

CHAPTER XXIV.

February 2, 1868 *An Act to amend An Act entitled An Act to incorporate the village of Mankato, approved March 2, 1865.*

- SECTION 1.** Amends the Incorporation Act of Mankato, by conferring additional powers on the corporation thereof, under certain conditions.
2. Electors to elect for certain term an attorney as legal adviser.
 3. Compensation of Treasurer, Marshal, Clerk and Attorney.
 4. Amends section nine of incorporation act.
 5. Amends twentieth section by providing how actions to recover penalties are to be brought—Powers of Trustees—To make yearly statements of finances.
 6. When act to take effect.

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

May convey real or personal estate.

SECTION 1. That section one of chapter thirteen of the special laws of 1865 is amended, and the following is added to said section: "And said village of Mankato is a municipal corporation, and possesses full power to convey real or personal property or any claim or interest therein. *Provided,* That the electors of said village shall have the exclusive power at their annual or special meetings to direct the institution of all actions, where the title to real estate or any claim thereto is in controversy, wherein said village is interested."

To elect attorney.

SEC. 2. Section three of said chapter is amended by adding thereto the following: "The electors of said village shall, at their annual election on the first Tuesday in May, elect in the same manner and for the same time as the trustees are elected, an attorney, who shall be the legal adviser of the officers and trustees of said village, in all matters relating to their several official duties and in all actions where said village is a party he shall act as the attorney therefor."

Compensation.

SEC. 3. The sixth section of said chapter is amended and reads as follows: "The treasurer, marshal, clerk and attorney shall receive such compensation as

the trustees deem reasonable and just, but no other officer receives any compensation."

SEC. 4. Section nine of said act is amended and the word "exclusive" inserted in the eighth line thereof, first preceding the word power, and reads: "they shall have exclusive power." To have exclusive powers.

SEC. 5. The twentieth section of said chapter thirteen is amended and reads as follows:

In any action brought to recover any penalty or damages under this act, or the by-laws made by the trustees, it shall be proper to complain that the defendant is indebted for the amount of such penalty or damages, and to refer to the act or by-laws under which the same is claimed, and to give the special matter in evidence under it; and all civil cases and the prosecution thereof shall be under the direction and control of the trustees, except as hereinbefore provided, and they shall have power to settle, compromise or adjust all such actions on the part of the village when said village shall be a party interested in such action, and they have power to settle and compromise any claim to real or personal property claimed or owned by said village. Powers of Trustees. The said trustees shall each year, on the second Tuesday of April, make a full and accurate statement of the receipts and expenditures of the preceding year, which statement shall contain a full and correct description of each item, from whom and on what account received, to whom paid, and on what account expended, together with an accurate statement of the finances of the said village at the time said statement is made, particularly including all debts and liabilities of every description, and to whom owing, and on what account the same were incurred, and the assets and other means to discharge the same, which statement the said trustees shall publish once at least between the said second Tuesday of April and first day of May, annually, in some newspaper published in said village, and shall file the original statement with the treasurer of said village before the first Tuesday of May, annually.

SEC. 6. This act shall be in force from and after its passage.

Approved February 2, 1866.