

said village, upon the request of not less than five (5) legal voters of said village.

SEC. 2. All acts and parts of acts inconsistent with this amendatory act, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 17, 1877.

CHAPTER 43.

AN ACT TO AMEND CHAPTER FIFTEEN (15) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO (1872), ENTITLED "AN ACT TO INCORPORATE THE CITY OF LAKE CITY."

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

SECTION 1. That section six (6) of chapter three (3) of said chapter fifteen (15) of said Special Laws of one thousand eight hundred and seventy-two (1872), be and the same is hereby amended by striking out of said section six (6) the words commencing in the tenth (10th) line of said section, "the same fees," and all thereafter of said section, and insert in lieu thereof the following words: "One (1) per cent. for all sums by him received and disbursed as such treasurer."

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

Approved February 22, 1877.

CHAPTER 44.

AN ACT TO AMEND AN ACT, ENTITLED, "AN ACT TO INCORPORATE THE VILLAGE OF MADEIRA, IN THE COUNTY OF WATONWAN," APPROVED MARCH EIGHTH (8TH), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE (1873).

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

SECTION 1. That section three (3) of said act be amended as

follows: By striking out the words "one (1) marshal," in the fifth (5th) line of said section, and inserting in their stead the words "two constables," and also by striking the word marshal out of the seventh (7th) line of said section three (3), and inserting in its stead the word "constables."

SEC. 2. That section four (4) of said act be amended by inserting the word "constables," after the word "treasurer," in the fourth (4th) line of said section.

SEC. 3. That section six (6) of said act be amended by striking the word "marshal," out of the seventh (7th), seventeenth (17th) and twenty-seventh (27th) lines of said section, and inserting in its stead the word "constables."

SEC. 4. That subdivision (1) of section seven (7) of said act be amended so as to read as follows:

A majority of the trustees shall be a quorum for the transaction of business. They shall appoint a clerk and assessor, and such other officers as may be deemed necessary, and may prescribe by by-laws the duties of such officers when not defined by law. The trustees may enact ordinances and by-laws for all purposes contemplated in this act, and may affix penalties for violating the same, and they shall have all the force of law, but before they shall become a law, they shall be signed by the president and clerk, and be posted up in three (3) of the most public places in said village ten (10), days or be published at least once in a weekly newspaper printed and published in said village, and shall be filed and recorded by the clerk.

The style of all ordinances of said village shall be, "The trustees of the village of Madelia do ordain as follows:" The trustees shall have exclusive power:

First.—To license and regulate, within the corporate limits of said village, according to law or ordinance, or both, the selling, vending, or dealing in any manner in spirituous, vinous, malt, fermented or intoxicating liquors or drinks; and may, in their discretion, refuse to grant [any] such license. To license and regulate the exhibition of common showmen, or shows of any kind, or the exhibition of any caravan, circus, theatrical or slight-of-hand performance. To license and regulate auctioneers and peddlers, and venders of gunpowder; and regulate and license billiard tables and ten-pin alleys; and to revoke any such license at their discretion.

Provided, that in no case shall the sum to be paid for any such license be less than the amount fixed and provided by law, when the same is established by the laws of this State; nor shall the sum paid for any one license to sell intoxicating liquors exceed the sum of three hundred dollars (\$300) for one year; *And provided further*, that any person paying license, as provided in this section, shall not be required to pay a county license for same. All moneys received for any such license shall be paid to the treasurer of said village by the person applying for the same, and no license shall be granted by said trustees until such money shall have been duly paid into such treasury, by the applicant for such license.

The treasurer shall, upon the receipt of any money paid to him in pursuance of the requirements of this section, give to the person or party paying the same, a duly certified receipt for the same, which shall be filed with the clerk of said village before any such license shall be delivered to the person applying therefor. All moneys belonging to said village, received from any other source by any of the officers of said village, shall be paid immediately upon the receipt thereof to the treasurer of said village, who shall receipt for the same, as provided in this section, and the same shall be filed, as hereinbefore provided. Nothing hereinbefore provided, shall prevent the legal voters of said village of Madelia from deciding by vote, as to whether any license shall be granted by the officers of said village to sell intoxicating liquors.

Provided, in case a vote is to be taken, the clerk of said village, or in case said clerk neglects or refuses to give such notice, any legal voter of said village may cause a notice to be published in any weekly newspaper published in said village of Madelia, at least once within ten (10) days next preceding said election, that the question of license will be submitted to the legal voters of said village at the next general election of said village, which question shall be determined by ballots containing the words "In favor of license," or "Against license," as the case may be, which votes shall be canvassed and returned as is by law provided for canvassing election returns; and if such returns show that a majority of the votes cast at such election shall be against license, no license, to sell spirituous, malt, fermented, or any intoxicating liquors shall be granted by said village officers to any person at any time thereafter, unless a vote is again taken in pursuance of this section, and a majority of the votes so cast are in favor of license, in which case license may be granted as provided in this charter. *Provided*, that in case no weekly newspaper is published in said village at the time of such election, said notice may be given at the time and as a part of the general election notice as provided in this charter—but want of such notice shall not in any event invalidate such election.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 14, 1877.