

CHAPTER 56.

[S. F. No. 822.]

AN ACT TO AMEND CHAPTER FOUR (4) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-EIGHT (1878) INCORPORATING THE VILLAGE OF WATERVILLE, IN THE COUNTY OF LE SUEUR, STATE OF MINNESOTA, AS AMENDED MARCH 7, EIGHTEEN HUNDRED AND EIGHTY-ONE (1881), MARCH 3, EIGHTEEN HUNDRED AND EIGHTY-THREE (1883), FEBRUARY 21, EIGHTEEN HUNDRED AND EIGHTY-SEVEN, (1887), AND TO ADD THERETO CERTAIN NEW OBJECTS.

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

SECTION 1. That section No. three (3) of said chapter four (4) of the special laws of eighteen hundred and seventy-eight (1878) be amended so as to read as follows:

"Section 3. The elective officers of said village shall be one (1) president of the common council, one (1) recorder, one (1) treasurer, three (3) councilors, two (2) justices of the peace, who shall be styled police justices, one (1) assessor, and each except the councilors and justices of the peace shall hold his respective office for the term of one (1) year and until his successor is elected and qualified.

The councilors shall each hold his respective office for the term of three (3) years and until his successor is elected and qualified.

The term of all the above mentioned officers shall commence on the Tuesday next following their election, (except in case appointed to fill a vacancy), *provided*, that at the first (1st) election under the provisions of this act, one (1) councilor shall be elected for the term of one (1) year, one councilor shall be elected to serve two (2) years and one (1) councilor shall be elected to serve three (3) years, and there shall be elected one (1) councilor at each annual election thereafter, to serve for three (3) years as hereinbefore provided.

The justices of the peace shall each hold his office for the term of two (2) years and until his successor is elected and qualified.

SEC. 2. That section number four (4) of same chapter shall be amended as to read as follows:

"Section 4. The president, the three (3) councilors and recorder shall constitute the common council of the village of Waterville, a majority of whom shall constitute a quorum to do business.

It shall be the duty of the common council annually at their first (1st) meeting after the annual election to elect by ballot a marshal who shall be ex-officio chief of police of the village, who shall hold his office for the term of one (1) year and until his successor is elected and qualified, unless sooner removed by a majority of the common council.

The common council shall have power to determine the rule of its proceedings, and compel the attendance of its members under such penalties as it may prescribe.

It shall meet at least once each month at such time and place as shall be prescribed by rule. Special meetings may be called by the

president or two (2) of the councilors whenever they shall deem it for the interest of the corporation.

The common council shall have power to appoint such officers as may be in their opinion necessary for the government of said village and define their duties and fix their compensation.

SEC. 3. That section two (2) of the same chapter be amended so as to read as follows:

"Section 2. The assessor of said village shall qualify in the same manner and shall have and possess all the authority, rights and powers and be governed by the general laws of the state relating to assessors generally, and upon the completion of the assessment roll he shall return the same to the common council, who may alter, revise and equalize the same as they may deem just and proper, and said assessment so revised and equalized shall be final, subject only to the revision of the state board of equalization.

When the assessment roll is so equalized by the common council they shall cause the same to be sent to the county auditor.

The assessor shall receive such compensation as is by law provided for the payment of township assessors.

SEC. 4. That section nine (9) of the same chapter be amended by striking out the words "in the name of said village" where it occurs in the twenty-fifth (25th) line of said section.

SEC. 5. That wherever the word "justice" appears in said chapter, it shall be altered to the word "justices" to conform to the amendment made by section one (1) of this act.

SEC. 6. That section number twelve (12) of the same chapter shall be amended so as to read as follows:

"Section 12. The term of all officers elected under the provisions of this act, except the officers now serving under provisions of said chapter four (4) of the special laws of eighteen hundred and seventy-eight (1878), who shall hold their offices until the second (2nd) Tuesday in April one thousand eight hundred and eighty-nine (1889), shall commence on the second (2nd) Tuesday of April of each year, unless elected or appointed to fill a vacancy, in which case their term shall end on the second (2nd) Tuesday of April of each year).

All officers shall be residents of the village and there shall be an annual election for the officers hereinbefore provided for on the first (1st) Tuesday of April in each year, and the polls shall be kept open from ten (10) o'clock in the forenoon until four (4) o'clock in the afternoon; and ten (10) days previous notice shall be given by the recorder of the time and place of holding such election and the officers to be elected, by posting notices in three (3) of the most public places in said village. At the close of the polls the vote shall be counted and a true statement thereof proclaimed to the voters present, by one of the judges, and the recorder shall make a true record thereof, and shall without delay, notify all persons so elected of their election.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 1, 1889.