

SEC. 55. This act is hereby declared to be a public act and may be read in evidence in all the courts of law in this State without proof.

SEC. 56. This act shall take effect and be in force from and after its passage.

Approved January 25, 1881.

CHAPTER 86.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF REDWOOD FALLS, THE SAME BEING CHAPTER FIFTEEN (15), SPECIAL LAWS OF THE STATE OF MINNESOTA, OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SIX (1876)." APPROVED JANUARY TWENTY-FIFTH (25TH), 1881.

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

SECTION 1. That section four (4) of said act approved on the twenty-fifth (25th) day of January one thousand eight hundred and eighty-one (1881,) be amended so as to read as follows:

SEC. 4. The mode of conducting all State and county elections in said village shall be in the manner herein provided, to wit: The president and trustees of said village of Redwood Falls shall be and act as judges at said elections, and shall have power to appoint one clerk, who with the recorder shall be and act as clerks of said elections, and administer the necessary oaths. Said elections shall be held and conducted in the same manner and under the same penalties, and vacancies in the board of election filled as required by the election laws of this State. The recorder of said village shall give notice of said elections in the same manner as required by law of town clerks, and the village council of said village shall perform all the duties pertaining to the registry list in the same way that township supervisors are required to do under the general election laws of this State, and chapter one (1) general statutes of this State shall apply to and govern the judges and clerks of elections at all State and county elections, and the village council shall determine in what place in said election district elections shall be held, at least twenty (40) days before said elections are to be held.

SEC. 2. That section five (5) of said act approved on the twenty-fifth (25th) day of January 1881, is hereby repealed and the following section substituted therefor:

SEC. 5. There shall be elected in said village of Redwood Falls at the annual village election in the year 1882 and every second

(2d) year thereafter, two (2) justices of the peace, each of whom shall hold his office for two (2) years and until his successor shall be elected and qualified.

Each of said justices shall have and may exercise all the powers, authority, and jurisdiction in any case possessed by a justice of the peace elected elsewhere in the county in which said village is situated.

All the provisions of the General Statutes of the State of Minnesota relating to [the] pleadings, procedure, and practice in courts of justices of the peace shall apply and be in force in the courts of said justices, except as otherwise provided by this charter.

One of said justices of the peace shall be known and designated by ballot as "Village Justice," and shall have and possess, in addition to the ordinary powers and authority of a justice of the peace, exclusive and original jurisdiction of all cases arising under the charter, by-laws, ordinances, rules or regulations of the village of Redwood Falls, and all other and further powers conferred in section seven (7), chapter one hundred and thirty-nine (139), General Laws of 1875, providing for the incorporation of villages.

And the justices of the peace and constable shall qualify and execute their official bonds to the village of Redwood Falls in the same way, and under the same conditions as fixed and required of town justices of the peace and constables, under the General Laws of this State.

The justice of the peace now holding office in said village shall not be disqualified by the passage of this act.

Upon the passage and approval of this act the council of said village shall appoint a justice of the peace who shall hold his office until his successor is elected and qualified at the annual village election, to be held on the first (1st) Tuesday of January, A. D. one thousand eight hundred and eighty-two (1882.)

Whenever any vacancy shall occur in the office of justice of the peace or village justice in said village, it shall be the duty of the council of said village to fill such vacancy by appointment. Any person so appointed to said office shall qualify in the same manner, have the same rights and powers, be subject to the same liabilities and receive the same compensation as when duly elected at the commencement of the regular term of said office.

SEC. 3. That section twenty-four (24) of said act, approved on the twenty-fifth (25th) day of January one thousand eight hundred and eighty-one (1881,) is hereby repealed and the following section substituted therefor.

SEC. 24. There shall be no change of venue in any prosecution for the violation of the ordinances, by-laws, rules or regulations of the village of Redwood Falls; and the right of appeal to the district court from judgments rendered in said prosecutions shall exist only in the cases and under the circumstances specified in this section, namely:

First. Where the fine imposed by the justice exceeds twenty-five dollars (\$25), exclusive of costs.

Second. Where the imprisonment imposed by the justice exceeds thirty (30) days; *Provided*, that no appeal shall be granted or allowed from any judgment rendered in any case of conviction under the ordinances, by-laws, rules or regulations of the village regulating or restraining the sale of spirituous, malt, fermented or vinous liquor without license from the village council, or for disposing of said liquors contrary to the conditions of said license or village ordinances; and *provided further*, that the said appeal shall be taken, granted, allowed and perfected in all respects as required by the General Laws of the State of Minnesota governing appeals in criminal cases from justices' courts to the district courts of this State, except that the notice of appeal shall be served upon the village attorney and not upon the county attorney of Redwood county.

SEC. 4. That section thirty-eight (38) of said act approved on the twenty-fifth (25th) day of January one thousand eight hundred and eighty-one (1881,) be amended by adding thereto at the end of the second subdivision of said section thirty-eight (38) the following, to wit:

The duties required to be done and performed by town clerks under the laws of this State in towns relating to obtaining and registering certain facts concerning births and deaths therein, shall be done and performed within the limits of the village of Redwood Falls by the village recorder, and said recorder shall receive the same compensation that town clerks receive for similar services. And all the General Laws of the State regulating the duties, powers and authority of town clerks in the matter of registering and reporting births and deaths shall apply to, and govern the village recorder in the performance of said duties, and said recorder shall have the same rights and official relations with the county auditor and clerk of the district court in Redwood county, as town clerks may lawfully have.

SEC. 5. That section fifty (50) of said act approved on the twenty-fifth (25th) day of January one thousand one hundred and eighty-one (1881,) be amended so as to read as follows:

Sec. 50. Chapter fifteen (15), special laws of the year one thousand eight hundred and seventy-six (1876), this act which is amendatory thereof, shall be cited as the special charter of the village of Redwood Falls. And chapter one hundred and thirty-nine (139), General Laws of the State for the year one thousand eight hundred and seventy-five (1875), and amendments thereto, shall be cited as the General Charter of the village of Redwood Falls.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 4, 1881.