

recorder shall dispense with the necessity for filing with the town clerk of said town, and shall constitute constructive notice thereof to all persons in the same manner and to the same extent as mortgages filed in the above clerk's office under the laws of this state.

SEC. 19. This act is hereby declared to be a public act, and may be read in evidence in any and all courts of law in this State.

SEC. 20. This act shall take effect and be in force from and after its passage.

Approved February 24, 1881.

CHAPTER 29.

AN ACT TO INCORPORATE THE VILLAGE OF MURDOCK.

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

SECTION 1. All that part of the township of Dublin, in the county of Swift and state of Minnesota, hereinafter described, shall be known as and constitute the village of Murdock, and as such corporation shall have all the powers generally possessed by municipal corporations at common law, and in addition thereto, shall possess the powers hereinafter granted, and by that name sue and be sued, make contracts, purchase, take and hold real and personal property, and have a corporate seal alterable at pleasure, Every grant and devise of lands or right or transfer of property which has been or may be made for the benefit of its inhabitants, shall have the same effect as if made to the village by name.

SEC. 2. The territory included in said village of Murdock shall be all of the northeast quarter ($\frac{1}{4}$) and the east half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section number eleven (11), and the south half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) and the east half ($\frac{1}{2}$) of the southeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of section number two (2), and the west half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) of section number twelve (12), and the southwest quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of section number one (1); all in township number one hundred and twenty (120) of range number thirty-eight (38), situate in the county of Swift and State of Minnesota, which shall be known as the village of Murdock in the county of Swift.

SEC. 3. The government of said corporation and the management of all its municipal concerns, shall be vested in one (1) president and three (3) trustees, one (1) treasurer, one (1) justice of the peace, one (1) assessor, one (1) constable, one (1) clerk, who shall

be residents of said village, except the justice of the peace may reside in the town of Dublin, but shall keep his office as such justice in said village. The president, trustees, treasurer, justice of the peace and constable shall be elected by the qualified voters of said village. The assessor and clerk of said village shall be appointed by the president and trustees of said village, and may be removed at any time by said president and trustees. The president, treasurer and trustees shall hold their office for one (1) year, and the justice of the peace and constable for two (2) years, and until their successors are elected and qualified. The president and trustees may fill by appointment any vacancy in any village office.

SEC. 4. In case the electors of said village shall fail to elect a justice of the peace at their annual election, or in case of a vacancy for any cause, the president and trustees of said village may select one of the justices of the peace elected in the town of Dublin to act as the justice of said village, who shall keep his office as such justice in said village.

SEC. 5. The village justice shall have sole and exclusive jurisdiction, to hear all complaints and conduct all examinations and trials in cases arising under any of the ordinances of said village, and in all cases in which the village is a party, and shall also have the same power and authority as other justices of the peace of the county in all respects, and be entitled to like fees.

Provided, the defendant has the right of appeal in all cases from a judgment rendered against him for violation of any of the provisions of this charter, or any of its ordinances, to the same extent as allowed from judgments rendered by justices of the peace under and by virtue of the statutes of the State of Minnesota.

SEC. 6. There shall be an annual election held on the second (2d) Tuesday in January of each year, at which the electors of said village qualified to vote at town elections; may elect by ballot and by plurality of votes, the president, trustees, treasurer, justice of the peace and constable of said village. The president and trustees of said village shall act as judges of election, but in case of the absence of either of them, any qualified elector of said village may be selected by the voters present to act as said judges.

At any village election held under this act, the polls shall be opened at one (1) o'clock in the afternoon and continue open until four (4) o'clock in the afternoon of the same day, and the election shall be by ballot, and shall be conducted and governed in the same manner, as far as may be, as township elections. The village clerk shall give a notice of such election similar to that required for township elections.

Provided, that any failure to give the notice aforesaid, shall not in any manner invalidate any election. Special elections may be called at any time by the president and trustees, or a majority of them, on the petition of five (5) freeholders of said village, and by giving the notice above required, stating the object of said election. The first (1st) election under this act shall be on the second (2d) Monday in February, A. D., one thousand eight hundred and

eighty-one (1881), and Henry A. Boardman, Joseph Thornton and F. Z. Kohler or any two (2) of them, shall act as judges of said election, and shall give ten (10) days notice of the time and place of holding said election, by posting up notices thereof in three (3) public places in said village. They shall canvass the votes and issue certificates of election to those receiving the highest number of votes.

SEC. 7. Said village of Murdock as defined by this act and the remaining portion of the township of Dublin, outside of said village, shall for the general election and township election purposes constitute as heretofore an election district of Swift county, and the officers of said Dublin township shall conduct such elections and make returns thereof as prescribed by the laws of the State, and the said township of Dublin may hold their township elections within the corporate limits of the village of Murdock, if said township shall desire so to do, and any of the officers elected at the township election of said township of Dublin may reside in and execute the duties of their office in said village of Murdock.

SEC. 8. All officers of said village shall enter upon the duties of their respective offices within ten (10) days after their election or appointment, otherwise such office shall be vacant. The justice of the peace, the treasurer, the assessor, constable and clerk shall respectively possess all the powers, enjoy all the rights, and be subject to the same liabilities, rules, laws, and fees, as far as the same may apply, as such township officers are to the general law of the State; and their official bonds shall run by the president and trustees of said village.

Provided, that the president and trustees of said village shall receive no compensation for their services. The president shall preside at all meetings of the trustees and sign all orders, commissions, licenses, and permits, granted by said president and trustees, which shall also be attested by the clerk; and no money shall be paid out of the treasury of said village except by the affirmative vote of the president and trustees or a majority of them; and upon a written or printed order signed by the president and clerk. The treasurer of said village shall give to the president and trustees an official bond for such an amount as the president and trustees may require; he shall be the keeper of the corporate seal; shall receive and pay out all moneys belonging to said village, and shall keep a just and true account of all moneys and other things committed into his hands as such treasurer, in a book to be provided by the president and trustees for that purpose, which book shall remain the property of the village; he shall settle with the president and trustees at the end of every year and oftener if required by them. It shall be the duty of the constable to suppress all riots, disturbances and breaches of the peace and to arrest all drunken or disorderly persons in said village, and for this purpose he shall have all the authority and power of the sheriff of any county of the State.

SEC. 9. A majority of the trustees, including the president, shall be a quorum for the transaction of business. They shall ap-

point a clerk, assessor and such other officers as they may deem necessary, and prescribe by-laws for the use of such officers when not defined by law. The president and trustees may enact ordinances and by-laws for all purposes contemplated by this act, may alter, amend, or repeal the same, and may affix penalties for violating the same, and they shall have the force of law, but before they shall become law, they shall be signed by the president and clerk and published in a newspaper printed in said county or posted up in a public place in said village ten (10) days, and shall be filed and recorded by the clerk. The style of the ordinances of said village shall be, "The President and trustees of the village of Murdock" do ordain as follows: The president and trustees shall have exclusive power.

First. To license and regulate within the corporate limits of said village the exhibition of common showmen or shows of any kind, or the exhibition of caravans, circuses or theatrical performances, billiard tables, bowling saloons or alleys, and to provide for the abatement and removal of all nuisances, under the ordinances or at common law, or under this act, and to grant licenses and to regulate groceries, taverns, victualing houses, and all persons vending or dealing in spirituous, vinous, fermented, mixed or intoxicating liquors.

Provided, the president and trustees shall have the exclusive right to license persons vending, dealing in or disposing of spirituous, vinous, fermented, mixed or intoxicating liquors within the limits of said village, and persons so licensed shall not be required to obtain a license from the board of county commissioners and shall not be prosecuted for vending, dealing in or disposing of spirituous, vinous, fermented, mixed or intoxicating liquors without first having obtained a license therefor, agreeable to the provisions of chapter sixteen (16) of the general statutes, and that such license for so dealing in spirituous, vinous, fermented, mixed or intoxicating liquors, shall not be less than fifty (50) dollars or more than two hundred (200) dollars a year.

Second. To restrain and prohibit every description of gaming with cards or otherwise, and to authorize the destruction of all instruments used for the purpose of gaming.

Third. To prevent any riots or disorderly assemblages, and to suppress and restrain disorderly houses, groceries, saloons or houses of ill-fame.

Fourth. To direct the location and management of slaughter houses and markets, the storage of gunpowder or other combustible material, and to compel the owner or occupant of any cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer or any unwholesome house or place, to cleanse, remove or abate the same.

Fifth. To prevent the encumbering of streets, sidewalks, public walks, grounds and alleys, and to define the same, and to prevent racing or immoderate driving or riding on the same, also to

prevent injury to the same, or to any public property in the village.

Sixth. To restrain the running at large of horses, cattle, mules, swine and sheep, and to authorize the distraining, impounding and sale of the same, also to prevent the running at large of dogs; to make and establish a pound, appoint a poundmaster; to protect shade and ornamental trees on the streets, alleys and public grounds, and to plant and cultivate the same on public grounds, and to require the owner or owners of lots to set out shade and ornamental trees in the street or streets fronting the same, and to compel the owner and the occupants of buildings to remove snow, dirt or rubbish from sidewalks, streets or alleys opposite thereto.

Seventh. To authorize fire companies, hook or ladder companies, and to regulate their government; to restrain drunkards, immoderate drinking, or obscenity in the streets, and to punish all persons guilty of the same; to lease, purchase or erect all buildings necessary for the use of said village as a municipal corporation; to tax every male resident of said village over twenty-one (21) and under fifty (50) years of age, two (2) days labor, or in lieu thereof three dollars (\$3) per annum, to be applied on roads, streets and alleys; to make, keep open and in repair, grade, improve, lay out, alter, widen, vacate or discontinue roads, streets, alleys, sidewalks and sewers in said village; to establish and maintain pumps, cisterns, reservoirs and drains in said village, and purchase and hold any land necessary for the purpose herein named; to prescribe the limits within which wooden buildings may be erected or repaired; to prevent the dangerous construction or continuance of chimneys, fire places and stove pipes, and to cause the same to be removed or made safe.

Eighth. To establish public fairs and markets, and public buildings for the same, and to make rules and regulations for the management of the same; to appoint suitable officers for overseeing and regulating such markets and fairs, and to restrain all persons from interfering with the due observance of such rules and regulations.

Ninth. To make such regulations as they shall deem proper to prevent the introduction into said village of all contagious or infectious diseases or disorders.

Tenth. To prevent any railway company from obstructing the streets or crossings for a time exceeding ten (10) minutes, accidents excepted. For every such offence a fine of not more than one hundred dollars (\$100) may be imposed and collected.

Eleventh. To restrain and punish vagrants, mendicants, idlers without visible means of support, and street beggars, and to provide for the punishment of the same.

SEC. 10. Any peace officer may, and it shall be the duty of the constable to arrest, without warrant, any person found in a state of intoxication in said village, or who shall be guilty of immoderate drinking, improper revelling, obscenity or noisy, boisterous or disorderly conduct in the streets or public places, and to take such

person or persons forthwith before the justice of the peace who has an office in said village, or keep him or them until they become sober, in confinement, or until such time as such justice can reasonably hear and dispose of such offenders.

SEC. 11. The president and trustees shall, on the annual election day, make an accurate statement of the finances of the village at that date, including all debts and liabilities, and the means and assets to discharge the same, which statement shall be read to the electors present, and recorded for the inspection of all persons.

SEC. 12. The village of Murdock shall constitute one road district and the highway labor and taxes shall belong to the general fund, and the president and trustees shall appoint one overseer of said road district, and they shall issue a warrant to him containing the whole amount of highway labor and taxes assessed and levied in his district, which said warrant shall be returned to the village clerk. The laws of the State shall apply to the warning, working, suing for and collecting the highway taxes, and to returning delinquent taxes, and in all other respects except as herein expressly provided. The president and trustees shall have full power to direct the overseer, when, where and how to expend such labor and tax, and to remove him, and may direct him to expend the labor in the manner to be directed by them, at any point beyond the limits of the village, and the president and trustees shall perform the duties imposed by law upon the supervisors of towns in levying highway taxes, and shall be governed and restricted in the amount so levied by the same law applicable to supervisors of towns in levying highway labor and taxes.

SEC. 13. Penalties and forfeitures shall be sued for by the president and trustees, in the name of the village of Murdock, and shall belong to said village. The expense of opening and grading new streets, and of paving or repairing, building and maintaining sidewalks on streets or alleys may be chargeable to the lots fronting on such improvements, or paid in whole or in part from the general fund, at the discretion of the village president and trustees.

SEC. 14. The legal voters of said village may, at any annual or special meeting, authorize the president and trustees of said village to levy a tax for any legitimate object upon all the real and personal property in said village, but in no case shall the tax so levied exceed the sum of two (2) mills upon the dollar, valuation in any one year.

SEC. 15. The president and trustees shall report to the auditor of Swift county by October first (1st) of each year, the amount of taxes so levied upon the real and personal property in said village, and it shall be the duty of the county auditor to insert such taxes in the assessment roll of said village of Murdock, and the same shall be collected by the county treasurer, or returned by him as delinquent, and all proceedings in relation thereto, including the selling, conveying and redeeming property, shall be the

same as in proceedings on account of other taxes under the state laws.

SEC. 16. The damage sustained by reason of the laying out of paving, or altering of any road, street or alley, may be determined in the same manner as the laying out of a road in a town under the laws of the state, except the village clerk is substituted for the town clerk, and the president and trustees for the supervisors.

SEC. 17. All actions brought to recover any penalty, sum of money or forfeiture under this act or the ordinances or by-laws, made by the president and trustees, shall be brought in the corporate name of the village, and it shall be proper to complain that the defendant is indebted for the amount of such penalty or damage, and refer to the act or by-law under which the same is claimed, and to give special matter in evidence under it; and all civil actions shall be under the direction and control of the president and trustees; and they shall have the power to settle, compromise, prosecute and defend all such actions on the part of the village. In actions against such village, service shall be on the president of said village; and the village shall have the right of appeal as individuals have.

SEC. 18. Such actions may be commenced in the district court or before any justice of the peace of Swift county, without said village being required to give security for costs in any such action; and in no case shall any judgment be rendered against said village for costs in criminal actions; and no person shall be an incompetent judge, justice or juror by reason of being an inhabitant of said village, in any action in which the village shall be a party. Every execution issued upon any judgment recovered therein for any penalty or for the violation of the provisions of this act, or any ordinance or by-law made by virtue thereof, may contain a clause directing in the event of the non-payment of the judgment, the imprisonment of the defendant in the county jail of said Swift county, not exceeding thirty (30) days, if the damage or penalty recovered by such judgment, shall be ten dollars (\$10) or less, and not exceeding sixty (60) days, if such damage or penalty exceed that sum; and the sheriff of said Swift county shall receive and take charge of such defendant committed to said jail. All penalties and judgments shall be paid into the village treasury.

SEC. 19. No law of this State contravening the provisions of this act shall be considered as repealing, amending or modifying the same unless such purpose be expressly set forth in such law.

SEC. 20. The president and trustees of said village shall not draw any order on the treasurer nor make any appropriation of moneys unless the amount so appropriated shall be in the village treasury, not otherwise appropriated at the time such appropriation is made.

SEC. 21. The village of Murdock shall not be liable in any case for the board or jail fees of any person who may be committed by any officer of the village, or any magistrate, to the jail of Swift county for any offence punishable under the State laws.

SEC. 22. All moneys collected from residents of said corporation for county licenses for the sale of intoxicating liquors for the year one thousand eight hundred and eighty-one (1881) shall be paid into the treasury of said village by the county treasurer, except such part thereof as is proportional to the part of said year prior to the first day of May one thousand eight hundred and eighty-one (1881); and all persons so licensed shall on or before that date be required to give new bonds, running to and in case of default, payable to the village council of said village for the use and benefit of said corporation: *provided* that no person so licensed prior to the passage of this act shall be required to pay any other or greater sum for the said year one thousand eight hundred and eighty-one (1881), than that already paid for such license.

SEC. 23. This is a public act and need not be pleaded and shall take effect and be in force from and after its passage.

Approved January 28, 1881.

CHAPTER 30.

AN ACT ENTITLED AN ACT TO REDUCE THE LAW INCORPORATING THE VILLAGE OF MORRIS, COUNTY OF STEVENS, STATE OF MINNESOTA, AND THE ACT AMENDATORY THEREOF, INTO ONE ACT, AND TO AMEND THE SAME.

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

That the act incorporating the village of Morris, State of Minnesota, and the act amendatory thereof, be and the same are hereby amended, consolidated and incorporated into one act as follows:

SECTION 1. That part of Stevens county, in the State of Minnesota, included within the following described territory, to-wit: All of sections numbered thirty-four (34), thirty-five (35) and the west half of the northwest quarter and the west half of the southwest quarter of section number thirty-six (36), all in township number one hundred and twenty-five (125) north, range number forty-two (42) west, and the west half of the northeast quarter and the northwest quarter of section number two (2), the north half of section number three (3), and the northeast quarter of section number four (4), in township number one hundred and twenty-four (124) north, range aforesaid, shall be comprised within and form the boundaries of a village to be known as the village of Morris, and the people now inhabiting and those who shall hereafter inhabit the district of country herein described, shall be a municipal corporation by the name of the village of Morris, and shall have