

lage charter". If upon the canvass of these votes it shall appear that a majority of the votes cast were "Against the village charter," then this act shall be of no further effect. If it shall appear upon the canvass that a majority of votes cast were "For the village charter," then the election board shall forthwith and by public notices appoint the second (2d) Tuesday in March, eighteen hundred and eighty-one (1881), as an election day for the election of village officers, and all the public papers affecting said elections, together with a copy of the election notices shall be certified and filed by the village recorder when he is elected and qualified.

SEC. 35. This act shall be a public act, and take effect and be in force from and after its passage.

Approved February 9, 1881.

CHAPTER 20.

AN ACT TO INCORPORATE THE VILLAGE OF HERMAN, GRANT COUNTY, STATE OF MINNESOTA.

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

SECTION 1. That all of section thirteen (13) and the north half ($\frac{1}{2}$) of section twenty-four (24), of township one hundred and twenty-seven (127) north, range forty-four (44) west, and the west half ($\frac{1}{2}$) of section eighteen (18) and the northwest quarter ($\frac{1}{4}$) of section nineteen (19), township one hundred and twenty-seven (127) north, range forty-three (43) west, in the county of Grant and State of Minnesota, is hereby set apart and incorporated as the village of Herman, and the people now inhabiting, and those who shall hereafter inhabit the district of county herein described, shall be a municipal corporation by the name of the village of Herman, and shall have all the powers possessed by municipal corporations at common law, and in addition thereto, shall possess all the powers and privileges granted by chapter one hundred and thirty-nine (139) of the general laws, approved March fourth (4th), A. D. one thousand eight hundred and seventy-five (1875), entitled an act to provide for the organization of villages in the State of Minnesota.

SEC. 2. That A. C. Earsley, C. A. Smith and A. Wells are hereby designated commissioners to carry out the provisions of section nine (9) of said chapter, and the secretary of state is hereby directed to notify said commissioners of the passage of this act.

SEC. 3. That in lieu of electing "one (1) village constable" as provided in said chapter one hundred and thirty-nine (139) of the general laws of the year A. D. one thousand eight hundred and seventy-five (1875), the village council be, and they are hereby authorized, empowered and directed to appoint a village marshal and

assistant marshal, who shall hold their offices at the pleasure of the council, and whose duties in addition to those now prescribed by law for village constables, shall be prescribed by the village council of said village, and who shall receive in addition to the fees now allowed by law to village constables, such per diem as the village council may ordain, and such marshal and assistant marshal shall qualify in the same way, and shall have all the powers, rights and authority of village constables, and shall be subject and liable to the general laws pertaining to the powers and duties of village constables in this State.

SEC. 4. That two (2) justices of the peace instead of one (1), shall be elected as provided for in said chapter one hundred and thirty-nine (139) of the general laws of the year A. D. one thousand eight hundred and seventy-five (1875), and said justices shall have sole and exclusive jurisdiction of all suits, prosecutions and proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation of said village. All prosecutions for assault, batteries, and affrays, not indictable, and for a breach or violation of any by-law, ordinance or regulation of said village, shall be commenced in the name of the village of Herman, and the same proceedings shall be had as are required by law in criminal cases tried before justices of the peace, and all fines imposed or collected in such cases, and in all cases tried before said justices for any violation of law committed within said village, shall accrue to the benefit of said village, *provided*, that an appeal from any judgment or decision of said justices shall be allowed as now provided by law for appeals from judgments rendered by justices of the peace.

SEC. 5. That in all actions or proceedings arising or growing out of this chapter, or said chapter one hundred and thirty-nine (139) of the general laws of the year A. D. one thousand eight hundred and seventy-five (1875), or out of, or under any ordinance, by-law or regulation of the said village council, all processes issued by the said village justices shall be directed "to the marshal or assistant marshal of Herman."

SEC. 6. That in addition to the general powers conferred by the said chapter one hundred and thirty-nine (139), the village council shall have power

First. To prescribe such additional duties for the officers of said village as they may by ordinance direct.

Second. To appoint such additional officers for said village as may be necessary therefor.

Third. To prevent the obstruction of public streets and public grounds.

Fourth. To provide for the compensation of the officers of said village, *provided*, that no member of the said village council shall receive any pay or fee, except the village recorder.

Fifth. To provide for the publication in a newspaper published in said county, of notices and ordinances.

Sixth. To prevent and punish all indecent and disorderly conduct.

SEC. 7. The village council of said village may cause to be established from time to time, and as rapidly as the convenience of the inhabitants may require, the grades of all streets, sidewalks and alleys in said village, and it shall cause accurate profiles thereof to be made and kept in the office of the village recorder, and all grading of streets and alleys which the said council shall order by ordinance, by-law or resolution, shall be at the expense of the property benefitted thereby, to the extent of such benefits, the same to be determined by a commissioner appointed by the council, and the remainder to be paid out of the general fund. Any person feeling himself aggrieved by the award of the commissioner may appeal to the district court of said county of Grant, *provided*, that said appeal shall be taken within thirty (30) days after the said award is filed in the office of the village recorder, written notice of such appeal shall be served upon the village recorder or president of the council.

SEC. 8. That nothing herein contained shall in anywise change, alter or affect the township organization of the township of Logan except as provided in said chapter one hundred and thirty-nine (139) general laws of A. D. one thousand eight hundred and seventy-five (1875), and that said village shall continue to be a part of said township of Logan, and the said township shall be, as heretofore, one (1) election district for all purposes not in conflict with the provisions of this act; and the township and general elections may be held in said village, and the qualified voters of said village shall be qualified voters of said township.

SEC. 9. This act shall be a public act and need not be pleaded nor proven in any court of this State.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved, February 17, 1881.

CHAPTER 21.

AN ACT TO INCORPORATE THE VILLAGE OF HECTOR IN THE COUNTY RENVILLE.

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

SECTION 1. All those portions of the county of Renville described as: the southeast quarter ($\frac{1}{4}$) of section numbered twenty (20) and the south-west quarter ($\frac{1}{4}$) of section numbered twenty-one (21) and the west half ($\frac{1}{2}$) of section numbered twenty-eight (28) and the east half ($\frac{1}{2}$) of section numbered twenty-nine (29) all in town