

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.

---

## 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

peace and two constables, one of whom shall be designated on the ballot as chief of police, and shall each, except the justices of the peace and councillors, hold their respective offices for the term of one year, and until their successors are elected and qualified. The justices of the peace shall hold their respective offices for the term of two years, and until their successors are elected and qualified. The councillors shall each hold their respective offices for three years, and until their successors are elected and qualified.

SEC. 2. Section three of chapter one of said act is hereby amended by striking out the words "justice of the peace" between the words "recorder" in the tenth line and the word "and" in the eleventh line thereof, and adding at the end of said section as follows: Every person elected to the office of justice of the peace under the provisions of this act, shall, within ten days after receiving notice thereof, take and subscribe, before any other officer duly authorized to administer oaths, an oath to support the constitution of the United States and of the state of Minnesota, and to faithfully and impartially discharge the duties of his office according to the best of his ability. He shall also execute a bond to the common council of the village of Cannon Falls, with two or more sufficient sureties, to be approved by the president, in the penal sum of not less than five hundred dollars nor more than one thousand dollars, conditioned for the faithful discharge of his official duties, said president shall endorse thereon his approval of the sureties named in said bond, and said justice shall immediately file the same, together with his oath of office duly certified, with the clerk of the district court of the proper county, for the benefit of any person aggrieved by the acts of said justice, and any person aggrieved may maintain an action on said bond in his own name against said justice and his sureties.

SEC. 3. Section nine of chapter one of said act is hereby amended so as to read as follows: Any justice of the peace, provided for and elected under the provisions of this act, shall have and possess all the powers and jurisdiction of justices of the peace, provided and elected under the general laws of the state, and in addition thereto shall have cognizance and jurisdiction of all suits, prosecutions or proceedings for the recovery of any fine, forfeiture, or penalty under any by-law, ordinance or regulation of said corporation, or under this act, or for any breach or violation of any such by-law ordinance or regulation, and in all cases of assaults, batteries and affrays, not indictable; and for a breach or violation of any by-law, ordinance or regulation, suit shall be commenced in the name of the village of Cannon Falls and the same proceedings shall be had in all civil and criminal suits or prosecutions before said justice, when not otherwise herein directed, as are established and required to be had in civil and criminal actions by the general laws of the state before justices of the peace. All fines, forfeitures and penalties imposed by or recovered before said justice of the peace in any suit, prosecution or proceeding had and commenced in the name of said village, shall be promptly paid by said justice of the peace to the recorder of said corporation, for the use thereof. The justices of the peace shall

take judicial notice of the by-laws, ordinances and regulations of said corporation, and it shall not be necessary in any action, civil or criminal, before said justice, to plead or refer to the same in any manner whatever in any pleading or complaint, but said bylaws, ordinances and regulations shall in said justice's court be held and deemed to be public law. The justices of the peace shall, at least once in three months, make to the common council a full report of all moneys received by him for fines, forfeitures and penalties and shall pay them into the hands of the recorder, taking his receipt therefor. In case of prosecutions for a breach or violation of any ordinance, by-law or regulation of said corporation or of this act, or for any assault, battery or affray not indictable, committed within the limits of said corporation; no appeal shall be allowed when upon the judgment or fine imposed is less than ten dollars. The fees of the justices of the peace shall be the same as allowed and fixed by the general laws of the state for the justices of the peace. All warrants, writs and processes of every nature issued by such justice shall be directed to the sheriff or any constable of Goodhue county, and may be executed or served by either of the constables elected under the provisions of this act, or by the sheriff or any constable of said county, and for such purpose said sheriff and constables shall have and possess the powers and authority which by the general laws of the state they have and possess in the execution or service of warrants, writs and other process issued by justices of the peace elected under such general law.

SEC. 4. Section ten of chapter one, of said act is hereby amended so as to read as follows: The constables elected under this act shall have and possess all the powers belonging to constables elected under the general laws of this state, their compensation, except as in this act is otherwise provided, shall be fixed by ordinance of the council; and said constables shall within the county in which they reside have and exercise all the powers, and perform all the duties of, and when acting as such receive the same compensation as constables elected under the general laws of the state. The one designated as chief of police, shall be the ministerial officer of the council. He shall also be chief of the police force of said village but as such shall be subordinate to the president.

SEC. 5. Chapter one of said act is hereby amended by adding thereto the following section, which shall be termed section thirteen, and which shall read as follows:

Section 13. The assessor elected under the provisions of this act, shall have and possess all the powers, and perform the duties of assessors elected under the general laws of the state.

SEC. 6. Section nineteen of chapter three of said act, is hereby amended so as to read as follows:

Section 19. All moneys hereafter received by the county treasurer for delinquent town taxes within said corporation, shall be by him paid to the treasurer of the village of Cannon Falls.

SEC. 7. Chapter three of said act is hereby amended by adding thereto the following section, which shall be termed section twenty-three, and which shall read as follows:

Section 23. Said corporation shall be one election district, and the councillors of said corporation shall be judges of election, and shall appoint two qualified electors of said corporation as clerks of election, and said judges and clerks of election shall receive the same compensation as judges and clerks of election receive under the general law of the state.

SEC. 8. Chapter three of said act is hereby amended by adding thereto the following section, which shall be termed section twenty-four, and which shall read as follows:

Section 24. All officers of the township of Cannon Falls, residing within said corporation, shall hold their respective offices until after the next annual town meeting, and until their successors are elected and qualified.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved February 18, 1879.

---

## CHAPTER XII.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AND REVISE CHAPTER NINE OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY, INCORPORATING THE VILLAGE OF EAST JANESVILLE, AND THE ACTS AMENDATORY," APPROVED FEBRUARY TWENTYETH, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN, SO AS TO AUTHORIZE THE LEGAL VOTERS OF SAID VILLAGE TO DETERMINE WHETHER LICENSE FOR THE SALE OF INTOXICATING LIQUORS AS A BEVERAGE IN SAID VILLAGE SHALL BE GRANTED OR NOT; THE SAME BEING CHAPTER EIGHTEEN, SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN.

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

SECTION 1. Chapter eighteen of the special laws of one thousand eight hundred and seventy-seven is hereby amended by adding to said chapter and the acts amendatory thereof the following:

The legal voters of the said village of East Janesville are hereby authorized to vote upon and determine whether license for the sale of intoxicating liquors to be used as a beverage, shall be granted in said village or not.

The recorder of said village is hereby required, and it shall be his duty, upon receiving a petition for that purpose of ten or more legal voters of said village, at any time not less than twenty days