said city, and the surplus shall be set apart as a sinking fund, for the payment of the principal of the bonds of said city; and should the said tax at any time, by reason of delinquent collections or otherwise, prove inadequate to meet any deficiency in the interest on said "Preferred Bonds," so much of the fines collected by the City Justice for the use of said city as shall be necessary for the purpose, shall be set apart and stand pledged and appropriated to meet said deficiency; and it shall be the duty of said common council, if need be, to make appropriations from any other source of revenue under its control, for the punctual payment of the interest on said "Preferred Bonds."

Sec. 8. Any holder of said bonds of said city, bearing a higher rate of interest than seven per cent. per annum, shall upon delivering up of any of such bonds last mentioned, to the common council, to be exchanged for said "Preferred Bonds," be entitled to receive under such regulations as the said common council may establish, "Preferred Bonds" as aforesaid, to the same amount as the amount of the principal of the bonds so delivered up, adding thereto the unpaid interest thereon at the rate of seven per cent. per annum. The Comptroller of said city shall carefully register the bonds so delivered up and exchanged, with their numbers, dates, amounts, purpose for which issued, and other needful particulars, and

Holders of bonds
may exchange
them for "Pre-
ferred bonds"

thereupon the same shall be cancelled. The said Comptroller shall also certify upon the back of each of said "Preferred Bonds," so exchanged as aforesaid, the numbers, dates, purpose for which issued, and other needful particulars of the bond or bonds delivered up in exchange for such "Preferred Bonds" in each case.

May issue bonds to aid families of volunteers—in what sum—interest how paid

Sec. 9. The common council shall have power to issue bonds of said city to the amount of twenty-five thousand dollars, bearing interest at the rate of seven per cent. per annum, payable in not less than five nor more than twenty years, for aid to families of volunteers, and to refund to the different funds of said city the amount already expended for that purpose. And the common council shall have power to levy an annual tax of one mill on the dollar, on all property subject to taxation, to create a fund to pay the interest on said bonds, and for a Sinking Fund to pay the principal of said bonds.

May issue bonds to pay indebtedness of Board of Education

Sec. 10. The common council shall have power to issue bonds of said city to the amount of the indebtedness of the city of Saint Paul, to the "Board of Education of the City of Saint Paul," said bonds to bear interest at the rate of seven per cent. per annum, and payable in not less than five or more than fifteen years.

May levy a tax annually for school purposes

Sec. 11. The common council shall also have power to annually levy a tax upon all the property liable to taxation in said city, of one mill upon the dollar for school purposes, and for the purpose of paying the interest upon the bonds issued to the "Board of Education."

To license exhibitions of caravans, circuses, &c

Sec. 3. Sub-division first, of Section 3, of Chapter 4, of said consolidated act, as amended by "an act to amend an act entitled an act to amend the charter of the city of Saint Paul," approved Feb. 21, 1861, shall be amended so as to read as follows: *First*.—To license and regulate the exhibition of common showmen and shows of all kinds, and the exhibition of caravans, circuses, concerts, and theatrical performances, and also to license and regulate all auctioneers, billiard tables, pigeon-hole tables, nine or ten pin alleys, bowling saloons, butchers' shops and butchers' stalls, and venders of butchers' meats, pawnbrokers, insurance offices and insurance agencies, groceries, taverns, lager beer saloons, victualing houses, and all persons vending, dealing, or disposing of spirituous, vinous, malt, or fermented liquors; *Provided*, That this act shall not be so construed as to prevent pork packers from disposing of their offal or trimmings of

hogs, nor shall any person selling game, or who may dispose of any animals raised or fattened by him, or who may sell fresh meats by the carcass, or quantities not less than by the quarter, be deemed or held to be a vendor of fresh or butchers' meats, under the provisions of this act.

SEC. 4. That Section 10, of Chapter 3, of said act, shall be amended to read as follows: That the electors of said city shall, at the annual election for city officers, in addition to the election of the other corporation officers, elect one Assessor for the city at large, who shall be a resident freeholder of said city, who shall perform all the duties required by law of assessors of property for the purpose of taxation for State, county, city and other purposes. The assessment rolls to embrace the property subject to taxation in each ward separately, and on the completion of such assessment, the assessment rolls with the valuation of such Assessor, shall be returned to the common council; that said Assessor shall hold his office for the term of one year, and in case of vacancy in said office, by failure to elect or otherwise, as heretofore provided, the common council shall fill such vacancy by the appointment of an Assessor for said city, at any regular or special meeting.

To create the office of City Assessor—duty of Assessor—term of office

SEC. 5. That Section 3, of Chapter 8, of said act, shall be amended so as to read as follows:

Sec. 3. That upon the return by the Assessor of the assessment rolls of the several wards, it shall be the duty of the City Clerk to give at least ten days notice thereof, in the official paper of the city, and that the common council will meet at a time therein named, to consider the same, and hear complaints if any there be, in relation thereto.

Duty of City Clerk

SEC. 6. That Section 4, of said Chapter 8, be amended so as to read as follows:

Sec. 4. That the common council shall, at the time and place specified in the notice provided for in the fifth section of this act, proceed to hear complaints, if any, and if necessary, supply omissions in said assessment rolls, and make such alterations and revisions of the roll aforesaid, as justice and equity may require, and to so revise and correct the same, and valuations returned, and to equalize the same; *Provided*, That the common council shall not have power to increase the total amount of said assessment rolls, except by adding thereto the value of property, (which value the common

May make alterations and revision of assessment roll

council are authorized to fix) which may have been omitted by the Assessor.

SEC. 7. That Section 6, of Chapter 8, of said consolidated act, shall be amended so as to read as follows :

Duty of council
before annual
meeting of Board
of County Com-
missioners

SEC. 6. Before the annual meeting of the Board of County Commissioners of Ramsey county, for the equalization of the assessment rolls of said county, it shall be the duty of the common council of said city, to deliver to the County Auditor of said county, the assessment rolls of said city, as corrected and equalized by said common council, and it shall be the duty of the County Auditor to lay the same before the Board of County Commissioners at their meeting.

SEC. 8. That Section 1, of Chapter 8, of said consolidated act, shall be amended so as to read as follows :

Property subject
to taxation

SEC. 1. All property, real and personal, within the city, except such as may be exempt by the laws of this State, shall be subject to taxation for the support of the city government, and payment of its debts and liabilities, and the same shall be assessed in the manner provided by law. That sections two, six, seven, eight, nine, ten, eleven, sixteen, eighteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, and twenty-nine, of chapter eight of said consolidated act, are hereby repealed.

Repeal of section
4 chapter 1

SEC. 9. That Section 4, of Chapter 1, of said consolidated act, is hereby repealed.

SEC. 10. Section 6, of Chapter 2, of said consolidated act, shall be amended so as to read as follows :

Qualifications of
voters;

SEC. 6. All persons entitled to vote for State and county officers, and who shall have resided for ten days next preceding the election, in the ward where they offer their vote, shall be entitled to vote for any officer elected under this law, and to hold any office hereby created. The Aldermen in each ward shall be the Judges of Election in their respective wards, and shall appoint two qualified electors of each ward, respectively, who shall be clerks of election respectively ; said election shall be held and conducted in the same manner, and under the same penalties, as required by the laws of the State regarding elections, except that the returns for all city elections shall be made to the City Clerk.

Repeal of former
acts

SEC. 11. Sections 7, 8, and 9, of Chapter 2, of said consolidated act, are hereby repealed.

SEC. 12. That Section 1, of an act to amend the

charter of the city of Saint Paul, approved March 7th, 1862, is hereby amended so as to read as follows: The said city shall be divided into five wards, called the first, second, third, fourth and fifth, limited and bounded as follows: All the district of country and territory east of the middle of Broadway and Missiasippi streets, and extending from the Mississippi river to the northern boundary of said city, shall be the Fifth Ward. All the district of country and territory between the west line of the Fifth ward, and a line commencing at the Mississippi river, and extending along the centre of Jackson and Sylvan streets, to the northern boundary of said city shall be the First Ward. All the district of country and territory between the west line of the First Ward, and a line commencing at the Mississippi river, and extending up the centre of Wabashaw street to its termination, thence down the centre of Bluff street to its intersection with Bond street, thence through the centre of Bond street to its intersection with Ewing street, thence north in the centre of Ewing street to Melrose street, thence in the centre of Melrose street to its intersection with Park Avenue, thence northerly in the centre of Park Avenue to the northern boundary of said city, shall be the Second Ward. All that district of country and territory between the west line of the Second Ward, and a line commencing at the Mississippi river and extending up the centre of Eagle street to the centre of Exchange street, thence up the centre of Exchange street to the centre of Third and Saint Anthony streets, thence up Saint Anthony street to its intersection with Dayton and Summit Avenues, thence along the centre of Summit Avenue to its intersection with Rice street, thence up Rice street to its terminus at the north line of the city, shall be the Third Ward. The Fourth Ward shall comprise all the district of country and territory lying west of the west line of the Third Ward, and east of the west line of the city, and thence extending north from the centre of the Mississippi river, including Harriet Island, to the north line of the city.

Division of city
into wards—bound-
ary lines of each
ward

SEC. 13. That Sections 2 and 3, of said act to amend the charter of the city of Saint Paul, approved March 7, 1862, are hereby repealed.

Repeal of former
act

SEC. 14. That Section 2, of Chapter 2, of the 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 20th, 1858, and the proviso thereto added, by an act to amend an act entitled an act to amend the charter of the city of Saint Paul, approved February 21st, 1861, is hereby amended so as to read as follows :

Elective offices—
term of office

The elective officers of said city shall be a Mayor, Treasurer, Comptroller, City Attorney, Street Commissioner, City Surveyor, and a Justice of the Peace for the city, who shall be styled City Justice, all of which said officers shall be residents within, and qualified voters of said city; each ward shall elect three Aldermen, one Justice of the Peace, and one Constable, who shall be residents within, and qualified voters of the ward for which they may be elected. All other officers necessary for the proper management of the affairs of said city, shall be appointed by the common council. At every annual election there shall be elected one Alderman from each ward, who shall hold his office for three years. The City Justice shall hold his office for two years, and until his successor is elected and qualified. The City Treasurer and the City Attorney shall hold their offices for two years, and until their successors are elected and qualified. The City Surveyor shall hold his office for three years, and until his successor is elected and qualified. The Street Commissioner shall hold his office for two years, and until his successor is elected and qualified. The Justices of the Peace and Constables of each of said wards shall hold their offices for two years, and until their successors are elected and qualified.

SEC. 15. That Section 12, of Chapter 3, of said consolidated act, and the act amendatory of said section, approved March 6th, 1860, is amended so as to read as follows :

When term of
office to com-
mence

Sec. 12. The term of every officer elected under this law, shall commence on the second Tuesday of April of the year of which he was elected, and shall unless otherwise provided, continue for one year, and until his successor is elected and qualified.

SEC. 16. Section 9, of an act to amend the charter of the city of St. Paul, approved Feb. 25, 1860, is hereby amended so as to read as follows :

Sec. 9. It shall be the duty of the Street Commissioner to render his personal services and perform labor

in repairing the streets of said city, to superintend all local improvements throughout the said city, under the direction of the common council and committee on streets, and to carry into effect all orders of the common council and the committee on streets in relation thereto, and perform such other duties as may be herein prescribed, to be performed by the Street Commissioner, or ordained by the common council. Said Street Commissioner shall receive a compensation to be fixed by the common council, not exceeding five hundred dollars (\$500) per annum, and shall keep accurate accounts of all expenditures incurred in the discharge of his duties, and 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 appear.

Duty of Street
Commissioner

Sec. 17. Section 22, of Chapter 3, of said consolidated act to which this is amendatory, is hereby amended so as to read as follows:

Sec. 22. The City Surveyor shall be a practical Surveyor and Engineer. He shall keep his office at some convenient place in said city, and the common council shall prescribe his duties, and fix the fees and compensation for any service performed by him. All surveys, profiles, plans, or estimates, made by him for the city or either of the wards, shall be the property of the said city, and shall be carefully preserved in the office of the Surveyor, open to the inspection of parties interested, and the same, together with all books and papers, appertaining to said office, shall be delivered over by the Surveyor, at the expiration of his term of office, to his successor, or to the common council.

Qualifications of
City Surveyor

Sec. 18. Section 16, of an act to amend the charter of the city of Saint Paul, approved February 25, 1860, is hereby repealed.

Repeal of former
act

Sec. 19. That Section 2, of an act to amend the charter of the city of Saint Paul, approved February 25, 1860, shall be amended and shall read as follows:

Sec. 2. That said common council shall have power to annually levy a tax upon all the property in said city, subject to taxation, not exceeding five mills on the dollar, per annum, to defray the current expenses of the city.

To levy an annual tax—for
what purpose

SEC. 20. That the proviso to Section number 18, of an act to amend the charter of the city of Saint Paul, approved February 25, 1860, is hereby amended so as to read as follows :

Petition to be signed by two-thirds of the owners of the land

Provided, That the said petition shall be signed by at least two-thirds of the owners of the land fronting or abutting on the line of the proposed improvement.

SEC. 21. That the proviso to section nineteen, of an act to amend the charter of the city of Saint Paul, approved February 25th, 1860, is hereby amended so as to read as follows :

Petition to be filed with City Clerk

Provided, That before the said common council shall order the construction of such side-walks, a petition signed by at least two-thirds of the owners of the land, abutting on the line of such proposed side-walk, shall be filed with the City Clerk requesting the same.

SEC. 22. That Section number 20, of an act to amend the charter of the city of Saint Paul, approved February 25, 1860, is hereby amended so as to read as follows :

Expense of grading streets how paid

SEC. 20. No grading of streets or alleys, to be done at the expense of lots fronting such improvement, or sewers the expense of which is to be charged to the lots drained or benefited as before provided, shall be ordered by the common council, except upon the petition in writing, of a majority of the owners of the property on the line of the proposed improvement, and chargeable therewith, unless by a two-third vote of the common council, 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 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 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 for 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; *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 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 23. This act shall be in force from and after its passage.

Approved, March 2, 1863.

CHAPTER VIII.

An Act to Amend an Act to Incorporate the City of Rochester.

SECTION 1. Amendment to Sections 1 and 17.

1. When annual election to be held.

17. Powers of Justices of the Peace.

2. Amendment to Section 2. Construction and repair of side-walks—expenses how paid.

3. Amendment to Section 3. Costs of surveying streets, alleys, side walks, &c.—how paid.

4. Amendment to Section 5. Prosecutions for violations of this act—how conducted.

5. Amendment to Section 23. This act deemed a public act.

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

SECTION 1. That Sections 1 and 17, of Chapter 4, of an act entitled "an act to incorporate the city of Rochester," approved August fifth, A. D., one thousand eight hundred and fifty eight, be and the same are hereby amended, so as to read as follows:

Sec. 1. The annual election of the city officers shall be held on the first Tuesday of April, in each year, at such place within each ward as the common council shall designate, and the polls shall be kept open from ten o'clock A. M., until four P. M., and ten days previous no-
When annual election to be held