

the faithful performance of the duties of their respective offices, which bond shall be filed with the recorder, except that the bond of the recorder shall be filed with the treasurer of said village.

The justice of the peace of said village shall qualify as prescribed under the general law of the state except such bonds shall be executed to the common council of said village and be approved by the president thereof.

SEC. 2. That section twenty-six (26) be amended by striking out the word "three" wherein it appears in the fourth (4th) line of said section and inserting in the place thereof the word "five."

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

Approved Feb. 28th, 1887. •

## CHAPTER 32.

[S. F. 308.]

AN ACT TO AMEND SECTION ONE (1) OF CHAPTER ONE (1), AND SECTIONS ONE (1) AND TWO (2) OF CHAPTER TWO (2) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), ENTITLED "AN ACT TO INCORPORATE THE CITY OF ALBERT LEA, FREEBORN COUNTY," MINNESOTA, APPROVED MARCH ELEVENTH (11th), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), AND TO AMEND SECTION THREE (3) OF CHAPTER EIGHT (8) OF SAID INCORPORATING ACT.

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

SECTION 1. That section one (1) of chapter one (1) of the special laws of one thousand eight hundred and seventy-eight (1878), entitled "an act to incorporate the city of Albert Lea, Minnesota," as amended by section one (1) of chapter forty-seven (47) special laws of one thousand eight hundred and eighty-five (1885), be so amended as to read as follows:

Section 1. That all that district of country, in the county of Freeborn, state of Minnesota, contained within the following limits and boundaries, shall constitute the city of Albert Lea, viz: the southeast quarter ( $\frac{1}{4}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of Section eight (8), and all of that part of the west half ( $\frac{1}{2}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of section eight (8) north of the track of the Minneapolis & St. Louis railway lying on the east side of the river or stream of water flowing past and on the east side of the Albert Lea cemetery and into Fountain lake at what is known as the Blackmer bridge, and also all that territory, being a part of the northeast quarter ( $\frac{1}{4}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of section eight (8) lying south of Fountain lake; also the east half ( $\frac{1}{2}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of section eight (8); also the southeast

quarter of section eight (8), and all that part of the northeast quarter ( $\frac{1}{4}$ ) of section (8) lying south of Fountain lake; also the southwest quarter ( $\frac{1}{4}$ ) of section nine (9); also the south half ( $\frac{1}{2}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of section nine (9); also the northeast quarter ( $\frac{1}{4}$ ) of section sixteen (16); also the northwest quarter of section sixteen (16); also the northeast quarter ( $\frac{1}{4}$ ) of section seventeen (17), and also the east half ( $\frac{1}{2}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of section seventeen (17), all in township number one hundred and two (102) north, of range number twenty-one (21) west of the fifth (5th) principal meridian; and all the people now inhabiting and those who shall hereafter inhabit the said district of country, shall be a municipal corporation by the name of the city of Albert Lea, and by that name shall sue and be sued, plead and be impleaded, in any court; make and use a seal, and alter it at pleasure; and take, hold, and purchase, and lease and convey all such real and personal and mixed estate as the purposes of said corporation may require, within or without the limits aforesaid; and shall be capable of contracting and being contracted with; and shall have the general powers possessed by municipal corporations at common law, and in addition thereto, shall possess the powers hereinafter specifically granted, and the authorities thereof shall have perpetual succession; but no action shall be maintained against the city of Albert Lea on account of any injuries received by means of any defect in the condition of any bridge, street, sidewalk, or thoroughfare, unless such action shall be commenced within one (1) year from the happening of the injury, nor unless notice shall have first been given in writing to the mayor of said city or the city clerk thereof within thirty (30) days of the occurrence of such injury or damage, stating the place where and the time when such injury was received, and that the person so injured will claim damages of the city for such injury; but the notice shall not be required when the person so injured shall be bereft of reason, nor shall any such action be maintained for any defect in any street until the same shall have been graded, nor for any insufficiency of the ground where sidewalks are usually constructed, where no sidewalk is built.

And said municipal authorities are granted power and authority to regulate the flowage of the waters of Fountain lake in said city, and to regulate fishing within the waters and streams in the limits of said city and within the police limits and jurisdiction thereof.

That section one (1) of said chapter two (2) of said act of incorporation be so amended as to read as follows:

Section 1. There shall be an annual election in said city for elective officers hereinafter provided, held on the first (1st) Tuesday in April of every year, at such place in each ward as the common council shall designate. That ten (10) days previous notice shall be given by the common council of the time and places of holding said election, and of the officers to be elected; and the polls shall be kept open from nine (9) o'clock in the forenoon until five (5) o'clock in the afternoon.

That section two (2) of said chapter two (2) of said act be so amended as to read as follows:

Section 2. The elective officers of said city shall be a mayor, treasurer, alderman at large, and two (2) justices of the peace for the city, who shall be styled city justices. All of said officers shall be residents within and qualified voters of said city. Each ward shall elect two (2) aldermen, who shall be owners of real estate, and residents within and qualified voters of the ward for which they may be elected; there shall also be elected in and for said city, one (1) alderman at large, who shall be owner of real estate, and elected by the voters at large at said election, and hold his office for one (1) year. All other officers[necessary] for the due and proper management of the affairs of the city shall be elected or appointed by the common council, unless otherwise provided. At every annual election there shall be elected for each ward one (1) alderman, who shall hold their office for two (2) years. The city justices shall hold their office for two (2) years, and all other elective officers shall hold their respective offices for one (1) year. All officers elected or appointed, as provided herein, shall hold their offices for the respective term prescribed herein for them, and until their successors are elected and qualified.

That section three (3) of chapter eight (8) of said incorporating act be so amended as to read as follows:

Section 3. If such work is not done and the sidewalks not built or repaired, in the manner and within the time prescribed, the common council may order the same to be done by the street commissioner at the expense of the lots or parcels of land adjoining said sidewalks, and said expense shall be assessed upon such lots and parcels of land so chargeable, by the street commissioner, and returned by him to the common council, and said assessment, so made and returned, if approved by the common council, shall become a lien upon said lots and parcels of land as in case of city, county and state taxes, and if the amount of said assessment is not paid by the twentieth (20th) day of August in any year, the said commissioner shall assess and add a penalty of fifteen (15) per cent. thereto, which amount shall be a lien on said lots and parcels, and said penalty shall become a part of said assessment and be transmitted and returned therewith, and enforced, as provided in section four (4) of this chapter.

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

Approved February 19, 1887.