

effect. If it shall appear upon the canvass that a majority of the votes cast were "For the village charter," then the election board shall forthwith, and by public notices, appoint the second (2d) Tuesday of the same month as an election day, for the election of village officers; and all the public papers affecting said elections, together with a copy of the election notices, shall be certified and filed by the village recorder, when he is elected and qualified.

SEC. 36. This act shall be a public act, and take effect and be in force from and after its passage.

Approved March 6, 1877.

CHAPTER 4.

AN ACT TO INCORPORATE THE VILLAGE OF EXCELSIOR, IN THE COUNTY OF HENNEPIN, AND STATE OF MINNESOTA.

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

SECTION 1. The following described territory in the county of Hennepin and State of Minnesota, to-wit: South half ($\frac{1}{2}$) of section twenty-seven (27), north-east quarter ($\frac{1}{4}$) east half ($\frac{1}{2}$) of east half ($\frac{1}{2}$) of north-west quarter ($\frac{1}{4}$), and lot four (4) of section thirty-four (34) north-west quarter ($\frac{1}{4}$), and north half ($\frac{1}{2}$) of north-west quarter ($\frac{1}{4}$) of south-west quarter ($\frac{1}{4}$) of section thirty-five (35), in township number one hundred and seventeen (117), north range twenty-three (23) west, be and the same is hereby set apart for incorporation as the village of Excelsior.

SEC. 2. That the following named persons are designated as commissioners under the General Laws of one thousand eight hundred and seventy-five (1875), providing for the organization of villages in the State of Minnesota, to post notices of the first election, and to conduct the same in said village, to-wit: Charles B. Sheldon, R. B. McGrath, and Dave Connor.

SEC. 3. That upon organization, as directed in the General Laws aforesaid of this State, the said territory shall constitute the village of Excelsior, and the inhabitants thereof shall thereupon be endowed with all the rights, powers and duties therein prescribed for organizing villages in this State.

SEC. 4. The village council shall have power and authority—
First.—To direct and regulate the planting and preservation of ornamental trees in the streets, alleys, highways, and public grounds of the village.

Second.—To lay out, alter, open, widen, extend, establish, grade,

repair, or otherwise improve or keep in repair, streets, alleys, commons, sidewalks, ditches, sewers and public grounds, and they may establish and record with the recorder, grade of streets or sidewalks, with which buildings and directions shall conform.

Third.—To regulate the landing of steamers and other boats; to build wharves and docks, and to make any other improvements for the accommodation of the public, on all the shore of Lake Minnetonka abutting on any street, highway, common, or other public property in the said village of Excelsior, and to have entire control of the same.

SEC. 5. The village council shall have the power and authority to open, lay out, or vacate streets and alleys within the limits of said village, which is conferred by the general laws of the State upon boards of supervisors of townships, to open, alter, discontinue or lay out roads, and in the matter of opening, laying out or vacating streets or alleys, and the assessment of damages. The common council shall be governed by and act under the general laws of the State, providing for altering, discontinuing and laying out roads; and appeals may be taken in the same manner to the county commissioners as appeals are, under the general laws, taken from the decisions of township supervisors.

SEC. 6. And be it further provided that the village council of the said village of Excelsior are hereby prohibited from granting any license for the vending, dealing in or disposing of spirituous, vinous, malt, or fermented liquors, as provided for, in section thirteen (13) of chapter one hundred and thirty-nine (139) of the General Laws of one thousand eight hundred and seventy-five (1875), whenever the legal voters of the township of Excelsior (within which the said village of Excelsior is located) shall vote "against license," as now provided for in chapter thirty-two (32) of the General Laws of one thousand eight hundred and seventy (1870). And it is hereby made the duty of the village recorder of the said village of Excelsior to procure from the town clerk of said township of Excelsior, such information as shall be necessary to inform the village council of the said village of Excelsior of the actions of said township in regard to such vote, which information shall be given by said recorder to said village council before any action in regard to granting license shall be taken.

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

Approved March 2, 1877.