

CHAPTER 53.

AN ACT AMENDATORY OF THE SEVERAL ACTS INCORPORATING
THE BOROUGH OF BELLE PLAINE, IN THE COUNTY OF SCOTT.

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

SECTION 1. That chapter fifty-seven (57) of the special laws of one thousand eight hundred and seventy-seven (1877), be and the same is hereby repealed and that the sections and parts of sections of chapter thirty-six (36) of the special laws of one thousand eight hundred and sixty-eight (1868) and of chapter nineteen (19), of the special laws of one thousand eight hundred and seventy-three (1873) heretofore repealed by said chapter fifty-seven (57) of special laws of one thousand eight hundred and seventy-seven (1877), be and the same is hereby restored and revised, and declared to be of the same force and effect in law as if the same had never been repealed by said chapter fifty-seven (57) of special laws of one thousand eight hundred and seventy-seven (1877).

SEC. 2. That section seventeen (17) of chapter thirty-six (36) of the special laws one thousand eight hundred and sixty-eight (1868), be and the same is hereby amended by striking out therefrom all after the word "law" in the third (3d) line of said section and insert in lieu thereof the following: "And 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 shall be admitted as evidence in any court in the State without further proof, they shall be recorded by the clerk in a book to be provided for that purpose, and shall take effect and be in force from and after their passage.

SEC. 3. That section three (3) of chapter nineteen (19) of special laws of one thousand eight hundred and seventy-three (1873), be and the same is hereby amended by adding after the word "justices" the following: "That no person holding the office of borough justice in said borough shall hold the office of justice of the peace in and for the town of Belle Plaine in said county, at the same time."

SEC. 4. That sub-division two (2) of section five (5) of said chapter nineteen (19) of special laws of one thousand eight hundred and seventy-three (1873), be and the same is hereby amended by striking out the words "twenty-five" and inserting in lieu thereof the word "fifty."

SEC. 5. That sub-division thirteen (13) of section five (5) of said chapter nineteen (19), be and the same is hereby amended by inserting after the word "hall" in said sub-division the words "and jail" and also by inserting after the word "thereof" the following:

“and may levy a tax, and appropriate money for that purpose, and in the mean time to provide a suitable place in which to confine any person convicted of violation of any ordinance of said borough.

SEC. 6. That sub-division nineteenth (19th) of section five (5) of said chapter nineteen (19) be amended so as to read as follows : To restrain and punish vagrants, mendicants, street-beggars and prostitutes. *Provided*, that the borough council may provide by ordinance that in case of a male offender, if such fine be not paid, he may be kept at hard labor upon the public streets, work and improvements of said borough until said fine and costs, together with the expense of boarding and keeping such offender shall be paid by such labor, at a rate to be fixed by the borough council, and the said borough council shall have full power to establish by ordinance all needful regulations for the safe keeping and proper discipline of the person so employed ; and *provided, further*, that such person shall not be kept at such labor for a longer period than twenty days.

SEC. 7. The assessor hereafter to be elected shall perform the duties of his office in the same manner as is prescribed by law for town assessors, and shall have the same rights and privileges, and be subject to the same liabilities as is prescribed by law for town assessors, that upon the completion of the assessment roll he shall return the same to the borough council, who are hereby authorized and empowered to alter, revise and equalize the same as they may deem just and proper. And said assessment so revised and equalized by said borough council shall be final, subject only to the revision of the State Board of Equalization. The borough clerk shall act as the clerk of said council when they shall meet to equalize said assessment, and the mayor shall preside if present, in case of the absence of the mayor, the council present shall select one of their number to preside. The council shall prescribe the compensation of the assessor.

SEC. 8. When any suit or action shall be commenced against said borough, service of the summons therein shall be made by leaving a copy thereof with the clerk of said borough.

SEC. 9. The borough council shall by ordinance fix the compensation of borough attorney.

SEC. 10. This act and all former acts of which this act is amendatory are public acts, and need not be pleaded, and all special acts or parts of special acts relating to said borough, in consistent with, or in conflict with the provisions of this act are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 7th, 1881.