

CHAPTER XXV.

An Act to amend an act to incorporate the city of Rochester. February 23, 1865.

- SECTION 1. Vacancies—how filled.
 2. Term of office.
 3. When act to take effect.

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

SECTION 1. That section two of chapter four of an act entitled an act to incorporate the city of Rochester, approved August fifth, eighteen hundred and fifty-eight, be and the same is hereby amended so as to read as follows:

Whenever a vacancy shall occur in the office of alderman, city justice or justice of the peace, constable or any other officer elected at the annual charter election, except the mayor, it shall be lawful for the common council or a majority of them, at any regular meeting to fill such vacancy by appointing by warrant, under their hands and the seal of the city, certified by the acting clerk or recorder, and the person so appointed shall hold his office until the next charter election and until his successor is elected, chosen or appointed, and shall have and possess the same powers and be subject to the same liabilities as if he had been duly chosen at the regular election: *Provided*, All such appointments shall be made from the same ward in which such vacancy occurs.

SEC. 2. That section ten, chapter four of said act be amended to read as follows:

Section 10. The term of every officer elected under and by virtue of this act, shall commence at the time of his election and qualification, and continue until his successor is elected and qualified.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 23, 1865.