

and authority in any case possessed by a justice of the peace or constable elected by the said township of Sand Creek. The village justices and constables shall take the same oath of office and execute, before entering upon the discharge of their duties as such officers, the same bonds, approved by the president of said village, and file the bonds with the same parties, as justices of the peace and constables elected by said township of Sand Creek are now or may hereafter be required to do, and shall receive the same fees for their services as justices of the peace and constables elected by the said township of Sand Creek are allowed under the statutes of this State, and the constables may at any time, under the direction of the president or a majority of the village council, call to their assistance or to the assistance of either of the constables, any number of citizens, sufficient to aid him or them in the suppression of a riot or any public disturbance, or to aid him or them in making arrests.

SEC. 5. That section twenty-four (24) of said chapter sixteen (16) be amended so as to read as follows :

Section 24. The village justices shall report quarterly 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 said justices shall be entitled to receive from the county of Scott, such fees in criminal cases, accruing without the village, as are allowed to other justices for similar purposes.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved Feb. 28, 1878.

CHAPTER 39.

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

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

SECTION 1. That chapter four (4) of an act entitled "an act to incorporate the city of Austin," approved February twenty-eighth (28th) A. D. eighteen hundred and seventy six, (1876) be amended as follows:

SEC. 2. Subdivision one (1) of section two (2) said chapter four (4) shall be amended to read as follows:

First. 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 license and regulate all auctioneers, billiard tables, pigeon hole tables, nine or ten pin alleys, bowling saloons, butcher shops and butcher stalls and venders of butcher's meat, pawn brokers, taverns, lager beer saloons, victualing houses and all persons vending, dealing in or disposing of spirituous, vinous, malt or fermented liquous, pedlars. *Provided,* That not less than one (1) dollar nor more than five hundred (500) dollars shall be required to be paid for any license under this act; and the fee for issuing the same shall not exceed one (1) dollar, and the said common council may at any time revoke any license granted under this act, for misconduct in the course of trade, and may regulate and restrain the sale of butcher's meats or fresh meat within the corporation of the city, and punish and restrain the forstalling of poultry, game, eggs or fruit within said city.

SEC. 3. That the third (3d) subdivision of section two (2) of chapter four (4) of said act be amended so as to read as follows:

Third. To prevent any riots, disorderly assemblages in said city, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same, to suppress disorderly houses and houses of ill-fame, and to provide for the arrest and punishment of the keepers thereof, to restrain and punish prostitutes, and to provide for the arrest and punishment of inmates, visitors, frequenters and owners of houses of ill fame, and to authorize the seizure and destruction of all instruments used for the purpose of gambling.

SEC. 4. That the seventh (7th) subdivision of section two (2) of chapter four (4) of said act be amended so as to read as follows:

Seventh. To prohibit, prevent and suppress horse racing, immoderate riding or driving in the city, and to authorize persons immoderately riding or driving as aforesaid, to be stopped by any person; to prohibit and punish the abuse of animals; to compel persons to fasten their horses or other animals attached to vehicles or otherwise while standing or remaining in the streets, and to regulate places of bathing and swimming in the water within the limits of said city.

SEC. 5. That the sixteenth (16th) subdivison of section two (2) of chapter four (4) of said act be amended so as to read as follows:

Sixteenth. To prevent open or notorious drunkenness, brawling, obscenity, loud and unusual noises, shouting or hallowing in the streets or public places of said city, and to provide for the arrest and punishment of all persons who shall be guilty of the same.

SEC. 6. That section two (2) of chapter four (4) of said act be amended by adding thereto the following subdivision, viz:

Thirty-sixth. The common council of said city may provide by ordinance that anyone convicted of an offence before the justices of the peace of said city subjecting such offender to imprisonment under the charter and ordinances of said city, may be kept at hard labor in any workhouse established by said city for that purpose, or in case of a male offender may be kept at hard labor during his term of imprisonment in such workhouse or upon the public streets and improvements of said city, or both; and may also provide by ordinance that any one convicted of an offence before the justices of the peace of said city, and committed upon non-payment of a fine imposed, may be kept at hard labor either in such work house or upon the public streets, and improvements or both until such person shall work out the amount of such fine at such rate of compensation as said common council may prescribe, for a time not exceeding the term of such commitment; and the common council shall have full power to establish by ordinance all needful regulations for the security of such prisoners thus employed, and to prevent escape and ensure proper discipline, and shall have power to establish a suitable work house in said city for the purpose aforesaid and under such regulations as the common council may provide.

Provided, That the common council aforesaid shall be and is hereby authorized to use the jail of Mower county as the work house of the city of Austin provided for in this act; the prisoners of the city to be as at present in the custody of the sheriff of Mower county, except when employed upon the public streets and improvements of said city.

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

Approved March 12, 1878.

CHAPTER 40.

AN ACT TO AMEND CHAPTER FOUR (4) OF AN ACT ENTITLED
 "AN ACT TO AMEND THE CHARTER OF THE CITY OF WINONA."

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

SECTION 1. That chapter four (4) of an act entitled an "act to amend the charter of the city of Winona," approved March first (1), one thousand eight hundred and fifty-seven (1857), be and the same is hereby amended by adding thereto the following nine (9) sections, to be known respectively as sections seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14) and fifteen (15) of said chapter: