

Sec. 10. The village justices shall quarterly report to the village council all the proceedings instituted before them 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 them belonging to said village, and the said justices 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 in the county for similar purposes.

SEC. 7. This act shall be deemed a public act, and take effect and be in force from and after its passage.

Approved March 10, 1873.

CHAPTER XVII.

AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF AUSTIN.

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

SECTION 1. That chapter one of the special laws of one thousand eight hundred and seventy-one, as amended by chapter thirty four of the special laws of one thousand eight hundred and seventy-two, be and the same is hereby amended by striking out the word village wherever the same occurs therein, and inserting in lieu thereof the word city.

SEC. 2. Section three of chapter one of the special laws of one thousand eight hundred and seventy-one, as amended by section one of chapter thirty-four of the special laws of one thousand eight hundred and seventy-two, is hereby amended to read as follows:

Sec. 3. The elective officers of said city of Austin shall be nine aldermen, three justices of the peace, three constables, one assessor, one recorder, one treasurer, one city attorney, one street commissioner and three road overseers. The justices of the peace and constables shall hold their respective offices for the period of two years, and until their successors are elected and qualified. All other officers shall hold their respective offices for the period of one year and until their successors are elected and qualified. Three of said aldermen, one justice of the peace, one constable, and one road overseer, shall be elected in each ward of said city, and the street commissioner, assessor, recorder, treasurer and city attorney

shall be elected at large. All officers shall have resided in said city six months next preceding their election, and thirty days within their respective wards, and shall be qualified electors of the state of Minnesota. Their term of office shall commence immediately after the annual city election.

SEC. 3. Section one of chapter two of the special laws of one thousand eight hundred and seventy-one, is hereby amended by striking out the word "six," and inserting the word "nine" in lieu thereof.

SEC. 4. Section three of chapter two of the special laws of one thousand eight hundred and seventy-one, is hereby amended by striking out the word "four," and in lieu thereof inserting the word "five."

SEC. 5. Section six of chapter two of said act of one thousand eight hundred and seventy-one, as amended by section two of chapter thirty-four, special laws of one thousand eight hundred and seventy-two, is hereby amended to read as follows:

Sec. 6. The city council shall annually on the third Tuesday in March, meet and organize by choosing from their number a president, who shall hold his office for the period of one year, or until his successor is elected and qualified.

SEC. 6. Section nine of chapter two of the special laws of one thousand eight hundred and seventy-one, is hereby amended to read as follows:

Sec. 9. In case of a vacancy in any elective office in said city, a special election shall be ordered by the city council to fill such vacancy. Which election shall be noticed, conducted and the returns thereof canvassed in the same manner as other city elections. The person elected to fill a vacancy shall hold his office and discharge the duties thereof for the unexpired term with the same rights and subject to the same liabilities as the person whose office he may have been elected to fill.

SEC. 7. Section ten of chapter two of said act of one thousand eight hundred and seventy-one, as amended by section four of chapter thirty-four, special laws of one thousand eight hundred and seventy-two, is hereby amended to read as follows:

Sec. 10. The aldermen of said city shall not receive any compensation for their services, except as judges of election. The justices of the peace shall receive the compensation prescribed by law for such officers. The constables of said city shall receive the same fees for travel and service of process, and for notices and orders, making arrests, enforcing ordinances and by-laws, as are provided by the general laws of the state for travel and service of criminal process, the same to be paid by said city. The assessors shall receive not to exceed one hundred dollars per annum. The recorder shall

receive a sum not to exceed fifty dollars per annum. The treasurer shall receive no compensation. The city attorney shall receive a sum not to exceed fifty dollars per annum. The street commissioner and each of the road overseers shall receive a sum not to exceed fifty dollars per annum.

SEC. 8. Section eleven of chapter two of the special laws of one thousand eight hundred and seventy-one, is hereby amended by striking out all of said section following the words "to the village," in the fifth line thereof, and inserting in lieu thereof the following, viz.: "Shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined not less than twenty-five nor more than one hundred dollars, to be collected for the use of said city, 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."

SEC. 9. Section one of chapter three of said act of one thousand eight hundred and seventy-one, is hereby amended by striking out the word "marshal," and inserting after the word "treasurer," in the fifth line, the following, viz.: "Shall give bonds in double the amount of money that may come into his hands as treasurer, as nearly as can be estimated, and in no case less than one thousand dollars."

SEC. 10. Section three of chapter three of said act of one thousand eight hundred and seventy-one, is hereby amended by striking out the word "six," and inserting in lieu thereof the word "nine."

SEC. 11. Section seven of chapter three of said act of one thousand eight hundred and seventy-one, is hereby amended by striking out all that portion of said section following the word "council," in the twenty-first line.

SEC. 12. Section eleven of chapter three of said act of one thousand eight hundred and seventy-one, as amended by section five of chapter thirty-four of special laws of one thousand eight hundred and seventy-two, is hereby amended by adding the following thereto, viz.: "Any constable of said city who shall refuse or neglect to perform any duty required by the provisions of this charter, or the city council, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not less than ten nor more than one hundred dollars, or by imprisonment in the county jail for a term not exceeding ninety days, or until such fine is paid."

SEC. 13. Section seventeen of chapter three of said act of one thousand eight hundred and seventy-one, is hereby amended to read as follows:

Sec. 17. No officer of said city shall be a party to, or interested in any job or contract to which said city is a party, and any such contract in which such officer is interested shall be null and void.

SEC. 14. Section eighteen of chapter three of said act of one thou-

sand eight hundred and seventy-one, is hereby amended by striking out all of said section after the words "Mower county," in the first line, and before the words "shall be," in the third line, and inserting in lieu thereof the following, viz.: "and each of his deputies and every officer of said city."

SEC. 15. Section nineteen of chapter three of said act of one thousand eight hundred and seventy-one, as amended by section seven of chapter thirty-four of the special laws of one thousand eight hundred and seventy-two, is hereby amended by adding thereto the following: "The jail of Mower county may be used for the detention and confinement of persons arrested or committed within said city, and the sheriff of said county shall receive like compensation for the care, board and custody of prisoners as is allowed in other cases by the general laws of the state, the same to be paid by said city."

SEC. 16. Section one of chapter four of said act of one thousand eight hundred and seventy-one, is hereby amended by striking out the word "four," and instituting in lieu thereof the word "five."

SEC. 17. The twentieth subdivision of section two, chapter four of said act of one thousand eight hundred and seventy-one, is hereby amended by adding the words, viz.: "and sidewalks." The twenty-second subdivision of said section and chapter is hereby amended by adding thereto the following, viz.: "When authorized by a vote of the electors of said city at a general or special election duly called for such purpose."

SEC. 18. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved February 26, 1873.

CHAPTER XVIII.

AN ACT TO AMEND SECTIONS TWO AND THREE OF CHAPTER TWENTY-SIX, SPECIAL LAWS OF MINNESOTA, FOR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO, ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FARMINGTON.]

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