

## CHAPTER VIII.

March 3, 1869.

*An Act to incorporate the village of Lanesboro, Fillmore County, Minnesota.*

- SECTION 1. Boundary lines of the village of Lanesboro—incorporation of said village.
2. What deemed elective officers—terms of office.
  3. What to constitute the Common Council—quorum—powers of the Council.
  4. Council authorized to impose fines and punishments for violation of any ordinance—limitation of fines and punishments.
  5. Vote necessary to enact an ordinance—all ordinances to be published in the official paper.
  6. All prosecutions to be brought by warrant—when appeal may be made.
  7. Disposition of fines imposed.
  8. Elections how conducted.
  9. Who to be judges of election—when annual election to be held.
  10. Council to give notice of time and place of holding election—special elections, how called.
  11. Council authorized to levy a tax—for what purpose—how collected.
  12. County Commissioners prohibited from granting licenses for the sale of intoxicating liquors.
  13. Powers of the Village Justice and Constable—to take oath and execute bonds conditioned for faithful performance of duties—fees.
  14. Vacancies, how filled.
  15. Constituted a road district.
  16. When act to take effect.

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

Boundary lines  
of Lanesboro—  
incorporation of  
said village.

SECTION 1. All that part of the township of Carrolton, Fillmore county, Minnesota, included within the following described limits or boundaries, to wit: All of section thirteen (13) and the north half ( $\frac{1}{2}$ ) of section twenty-four (24) township one hundred and three (103) of range number ten (10) west of the fifth principal meridian, except the west half of the south-west quarter of section thirteen and the west half of the north-west quarter of section twenty-four of said township shall be a village, and shall be known by the name of "The Village of Lanes-

boro," and the people now inhabiting and those who may hereafter inhabit within the district of country herein described, shall be a municipal corporation by the name of the "Village of Lanesboro," and shall have all the general powers possessed by municipal corporations at common law; and in addition thereto, shall possess all the powers hereinafter specifically granted, and the authorities thereof shall have perpetual succession, shall be capable of contracting and being contracted with; of suing and being sued; pleading and being impleaded in all courts of law and equity, and may have a common seal.

SEC. 2. The male inhabitants of said village having the qualifications of electors of members of the legislature of the state of Minnesota, (as hereinafter provided) may elect a president, three trustees, a recorder, a justice of the peace, and a constable; who shall hold their respective offices for one year, or until their successors are elected and qualified; and before entering upon the duties of their respective offices, shall each take an oath (or affirmation) to support the constitution and laws of the state of Minnesota; also an oath of office. The recorder shall act as treasurer and shall give such bonds as the village council may require.

What to be elective officers—  
term of office.

SEC. 3. The president, the three trustees and recorder shall be the common council of the village of Lanesboro; any three of whom shall constitute a quorum for the transaction of any business; and shall have full power and authority to enact, adopt, modify, enforce and from time to time amend or repeal all such ordinances, rules and by-laws as they shall deem expedient for the following purposes, to wit:

Common council—of whom to consist—powers of the council.

*First*—To provide for the construction and maintenance of suitable sidewalks and street crossings as they shall deem expedient, at the expense of the owners of the lots, or parts of lots respectively opposite and adjoining to such sidewalk or crossings.

*Second*—To prevent riots, noise, disturbance of meetings or public assemblies whatever, to punish any person or persons who may be engaged in or in any way connected with the same, and generally to promote and preserve good order and the public peace.

*Third*—To prevent the incumbering of street, sidewalks, lanes or alleys with carriages, carts, wagons, boxes, barrels, sleighs, firewood, lumber or any other material or substance whatever.

*Fourth*—To restrain the running at large of cattle, swine, sheep, horses, mules and poultry, and to authorize the impounding, distraining and sale of the same.

*Fifth*—To prevent any person from bringing, depositing or having within the village of Lanesboro, any putrid carcass or other unwholesome substance, and to require the removal of the same by any person who shall have the same upon his premises, or by the person who may have put the same thereon; or from any street, lane, public square or alley, and in default to authorize the removal thereof at the expense of such person so required to remove the same.

Powers of the  
council.

*Sixth*—To prevent open or notorious drunkenness, brawling or obscenity in the streets, alleys or public places, and to provide for the punishment of all persons who may be guilty of the same.

*Seventh*—To prevent all persons from doing any damage to the sidewalks.

*Eighth*—To direct the location and management of slaughter houses and markets in said village, and to regulate the sale, storage, conveying and keeping of gunpowder and other combustible materials.

*Ninth*—To compel the owners, agents or lessees of any hog yard or hog pen, stable, privy, sewer, hide yard, slaughter house, markets, or any other unwholesome or nauseous house or place, to cleans, remove or abate the same from time to time as the village council may deem necessary for the health, comfort and convenience of the inhabitants of said village.

*Tenth*—To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers, boiler stacks and apparatus used in or about any building, and to cause the same to be placed in a safe condition at the expense of the owner or owners, to prevent the deposit of ashes in unsafe places or the throwing of them into the street; to regulate and prevent the use of fireworks and fire arms, and to establish such regulations for the prevention and extinguishment of fires, as they may deem expedient. Also adopt such regulations as they may deem proper to prevent the introduction or spread of contagious diseases.

*Eleventh*—To establish the grades of the streets and cause an accurate profile thereof to be made, a copy of which must be filed in the office of the village recorder.

*Twelfth*—To license public showmen or exhibitions, billiard tables and bowling alleys.

SEC. 4. Said village council shall have full power and authority to declare and impose fines, penalties and punishments, and to enforce the same against any person or persons, who may violate any of the provisions, of any ordinance, rule or by-law enacted by them, and all such ordinances, rules, and by-laws are hereby declared to have the force of law. *Provided*, They are not repugnant to the constitution of the United States and the state of Minnesota. Fines, penalties and punishments may extend to wit: Fines not to exceed one hundred dollars (\$100.00) or imprisonment not to exceed thirty (30) days in the county or village jail. Offenders may be required to give security for their good behavior, and to keep the peace, for a period not exceeding one year, in a sum not exceeding five hundred dollars (\$500.00.)

May impose  
fines and penalties—limitations

SEC. 5. All ordinances, rules and by-laws shall be enacted by a majority of all the members of the village council, and shall be signed by the president or chairman, attested by the recorder, and published once in a newspaper published and printed in said village or posted conspicuously in three public places in said village for ten days before the same shall be in force and shall be recorded by the recorder in a book kept for that purpose.

Vote necessary  
to enact ordinance—all ordinances to be published.

SEC. 6. All prosecutions for violating any of the ordinances, rules, or by-laws enacted under the provisions of this act, shall be brought in the name of the village of Lanesboro and shall be commenced by warrant, upon complaint being made as required by law in criminal cases before justices of the peace, and the same proceedings shall be had thereon as are required to be had by the laws of this state, in criminal or civil actions, before justices of the peace. *Provided*, No appeal shall be allowed in any case where the fine or penalty imposed is less than twenty dollars (\$20.00.) The justice of the peace of the village shall have and possess exclusive and original jurisdiction of all cases arising under the provisions of this act.

How prosecutions to be brought—when appeal may be made.

SEC. 7. All fines and penalties imposed under or by virtue of the provisions of this act shall belong to the village of Lanesboro and shall constitute a fund to pay the expenses incurred under the provisions thereof.

Disposition of fines imposed.

SEC. 8. Any five citizens being freeholders within the corporate limits of the village of Lanesboro and having

Elections how  
conducted.

the qualifications requisite for electors of members of the state legislature, may at any time call a meeting of the electors thereof to elect officers provided for in section two (2) of this act, by posting a notice for ten days prior to the meeting, at the post office, and at two more public places within the limits of said village, or by publishing the same for two weeks immediately preceding said election, in a paper published at Lanesboro, stating the object of the meeting, the time and place of holding the same, and the electors present at the time and place, may organize such meeting by choosing viva voce, two judges of election and one clerk, who shall take an oath or affirmation to faithfully discharge the duties required of them, and said judges and clerk being duly qualified, shall forthwith open the polls by proclamation and conduct the election in the manner prescribed by the statutes of Minnesota for the election of township officers, and the judges of election shall give to each person elected a certificate of his election within five days after said election.

Who to be  
judges of elec-  
tion—when an-  
nual election to  
be held.

SEC. 9. After the first election of officers the village council shall act as judges of election and the annual meeting for the election of officers shall be held on the first Wednesday of April in each year, at such place in the village of Lanesboro as the council may direct, and the polls shall be opened between the hours of ten (10) and eleven (11) o'clock in the forenoon, and close at four (4) o'clock in the afternoon of said day. And at the close of the polls the votes shall be counted and a true statement thereof proclaimed to the voters by some one of the judges of election, and the recorder shall make a true copy thereof in a book kept for that purpose. And within five days thereafter shall notify in writing the persons so elected of their election.

Time of holding  
elections—no-  
tice to be given  
—special elec-  
tion how called.

SEC. 10. The village council shall give notice of the time and place of holding the annual meeting for the election of officers, by posting a notice of the same fourteen days immediately prior to the day of election, at the post office, and at three (3) or more public places in said village, or by publishing it for two weeks immediately prior said election, in a paper published in Lanesboro; and may at any time call a special meeting of the electors of the village, by posting or publishing a notice as provided in this section for the call of the annual meeting. *Provided*, No subject or question shall be considered or acted upon at any annual or special meeting, unless it has been clearly stated in the notice for the call of such meeting.

SEC. 11. The legal voters of the village of Lanesboro may, at any annual or special meeting, authorize the village council to levy a tax to build a pound, or to build a building or place for the confinement of persons arrested under the provisions of this act. And any such tax shall be levied and collected as prescribed by the statutes of the state of Minnesota for the levying and collecting of township taxes.

To levy a tax—  
for what pur-  
pose—how col-  
lected.

SEC. 12. The county commissioners of Fillmore county shall not in any case grant a license to any person or persons to retail or wholesale any intoxicating drinks of any kind within the limits of the village of Lanesboro, after the election of a village council as hereinbefore provided, unless a petition is presented to said board of commissioners, signed by a majority of the members of the village council, asking them to grant such license.

County commis-  
sioners prohibi-  
ted from licens-  
ing the sale of  
intoxicating  
liquors.

SEC. 13. The justice of the peace and constable elected under the provisions of this act shall have and may exercise in addition to the power and authority herein specially granted as such officers, all the power and authority in any case possessed by a justice of the peace, or constable elected by the township of Carrolton, Fillmore county, Minnesota. The justice of the peace and constable shall take the same oath of office and execute, before entering upon the discharge of their duties as such officers, the same bonds, and file their bonds with the same parties as justices of the peace and constables elected by said town of Carrolton are now, or may hereafter be required to do, shall receive the same fees for their services as justices of the peace and constables elected by the township of Carrolton are allowed under the statutes of the state of Minnesota; and the constable may at any time under the direction of the president or a majority of the village council call to his assistance any number of citizens sufficient to aid him in the suppression of a riot or any public disturbance, or to aid him in making arrests.

Powers of jus-  
tices of the peace  
and constables  
—to take oath  
and give bond—  
—fees.

SEC. 14. Should a vacancy occur in any of the offices provided for in this act, the village council are hereby authorized to fill the same by appointment.

Vacancies, how  
filled.

SEC. 15. The village of Lanesboro shall be a road district and all taxes raised within the limits of said village for building bridges or public highways, or for repairing the same shall be expended under the direction of the village council. *Provided*, A village council is elected under the provisions of this act.

Constituted a  
road district.

When act to  
take effect.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved March 3, 1869.

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## CHAPTER IX.

March 5, 1869.

*An Act to amend Chapter eleven of an act entitled "An Act to reduce the act incorporating the town of Saint Cloud, and to repeal a former charter of said town, approved March eighth, one thousand eight hundred and sixty-two, and the several acts amendatory thereto, to one act, and to amend the same, and to incorporate the City of Saint Cloud," approved March sixth, one thousand eight hundred and sixty-eight.*

- SECTION 1. Said city constituted a school district.
2. What to constitute the Board of Education—term of office.
  3. Shall be a body corporate—name.
  4. Compensation of members of Board of Education.
  5. When the office declared vacant.
  6. Vacancies, how filled.
  7. Board of Education to meet for the election of officers—when—duty of officers—what to constitute a quorum.
  8. Duty of Clerk of Board of Education.
  9. Duty of Treasurer of Board of Education.
  10. How moneys may be drawn from the Treasury.
  11. Board to have entire control of all property belonging to the public schools.
  12. Board may have power to levy and collect taxes—for what purpose.
  13. Board may have power, with consent of the Common Council, to levy a tax for the purpose of purchasing necessary grounds, improving and ornamenting the same.