

## CHAPTER 14.

AN ACT TO AMEND CHAPTER TWENTY-EIGHT (28) OF THE SPECIAL LAWS OF MINNESOTA FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), ENTITLED "AN ACT TO INCORPORATE THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA."

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

SECTION 1. That section six (6) of chapter three (3) of chapter twenty-eight (28) of the special laws of the state of Minnesota for A. D., one thousand eight hundred and eighty-one (1881), be amended to read as follows:

Sec. 6. The city treasurer shall receive all moneys belonging to the city, including license money and fines, and keep accurate and detailed accounts thereof, in such manner as the city council shall direct. The treasurer shall exhibit to the city council, at least fifteen (15) days before the annual election, or sooner if required by them, a full and detailed account of the receipts and expenditures after the date of the last annual report, and also of the state of the treasury, which account shall be filed with the city recorder, and a copy of the same published in one or more of the city newspapers. He shall also report to the city council at such times and in such manner as they may require.

(a) All the funds of the city of Moorhead shall be deposited by the city treasurer in one or more national banks or state or private bank or banks in the name of the city treasurer in his official capacity. Such bank, banks or bankers shall be designated or redesignated by the city council of said city in their discretion at any time after advertising in one or more newspapers published in Clay county (or if the public interests require, in one or more newspapers published in other counties in the state), once each week for at least two weeks, for proposals and receiving proposals, stating what security would be given to said city for such funds and what interest on monthly balances of the amount so deposited, on condition that the said funds with accrued interest shall be held subject to draft and payment at all times on demand; *Provided*, That the amount deposited in any bank or banking house shall not exceed the assessed capital stock of said bank or banking house as shall appear on the tax list of the county where said bank or banking house is located or capital stock assessed. Capital stock for the purposes of this act shall be defined as follows: as including paid up shares of capital stock of national or state banks, whether assessed in the name of the bank or the stockholders thereof, and as the personal property of private banks or bankers or individual members of said banking firms actually used by said banks or bankers in the banking business and assessed upon the tax lists of any county in this state.

(b). The treasurer is required from time to time to take notice of any changes in the assessment, and to limit the amount of his deposits by such changes in accordance with the provisions of this act.

(c). Before any bank or banker shall be designated as such depository, such bank or bank or banker shall deposit with said city treasurer a bond payable to said city of Moorhead and signed by not less than three (3) freeholders of the state as sureties, which bond shall be approved by the city council, and shall be in such amount as said city council shall direct, which amount shall be at least double the amount of funds to be deposited with such bank or banker.

(d). All bonds required under the provisions of this act shall be given for the fiscal year or part thereof next ensuing after the regular annual election, but this section shall not be construed as preventing the said city council from advertising for proposals and designating depositories at any time when it may be deemed the public interests so require.

(e). No city treasurer shall deposit with any bank or with any banker, or in any place whatever, any public funds in his individual name or except in his capacity of city treasurer of the city of Moorhead, under penalty of five hundred (500) dollars for each deposit so made; and every violation of the provisions of this section by said treasurer shall be deemed under the laws of this state an embezzlement of the funds so misplaced and punished by indictment.

(f). Whenever any portion of the funds of said city shall be deposited by the city treasurer in the manner as provided by this act such treasurer and the sureties on his bond shall be exempt from all liability thereon by reason of the loss of any such deposited funds from the failure or other acts of such bank to the extent and amount of such funds in the hands of such bank.

(g). All payments by said city treasurer shall be made by checks upon the depositories. Each depository designated under the provisions of this act shall furnish the city recorder of the city of Moorhead a true and itemized statement of the treasurer's account on the first (1st) day of each month, which statement shall be filed and carefully preserved in the recorder's office, and at all times shall permit an examination of the city treasurer's account upon the books of said depository by any member of the common council. All sums of interest accruing upon the funds deposited with any bank or banker under the provisions of this act shall be credited to such deposit account on the first day of each month for the month preceding, and a monthly statement of such interest as computed by the daily balances shall be rendered to said city recorder, who shall charge the city treasurer with the amount thereof and credit the same to the general fund. If the city treasurer shall fail to comply with the terms of this act he may be removed from his said office in a summary manner by the city council of said city in its discretion upon a five days' notice to said treasurer and satisfactory proof of his said failure.

SEC. 2. That section nine (9) of said chapter three (3) be amended to read as follows:

Sec. 9. The city council may appoint and fix the compensation of three (3) street commissioners, one (1) for each ward, whose duty shall be to render their personal services in collecting the annual poll tax and perform labor in repairing the streets of said city in their respective

designated wards, and to superintend all work and improvements upon the streets and public grounds of said city. They shall keep accurate accounts of all moneys received by them and turn the same over to the city treasurer, and render monthly reports thereof to the city council, and oftener if required.

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

Approved February 12, 1885.

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## CHAPTER 15.

AN ACT TO AMEND CHAPTER TWENTY-ONE (21) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SIX (1876), ENTITLED "AN ACT TO AMEND CHAPTER FIVE (5) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY (1870), ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE CRYSTAL."

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

SECTION 1. That section two (2) of chapter twenty-one (21) of the special laws of one thousand eight hundred and seventy-six (1876) be amended so as to read as follows:

Sec. 2. There shall be an annual election held on the fourth (4th) Tuesday in March in each year, at which election the inhabitants of said village having the qualifications of electors may elect a president and four (4) trustees, who shall be styled "the board of trustees of the village of Lake Crystal," and in whom shall be vested the management of its municipal concerns, a treasurer, a recorder, a constable and assessor, whose term of office shall commence on the second (2d) Monday in April next after their election and who shall hold their respective offices for one (1) year, and until their successors are elected and qualified; and there shall be elected by said electors one (1) justice of the peace at the annual election to be held on the fourth (4th) Tuesday in March one thousand eight hundred and eighty-five (1885), and biennially thereafter, whose term of office shall commence on the second (2d) Monday in April next after his election and who shall hold his office for two (2) years and until his successor is elected and qualified, and before entering on their respective offices they shall each take and file with the recorder an oath or affirmation to support the constitution and laws of the state of Minnesota, and faithfully discharge the duties of his office. The recorder shall give ten (10) days' notice of the time and place of holding such elections by posting up printed or written notices thereof in three (3) public places in said village; said election shall be conducted in same man-