

CHAPTER 20.

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINONA, AND TO PROVIDE FOR THE APPOINTMENT OF WATER COMMISSIONERS BY SAID CITY.

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

SECTION 1. That the city council of the city of Winona shall have the power to appoint a water commissioner or water commissioners, who shall have some or all of the following powers, viz: to superintend and supervise the water works of the said city of Winona, and to make rules and regulations for the supply and use of water from or by the water works in the said city, and to fix and collect rents or tolls to be paid for such water by the consumers thereof.

Provided, That the city council of said city shall have power to control, modify or change the duties and powers of the said commissioners or commissioner and to fix or change their compensation or to abolish the office. *Provided further*, That the said city council may confer the said powers, or any of them, on the city recorder, or on any other officer or officers of the said city.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 2, 1883.

CHAPTER 21.

AN ACT TO AMEND CHAPTER TWELVE (12) OF SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-NINE (1879), RELATING TO THE CITY OF CROOKSTON.

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

SECTION 1. That the act entitled "An act to incorporate the city of Crookston, in Polk county," approved February fourteenth (14th), one thousand eight hundred and seventy-nine (1879), the same being chapter twelve (12) of the Special Laws of one thousand eight hundred and seventy-nine (1879), be amended by striking out, adding to, and altering the same, in the manner following, to-wit:

SEC. 2. That the limits of said city of Crookston, as described in section two (2) of said act, be and the same are hereby extended by including therein and adding thereto lots one (1) and eight (8) in section thirty-six (36), township one hundred and fifty (150), of range forty-seven (47).

SEC. 3. That the said city of Crookston shall comprise and is hereby divided into four (4) wards, as follows: The First Ward shall comprise all the territory within said city limits contained within the following described boundary lines, to-wit: Beginning at a point in the centre of Broadway (formerly Oak street) where the centre line of Second (2d) street crosses the same, thence south along the centre line of Broadway to the centre of the main channel of the Red Lake river, thence down the middle of the main channel of said river to a point directly opposite the centre of said Second (2d) street, and thence easterly along the centre of said Second (2d) street to the place of beginning.

The Second Ward shall comprise all that portion of said city lying north of said First Ward and west of a line commencing at a point where the centre of Broadway crosses the centre of Second (2d) street, and running thence northerly along the centre line of said Broadway to a point where said Broadway extended northerly along the quarter ($\frac{1}{4}$) section line between the northeast quarter ($\frac{1}{4}$) and northwest quarter ($\frac{1}{4}$) of section thirty (30) in township one hundred and fifty (150), of range forty-six (46) intersects the northern boundary line of said city. This ward shall also include lots six (6) and seven (7) in section twenty-five (25), township one hundred and fifty (150), range forty-seven (47).

The Third Ward shall comprise all that portion of said city lying east of the Second Ward and north of the following described line, viz: commencing at a point where the centre line of Second (2d) street crosses the centre line of Broadway, thence easterly along the centre of said Second (2d) street to where the same intersects the centre line of Ash street, thence northerly along the centre line of Ash street to where the same crosses the centre of Third (3d) street, thence easterly along the centre line of Third street to where the same intersects the west line of Loring's addition to the city of Crookston, thence northerly along the west line of said addition to the section line between sections thirty (30) and thirty-one (31), in township one hundred and fifty (150), range forty-six (46), thence easterly along said section line to the middle of the main channel of the Red Lake river.

The Fourth Ward shall comprise all that portion of said city lying east of the First Ward and south of the Third Ward.

SEC. 4. By so altering section one (1) of chapter two (2) thereof that the same shall read as follows:

The annual election of city officers shall be held on the first (1st) Tuesday of April in each year, at such places within the respective wards of said city as the city council shall designate, and shall be conducted in all respects in accordance with the General Laws of this state governing elections, except as hereinafter provided, and notice of such elections shall be given by the city recorder in the same manner as notices of general elections are required by law to be given by county auditors.

SEC. 5. Section two (2) of chapter two (2) of said act is hereby amended so as to read as follows:

The elective officers of said city shall be a mayor, recorder, assessor, two (2) justices of the peace who shall be styled city justices, two (2) constables and treasurer.

At the general election for city officers in one thousand eight hundred and eighty-three (1883), there shall be elected in each ward two (2) policemen for one (1) year and one (1) for two (2) years; at every annual election thereafter each ward shall elect one (1) alderman, who shall hold his office for two (2) years and until his successor is elected and qualified. *Provided further*, That at the general election in one thousand eight hundred and eighty-three (1883), and annually thereafter, there shall be elected at large one alderman for said city, who shall be a member of the city council of said city.

The mayor, recorder, treasurer and alderman at large, shall each hold their offices for one (1) year and until their successors are elected and qualified. The justices of the peace and constables shall hold their offices for two (2) years and until their successors are elected and qualified. All other officers necessary for the proper management of the affairs of said city, shall be appointed by the city council. *Provided*, That the city council shall have power for due cause to expel any of their own members, and to remove from office at pleasure any officer or agent under the city government, due notice first being given to the officer complained of.

SEC. 6. Section five (5) of chapter two (2) of said act is hereby amended by adding after the word "resided," occurring in the second (2d) line of said section, the words "in any ward in said city ten (10) days and."

SEC. 7. Section six (6) of chapter two (2) of said act is hereby amended so as to read as follows:

The elections in said city shall be held and conducted by the aldermen of each ward and one (1) other elector of each ward to be appointed by the common council, who shall be inspectors of election, and shall take the usual oath or affirmation, as prescribed by the General Laws of the state to be taken by the judges and inspectors of elections, and shall have power to appoint clerks of said elections, and to 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 inspectors thereof filled as required by the laws of this state regarding elections. *Provided*, That no candidate for office shall act as inspector or clerk at such election; *And provided further*, That for the purpose of the first (1st) election under this act as hereby amended, the present city council of said city shall, within twenty (20) days after the passage of this act, designate the place of holding the election in each ward of said city, and appoint three (3) inspectors of election therein, which inspectors shall be the board of canvassers for such election, and shall perform all the duties and possess all the powers as inspectors of election and board of canvassers prescribed by this act. Said places of election and boards of inspectors for each ward shall be posted and published by the said city council, in accordance with the general election laws of this state, and provided further that in case the said city council shall, for any reason fail to so designate the places, and appoint the inspectors of said election, the places hereinafter designated, shall be the places for holding such election, in the wards of said city, and the persons hereinafter named shall be the board of inspectors for such election to-wit:

First ward. The place of holding said election shall be the city

hall, and the inspectors of election shall be Robert Houston, John R. McKinnon and Felix Fournet.

Second ward. The place of holding said election shall be the law office of Benham & Underhill, on Main street, and the inspectors of election shall be A. Yuernault, B. F. Zarracher and William Cunningham.

Third Ward. The place of holding said election shall be the Lake View House on Broadway, and the inspectors of election, James G. McGraw, H. Braley and K. D. Chase.

Fourth ward. The place of holding election shall be the Red River house on Broadway, and the inspectors of election, E. M. Walsh, Delos Jacobus and Andrew Steenerson. *And provided further;* That in case of the failure of any member of the foregoing boards, appointed by the council or herein named, to be present at the opening of the polls, or to act as such inspectors, then and in that case it shall be lawful for the bystanders to fill any such vacancy as may occur in any said boards.

SEC. 8. Section seven (7) of chapter two (2) of said act is hereby amended so as to read as follows:

When a city election shall be closed and the number of votes for each person voted for, shall have been counted and ascertained, the said inspectors shall make returns thereof, stating therein the number of votes for each person, for each and every office, and shall deliver or cause to be delivered such returns to the clerk of the city council within three days after any election, and the city council shall meet and canvass said returns, and declare the result, as it appears from the same within three days thereafter. The recorder of the city council shall forthwith notify the officer or officers elected, of their election by written notices served upon such officers in person, or left at their usual place of abode, with some person of suitable age and discretion.

SEC. 9 All ordinances and resolutions shall, before they take effect be presented to the mayor and if he approve thereof, he shall sign the same, and such as he shall not sign, he shall return to the city council with his objections thereto by depositing the same with the Recorder, to be presented to the city council, at their next meeting thereafter, and upon the return of any resolution or ordinance by the mayor, the same vote by which the same was passed, shall be reconsidered, and if after such reconsideration the city council shall pass the same, by a vote of two thirds ($\frac{2}{3}$) of the members elected, it shall have the same effect as if approved by the mayor, and in such case the vote shall be by ayes and noes, which shall be entered in the record by the Recorder. If any ordinance or resolution shall not be returned by the mayor within five (5) days, (Sundays excepted,) after it shall have been presented to him, the same shall have the same effect as if approved by him.

SEC. 10. This act shall take effect from and after its passage.
Approved February 26, 1883.