

CHAPTER 125.

[H. F. No. 770.]

AN ACT TO AMEND SECTIONS SIXTEEN (16) AND FIFTY-FOUR (54), OF CHAPTER ONE HUNDRED AND FORTY-FIVE (145), OF THE GENERAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), ENTITLED, "AN ACT TO PROVIDE FOR THE INCORPORATION OF VILLAGES AND TO DEFINE THEIR DUTIES AND POWERS, AND REPEAL CERTAIN LAWS IN RELATION THERETO."

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

Incorporation
of villages,
election of
officers, etc.

SECTION 1. That section sixteen (16), of chapter one hundred and forty-five (145), of the general laws of the year one thousand eight hundred and eighty-five (1885) be, and the same is hereby amended so as to read as follows:

Section 16. After the first election of officers the village council shall within twenty (20) days before the time of holding any election of village officers, designate and appoint two (2) qualified voters of such village who shall act as judges of such election; and in case of the neglect to make such appointment, or if the persons so appointed neglect or refuse to serve, the electors present at the time and place named for opening the polls of any such election may viva voce elect two (2) judges of election and one (1) clerk, who before entering upon the discharge of their duties, shall take and subscribe an oath or affirmation to faithfully discharge the duties required of them, and the said judges and clerk being qualified, shall forthwith open the polls by proclamation, and conduct the election in the manner provided in this section. The annual meeting shall be on the second (2d) Tuesday of March for the election of officers and at such place as may be directed by the village council after giving ten (10) days' notice thereof, either by posting written notices in three (3) of the most public places in the village, or by publishing such notice in a newspaper printed in such village. The polls shall be open at ten (10) o'clock a. m. and close at four (4) o'clock in the afternoon of said day. At the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters by some one of the judges of election, and the recorder shall make a true copy thereof in a book kept for such purposes, and within five (5) days notify in writing the persons so elected of their election. All elections shall be by ballot, and all votes for elective officers and all questions to be submitted to the people thereof at any election shall be upon one (1) ballot and be deposited in one (1)

Annual
meeting.

ballot box; a plurality of votes shall elect, and if two (2) or more persons receive an equal number of votes for the same office, the election shall be forthwith determined by lot in the presence of the judges of election in such manner as they direct, and every qualified elector, then actually resident in such village, may vote at any election; *Provided*, that no candidate for office shall act as judge or clerk at such election.

SEC. 2. That section fifty-four (54), of said chapter one hundred and forty-five (145) be, and the same is hereby amended to read as follows:

Section 54. The president shall preside at all meetings when present; in his absence the council may select another trustee to preside. Regular meetings shall be held at such times as may be prescribed by their by-laws. Special meetings may be called by any two (2) trustees in writing, filed with the recorder, who shall thereupon seasonably notify all the trustees of the time and place thereof, in the manner directed by the by-laws. All meetings shall be open to the public. The council shall keep a record of all its proceedings; shall have power to preserve order at its meetings, compel the attendance of trustees and publish non-attendance; and it shall be judge of the election and qualifications of its members; the president and trustees shall be entitled to receive as compensation the sum of one (1) dollar each per day for the time actually employed as such officers, not to exceed ten (10) each in any one (1) year.

Meetings of
village
councils.

When act to
take effect.

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

Approved March 28, 1889.