

the fire department of said city, and for necessary repairs of the water works of said city; *Provided*, That said last mentioned tax shall not, in any one year, exceed three mills on the dollar of assessed valuation.

SEC. 2. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 9, 1871.

CHAPTER XXXI.

An Act to amend the Charter of the City of St. Paul.

March 9, 1871.

- SECTION 1. Amendment to Subdivision three (3), Section four (4), Chapter five (5), of Chapter twenty-six (26), Special Laws of 1868. Limitation of assessment.
2. Amendment to subdivision four (4), Section four (4), Chapter five (5), of said act. Tax levied on real estate and personal property, how appropriated.
3. When Council to elect Assessor—term of office.
4. Amendment to Section two (2), Chapter two (2), of said act. Term of office of City Comptroller.
5. Amendment to Section nine (9), Chapter two (2), of said act. Term of office of City Surveyor.
6. How contracts to be let.
7. Election of Street Commissioners—duties of—compensation—term of office.
8. Purposes for which taxes authorized to be levied—for wilful neglect of City Comptroller to itemize specific object, how punished.
9. Duty of City Comptroller.
10. Who to have control of city prisoners.
11. Limitation of time of commitment for vagrancy.
12. Repeal of inconsistent acts.
13. When act to take effect.

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

SECTION 1. That subdivisions of section four of chapter five, be amended by striking out the limitation of five (5) mills on the dollar, of the assessed value of the taxable property, and inserting in the place of the words

Limitation of assessment.

“five (5) mills,” when they occur, the words “ten (10) mills.”

Tax levied, how
appropriated.

SEC. 2. That subdivision four of said chapter five, be amended as follows: By striking out the whole of the proviso in said subdivision, and substituting therein the following proviso: *Provided*, That so much of said tax as may be levied on the real estate in each ward of said city respectively, shall be appropriated in the wards in which it may be levied respectively, and so much of the tax as may be levied upon personal property, shall be divided equally among said wards.

When Assessor
elected—term of
office.

SEC. 3. That the assessor of said city shall hereafter be elected by the common council, at their last regular meeting in December. *Provided*, There shall, however, be an assessor elected by said common council, at their first regular meeting after the passage of this act, or as soon thereafter as practicable, whose term of office shall commence at the expiration of the term of the present incumbent; and the assessor so elected next after the passage of this act, shall hold his office until the first day of January, one thousand eight hundred and seventy-three, and until his successor is elected and qualified, and the term of office of the assessor shall thereafter commence on the first day of January, and continue for two years, and until his successor is elected and qualified.

Term of office of
Comptroller.

SEC. 4. That section two (2) of chapter two, of said charter be amended by adding the following: *Provided*, That the term of office of the city comptroller shall be three years, and until his successor shall be elected and qualified.

Term of office of
Surveyor.

SEC. 5. That section nine (9) of said chapter two, be amended by adding the following: *Provided*, That the city surveyor shall hold his office for the term of three years, and until his successor is elected and qualified.

How contracts to
be let.

SEC. 6. That the common council of the city of St. Paul, shall not let any contract, until the subject has been referred to and approved by the commissioners of the interest and sinking fund, and not until said commissioners have reported the same to the council, showing how, and when, and out of what fund the same is to be paid, unless three-fourths of all the members elect shall vote in favor thereof.

SEC. 7. That at the annual spring election in the city of St. Paul, after the passage of this act, there shall be elected by the qualified voters, one street commissioner

in and for the third and fourth wards, and one street commissioner for the second, first and fifth wards, each of whom so elected, shall hold his office for the term of two years, and until his successor is elected and qualified; and they shall each perform the duties now prescribed for the street commissioner, and be required to give bonds and take the oath now provided by the city charter and ordinances, and be subject to the orders of the common council. Their salary shall be not to exceed one thousand dollars a year.

Election of Street Commissioners—duties of—compensation—term of office.

SEC. 8. That the taxes authorized to be levied by this act, and by any other law heretofore passed and still in force, for city purposes in any one year, shall be for the following specific objects, which shall be annually included and itemized in the report required to be made to the city council, as prescribed in section fourteen of chapter three, of the amended charter of the city of St. Paul, approved March sixth, one thousand eight hundred and sixty-eight, to-wit: Salaries of city officers, expenses of city hall, police department, fire department, board of health, water department, street lamp department, contingent fund. And for such other specific purpose or purposes as are prescribed by laws heretofore enacted and still in force, as aforesaid, and the taxes levied and collected for such specific object or objects, shall be applied only to defray the expenditures, together with the arrearages due and unpaid, for such specific object or objects, which arrearages or indebtedness shall be provided for in the next tax levy, in accordance with the first section of this act. Any wilful neglect or refusal on the part of the city comptroller to itemize the specific object or objects as aforesaid, in his annual report, and any diversion or attempt to divert, by any city official, the taxes to be levied and collected as prescribed in this section, from the particular object for which such taxes shall be levied or collected, to any other object, is hereby declared to be a felony, punishable on conviction thereof, as prescribed in section ten of chapter three, of the amended charter of the city of St. Paul, approved March sixth, one thousand eight hundred and sixty-eight. *Provided*, That in case of the neglect or refusal of the city comptroller to itemize the expenditures of the city in his annual report, as required by this section, it shall be the duty of the common council to provide for such deficiency, by including it in the tax levy of the current year.

Purposes for which taxes levied—penalty for neglecting to itemize specific object.

Duty of City
Comptroller.

SEC. 9. From and after the passage of this act, it shall be the duty of the city comptroller, in auditing and adjusting claims and accounts against the city, to designate and specify upon each claim, demand and account so audited and adjusted, the particular fund out of which the same shall be paid; and the same shall not be audited or adjusted by him, or reported to the common council until there shall be sufficient funds to the credit of the particular fund out of which the same is payable, to pay the same, as well as all other claims before that time audited and allowed against such fund. *Provided*, That nothing in this section shall be construed to prevent the application to the credit of the particular objects specified in this section, of a due proportion of the taxes collected upon the assessment or levy for the year one thousand eight hundred and seventy-one, for such particular object or objects, as specified in the report or estimate of the city comptroller.

Who to have con-
trol of city
prisoners.

SEC. 10. The control of the city prisoners in working on the streets, or in the chain gang, is hereby placed with the police force, under the direction of the chief of police.

Limitation.

SEC. 11. The city justice shall not have the power to commit for vagrancy, any person to the city prison or county jail, or to work on the streets or in the chain gang, for a longer period than thirty days.

Repeal of incon-
sistent acts.

SEC. 12. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

When act to take
effect.

SEC. 13. This act shall take effect from and after its passage.

Approved March 2, 1871.