

selves whether license shall or shall not be granted in said village and the village recorder, upon the written request of ten (10) legal voters of said village at least twenty (20) days before any annual village election shall post notices in at least three (3) public places in said village at least ten (10) days before such election that the question of granting license for the sale of spirituous, vinous, fermented or malt liquors shall be submitted to the electors of said village at such election for their approval or rejection.

And all those voting at such election in favor of license shall have printed or written on their tickets: *License, yes*, and those voting against license shall have printed or written on their tickets *License, no*, and if it shall appear that the majority have voted in favor of license then the village council may grant license, but if the majority shall vote against license then the village council shall not grant license.

If at any annual election the question of license is not voted on, then it shall be unlawful for the village council to give a license until it is so voted on.

SEC. 8. All the provisions of chapter one hundred and thirty-nine (139) of the general laws of one thousand eight hundred and seventy-five (1875) and the several acts amendatory thereto shall be in full force and effect in said village except so far as is inconsistent with the provisions of this act.

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

Approved February 10, 1881.

CHAPTER 40.

AN ACT TO INCORPORATE THE VILLAGE OF RED LAKE FALLS, IN
POLK COUNTY.

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

CHAPTER 1.

SECTION 1. That all the territory embraced to-wit: The whole of section sixteen (16), fifteen (15), twenty-one (21), twenty-two (22), west one-half ($\frac{1}{2}$) of section fourteen (14) and west one-half ($\frac{1}{2}$) of section twenty-three (23) and north one-half ($\frac{1}{2}$) of section twenty-seven (27) and northwest one-quarter ($\frac{1}{4}$) of section twenty-six (26), in township one hundred and fifty-[one] (151), of range forty-four (44) shall be known as the village of Red Lake Falls, and shall have the powers generally possessed by corporation at common law, and in

addition thereto shall possess the powers hereafter specially granted, and be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded in all courts of law and equity, and may have a common seal, and may change and alter the same at pleasure; and also take, hold, purchase, lease and convey real estate and personal estate, and mixed estate within or without the limits thereof, as the purpose of the village may require; and the authorities thereof shall have perpetual succession.

SEC. 2. The elective officers of said corporation shall be one president, one recorder, three trustees, one treasurer, one assessor and justice of the peace, and shall each, except the justice of the peace, hold their respective offices for the term of one (1) year and until their successors are elected and qualified. The justice of the peace shall hold his office for the term of two (2) years and until his successor shall be elected and qualified. In addition to the above mentioned officers the [common] council shall have power to appoint a marshal, one street commissioner and such other officers as to said council may seem necessary, and to define the duties of such officers, and to remove such officers at pleasure.

SEC. 3. There shall be an annual election held in said village on the second (2d) Tuesday in March in each year, at which the electors residing within the limits of said village qualified to vote at town elections, may choose by ballot and by plurality of votes, the president, one (1) recorder, three (3) trustees, one (1) treasurer, one (1) assessor and justice of the peace. The trustees shall give ten (10) days notice of the time and place of holding said election by posting up written notices thereof in three public places of the village, or by causing such notice to be published in one (1) or more of the newspapers printed and published in said village.

Provided, that the first election of officers in said village shall be held on the second (2d) Tuesday in March, 1881. The elections shall be held and conducted in the same manner as town elections, and the laws of this State applicable to elections generally shall apply as far as consistency will admit; and the oath of a voter shall be the same as at town meetings, and false swearing shall be perjury.

SEC. 4. That for the purpose of the first (1st) election under this act, Perry Bottineau, John Bischoff, Sr., and Xivere Sohler shall be inspectors of election, and shall perform all the duties and possess all the powers of inspectors of election and board of canvassers, prescribed by this act. At said election all the officers provided for by this act shall be elected; *Provided*, in case of any of the foregoing board of canvassers should not be present or should fail to act as such inspectors, then in that case it shall and may be lawful for the by-standers to fill any such vacancy that may occur in said board. Special meetings may be called at any time by the trustees of said village, upon the petition of twelve legal voters and freeholders of said village, by giving the notice above required, stating the object of such meeting.

SEC. 5. Each officer, before entering upon the duties of his of-

office, and within ten days after receiving notice of his election, shall give notice in writing of his acceptance of the same to the recorder of said village, and shall take and subscribe before some officer by the law authorized to administer oaths, an oath of office to support the constitution of the United States and the constitution of the State of Minnesota, and that he will faithfully perform the duties of his office in accordance with the law and ordinances of said village. And in addition thereto the treasurer, recorder, justice of the peace, marshal and street commissioner shall each give a bond in a sum not less than two hundred dollars, to be determined by said council, conditioned for the faithful performance of the duties of their respective offices, which bond shall be filed with the recorder of said village.

CHAPTER 2.

SECTION 1. That the president, recorder and trustees shall constitute the common council, to which body shall belong all the legislative powers granted by this act to said corporation.

SEC. 2. The village council shall judge of the qualification, elections and returns of its own members, and shall determine all contested elections, and in such cases shall have power to send for persons and papers.

SEC. 3. A majority of the village council shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

SEC. 4. The village council shall have power to determine the rule of its proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of the members elected, expel a member after due notice given and an opportunity extended to the accused to be heard by counsel or otherwise.

SEC. 5. All actions of the council intended to have the force of rules or law or authority for contract, shall be by ordinance, under the style of "Be it ordained by the common council of the village of Red Lake Falls," and no ordinance shall embrace more than one subject, which shall be expressed by its title. The village council shall meet for the transaction of business at least once in three months and at such other times as said council may deem it necessary. The president, when present, shall preside at all meetings of the village council, but in case of his absence the members present shall choose one of their number to preside during his absence, but no ordinance shall be passed except by the vote of a majority of all the members of the village council. A record in book form shall be kept by the recorder, in which he shall record all the proceedings of the village council, and "ayes" and "noes" upon every ordinance voted upon shall be entered therein.

SEC. 6. That to the president shall belong the executive powers granted by this act to said corporation, except such of said

powers as are specially vested in, or from their nature must necessarily pertain to the other executive officers of said corporation, whether said officers are created by this act or by the council. He shall have power to call a meeting of the council, by giving such notice thereof as may have been provided by ordinance, or, in default of provision, in such manner as he may deem meet and proper, and shall sign all orders drawn on the treasurer for money voted to be paid by said village council.

SEC. 7. In case the president of the village council shall be guilty of any willful oppression or corrupt partiality in the discharge of the duties of his office, he shall be liable to be indicted in the district court for Polk county, and on conviction he shall be fined not more than five hundred dollars, and the court shall have power (upon recommendation of the jury), to add to the judgment of the court that he be removed from office.

SEC. 8. That the recorder shall be the recording officer of the village and of the council. He shall have the custody of the seal of said corporation, and all the records thereof not necessarily and specifically appertaining to the other officers thereof.

He shall keep all the accounts of the corporation, receive all claims against the same, and draw orders upon the treasurer for money payable by said corporation, but no such order shall ever be drawn by said recorder unless the same shall be in full or part payment of a claim against such corporation, previously audited and allowed by the council. He shall also make to the council, at the close of each official year, a condensed report of all his doings, as such officer during such year, and he shall with all reasonable dispatch, make such other reports as the council shall require.

The recorder shall have power to administer oaths or affirmations and copies of all papers filed in his office and the transcript from the records of the village council certified to by him under the corporate seal, shall be evidence in all courts in like manner as if the original was produced.

He shall report annually on the first (1st) day of June, to the council an estimate of the expense of the village for the current year, and the revenues necessary to be raised therefor. And the fiscal year of the village shall commence on the first (1st) day of July. He shall countersign all contracts made in behalf of the village and all certificates of work done by order of the village council. He shall negotiate such temporary loans for the village as the village council may direct, and such loans may be subject to the approval of the village council. He shall examine the reports, books, papers, vouchers and accounts of the treasurer, and shall from time to time perform such other duties as the village council may direct. He shall not be directly or indirectly interested in any job or contract to which the village is a party. He shall receive for his services such sum as the village council may deem proper, not to exceed one hundred dollars (\$100) per annum.

SEC. 9. The village council shall have power to elect a village attorney, and to define his duties and fix his compensation.

SEC. 10. The village attorney shall perform all professional duties incident to his office, and when required shall furnish written opinions upon any subject submitted to him by the village council or its committees.

SEC. 11. The village marshal shall execute such orders and perform such duties as are prescribed by the village council for the collections of tolls, license money and fines, for the preservation of the public peace, for the good of order, cleanliness and government of the village, and for all other purposes. He shall possess the powers of constable at law, under the statutes of the State, and receive like fees. And said marshal shall have the power to appoint a deputy, and said marshal shall be responsible for the acts of said deputy.

SEC. 12. The treasurer shall receive all moneys belonging to the village and keep an accurate and detailed account thereof, and on the first (1st) day of July, one thousand eight hundred and eighty-one, (1881), and quarterly thereafter, he shall exhibit to the village council a full and detailed account of all receipts and expenditures after the date of the last quarterly report, and also the state of the treasury, which account shall be filed by the recorder. He shall from such moneys pay upon presentation all orders therefor drawn by the recorder and countersigned by the president. *Provided*, that no order shall be paid by him unless first endorsed in writing thereon, with the name of the payee thereon, and the party receiving the money therefor.

SEC. 13. The village council may designate a newspaper published in said county in which shall be printed all ordinances and by-laws, the proceedings of said village council, and such other matter as may be required by law. *Provided*, however, that all printing that shall be done for said village shall be let to the lowest bidder.

SEC. 14. And said printer or printers immediately after publication of any notice, ordinance or resolution, or any other matters which by this act are or by village ordinances shall be required to be published, shall file with the recorder a copy of such publication which shall be conclusive evidence of the publication of such notice, ordinance, resolution or other matter.

SEC. 15. No member of the council shall be a party to or interested in any job or contract with the village, and any contract in which any member of the village council may be so interested, shall be null and void.

SEC. 16. The village council shall have the power to elect a village surveyor, who shall hold his office during the pleasure of the village council, who shall prescribe his duties and fix the fees of compensation for any service performed by him, and all surveys, profiles, plans or estimates made by him for the village shall be the property of the village, and shall be carefully preserved in the office of the recorder, and open to inspection of parties interested and shall also have the same legal force as similar acts performed by the county surveyor.

SEC. 17. The village of Red Lake Falls shall be constituted one (1) or more road districts, to be defined by the village council, and the highway labor and taxes shall belong to said road district.

SEC. 18. The street commissioner shall, under the direction of the village council, superintend the grading and improving the streets, alleys, and the building and repairing of sidewalks and the expenditure of taxes levied and collected for such purposes, and shall have the same supervision over the highway in the village and discharge the same duties as are by law required of overseers of highways generally.

SEC. 19. Any officer removing from the village, or any officer who shall neglect or refuse for ten (10) days after notice of his election or appointment, to enter upon the discharge of the duties of his office, shall be deemed to have vacated his office and the village council shall proceed to fill the vacancy as prescribed.

SEC. 20. The village council shall have power, from time to time, to require other and further duties performed by any officer, whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this act and to prescribe their duties and compensation. Such compensation shall be fixed at the time the office is created, or at the commencement of year, and shall not be increased or diminished during the time such officer shall remain in office. The village council may at any time fix the compensation of any officer or committee for any extraordinary service by them performed.

CHAPTER 3.

SECTION 1. The style of all ordinances shall be the village council of the village of Red Lake Falls do ordain.

SEC. 2. The village council shall have the management and control of the finances and of all the property of the village, and the said council shall likewise have full power and authority to make, enact, ordain, establish, publish, enforce, alter, modify, correct and repeal all ordinances, rules and by-laws for the government and good order of the village, and the suppression of vice, as they shall deem expedient, and declare and impose penalties by fine and imprisonment, or both, and to enforce the same against any person or persons who may violate any of the provisions of such ordinances, rules, and by-laws, and such ordinances rules and by-laws are hereby declared to be and have the same force of law and for these purposes shall have authority by ordinances, resolutions or by-laws.

Provided, that they are not repugnant to the constitutions and laws of the United States or this State.

First. To license persons vending, dealing in or disposing of spirituous, vinous, malt, or fermented liquors, within the limits of the said village of Red Lake Falls. Any person so licensed shall

not be required to obtain a license from the board of county commissioners, and shall not be prosecuted for selling, bartering or disposing of spirituous, vinous, malt or fermented liquors, if first having obtained license therefor agreeable to the provisions of chapter sixteen (16) of the general statutes. *Provided*, that no license shall be granted for less than twenty-five dollars (\$25) nor more than two hundred and fifty dollars (\$250), and that previous to the granting of any such license a bond shall be executed and filed with the recorder of said village, with the same conditions and with the same penal sum as required by the general act; and the council shall have full power to restrain any person from vending liquors unless duly licensed by the village council of the said village.

Second. To license and to regulate the exhibition of common showmen and shows of all kinds, and the exhibition of caravans, circuses, concerts and theatrical performances, and also to license and regulate all auctioneers, billiard tables, pigeon hole tables, nine or ten pin alleys, bowling saloons, butcher shops and butchers, stalls and venders of butcher's meat, pawn brokers, insurance officers and insurance agencies, taverns, lager beer saloons, victualing houses. *Provided*, that not less than five dollars (\$5) nor more than five hundred dollars (\$500) shall be required to be paid for any license under this act; and the fee for issuing the same shall not exceed one dollar (\$1); and the said village council may at any time revoke any license granted under this act, for mal-conduct in the course of trade, and may regulate and restrain the sale of fresh or butcher's meats within the corporation limits of said village, and punish and restrain the forestalling of poultry, game, eggs or fruit, within said village.

Third. To restrain and prohibit the use of all gambling devices whatever, from being set or used for gambling purposes, and to restrain and prohibit all descriptions of gaming and fraudulent devices and practices.

Fourth. To prevent any riots, noise, disturbance and disorderly assemblages in said village, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same, to suppress disorderly houses and houses of ill-fame, and to provide for the arrest and punishment of the keepers thereof.

Fifth. To direct the location and management of slaughter-houses, markets, distilleries and breweries.

Sixth. To prevent the incumbrance of streets, sidewalks, lanes, valleys or public grounds with carriages, carts, wagons, sleighs, boxes, lumber, firewood or any other material or substance whatever.

Seventh. To prevent and punish horse racing, immoderate riding or driving in the streets, to compel persons to fasten their horses or animals attached to vehicles or otherwise while standing in the streets, and to regulate places of bathing and swimming in the waters within the limits of said village.

Eighth. To restrain the running at large of cattle, horses,

swine, sheep, poultry and geese, and to authorize the distraining and sale of the same, and to impose penalties upon the owners for violation of the ordinance.

Ninth. To prevent the running at large of dogs, to impose a tax on the same, and to authorize their destruction in a summary manner when at large contrary to the ordinance.

Tenth. To prevent any person from bringing, depositing or having within said village any putrid carcass or other unwholesome substance; and to require the removal of the same by any person who shall have any such substance, or putrid or unsound beef, pork, fish, hides, or skins of any kind, and on default, to authorize the removal thereof by some competent officer, at the expense of such person or persons.

Eleventh. To make and establish public pounds and regulations regarding the same, to make and establish public grounds, pumps, wells, cisterns, hydrants, reservoirs, and to provide for controlling the erection of water works for the supply of water to the inhabitants.

Twelfth. To regulate the width and surface line of sidewalks, and to prevent damage thereto.

Thirteenth. To prevent the shooting of fire-arms, crackers, rockets or other projectile, and to prevent the exhibition of any fireworks in any location which may be deemed by the village council dangerous to the village or any property therein.

Fourteenth. To restrain drunkenness, immoderate drinking of intoxicating beverages, brawling or obscenity in the streets or public places.

Fifteenth. To license and regulate runners and solicitors for boats, stages, public houses, railroads and other establishments.

Sixteenth. To regulate the place and manner of selling, and provide for the inspection and weighing of hay and stone coal, and the measuring of charcoal, firewood and other fuel.

Seventeenth. To compel the owners and occupants of buildings or ground, to remove snow, dirt or rubbish from the sidewalk, streets or alleys opposite thereto, and in his default to authorize the removal thereof by some officer of the village, at the expense of such owner or occupants.

Eighteenth. To establish a board of health and prescribe its powers and duties, and to prevent the introduction and spread of contagious diseases.

Nineteenth. To grant license to auctioneers and to regulate the place and manner of holding public auctions.

Twentieth. To appropriate money and to provide for the payment of the debts and expenses of the village.

Twenty-first. To alter, abolish, open, widen, extend, establish, grade, repair or otherwise improve or keep in repair, all streets, avenues and alleys.

Twenty-second. To establish and regulate police officers and watchmen, and prescribe their numbers and duties.

Twenty-third. To provide for the erection of all needful buildings for the use of the village.

Twenty-fourth. To restrain and punish vagrants, mendicants and prostitutes.

Twenty-fifth. To provide for the enclosing, improving and regulating all public grounds belonging to the village, and for adorning the same, and the streets of said village with shade trees, and make provisions for the protection and preservation of the same.

Twenty-sixth. To provide from time to time for taking the enumeration of the inhabitants of the village.

Twenty-seventh. To prescribe the limits within which wooden buildings or buildings of other material that shall not be deemed fire-proof, shall not be erected, placed or repaired.

Twenty-eighth. To prevent the construction, placing and condition of chimneys, fireplaces, hearths, stoves, stovepipes, ovens, boilers and appurtenances used in and about any building in a dangerous manner, and when found so constructed, to cause the same to be placed in a safe and secure condition, and to prevent the deposit of ashes in unsafe places, and to regulate and prevent the carrying on of manufactories dangerous in causing or promoting fires within the village.

Twenty-ninth. To provide a suitable place in which to confine those who for the violation of any ordinances, rule or by-laws enacted by said council may be liable to such confinement.

Thirtieth. To impose fines, penalties and punishment for the breach of any ordinances or regulations of said village, to the extent of a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or both such fine and imprisonment, and to be fed on bread and water at the discretion of the justice. And offenders against the same may be required to give security for their good behavior and to keep the peace for a period not exceeding six months, and in a sum not exceeding five hundred dollars.

SEC. 3. All ordinances, regulations, resolutions and by-laws shall be passed by an affirmative vote of a majority of the council by ayes and noes, and published at least once in the official paper before the same shall be in force, and shall be admitted as evidence in any court in this state without further proof; they shall be recorded by the recorder in books kept for that purpose.

SEC. 4. The power conferred upon the common council to provide for abatement or removal of nuisances, shall not bar or hinder suits or prosecutions in the courts according to law. Gambling houses, houses of ill-fame, disorderly taverns and houses or places where spirituous, vinous, fermented or malt liquors are sold without license required therefor, within the limits of said village, are hereby declared and shall be considered common nuisances.

SEC. 5. All actions brought to recover any penalty, fine or forfeiture under this act or the ordinances, police or health regulations made in pursuance thereof, shall be brought in the corporate name of the village.

SEC. 6. In all prosecutions for any violations of this act, or any ordinance of the village, the first process shall be by warrant; *Provided*, That no warrant shall be necessary in any case of arrest or apprehension of any person or persons, while in the act of violating any law of the State of Minnesota, or ordinance of the village; but the person or persons so arrested may be proceeded against, tried, convicted and punished, or discharged, in the same manner as if the arrest had been by warrant.

SEC. 7. The marshal and other police officers are hereby vested with all powers of a sheriff or constable in the service of writs as granted to them by the laws of the State, and may pursue into any county of this State and take and bring back for trial any offender against the ordinances of said village.

SEC. 8. When any suit or action shall be commenced against said village the service therein shall be made by copy left with the recorder of the village.

SEC. 9. The president of the village, sheriff of Polk county, and each and every trustee, marshal, recorder, justices of the peace of the village, and constables shall be officers of the peace, and suppress in a summary manner all disorderly behavior within the limits of the village, and for such purposes may command the assistance of the bystanders; and if any person so commanded shall refuse to aid in maintaining the peace, every such person shall pay a fine of not more than twenty-five (\$25) dollars and not less than five (\$5) dollars.

SEC. 10. The village justice shall [have] jurisdiction in all respects equal to the jurisdiction and powers of justices of the peace under the laws of the State of Minnesota, and the same proceedings shall be had in all respects in civil and criminal actions as are applicable to the laws of this State governing the proceedings before justices of the peace; he shall have sole, exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases for offences committed in the village of Red Lake Falls, of which a justice of the peace has jurisdiction under the statutes of the State of Minnesota. The said village justice shall have exclusive jurisdiction in all cases cognizable before a justice of the peace in which the village is a party, and shall have cognizance and exclusive jurisdiction in all suits, prosecutions or proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation in the said village of Red Lake Falls or its charter, or for the breach or violation of any such by-law, ordinance or regulation, and in all cases of offense committed against the same. All prosecutions for assaults, batteries, riots, crimes and affrays not indictable, and for a breach or violation of any by-law, ordinance or regulation, shall be commenced in the names of the State of Minnesota and the village of Red Lake Falls, and all process and writs issued by the said village justice shall be in the names of the State of Minnesota and the village of Red Lake Falls, and shall be directed to the marshal of the village of Red Lake Falls, or to the sheriff or any constable of any county

in the State of Minnesota, and for such purpose said marshal, sheriff and constable shall have and possess the power and authority which by the general laws of the State they have and possess in the execution or service of warrants, writs and other processes issued by justices of the peace elected under such general laws.

SEC. 11. The said justice of the peace shall, as often as the council may require, report to them all the proceedings before him, in which the village is interested, and shall at the same time account and pay over to the village treasurer all fines and penalties collected or received by him, belonging to the village; and said justice shall be entitled to receive the same fees in criminal cases as are allowed by statute to justices of the peace for similar services, such fees to be paid by the village.

CHAPTER 4.

SECTION 1. The village council shall have the power and authority to open, lay out or vacate streets and alleys within the limits of said village, which is conferred by the general laws of the State, upon the board of supervisors of townships, to open, alter, discontinue or lay out roads, and in the manner of opening, laying out or vacating streets or alleys, and the assessment of damages the village council shall be governed by an act under the general laws of the State providing for altering, discontinuing and laying out roads, and appeals may be taken in the same manner to the county commissioners, as appeals are under the general laws taken from decisions of township supervisors.

SEC. 2. The cost and expense of building or repairing sidewalks shall be at the option of the village council chargeable to the lots fronting on such improvement; *Provided*, that the consent in writing to such improvement of the owners of one-third ($\frac{1}{3}$) or more of such lots shall first be filed with the village recorder in any case where a sidewalk is to be constructed for the first time in front of such lots, but such consent shall not be required for the repair or removal of such sidewalk. Whenever in such case the village council shall deem it necessary to repair or construct any sidewalk in the village of Red Lake Falls they may require the street commissioners to notify all owners and occupants of any lot or lots or parcels of land adjoining such sidewalks to construct or repair the same at his or their own proper expense and charge within a certain time designated by delivering to the owners or occupants of said lot or lots or parcels of land or by publication in a newspaper printed and published in said village for not less than two (2) weeks of a notice to said owners or occupants, setting forth what work is to be done, and the character of the same, by such owners or occupants, and the time within which they are required to do the same.

SEC. 3. If such work is not done and the sidewalks not built or repaired in the manner and within the time prescribed, the

village council may order the same to be done by the street commissioner at the expense of the lots and parcels of land adjoining said sidewalks, and said expenses shall be assessed upon such lots and parcels of lands so chargeable by the street commissioners and returned by him to the village council, and said assessment so made and returned if approved by the village council shall become a lien upon said lots and parcels of land as in case of town, county and State taxes.

SEC. 4. If said assessment be not paid to the street commissioners or the village on or before the twentieth (20th) day of August in any year, the village council shall cause a statement of the same to be transmitted with the village taxes levied for that year to the auditor of the county of Polk, on or before the first (1st) day of September in each year, and the said auditor shall insert the same with the other taxes in the duplicate statement of taxes annually transmitted by him to the county treasurer for collection, and payment thereof enforced, with and in like manner as county and State taxes are collected and payment enforced.

SEC. 5. The village council shall prescribe the width of sidewalks, and may establish different widths in different localities, and may order them constructed on one or both sides of any street, and the depth of gravel in graveling streets.

SEC. 6. The village council shall have power by resolution to levy upon all the taxable property of said village taxes [to] provide for the current expenses of the village government. *Provided*, that such taxes shall in no year exceed four (4) mills on the dollar of the assessed valuation.

SEC. 7. The village shall not have power to contract debts or make expenditures for one (1) year in the larger sum than the amount of taxes assessed for such year without having been authorized by a majority of the voters of said village.

SEC. 8. The village council shall cause to be transmitted to the county auditor of said county, on or before the first (1st) day of September in each year, a statement of all the taxes by them levied, together with a statement of the delinquent highway taxes; and such taxes shall be collected, and the payment thereof enforced, with and in like manner as the State and county taxes are collected and the payment thereof enforced; and the county treasurer shall pay over such taxes, as fast as collected, to the treasurer of said village.

SEC. 9. The assessor of the village of Red Lake Falls shall qualify and shall perform the duties pertaining to his office in accordance with the general statutes of this State in regard to township assessors. He shall be subject to all the liabilities and perform all the duties of a township assessor and receive such compensation as the council may direct. No assessment of property within the village of Red Lake Falls shall be made by any other than the village assessor, except as herein especially provided.

SEC. 10. All work by the village (except the highway taxes) shall be let by contract to the lowest bidder, and the village coun-

cil may require a bond with sureties for the faithful performance of the contract, not less than ten (10) days notice shall be given of the letting of the contract by publishing notices in one (1) or more newspapers in the village, to be signed by the recorder and president; and also filing a copy of said notices with the said recorder at the same time.

SEC. 11. The said village shall constitute one (1) school district under the general school laws in this State; *provided*, that any school district, or part of school district, adjacent to said village, may be a majority vote of the electors of such school district, or part of school district and with the consent of the village unite with said village for the purpose of forming an independent school district under the general laws of this State.

SEC. 12. The said village may lease, purchase and hold real and personal estate sufficient for all municipal purposes thereof and may sell and convey the same, and the same shall be free from taxation.

SEC. 13. The village of Red Lake Falls 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 Polk county for any offense punishable under the State laws.

SEC. 14. The village council shall act as inspectors of elections, and shall receive the same compensation as fixed by the laws of the State.

SEC. 15. The village council shall issue a warrant to the street commissioners containing the whole amount of highway labor and taxes assessed and levied in the village, which said warrant shall be returned by him to the recorder of the village. The laws of the State shall apply to warning, suing for and collecting highway taxes and to returning delinquent taxes. The village council shall perform the duties imposed by law upon the supervisors of the towns levying highway taxes, and shall be governed and restricted in the amount so levied by the State laws applicable to supervisors of town in levying highway and labor taxes.

SEC. 16. No officer shall receive compensation except the treasurer, marshal, recorder and assessor, street commissioner, attorney, surveyor and village justice, and in all such cases compensation shall be fixed by ordinance where the laws of the State do not define such compensation.

SEC. 17. Any person having been an officer of the village who shall not, within six (6) days after requested by his successor in office, deliver all papers, books, property or effects in his hands, pertaining to such office, or belonging to the village, shall forfeit to the use of the village one hundred (\$100) dollars, and shall also be liable for all damages caused by such refusal or neglect, and such successor may recover possession of such books, papers, property or effects in the manner prescribed by the laws of this State for other officers.

SEC. 18. No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant of said village.

in any proceeding or action in which the village of Red Lake Falls shall be a party in interest.

SEC. 19. If any election by the people or village council shall for any cause not be held at the time nor in the manner herein prescribed it shall not be considered reason for arresting, suspending or absolving said corporation, but such election or organization may be had in any subsequent day by order of the village council; and if any of the duties enjoined by this act, or the ordinances or by-laws of the village to be done by any officer at any specified time and the same are not so done or performed, the village council may appoint another time which the said acts may be done and performed.

SEC. 20. 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. 21. This act is a public act and need not be pleaded or proven in any court in this State.

SEC. 22. Said village shall not be organized unless authorized by a majority vote of the qualified voters of the territory described in section one (1) of this act; and such vote shall be taken at the time and place of the first election provided for in this act, and the same proceedings had and result declared by the inspectors named in section four (4) thereof. And those voting in favor of such organization shall have written or printed or partly written and partly printed on the ballots used "For organization," and those voting against said organization, the words "Against organization."

SEC. 23. This act shall take effect and be in force from and after its passage.

Approved February 28th, 1881.

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CHAPTER 41.

AN ACT TO INCORPORATE THE VILLAGE OF RENVILLE, IN THE COUNTY OF RENVILLE, AND STATE OF MINNESOTA.

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

SECTION 1. The following parts of the territory of the county of Renville, in this State, to-wit: The south one half ($\frac{1}{2}$) of the northwest one quarter ($\frac{1}{4}$), and the southwest one quarter ($\frac{1}{4}$) of the northeast one quarter ($\frac{1}{4}$) and the west one half ($\frac{1}{2}$) of the southeast one quarter ($\frac{1}{4}$), and the southwest one quarter ($\frac{1}{4}$) all of section numbered five (5) and the northwest one quarter ($\frac{1}{4}$) of the northeast one quarter ($\frac{1}{4}$) of section numbered eight (8), all in town-