

act. But if a majority of said votes shall be against village charter, then in such case all rights, privileges and powers by this [act] granted, shall be forfeited, and no further election or action under or by virtue of it shall be taken or be valid. No irregularity in conducting the proceedings or election in this proviso provided for, shall affect or default this act.

SEC. 25. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 24, 1870.

CHAPTER VI.

An Act to incorporate the Borough of New Ulm and to repeal its present acts of Incorporation. Feb'y 19, 1870.

CHAPTER I.

- SECTION 1. Corporate rights of the Borough of New Ulm.
2. Boundary lines of said Borough.
 3. Style of all ordinances.

CHAPTER II.

- SECTION 1. Elective officers of said Borough.
2. Term of office.
 3. When official term of office to commence.
 4. When annual election to be held—how conducted.
 5. Qualifications of electors—what to constitute an election.
 6. In case of tie vote, how decided.
 7. Who to be inspectors of election.
 8. Special elections may be held—how conducted.
 9. Vacancies, how filled.
 10. When office deemed vacant.
 11. When new election may be held.
 12. Duties of inspectors of election—duties of Borough Clerk.
 13. Every person elected or appointed to office to take oath conditioned for the faithful performance of duties—what officers to give bonds.

CHAPTER III.

- SECTION 1.** Who to be President of the Council—the Mayor to sign all ordinances and to see the same duly enforced—to call special meetings of Council—Mayor clothed with the veto power.
2. In the absence of the Mayor who to preside over the Council—power of Acting Mayor.
3. Duty of Recorder.
4. In case of absence or sickness of Recorder—who to act.
5. Fees of Recorder.
6. Duties of Treasurer.
7. Duties of Attorney.
8. Duties of Clerk.
9. Duties of Marshal.
10. Any person refusing to deliver up books, &c., to his successor shall forfeit and pay to the borough \$100.
11. Officers to make report—when.
12. When necessary may use county jail.

CHAPTER IV.

- SECTION 1.** What to constitute the Council—when to meet—what to constitute a quorum—to determine the rules of proceedings and to judge of the qualifications of its own members.
2. Council to have control of the finances—further powers of Council.
3. Council authorized to purchase fire apparatus—exemptions of members of fire department.
4. Power of Council over highways.
5. All ordinances, regulations, &c., to be published in the official newspaper of the borough.
6. How to proceed in opening, widening or altering streets, &c.—rights of parties aggrieved.
7. To file all plats, maps, &c., with the Clerk of the Borough.
8. Street improvements, how made—expense how paid—when Clerk to make return of delinquent tax to County Auditor.
9. Assessments on property improved how made.

CHAPTER V.

- SECTION 1.** Property liable to taxation.
2. All funds in the Borough treasury shall be under the control of the Council.
3. Transfer of township rights of the town of New Ulm to the Borough of New Ulm.
4. How actions may be brought for the recovery of fines, penalties, &c.
5. All fines collected for the violation of any ordinance to be paid into the Borough treasury.
6. In what cases appeals shall be allowed.

CHAPTER VI.

- SECTION 1.** May lease, purchase and sell real and personal property—may by ordinance exempt certain property from taxation.

2. No laws shall be considered repealing or modifying the same unless expressly set forth in such law.
3. Repeal of existing township organization within the limits of said Borough.
4. Appointment of Deputy Marshals.
5. Deemed to be a public act.
6. Repeal of inconsistent acts.
7. Board of inspectors at first election—when first election to be held.
8. When act to take effect.

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

CHAPTER I.

SECTION 1. All that portion of the county of Brown contained within the limits and boundaries hereinafter described, shall be known and called the Borough of New Ulm, and the persons residing and inhabiting therein, are hereby declared to be a municipal corporation by the name of the Borough of New Ulm, and said corporation shall have, possess and enjoy all the general powers possessed by such corporations at common law, and the powers in addition thereto hereinafter specifically granted, shall have perpetual succession, be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded in all courts of this state, shall have a common seal, that may be changed and altered at pleasure.

Corporate rights.

SEC. 2. That the territory included within the boundaries following, shall constitute the borough of New Ulm, viz: All the territory in the county of Brown lying and being in township number one hundred and ten, north of range number thirty west, saving and excepting section number twenty-seven; section number thirty-four, the west half of section number thirty; section number thirty-one, the south half of section number thirty-two, and the south half of the north-west quarter of section number thirty-two, all in said town and range.

Boundary lines.

SEC. 3. The style of all ordinances shall be: "Be it enacted by the council of the borough of New Ulm."

Style of ordinances.

CHAPTER II.

SECTION 1. The officers of said borough of New Ulm shall be one mayor, three councillors, one recorder, one treasurer, one clerk and one marshal, who shall be elected by the qualified voters of said borough, and one attorney,

Elective officers.

who shall be selected from among the qualified electors of said borough by the council upon the recommendation of the mayor.

Term of office.

SEC. 2. The mayor, recorder, treasurer, clerk and marshal, shall each hold their office for the term of one year, and until their successors are elected and qualified, the attorney for one year, unless removed for cause by the council, and the councillors shall hold their office for three years, and until their successors are elected and qualified; *Provided*, That at the first election under the provisions of this act; one councillor shall be elected to serve for the term of one year, one councillor shall be elected to serve for two years, and one councillor shall be elected to serve for three years, and that there shall be elected one councillor at each annual election thereafter, to serve for three years, as hereinbefore provided.

When term of office to begin.

SEC. 3. The official term of all officers elected under the provisions of this act, shall commence on the third Tuesday of April, and shall expire upon the third Tuesday of April of the next following year.

Election how conducted—when held.

SEC. 4. The annual election of the officers required to be elected by the provisions of this act, shall be held on the first Tuesday of April in each year, in such place within said borough as the council by ordinance may designate, and shall be conducted in all respects in accordance with the general election laws of this state, except as hereinafter qualified.

Qualifications of electors.

SEC. 5. All persons entitled to vote for county and state officers, shall be entitled to vote for any officer to be elected under this act, and to hold any office hereby created, and a plurality of votes shall constitute an election.

In case of a tie vote how decided

SEC. 6. Whenever two or more candidates for an elective office shall receive an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the borough council, at such time and in such manner as they may direct; *Provided*, That in case of the neglect or refusal of either or all of such candidates to appear at the time and place appointed for the casting of such lots, the same may be done by the mayor, in presence of the said council, and under their direction as to the method and manner of casting said lots.

SEC. 7. The councillors shall be inspectors of election, with power in case of absence to appoint a clerk of such

election and to administer the necessary oath. Said election shall be held and conducted in the same manner and under the same penalties, and vacancies in the board of inspectors thereof filled as required by the general election laws of this state. Who to be judges of election.

SEC. 8. Special elections for any purpose, shall be held and conducted in all respects as general or annual elections, and upon a notice of not less than ten days, which notice shall distinctly specify the objects of said election. Special elections, how conducted.

SEC. 9. Whenever a vacancy shall occur in the office of mayor or councillor, such vacancy shall be filled by a new election. Any vacancy occurring in any other office, shall be filled by the borough council. The person so elected or appointed to fill any vacancy, shall hold said office and discharge the duties thereof, subject to the same liabilities as the person whose office he may be elected or appointed to fill, and for the unexpired time of the person whose office he may have been elected or appointed to fill. Vacancies, how filled.

SEC. 10. Any officer removing from the borough, or who shall neglect or refuse for ten days after notice of his election or appointment, to qualify or enter upon the discharge of the duties of his office, shall be deemed to have vacated the same, and the borough council may proceed to fill such vacancy [as] herein prescribed. When office deemed vacant.

SEC. 11. Should there be a failure by the people of said borough to elect any officer herein required to be elected at any time for such purpose designated, the borough council may order a new election to be held, giving ten days notice thereof, as at general elections. When council may order new election.

SEC. 12. Whenever any election shall be closed, and the votes cast thereat counted, and the result ascertained, the said inspectors shall make return thereof, with an abstract of the whole number of votes cast at such election; stating the number of votes for each person for each and every office, or upon any or all propositions, affirmative and negative, of any proposition submitted to the people of said borough at such election, and shall deliver or cause to be delivered by one of their own number into the hands of the borough clerk, such abstract and return, who shall thereupon within three days give notice to each of the persons elected of their respective elections. Duties of inspectors of election—duties of clerk.

SEC. 13. Every person elected or appointed to any office under this act shall, before he enters upon the duties

Officers to take
oath and give
bonds.

of such office, take and subscribe an oath of office, and file the same, duly certified by the officer administering the same with the clerk of said borough, and the treasurer and such other officers as the borough council may direct shall, before entering upon the duties of their respective offices, be required to execute such bond to the borough of New Ulm, as the council thereof may direct and approve, for the faithful performance of the duties of such office, and such bond may be increased or diminished at the pleasure of the council, and any officer failing to give the required bonds at any time may be removed from office by said council.

CHAPTER III.

Who to be presi-
dent of council—
duties of mayor.

SECTION 1. The mayor shall, when present, preside over the meetings of the borough council, but shall have no vote therein. He shall sign and approve all ordinances approved by himself, before the same shall have any force or binding effect. Shall be invested with the veto power. Shall have power to execute all ordinances and enforce all laws that may be required of him by law or the ordinances of said borough, and is clothed with power to call upon any male inhabitant over the age of eighteen years to aid in enforcing the laws and aid him in the suppression of disturbances, and any person when so directed who shall not obey such call or render such aid, shall upon conviction before the recorder of said borough or any other magistrate having jurisdiction thereof, be fined not less than five dollars nor exceeding one hundred dollars. He may call special meetings of the council, and may communicate to said council such measures as he may deem advantageous to the welfare of said borough. He shall by virtue of his office, nominate and present to the council the names of suitable persons to fill any office which by this act shall be filled by the appointment of the council. It shall be his duty in case of the veto by him of any ordinance presented to him for his approval, to cause the same to be returned to the clerk of said borough, within five days, with the reasons of refusal to approve such ordinance, provided such ordinance may become effective and in force without such approval if concurred in and passed by an unanimous vote of the council, and in case such ordinance be not signed and approved within such five days, the same shall be treated as if approved.

SEC. 2. In case of the absence of the mayor or his inability from any cause to discharge the duties of his office, the council may elect by ballot from their own number, an officer who shall be styled *acting mayor*, and all actions performed by him shall have the force and validity as if performed by the mayor. The acting mayor shall have the voting power but not the veto power.

In absence of the mayor who to preside—power of acting mayor.

SEC. 3. The recorder of said borough shall have all the authority, rights and powers of justices of the peace under the general laws of the state, and both civil and criminal jurisdiction, and in addition thereto, shall have sole and exclusive jurisdiction to hear all complaints, examinations and trials, civil and criminal, arising within the limits of the borough cognizable before a justice of the peace, in which the said borough of New Ulm shall be a party, and of all suits, actions, prosecutions and proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation of said borough.

Duties of recorder.

SEC. 4. In case of absence, sickness or other inability of said recorder, the council on the recommendation of the mayor, may authorize any other justice of the peace of the county of Brown to perform the duties of such recorder, and said justice shall possess for the time being, all the powers, authority and rights of said recorder of the borough of New Ulm.

In case of absence of recorder, who to act.

SEC. 5. The said recorder shall keep a docket, and a fair and true record of all proceedings, judgments and executions in all cases which may come before him, and he shall be entitled to the same fees as are allowed to justices of the peace in similar cases.

Fees of recorder.

SEC. 6. The treasurer shall receive all moneys belonging to the borough, keep an accurate and detailed account thereof, in such manner as the council shall direct, shall pay out moneys only as drawn upon him on orders duly signed by the mayor and attested by the clerk of said borough, and make such reports, exhibits, and perform such duties as may be required by the ordinances of the borough.

Duties of treasurer.

SEC. 7. The borough attorney shall be a person learned in the law, and shall be the legal adviser of the officers of said borough upon all subjects arising by virtue of this act. He shall receive a reasonable compensation for his services, to be regulated by ordinance. He shall attend and prosecute or defend all suits, actions or prosecutions commenced or prosecuted by said borough, either criminal or

Duties of attorney

civil, and defend all actions, suits or prosecutions in which said borough may be defendant.

Duties of clerk.

SEC. 8. The clerk of said borough shall have the care of the seal and records thereof, shall be by virtue of his office, assessor of said borough. He shall keep a fair record of the proceedings of the council, and attend all meetings thereof. He shall do and perform all duties by law required to be performed by town clerks, and all powers and authority invested by law in township clerks shall be vested in said borough clerk. He shall draw all orders upon the treasurer attesting the same, and pay over all moneys received by him to the treasurer, taking his receipt therefor. He shall perform the duties of assessor, as required by laws of the state regulating the duties of township assessors. He shall annually, at the close of each fiscal year, report to the council a detailed estimate of the expenses for the year preceding, and perform such other duties as may be required of him by the ordinances of said borough, for which services he shall receive such compensation as may be regulated by ordinance and the laws of this state.

Duties of marshal

SEC. 9. The marshal of said borough shall have the same powers and is invested with the same authority at law and under the statutes as constables. He shall, by virtue of his office, be the keeper of the public pound, and by ordinance, may be required to perform the duties incident thereto. He shall be a conservator of the peace, and for all services shall receive such fees as may be established by ordinance. He shall also perform such duties as may be required of him by ordinance of said council.

Penalty for refusing to deliver property, &c., to successor.

SEC. 10. Any person having been an officer of said corporation shall, within two days after notification and demand, deliver to his successor in office, or other duly authorized person or persons, all property, papers and effects of every description in his possession belonging to said borough or pertaining to his office. If he fail to do so, he shall forfeit and pay to the use of said borough the sum of one hundred dollars, to be recovered in a civil action.

Officers to make report—when.

SEC. 11. All the officers mentioned in this act shall, when called upon by resolution or otherwise, of the council, make a report, verified by affidavit, of any or all matters done or performed by them, either or any of them, in their official capacity.

SEC. 12. The recorder of said borough may commit

any person or persons liable to imprisonment under the by-laws and ordinances of said corporation, to the county jail of Brown county, and such persons shall be under the charge of the sheriff of said county as in other cases.

When may use county jail.

CHAPTER IV.

SECTION 1. The mayor and councillors shall constitute the borough council. They shall meet at such times and places as may be prescribed by rule or ordinance, and a majority shall constitute a quorum. The council shall determine the rules of its proceedings and be the judges of the election and qualification of its own members, and shall have power to compel the attendance of absent members.

Who to compose the council—when and where to meet—quorum

SEC. 2. The council shall have the management and control of the finances and of all property of the borough; and the said council shall have full power and authority to make, enact, ordain, establish, enforce, alter, modify and repeal all such ordinances, rules and regulations for the government and guidance of the borough as they may deem expedient, and declare and impose penalties by fine, imprisonment, or both, and enforce the same against any person or persons violating the same, and such ordinances and regulations are hereby declared to be and to have the force of law, provided they be not repugnant to the constitution and laws of the United States nor of this state. The council shall have the exclusive power to regulate and license exhibitions, shows of any kind, circuses, caravans, theatrical and slight of hand performances, billiard, ten pins and pigeon-hole tables, groceries, saloons, taverns, and the vending, selling or disposing of spirituous, fermented or malt liquors within the limits of said borough; *provided however*, That twenty-five dollars shall be the maximum and five dollars shall be the minimum for such license. They shall have the power to direct the location and licensing of slaughter houses and markets, to regulate the storage and keeping of gunpowder or other combustible materials. To establish and regulate pounds, boards of health. To establish public markets and regulate the same. To regulate the manner of selling and provide for the inspection of wood and other fuel and weight of hay. To take such necessary measures to prevent and prohibit the introduction of prupers and persons suffering from contagious or infectious diseases, and to provide for the

Council to control finances—further powers.

proper care of any persons laboring therefrom, and removal to some proper place. To regulate and license auctioneers, hawkers and peddlers. To appropriate money and provide for the expenses of the borough government. To alter, abolish, open, widen, extend, grade, repair, pave and lighten or otherwise improve or keep in repair the streets, alleys and public grounds of the borough. To establish and support the police of said borough. To provide for taking an enumeration of the inhabitants of the borough from time to time. To prescribe fire limits within which wooden buildings or buildings of other inflammable materials are composed may not be erected. The said council, by ordinance, may punish by fine or imprisonment, or both, any violator of the public peace, keepers of unlicensed saloons, gamblers, persons without occupation having no visible means of support, keepers, inmates and frequentors of houses of ill-fame and all disorderly or intoxicated persons found in any street, alley, stores, saloons or other public place. The said council shall have power to compel the owner or occupant of any grocery, soap factory, tannery, slaughter house, stable, barn or privy, to cleanse the same, remove or abate it as may be deemed necessary to the public health. To prevent the incumbering of any of the public streets, sidewalks or alleys with wagons, boxes, firewood, lumber or any other material whatever; to restrain the running at large of cattle, horses, swine, goats, sheep and geese, and to authorize the impounding, detaining and sale of the same. To prohibit the running at large of dogs; to impose fines upon their owners, and to authorize the destruction of the same when at large contrary to the ordinances, and to license the same to run at large; to compel the owners and occupants of any building or grounds to remove dirt, filth or rubbish, wood or any other matter prejudicial to the welfare of the citizens of the borough, from the sidewalks, streets or alleys opposite thereto, and upon default to cause the same to be done at the expenses of such owner or occupant; to prevent the dangerous construction, placing and maintenance of chimneys, fire places, hearths, stoves, pipes, ovens, boiler and appurtenances, and cause the same to be placed in a safe condition when dangerous; to prevent the deposit of ashes in unsafe places, and prohibit or regulate the carrying on of manufactories dangerous or promotive of fires within the borough limits.

SEC. 3. The council shall have power to purchase fire

apparatus and authorize the formation of fire, hose, hook and ladder companies, provide for the support thereof, and disband the same at pleasure, and may by ordinance exempt the members thereof from serving upon juries or payment of poll tax during the continuance of such membership.

To purchase fire engines, &c.

SEC. 4. The borough council shall have exclusive jurisdiction over highways in said borough; shall have power to order and contract for the grading, repairing and cleaning of streets, alleys, public grounds, gutters, sewers and sidewalks within said borough, which improvements shall be under the direction of a street commissioner, whose duties, term of office, appointment and compensation shall be regulated by ordinance, and the law of the state relating to overseers of highways in said state.

Council to control highways.

SEC. 5. All ordinances, regulations and resolutions before taking effect shall be published in the official paper of the borough, and all appropriations shall be voted upon by ayes and noes and entered among the proceedings of the council in a book to be kept for and called the "journal of the council" of the borough of New Ulm, by the clerk of said borough, and when so entered and signed by the mayor, attested by the clerk, shall be evidence of the facts in said journal set forth in any court of law in this state.

All ordinances, &c., to be published.

SEC. 6. In opening, widening or altering any street, alley or highway in said borough, the council shall appoint by resolution three disinterested persons who shall act as commissioners and in all things be governed by the laws of this state respecting the laying out, altering and discontinuance of highways as prescribed by the laws of this state respecting the same and reserving to the aggrieved party his right of appeal first to the council, second to the district court of said county. *Provided*, No property shall be taken without payment or tender of payment of the damages assessed by said commissioners to the owner of any property so taken for the laying out or altering of such street, alley or highway.

How to proceed in opening and altering streets, &c.—rights of parties aggrieved

SEC. 7. All plats, maps, surveys and all other records or papers shall by ordinance be carefully filed with the clerk of said borough, that belonging to or in which said corporation is interested as party, and shall be the property thereof.

All plats, maps, &c., to be filed.

SEC. 8. Whenever the owners of two-thirds of front footage of any block shall petition therefor in writing, the

Street improve-
ments, how made
—when return of
delinquent taxes
to be made.

council may by ordinances cause such improvements in paving, grading or improving the sidewalks, streets, alleys as prayed for to be done, and the expenses and cost thereof shall be borne and defrayed by the owners of the whole of said property fronting upon said improvement, and in case of delinquents, or in case of refusal or neglect to pay an equal assessed portion of such assessment, the delinquent tax shall be returned by the clerk of said borough to the county auditor, who shall extend the same upon the tax duplicate, and proceedings shall thereupon be had the same as in the collection of other delinquent taxes; *Provided*, Said tax shall not be returned as delinquent until three months after the same shall have been assessed; *And further provided*, That the improvements prayed for may be made by order of said council; *And further provided*, That in case of refusal or neglect to pay said assessment, a penalty of twelve per cent. shall be added thereto by said clerk.

Assessments how
how made.

SEC. 9. The property improvement tax mentioned in the foregoing section, shall be levied upon a basis of equality of taxation, and shall be collected by the clerk of said borough, saving as provided by the preceding section and by him paid into the treasury.

CHAPTER V.

What property
subject to taxa-
tion.

SECTION 1. All property, real and personal, within said borough, as provided by the laws of the state, or by ordinance of the borough, shall be liable for the support of the borough government and payments of its debts and liabilities, and all taxes shall be assessed and collected in the manner provided for by the general laws of this state for the assessment of taxes, except as provided in section eight, of chapter four, of this act; but such assessment shall not exceed five mills on the dollar upon the real valuation, and no per capita tax exceeding one dollar upon each of the legal voters of the borough shall be levied by the council during any one year.

Council to con-
trol all funds.

SEC. 2. All funds in the borough treasury shall be under the control of the council. All orders shall be drawn upon the treasurer by the clerk, and shall specify the object for which drawn, a record whereof shall be kept by the clerk. All orders shall be payable to the order of the person in whose favor they may be drawn, and no orders shall be issued unless the treasurer have sufficient

funds in his hands to pay the same upon presentation. Every person entitled to and receiving any order properly signed and attested from the clerk, shall give a receipt to the clerk therefor.

SEC. 3. All property, moneys, effects and credits of the town of New Ulm shall be transferred to and vested in the borough of New Ulm, and the said corporation shall have and are hereby authorized to sue for, ask, demand and receive all debts, demands or liabilities due or owing to said town by or from any person or persons whomsoever.

Transfer of township rights to the borough.

SEC. 4. All actions brought to recover any penalty or forfeiture under this act or the ordinances of this borough, shall be brought in the corporate name thereof. All prosecutions shall be commenced by warrant upon verified complaint, as required by law. *Provided*, That no warrant shall be necessary in any case of the arrest of any person or persons in the act of violating any law of the state of Minnesota, or ordinances of the borough, but in such case a complaint shall be made which the recorder shall reduce to writing, and the party be required to plead thereto, as to a warrant in other cases, and the person so arrested shall be proceeded against as in other cases. All process shall be directed to the marshal of said borough, but may be served by any officer authorized by law to serve process in the county. In case of the non-payment of any fine imposed by said recorder, for the violation of any ordinance of said borough, the recorder or appellate court may commit the defendant to the common jail of Brown county for a term not exceeding three months; the expenses thereof shall be defrayed by the borough, unless the fine be sooner paid.

How actions may be brought to recover fines.

SEC. 5. All fines recovered upon a violation of any borough ordinance shall be paid into the hands of the treasurer by the recorder, after first deducting the fees of the court therefrom.

All fines to be paid into borough treasury.

SEC. 6. Appeals shall be allowed in all cases of conviction under the ordinances of said borough, saving when the fine shall not exceed five dollars and cost.

Appeals may be taken.

CHAPTER VI.

SECTION 1. The council may lease, purchase, hold, sell and dispose of real and personal property for the use of said borough, and may by ordinance exempt the corporate property of the borough from taxation. *Provided*,

May purchase and hold real estate.

That no real estate of the borough can be sold nor leased for more than twenty years, except by the consent of the inhabitants of the borough given by a majority of votes to that effect at their general borough election.

No law repealing or modifying the same unless expressly set forth.

SEC. 2. No general laws of this state contravening the provisions of this act shall repeal, alter, modify or amend the same, unless such purpose be expressly set forth in such law.

Repeal of township organization in borough limits.

SEC. 3. No township organization shall exist within the limits of said borough as hereby incorporated and all powers and duties conferred by the laws of this state upon town supervisors are hereby conferred upon said council, all powers and duties of justices of the peace upon the recorder, saving a change of venue and appeal when fine is not less than five dollars; all duties of assessor and town clerk are conferred upon the borough clerk; all duties of town treasurer is conferred upon the borough treasurer. *Provided*, Said council shall exercise only the powers of town supervisors upon land not platted in altering, laying out or opening and repairing of highways within the corporate limits of said borough, until the same be platted and recorded.

Appointment of deputy marshals.

SEC. 4. The marshal of said borough may appoint one or more deputies, and shall be responsible for all acts performed by them, or either of them, whilst in the discharge of their duties as such deputies.

Deemed a public act.

SEC. 5. This act is hereby declared to be a public act, and may be read in evidence in any court of law in this state without further proof.

Repeal of inconsistent acts.

SEC. 6. All acts and parts of acts relating to the incorporation of the town of New Ulm are hereby repealed, but the repeal thereof shall not in anywise affect any act done, right accrued or to accrue or any right of suit, action or prosecution had, belonging to or commenced previous to the time of such repeal, but every such act, right, demand or proceeding shall be as valid, effectual and binding as if said acts had remained in force.

Who to be inspectors of first election—when first election held.

SEC. 7. To carry into effect the provisions of this act at the first election held under the provisions thereof, Alfred Muller, Charles Wagner and Jacob Brust are appointed inspectors of election, who shall on the first Tuesday of April, A. D. one thousand eight hundred and seventy, at the usual place for holding election in the said town of New Ulm, proceed to open the polls, between the hours of nine and ten in the morning, and close the polls at five

P. M. of said day, and after taking the oath prescribed to be taken by judges of election, and the appointment of a clerk, shall in all things proceed in the election of the officers mentioned in this act, as provided by law and this act, and the said clerk of said election together with the said board of inspectors shall under their hands give to each person having the highest number of votes a certificate of such election, and the persons so elected may proceed and qualify as provided by law.

SEC. 8. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 19, 1870.

CHAPTER VII.

An Act to incorporate the Village of Farmington.

Feb'y 12, 1870.

- SECTION 1. Corporate rights of the village of Farmington.
2. When electors to meet for the election of officers—term of office—jurisdiction of Justice of the Peace—compensation.
 3. When annual election to be held—notice of election to be given—may hold special elections—who to be judges of elections.
 4. Eligibility to office.
 5. How elections to be conducted.
 6. Vacancies, how filled.
 7. Every person elected or appointed to office to take oath conditioned for faithful performance of duty.
 8. What officers to give bonds.
 9. Who to be presiding officer of Board of Trustees—President to sign all commissions, licenses, &c., to maintain peace and good order, and to see that the ordinances are duly enforced—when President entitled to vote.
 10. Board of Trustees to prescribe time and place of meeting—duty of village Clerk.
 11. Who to be officers of the peace.
 12. Duty of Marshal.
 13. Duty of Treasurer.
 14. Duty of Clerk.
 15. Duties of the Trustees of the Cemetery.