

such action, and no person shall be disqualified from serving as a juror in such cases by reason of being an inhabitant of the village.

SEC. 33. This act shall in no wise affect any obligation or contract made and entered into by, to, or on behalf of said village of Waseca, nor affect, nor repeal any ordinance or by law heretofore enacted by said village, and not inconsistent with the provisions hereof. Not to affect any existing contract.

SEC. 34. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 23, 1871.

CHAPTER V.

An Act to incorporate the Village of Preston.

March 4, 1871.

- SECTION 1.** Incorporation of the Village of Preston.
2. Boundary lines of said village.
3. Elective offices—term of office.
4. When term of office to commence—how to qualify.

CHAPTER II.

- SECTION 1.** Who to compose the Common Council—when Mayor authorized to vote.
2. Council to be judge of the qualifications and elections of its own members.
3. What to constitute a quorum.
4. Council to determine rules of its proceedings, etc.
5. To keep journal of its proceedings.
6. When to appoint officers.
7. When annual election to be held—how conducted.
8. Who to be inspectors of election.
9. Vacancies, how filled.
10. What officers entitled to compensation.
11. Any person refusing to deliver to successor in office all property, books, etc., shall forfeit and pay to the village \$100.
12. When office deemed vacant.

CHAPTER III.

- SECTION 1.** Persons elected or appointed to office to take and subscribe an oath—what officers to give bonds.
2. When new election may be ordered.
 3. Duties of Mayor—special meetings, how called.
 4. When Mayor liable to indictment.
 5. Temporary presiding officers, how chosen.
 6. Duties of Recorder.
 7. Duties of Treasurer.
 8. Duties of Marshal.
 9. To be constituted one or more road districts.
 10. Council to appoint Overseers of road districts.
 11. Council to appoint village Printer.
 12. What to be considered evidence of publication of ordinances, etc.
 13. No member of Council to be interested in any job or contract for village.
 14. Who to be officers of the peace.
 15. Jurisdiction of Justice of the Peace.
 16. When Justice of the Peace to report to Council—what report to contain.

CHAPTER IV.

- SECTION 1.** Style of all ordinances—may designate time and place of meeting—quorum.
2. Council to have control and management of the finances—further powers of Council.
 3. All laws, ordinances, etc., passed by the Council to be signed by the Mayor.
 4. Council to examine and adjust the accounts of all officers.
 5. May appoint special Constables for extraordinary occasions.
 6. Expenses of surveying streets, lanes, etc., how paid.
 7. All work to be let the lowest bidder.
 8. What property exempt from taxation.
 9. To report to County Auditor the amount of taxes levied—duty of County Auditor—how taxes collected.
 10. All damages sustained by reason of laying out, opening or altering any street, shall be levied as a tax on the village at large.
 11. In what cases shall warrant be issued—what cases warrant not to be issued.
 12. Qualifications of Judges; Justices, etc.
 13. May lease and hold property—for what purpose.
 14. Not liable in any case for board or jail fees.

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

SECTION 1. All that part of the county of Fillmore, state of Minnesota, within the limits and boundaries hereinafter described, shall be a village by the name of Preston, and the people now inhabiting and those who shall hereafter inhabit within the district of country herein described shall be a municipal corporation by the name of the village of Preston, who shall have the

Incorporation of the village of Preston.

general power possessed by municipal corporations at common law, and in addition thereto shall possess the powers hereinafter especially 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 shall have a common seal and may change and alter the same at pleasure, and may take, hold and purchase, lease and convey such real, personal and mixed estate as the purposes of the corporation may require within or without the limits of said village.

SEC. 2. The territory included in the following limits and boundaries shall constitute the village of Preston, viz: All of section number six (6), in township one hundred and two (102) north, range number ten (10) west, also all of section number thirty-one (31) in township number one hundred and three (103) north, of range number ten (ten) west; the east half of section number one (1) in township one hundred and two (102) north, of range number eleven (11) west; and the east half of section number thirty six (36) in township number one hundred and three (103) north, of range number eleven (11) west.

SEC. 3. The elective officers of said village shall be a mayor, five councilmen, recorder, treasurer, a justice of the peace, who shall be styled village justice, and one marshal, who shall hold their respective offices for the term of one year and until their successors are elected and qualified. All village officers shall have been actual residents in said village for the space of one year immediately preceding their election or appointment, and shall be qualified electors of the state.

SEC. 4. The term of all officers shall commence on the third Monday of May, and shall continue for one year (unless elected or appointed to fill a vacancy), and until their successors are elected and qualify. All officers [shall,] before entering upon the discharge of the duties of their respective offices, each take and subscribe an oath to faithfully and honestly discharge the duties of their office, which said oath of office shall be filed with the recorder of said village.

CHAPTER II.

SECTION 1. There shall be a common council, composed of the mayor and five members, which shall be

Who to compose
Council.

styled "The Common Council of the Village of Preston;" *Provided*, That the mayor shall only have power to preside over the same, maintain order, and decide all questions pertaining to his duties as president of said common council, but shall in no case be permitted to vote upon any question except in case of a tie vote.

Council to judge
of the qualifica-
tions.

SEC. 2. The village council shall judge of the qualification, elections and returns of its own members, and shall determine all contested elections, and in such cases shall have power to send for persons and papers.

What to consti-
tute a quorum.

SEC. 3. A majority of the village council shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

To determine
rule of its pro-
ceedings, etc.

SEC. 4. The village council shall have power to determine the rule of its proceedings, punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members elected, expel a member, after due notice given and an opportunity extended to the accused to be heard by counsel or otherwise.

To keep journal
of its proceedings

SEC. 5. The village council shall keep a journal of its proceedings, and ayes and nays, when demanded by any member present, shall be entered on the journal.

When to appoint
officers.

SEC. 6. The village council shall at its first regular meeting after the annual election, appoint one overseer of each road district within said village, who shall hold their office for the term of one year and until others are appointed and qualified.

Annual election
when held—how
conducted.

SEC. 7. There shall be an annual election held on the first Tuesday in May of each year, at which the electors of said village qualified to vote at town elections, may elect by ballot and by plurality of votes, the mayor, three aldermen, recorder, village justice, one marshal and treasurer. The village council shall give ten days' notice of the time and place of holding said election, by posting up written notices thereof, in three public places in the village, or by causing such notice to be published in one or more of the newspapers printed and published in said village. The first election of officers in said village shall be held on the first Tuesday of May eighteen hundred and seventy-one. The elections shall be held and conducted in the same manner as town elections; *Provided*, That no election of officers shall, unless a majority of the legal voters present and voting at such meeting, shall

first have voted to accept this act, and to organize a village under its provisions.

SEC. 8. That for the purposes of the first election under this act, Reuben Wells, W. W. Fife, William Carpenter, shall be inspectors of election, and also the board of canvassers for such election, and shall perform all the duties and possess all the powers of inspectors of election and board of canvassers prescribed by this act; they shall appoint the place of holding the polls of such election and post or publish notice thereof ten days before the same. After the first election the council may make all needful regulations for holding elections not inconsistent with this act.

Who to be Inspectors of Election.

SEC. 9. Whenever a vacancy shall occur in the office of Mayor, such vacancy shall be filled by a new election which shall be ordered within ten days after such vacancy shall occur, and ten days notice of such election shall be given as in general elections. Any vacancy occurring in any other office shall be filled by the common council; whether such vacancy is caused by a failure to elect or from a tie vote having been cast for candidates. The person elected or appointed to fill a vacancy, shall hold his office and discharge the duties thereof for the unexpired term, and with the same rights and subject to the same liabilities as the person whose office he may have been elected or appointed to fill.

Vacancies, how filled.

SEC. 10. No officer shall receive compensation except the treasurer, marshal, recorder, overseer of roads and village justice, and such other offices as shall be created and appointed by the village council, and in all such cases compensation shall be fixed by law.

What officers entitled to compensation.

SEC. 11. Any person having been an officer of the village who shall not within six days after requested by his successor in office, deliver all books, papers, property or effects in his hands pertaining to such office, or belonging to the village, shall forfeit to the use of the village one hundred dollars, and shall be liable for all damages caused by such refusal or neglect, and such successor may recover possession of such books, papers, property or effects in the manner prescribed by the laws of this state for other officers.

Penalty for refusing to deliver books, etc., to successor in office.

SEC. 12. Any officer removing from the village, or any officer who shall neglect or refuse for ten days after notice of his election or appointment, to enter upon the discharge of the duties of his office, shall be deemed to

When office deemed vacant.

have vacated his office, and the village council shall proceed to fill the vacancy as prescribed.

CHAPTER III.

SECTION 1. Every person elected or appointed to any office under this act, shall before he enters upon the duties of his office, take and subscribe an oath of office, and file the same duly certified by the officer taking the same, with the recorder of the village, and the treasurer, marshal and such other officers as the village council may direct, shall severally before entering upon the duties of their respective offices, execute to the village of Preston, a bond with at least two sureties (to be approved by the village council) who shall make affidavit that they are each worth the penalty specified in said bond over and above all debts, exemptions or liabilities, and said bond shall contain such penal sum and such conditions as the village council may deem proper, and they may from time to time require new or additional bonds and remove from office any officer refusing or neglecting to give the same.

Officers to take oath of office—what officers to give bonds.

SEC. 2. Should there be a failure by the people to elect any officers herein required to be elected on the day designated, the village council may order a new election to be held, ten days notice of the time and place of holding the same to be given as in general elections.

When new election may be ordered.

SEC. 3. The mayor shall, when present, preside over the meetings of the village council, and take care that the laws of the state and the ordinances of the village be strictly enforced and duly observed, and that all other executive officers of the village discharge their respective duties. The mayor or any two councilmen may call special meetings of the village council. He shall have power to execute all acts that may be required of him by an ordinance made in pursuance of this act, and is hereby authorized to call upon every inhabitant of said village, over the age of eighteen years, to aid in enforcing the laws or carrying into effect any law or ordinance; any person who shall not obey such call shall forfeit to said village a fine not exceeding twenty-five dollars, and not less than five dollars.

Duties of Mayor.

SEC. 4. In case the mayor shall be guilty of any wilful oppression or corrupt partiality in the discharge of the duties of his office, he shall be liable to be indicted in the district court of Fillmore county, and on conviction he

When liable to indictment.

shall be fined not more than five hundred dollars, and the court shall have power (on recommendation of the jury) to add to the judgment of the court that he be removed from office.

SEC. 5. In case the mayor shall be absent from any meeting of the village council, they shall proceed to elect of their own number a temporary presiding officer, who shall discharge all the duties of mayor for the time being. In case of the absence of the mayor from the village, or his inability from any reason to discharge the duties of his office, the council shall elect by ballot from their own number, an officer who shall be styled acting mayor, and all acts performed by him shall have the same force and validity as if performed by the mayor.

In the absence of Mayor who to preside over Council.

SEC. 6. The recorder shall keep the corporate seal and all the papers and records of the village, and keep a record of all the proceedings of the village council; he shall draw and countersign all orders on the treasurer, in pursuance of any order or resolution of the village council, and keep a full and accurate account thereof in a book provided for that purpose, and make a full and fair record of all the by-laws rules or ordinances made or passed by said village council. The recorder shall have power to administer oaths or affirmations, and copies of all papers filed in his office and transcripts from the records of the village council certified to by him under the corporate seal, shall be evidence in all courts in like manner as if the original were produced. He shall report annually on the first day of June to the council, an estimate of the expenses of the village for the current year, and the revenues necessary to be raised therefor, and the fiscal year of the village shall commence on the first day of July. He shall countersign all contracts made in behalf of the village, and all certificates of work done by order of the village council. He shall negotiate such temporary loans for the village as the village council may direct, and such loan shall be subject to the approval of the village council. He shall examine the reports, books, papers, vouchers and accounts of the treasurer, and from time to time shall perform such other duties as the village council shall direct. He shall not be directly or indirectly interested in any job or contract to which the village is a party. He shall receive for his services such sum as the village council may deem proper, not to exceed one hundred dollars per annum.

Duties of Recorder.

Duties of Treasurer.

SEC. 7. The treasurer shall receive all moneys belonging to the village and keep an accurate and detailed account thereof, and on the first day of July, and quarterly thereafter, he shall exhibit to the village council a full and detailed account of all receipts and expenditures after the date of the last quarterly report, and also the state of the treasury, which account shall be filed by the recorder.

Duties of Marshal.

SEC. 8. The marshal shall execute such orders and perform such duties as are prescribed by the village council for the collection of tolls, license money and fines, for the preservation of the public peace, for the good order, cleanliness and government of the village, and for all other purposes. He shall possess the powers of a constable at law, under the statutes of this state, and receive like fees.

Constituted road districts.

SEC. 9. The village of Preston shall be constituted one or more road districts, to be defined by the village council, and the highway labor and taxes shall belong to the general fund.

Council to appoint overseers of road districts.

SEC. 10. The village council shall appoint one overseer of each road district, and they shall issue a warrant to him, containing the whole amount of highway labor and taxes assessed and levied in his district, which said warrant shall be returned by him to the recorder of said village. The laws of the state shall apply to warning, working, suing for, and collecting highway taxes, and to returning delinquent taxes, and in all other respects except as herein expressly provided. The village council shall have full power to direct the overseers when, where and how to expend the labor, in the manner to be directed by them, at any point beyond the limits of the village. The village council shall perform the duties imposed by law on the supervisors of towns in levying highway labor and taxes.

To appoint village Printer.

SEC. 11. The village council may designate a newspaper, printed in the village, in which shall be published all ordinances and other proceedings and matters required by this act or by the laws or ordinances of the village council to be published in a public newspaper.

What to be evidence of publication, etc.

SEC. 12. The village printer or printers, immediately after the publication of any notice, ordinance or resolution, or any other matters which by this act is, or by village ordinances shall be required to be published, shall file with the recorder a verified copy of such publication,

which shall be conclusive evidence of the publication of such notice, ordinance, resolution, or other matter.

SEC. 13. No member of the village council shall be a party to or interested in any job or contract with the village, and any contract in which any member of the village council may be so interested shall be null and void.

Who not to be interested in any contract.

SEC. 14. The mayor, sheriff of Fillmore county, and each and every alderman, marshal, recorder, justices of the peace and constables of the precinct of which said town is a part, shall be officers of the peace, and suppress in a summary manner all disorderly behavior within the limits of the village, and for such purposes may command the assistance of the bystanders; and if any person so commanded shall refuse to aid in maintaining the peace, every such person shall pay a fine of not more than twenty-five dollars and not less than five dollars.

Who to be officers of the peace.

SEC. 15. The village justice shall [have] jurisdiction in all respects equal to the jurisdiction and powers of justices of the peace under the laws of the state of Minnesota, and the same proceeding shall be had in all respects in civil and criminal actions as are applicable to the laws of this state governing the proceedings before justices of the peace; he shall have sole exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases for offenses committed in the village of Preston, of which a justice of the peace has jurisdiction under the statutes of the state of Minnesota. The said village justice shall have exclusive jurisdiction in all cases cognizable before a justice of the peace in which the village is a party, and shall have cognizance and exclusive jurisdiction in all suits, prosecutions or proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation in the said village of Preston or its charter, or for the breach or violation of any such by-law, ordinance or regulation, and in all cases of offense committed against the same. All prosecutions for assaults, batteries, riots, crimes and affrays not indictable, and for a breach or violation of any by-law, ordinance or regulation, shall be commenced in the names of the state of Minnesota and the village of Preston, and all process and writs issued by the said village justice shall be in the names of the state of Minnesota and the village of Preston, and shall be directed to the marshal of the village of Preston or to

Jurisdiction of Justice of the Peace.

Jurisdiction of
Justice of the
Peace.

the sheriff of the county of Fillmore, and the same proceedings shall be had in civil and criminal actions as by the laws of this State are had before a justice of the peace, except that it shall not be necessary, in a complaint for a violation or breach of any ordinance, by-law or regulation of said village, to set forth in the said complaint the particular offense committed, but it shall be sufficient to charge the offender generally with a violation thereof, stating in said complaint the date of the passage and publication of the same; *Provided*, That in case of prosecutions for a breach or violation of an ordinance, by-law or regulation of said village or its charter, or for any assault, battery or affray not indictable, committed within the village limits, no appeal shall be allowed where the judgment or fine imposed, exclusive of costs, is less than fifteen dollars. In all cases of convictions for assaults, batteries and affrays within said village, and in all cases of conviction under any ordinance of said village for breaches of the peace, disorderly conduct, keeping houses of ill fame or frequenting the same, and of keeping or maintaining disorderly and ill-governed houses, the said justice shall have power, in addition to the fine or penalty imposed, to compel such offenders to give security for their good behavior and to keep the peace for a period not exceeding six months, and in a sum not exceeding five hundred dollars. The said justice shall have the same power and authority in case of contempt, as a court of record. In case of the absence, sickness or other inability of said justice, or for any sufficient reason, the mayor, by warrant, may authorize any other justice of the peace within the township of Preston to perform the duties of said justice of the peace for the village, and it shall thereupon be the duty of the mayor to inform the marshal of such substitution and make report thereof to the common council, and they may confirm or set aside such appointment or appoint some other justice of the peace, and the justice of the peace so appointed shall for the time being possess all the authority, powers and rights of said justice of the peace for the village. All fines and penalties imposed by the village justice for offenses committed within the village limits, or for violations of any ordinance, by law or regulation of said village, shall belong to and be a part of the finances of said village. The village justice shall be entitled to the same fees as are allowed by law to justices

of the peace for similar services under the laws of the state of Minnesota.

SEC. 16. The village justice shall quarterly report to the common council all the proceedings instituted before him in which the village is interested, and shall at the same time account for and pay over to the village treasurer all fines and penalties collected by him belonging to said village, and said justice shall be entitled to receive from the county of Fillmore, such fees in criminal cases occurring without the village as are allowed to other justices of the county for similar services.

When to report to Council.

CHAPTER IV.

SECTION 1. The style of all ordinances shall be "The village council of the village of Preston do ordain." The village council shall meet at such time and place as they shall direct and a majority shall constitute a quorum. The village council shall determine its rules and proceedings and be judges of the election and qualification of its own members, and have the power to compel the attendance of its absent members.

Style of ordinances—when and where to meet—quorum.

SEC. 2. The village council shall have the control and management of the finances and of all the property of the village, and the said council shall likewise have full power and authority to make, enact, ordain, establish, publish, enforce, alter, modify correct and repeal all such ordinances, rules and by-laws, for the government and good order of the village and for the suppression of vice as they shall deem expedient, and declare and impose penalties by fine and imprisonment, or both, and to enforce the same against any person or persons who may violate any of the provisions of such ordinances, rules and by laws, and such ordinances, rules and by-laws are hereby declared to be and have the full force of law, and for these purposes shall have authority by ordinances, resolutions or by-laws; *Provided*, That they are not repugnant to the constitution and laws of the United States or of this State.

To have control and management of the finances—further powers.

First.—To license persons vending, dealing in or disposing of spirituous, malt or fermented liquors, within the limits of the said village of Preston, and persons so licensed shall not be required to obtain a license from the board of county commissioners, and shall not be prosecuted for selling, bartering or disposing of spirituous, vinous,

fermented or malt liquors, if first having obtained license therefor agreeably to the provisions of chapter sixteen of the general statutes. *Provided*, That no license shall be granted for less than one hundred dollars, and that previous to the granting of any such license a bond shall be executed and filed with the recorder of said village, with the same conditions and with the same penal sum as required by the general act; and the council shall have full power to restrain any person from vending liquors unless duly licensed by the village council of the said village.

Further powers
of Council.

Second.—To license and regulate the exhibition of common showmen and shows of all kinds, and the exhibition of caravans, circuses, concerts and theatrical performances, and also to regulate and license all auctioneers, billiard tables, pigeon hole tables, nine or ten pin alleys and bowling houses; *Provided*, That no such license shall be granted for less than _____ dollars and the fee for issuing the same shall not exceed fifty cents; and said village council may at any time revoke any license granted under this act for the malconduct in the course of trade, and may regulate and restrain the sale of fresh or butchers meat within the corporate limits of said village, and punish and restrain the forestalling of poultry, game, eggs or fruit within said village.

Third.—To restrain and prohibit the use of all gambling devices whatever, or being set or used for gambling purposes, and to restrain and prohibit all description of gaming and fraudulent devices and practices.

Fourth.—To prevent any riots, noise, disturbance and disorderly assemblages; to suppress and restrain disorderly houses or groceries, and houses of ill-fame and to authorize the destruction of all instruments used for the purpose of gaming, and of all spirituous, vinous, fermented, mixed or intoxicating liquors of any kind, that may be kept for sale or dealt in contrary to any ordinance of said village.

Fifth.—To compel the owner or occupant of any grocery, cellars, tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome or nauseous house or place, to cleanse, remove or abate the same, and to provide for the abatement and removal of all nuisances within the limits of the village.

Sixth.—To direct the location and management of slaughter houses and markets in said village, and to regulate the storing, keeping and conveying of gunpowder or other combustible materials.

Seventh.—To prevent the incumbering of streets, sidewalks, lanes or alleys.

Eighth.—To prevent immoderate driving or riding in the streets.

Ninth.—To prevent any person from bringing, depositing or having within the village any putrid carcass or other unwholesome substance, and to require the removal of the same by a competent officer, at the expense of such person or persons. Further powers of Council.

Tenth.—To make and establish public grounds.

Eleventh.—To prevent damage to sidewalks.

Twelfth.—To prevent the shooting of fire arms, crackers or any other projectiles, and to prevent the exhibition of any fireworks in any situation which may be deemed by the council dangerous to the village or any property therein, or annoying any citizen thereof.

Thirteenth.—To restrain drunkards, immoderate drinking of intoxicating beverages, brawling and obscenity in the streets or public places.

Fourteenth.—To compel the owners and occupants of buildings or grounds to remove snow, dirt or rubbish from the sidewalks, streets or alleys opposite thereto, and in his default to authorize the removal or destruction thereof by some officer of the village at the expense of the owner or occupant.

Fifteenth.—To prevent the introduction of contagious diseases into the village.

Sixteenth.—To appropriate money and provide for the payment of the debts and expenses of the village.

Seventeenth.—To alter, abolish, open, widen, extend, establish, grade, repair or otherwise improve or keep in repair, streets, avenues, lanes and alleys.

SEC. 3. All laws, ordinances, regulations and by-laws shall be passed by an affirmative vote of the majority of the village council and be signed by the mayor and recorder, and shall be published in the official paper of the village, or posted for ten days in three of the most public places in the village. Mayor to sign all laws, etc.

SEC. 4. The village council shall examine and adjust the accounts of all village officers and agents of the village at such time as they may deem proper, and if any such officer or agent shall refuse to comply with the order of said council in discharge of their duties in pursuance of this section, the council shall declare the office of such person vacant, and may commence suit or proceedings at Council to audit accounts of all officers.

law against any such officer or agent who may be found delinquent or defaulting in his accounts or in the discharge of his official duties. The council shall make full record of all such settlements and adjustments.

May appoint
special constables—when.

SEC. 5. They may appoint any number of special constables for extraordinary occasions, and they shall constitute a village police, and shall have the usual powers and be under the immediate control of the marshal, who shall be the chief of police, and the whole shall be under the control of and subject to the village council.

Expenses of surveying streets, etc., how paid.

SEC. 6. The costs and expenses of surveying the streets, lanes, alleys, sidewalks, sewers and the erection of buildings for village purposes, and of cleansing and repairing the same, and constructing and repairing sewers, street crossings and crosswalks may be paid out of the general fund, but the expense of opening, grading, graveling, paving or repairing streets or alleys to the centre thereof, and also of sidewalks, shall be chargeable on the lots fronting on such improvements. The village council shall not improve streets or sidewalks except by a petition in writing signed by two thirds of the owners and occupants that are living on the lots opposite such improvements. Sewers may be built and the expenses apportioned by the village council among the lots and parcels of land benefited thereby. All resolutions or orders directing such improvements shall be filed and recorded by the recorder.

All work to be let to the lowest bidder.

SEC. 7. All work by the village (except the highway taxes) shall be let by contract to the lowest bidder, and the village council may require a bond with sureties for the faithful performance of the contract, not less than ten days' notice shall be given of the letting of the contract by the posting of notices by the recorder in two public places in the village, to be signed by the mayor, and also filing the said notice with the recorder at the same time.

What property exempt from taxation.

SEC. 8. All property real and personal in the village, except such as may be exempt by the laws of the state or is village property, shall be subject to taxation for general purposes, such property shall also be liable for such special taxes as the council shall levy. Property exempt from taxation shall be liable to assessment for building and repairing sidewalks.

SEC. 9. The village council shall report to the auditor of Fillmore county, the amount of general taxes levied on the village, and the amount of special taxes levied up-

on any of the lots or portions of said village, and shall certify to him the lots or portions of the property upon which such special taxes are so levied, and it shall be the duty of the county auditor to insert such taxes in the assessment roll of the town of Preston, and the same shall be collected by the county treasurer, or returned by him as delinquent, and all proceedings in relation thereto including the selling, conveying and redeeming property, shall be the same as in proceedings on account of other taxes. All residents of the village shall pay a village tax on their personal property wherever situated, proportionally with their real estate tax.

To report to
County Auditor
—duty of Audi-
tor—how taxes
collected.

SEC. 10. The damages sustained by reason of laying out, opening or altering any road, street or alley, may be agreed on in the same manner as in a town, under the laws of the state, and the state laws shall apply in all respects in relation to the releases of damages the filing thereof, or the assessing thereof by the village council, and appealing therefrom to the county commissioners, except the recorder is substituted for the town clerk, and the village council for supervisors. All such damages and repair shall be levied as a tax upon the village at large.

To levy tax—for
what purpose.

SEC. 11. In all prosecutions for any violation of this act, or any by-law or ordinance of the village of Preston, the first process shall be a warrant; *Provided*, That no warrant shall be necessary in any case of the arrest of any person or persons while in the act of violating any law of the state of Minnesota, or ordinance of the village of Preston, but the person or persons so arrested may be proceeded against, tried, convicted and punished, or discharged, in the same manner as if the arrest had been by warrant.

When warrants
shall be issued—
when not issued.!

SEC. 12. No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant of said village, in any proceeding or action in which the village of Preston shall be a party in interest.

Qualifications of
judges, jurors, etc.

SEC. 13. The village council may lease, purchase, and hold real and personal estate sufficient for all municipal purposes thereof, and may sell and convey the same, and the same shall be free from taxation, and said village shall be liable for its just proportion of all pecuniary obligations, and indebtedness heretofore contracted by the town of Preston.

May purchase
and hold real
estate.

SEC. 14. The village of Preston shall not be liable in

Not liable for
board or jail fees.

any case for the board or jail fees of any person who may be committed by any officer of the village or any magistrate, to the jail of Fillmore county, for any offense punishable under the state laws.

Approved March 4, 1871.

CHAPTER VI.

March 6, 1871.

An Act to incorporate the Village of Northfield.

- SECTION 1. Incorporation of the Village of Northfield.
2. Boundary lines of said village.
 3. What to be elective offices—term of office—eligibility to office.
 4. When term of office to commence—qualifications.

CHAPTER II.

- SECTION 1. Village Council—of whom to consist.
2. Council to judge of the qualification and election of its own members—to determine all contested elections.
 3. What to constitute a quorum.
 4. Council to determine the rule of its proceedings, etc.
 5. To keep a journal of its proceedings—style of all ordinances.
 6. Offices to be filled by appointment—when—term of office.
 7. When first election to be held—how conducted.
 8. Who to be Inspectors at first election.
 9. Vacancies, how filled.
 10. Who entitled to compensation.
 11. Penalty for neglecting or refusing to turn over to successor in office, property, books, etc.
 12. When office deemed to be vacant.

CHAPTER III.

- SECTION 1. What officers to give bonds.
2. When new election may be ordered.
 3. Who to preside over the Council—who may call special meetings of the Council.
 4. Duties of Recorder.
 5. Duties of Village Attorney.