

## CHAPTER XXXIX.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF MAPLETON IN THE COUNTY OF BLUE EARTH, THE SAME BEING CHAPTER TWENTY OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT. APPROVED FEBRUARY TWENTY-THIRD, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT."

*Be it enacted by the Legislature of the State of Minnesota.*

SECTION 1. That chapter twenty of the special laws of the year of one thousand eight hundred and seventy-eight, the same being an act entitled an act to incorporate the village of Mapleton in the county of Blue Earth be and the same hereby is amended so as to read as follows:

SEC. 2. That the following described territory, to wit: The west half of section three, all of section four, the east half of section five, the northeast quarter of section eight, the north half of section nine, and the northwest quarter of section ten; all in township one hundred and five north, of range twenty-six west, being in the county of Blue Earth and state of Minnesota, be, and the same is hereby set apart and incorporated as the village of Mapleton, under the provisions of chapter one hundred and thirty-nine of the general laws of one thousand eight hundred and seventy-five, and said territory shall be endowed with all the rights, powers and duties therein prescribed, except as hereinafter modified or changed. And in addition to the rights, powers and duties conferred by said chapter one hundred and thirty-nine of the general laws of one thousand eight hundred and seventy-five, and the laws amendatory thereof said territory shall have the additional rights, powers and duties hereinafter granted.

SEC. 3. The said territory shall be and constitute one road district and shall be separate and distinct in regard to all matters and proceedings pertaining to roads, cartways and bridges from the township of Mapleton, and shall be liable to no road tax assessed by the supervisors of the township of Mapleton or any tax for road or bridge purposes voted by said township, and the supervisors and officers of said township shall have and exercise no control in matters pertaining to public highways, cartways and bridges over said territory. The president and council of said village shall have and may exercise all powers and duties in regard to public roads, cartways and bridges which are by law vested in or incumbent upon the chairman and board of supervisors of townships, and shall be liable for their acts in the same manner and to the same extent as

township supervisors. The village recorder shall discharge the same duties and have the same powers in road matters as township clerks. The street commissioners of said village shall have the same powers and perform the same duties as by law are vested in or required of township overseers of highways, and shall receive the same pay, except as is otherwise directed and required by the village council. The proceedings in regard to road matters by the officers of said village shall be according to the laws for like proceedings by township officers. Appeals may be taken from the order of the council of said village in laying out, altering or vacating any public road or cartway, the same as from the order of the supervisors, except that no such appeal shall be taken before any other justice than one of the village justices. The village council shall assess a road tax in the month of March in each year, or at their first meeting thereafter, in the same manner as and not exceeding that which the law requires supervisors to assess. They shall make an annual report of road matters to the annual corporate meeting, embracing the same matters as are required of supervisors, except the time covered by said report shall be from one annual corporate meeting to another. The qualified voters of said village shall have the same power at either a general or special meeting to vote a tax for a road and bridge fund as have the qualified voters of any township at any township meeting. The treasurer of said village shall receive all road taxes and road and bridge funds belonging to said village from the county treasurer and all other road funds that may belong to said village, and shall pay the same out only upon order of the council, and shall keep a correct account thereof and report the same to the council whenever called upon by them for that purpose. The said village shall pay all damages and expenses incident to the laying out, vacating or altering all roads, cartways, streets and alleys in the limits of said corporation.

SEC. 4. No elector of said corporation shall be a qualified elector to vote upon any road or bridge matter or road or bridge tax in the township of Mapleton.

SEC. 5. There shall in said village of Mapleton be elected every second year two justices of the peace, each of whom shall hold his office for two years, or until his successor is elected and qualified. Each shall have and may exercise the same powers and authorities and be subject to the same liabilities, by chapter one hundred and thirty-nine of the general laws one thousand eight hundred and seventy-five, granted to the justice of the peace therein mentioned, and shall each execute and file the same bond, and take and file the same oath as therein provided; except said bond shall be approved by the president of the council of said village.

SEC. 6. Upon the passage of this act the council of said village shall elect a justice of the peace, who shall hold his office the same as he would had he been elected at the corporate election, January, 1879.

The justice of the peace now holding office in said village shall not be disqualified by the passage of this act.

SEC. 7. Change of venue may be taken from one village justice to the other in all village matters, upon the same conditions that other changes of venue are granted in justice court, and appeals may be taken from judgments rendered by said justices of the peace to the district court in all cases, the same as from judgments rendered by township justices.

SEC. 8. No person shall be an incompetent justice, witness or juror by reason of being an inhabitant of said village, in any action or proceeding in which the village may be a party.

SEC. 9. In any action or proceeding instituted against said village, service of the process shall be made by leaving a copy thereof with the president of the council, or in his absence, with either of the councilmen, and judgment against said village may be collected in the same manner as against townships, and not otherwise.

SEC. 10. The constable's bond shall be approved by the president of the village council, and together with the constable's oath shall be filed with the village recorder.

SEC. 11. The council of said village may, whenever they deem it necessary, elect for any time not to exceed one year, one or more marshals, who shall qualify in the same manner as the constable in said village, and shall have the same powers and duties, and be subject to the same liabilities as the constable.

SEC. 12. All acts heretofore done and ordinances and by-laws heretofore adopted by the council of said village are hereby legalized and declared valid to all intents and purposes.

SEC. 13. This is a public act and need not be pleaded.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved March 10, 1879.

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## CHAPTER XL.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF CANNON FALLS, APPROVED FEBRUARY NINETEENTH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR."

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

SECTION 1. That part of section two of chapter one of said act to where the word "Provided" occurs in the tenth line of said section, is hereby amended so as to read as follows: The elective officers of said corporation shall be one president, one recorder, three councillors, one assessor, one treasurer, two justices of the