

material which said city may need to use at any one(1)time or during any one year or less, and may, in such cases, require such bond to be furnished as said common council by ordinance or resolution may direct.

CHAPTER XVI.

THIS CHAPTER TO BE PUBLIC LAW.

SECTION 1. This city charter shall be a public act, and need not be pleaded or proved in any case.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed, but nothing herein contained shall be construed as affecting any act of the city of Mankato, or the common council of said city, or any official act of any officer thereof, done prior to the passage of this act, or as modifying or affecting any resolution or ordinance of said city now in force.

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

Approved March 5, 1887.

CHAPTER 9.

S. F. NO. 587.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MINNEAPOLIS IN RESPECT TO THE APPOINTMENT AND CONTROL OF THE POLICE.

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

SECTION 1. That the act entitled "An Act to Amend and Consolidate the Charter of the City of Minneapolis," approved March eighth (8th), eighteen hundred and eighty-one (1881), as heretofore amended, be and the same is hereby further amended by striking out the twenty-fifth (25th) sub-division of section five (5) of chapter four (4) of said act; and also the whole of chapter six (6) thereof, and by substituting in lieu of the provisions so stricken out the following sections, which shall be included in said act and be designated as chapter six (6) thereof.

SEC. 2. There is hereby created and established in and for said city an official board, which shall be styled "The Board of Police Commissioners of the City of Minneapolis," in which shall be vested, subject only to the limitations herein contained, all the powers of said city connected with and incident to the establishment, maintenance, appointment, discipline and control of its police. Said board

shall have the custody and control of all books, records, teams, vehicles, telegraph and telephone lines and instruments, station houses, lock-ups and all other public property appertaining to the police department of said city, and may, out of any money appropriated by the city council for that purpose, provide and maintain such other buildings, facilities and equipments as it may deem essential to the efficiency of said police. It shall have authority to appoint and remove at its pleasure all members of the police force, including clerks, detectives, watchmen, jailors, teamsters and other employees, and to prescribe the title, rank and duties of each, and it may require a bond from any such member of said police force and fix the conditions thereof. It may fix the compensation of all such appointees, subject to the approval of the city council, and may make all needful rules and regulations for the efficiency and discipline of such police force, and may promulgate and enforce general and special orders for its government.

SEC. 3. Said board shall consist of five (5) commissioners including the mayor of said city who shall be *ex-officio* a member of said board and president thereof. The city council of said city shall within twenty (20) days from and after the passage of this act by an affirmative *viva voce* vote of a majority of the whole council elect four (4) police commissioners, no one of whom shall, during his term of office, hold any other office under the government of said city, and not more than two (2) of whom shall be selected from members of one political party, and such police commissioners, together with the mayor of said city, shall constitute the board of police commissioners contemplated and provided for in this act. The term of office of the said commissioners, so to be elected by said city council, shall begin on the first (1st) day of April, eighteen hundred and eighty-seven (1887), and said commissioners shall, as soon as practicable after said first (1st) day of April, and on or before the second (2d) Wednesday in April of said year, meet and organize as said board. One (1) of said elective commissioners shall serve for one (1) year, one (1) for two (2) years, one (1) for three (3) years, and one (1) for four (4) years from said last named date, and until their successors shall have qualified, and said city council shall, at the time of such election, designate which one (1) of said commissioners shall serve for one (1) year, which one (1) for two (2) years, which one (1) for three (3) years, and which one for four years. In the month of March of each year after the year eighteen hundred and eighty-seven (1887) the said city council shall in like manner elect one (1) commissioner to succeed the one (1) whose term is about to expire, and the term of each such newly elected commissioner shall continue four (4) years from the first (1st) Wednesday in April of the year in which he is elected, and until the qualification of his successor. In case the city council shall for any reason fail to make such election at the time or times herein specified, the same may be made at any time thereafter, and the person or persons so elected shall hold office from the date of his or their qualification until the expiration of said term, and until the election and qualification of their successors. In case of any vacancy occurring

by death, resignation, removal or otherwise, the city council shall in like manner fill the same by election for the unexpired term. In each election of a commissioner of commissioners the city council shall so provide that not more than two (2) of said elective commissioners shall at any time be members of the same political party.

SEC. 4. Said elective commissioners shall receive a salary which shall at all times be equal to the salary received by members of the city council of said city, and all necessary expense incurred by them in the discharge of their official duties shall be a valid charge against said city. Before exercising the duties of their office, they shall severally take, subscribe and file in the office of the city clerk an oath that they will support the constitution of the United States and of the State of Minnesota, and faithfully perform the duties of their office, and that in no case will they favor the appointment or removal of any person to or from any position connected with said police force on account of any reason other than his fitness or unfitness in their best judgment.

SEC. 5. It shall be the duty of said board to provide that at all times of day and night, everywhere within the limits of said city, and wherever the jurisdiction of said city shall extend, the public peace and order shall be preserved, crime prevented, offenders arrested, the rights of person and property protected and all ordinances and laws in force in said city duly observed and enforced. Said board shall have power to issue subpoenas attested in the name of its president, to compel the attendance of witnesses before said board in any proceeding authorized by its rules and regulations, and any member thereof may administer oaths to such witnesses. It shall appoint one of its members as vice-president of said board, and fix the term of his office. It may also appoint a clerk to be denominated police clerk, who shall keep a record of all proceedings of the board, and he shall also keep such other books, records and accounts, and perform such other duties as the board may from time to time prescribe, and he shall hold his office during the pleasure of said board.

SEC. 6. Said board may, in case of any mob, riot, pestilence, invasion, or other emergency, or for election days and days of public celebration or parade, appoint as many special policemen as it may deem necessary, who shall have all the powers and perform all the duties of regular policemen. The board may likewise, at the request of any person, firm, society or organization, appoint policemen or watchmen, who shall serve without expense to the city and have police powers to preserve the peace and protect property within such limits and at such places as may be designated in such appointment, but such special policemen or watchmen shall not exercise any authority or wear any badge of office outside the limit so designated.

SEC. 7. Said board shall adopt suitable rules for the government of its meetings and the conduct of its business. Four (4) members thereof shall constitute a quorum, and no person shall be appointed to or removed from said police force, except by the concurrence of at least four (4) members of said board, but the action of any regular or special meeting of said board attended by only three (3) members

thereof shall be valid when ratified by the approval of an additional member, entered and subscribed upon the minutes.

SEC. 8. No person shall be appointed a member of said police force who shall not have been a resident of said city for at least three (3) years next preceding his appointment; nor shall any person be so appointed who cannot read and write the English language, or who has been convicted of any crime. All policemen so appointed shall possess all the common law and statutory power of constables, and any warrant for search and arrest issued by any magistrate or court of record in Hennepin county may be executed in any part of said county, by any member of said police force.

SEC. 9. Nothing herein contained shall give said board jurisdiction over any such police force as the board of park commissioners of said city may, at any time, be authorized by law to organize and maintain, but the creation, management and direction of such park police shall remain where the same now are, or may hereafter be, vested by law.

SEC. 10. Until the appointment and qualification of the board of police commissioners herein provided for, the present police organization of said city shall be continued in force and all the provisions of said charter appertaining thereto and which are hereby superseded shall remain in full force and effect so far as may be necessary for the proper police protection of the city, but immediately upon its organization said board shall assume control of said police, and shall forthwith appoint and organize a new force, and thereafter administer the police department of said city under the provisions of this act. *Provided*, That no member of the present police force of said city shall be removed at the time of such reorganization, except for sufficient cause.

SEC. 11. The said elective commissioners, or either of them, may be removed from office by the district court of said Hennepin county, after trial and conviction, upon the petition, with sworn charges, presented by not less than ten (10) reputable freeholders of said city, if it shall appear at said trial that the said commissioner or commissioners, have been guilty of misdemeanor or malfeasance in office under this act.

SEC. 12. It shall be the duty of the city council of said city to audit, allow and cause to be paid the salaries of all members and employees of said police force and all reasonable and proper charges and expenses incurred by said board in and about its administration of the police department of said city. Said board shall make to said city council a detailed report of its doings at the close of each quarter, and an annual report at the close of each year, and shall, whenever called upon by said council submit thereto for examination any of its books or papers and furnish information and estimates as to the needs and requirements of said department.

SEC. 13. All acts and parts of acts inconsistent herewith are hereby modified to conform hereto.

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

Approved March 5th, 1887.