

# CHANGES

-IN THE-

General Statutes of 1878,

EFFECTED BY THE

GENERAL LAWS OF 1879 AND 1881,

Arranged with reference to the Chapter and Section Amended.

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SAINT PAUL:  
WEST PUBLISHING COMPANY.  
1883.

at once give notice to the commissioners of said county of such suspension, and call a meeting of the board, to be held at the earliest possible date, and within five days from date of said notice it shall be the duty of said board of commissioners to convene at the time mentioned in such notice, and to appoint a county treasurer *ad interim*, and such person shall qualify according to the provisions of section one hundred and forty-five of chapter eight of the General Statutes of 1878, whereupon the suspended treasurer shall deliver to such treasurer *ad interim* all the public property, money, books, accounts, papers, and documents in his possession. (*Id.* § 2.)

\*§ 16. **Hearing of suspended treasurer.** The suspended treasurer may notify the governor that he desires a hearing upon the charges made, whereupon the governor shall cause the charges to be reduced to writing, and furnish the treasurer with a copy thereof. (*Id.* § 3.)

\*§ 17. **Commissioner to take testimony.** Upon the receipt of such notification the governor shall appoint a special commissioner to take and report testimony for and against such officer, to be used in determining his guilt or innocence. (*Id.* § 4.)

\*§ 18. **Notification of time and place of taking testimony.** The commissioner shall notify the treasurer of the time and place of taking such testimony, and also the attorney of the county, who shall appear for the county upon such examination. (*Id.* § 5.)

\*§ 19. **Oath of commissioner.** Such commissioner, before entering upon his duties in taking such testimony, shall be sworn to truly and faithfully take and record the testimony of each witness, and report the same, fully and impartially, to the governor, within the time required by the commission of his appointment. (*Id.* § 6.)

\*§ 20. **Oath of witnesses.** The commissioner shall administer to each witness the oath required to be administered to witnesses testifying in courts of record of this state, and each witness shall subscribe his name to his testimony when reduced to writing by the commissioner. (*Id.* § 7.)

\*§ 21. **Hearing of commissioner's report—action upon.** The governor shall fix the time and place of hearing on the commissioner's report, and shall give notice thereof to the treasurer. If, on such hearing, the charges are sustained, the governor shall make his order removing the treasurer from office absolutely, and the person appointed by the board of commissioners shall continue to discharge the duties of treasurer until his successor is elected and qualified. If, upon such hearing, the charges are not sustained, the treasurer shall be restored to office. (*Id.* § 8.)

\*§ 22. **Failure to demand a trial within thirty days.** If the suspended treasurer does not, within thirty days from the date of the order of suspension, demand a trial, such neglect shall create a vacancy in the office, which shall be filled by the treasurer *ad interim*. (*Id.* § 9.)

\*§ 23. **Fees of commissioners and witnesses.** The fees of commissioners for such services as are required under this act shall be the same as are now allowed by law to referees in actions brought in the district courts of this state, and the fees of witnesses shall be the same as are allowed to witnesses in the district courts of this state. Said fees shall be paid out of the county treasury upon the allowance of the county commissioners. (*Id.* § 10.)

See page 167.

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## CHAPTER X.

### TOWNSHIP ORGANIZATION.

Add to § 13, (SEC. 12.) p. 169:

*provided*, that before any change of place of holding town meetings is made, notice of such contemplated change may be given by any member of the town board to the town clerk, who shall, in his regularly printed or written notices, as provided herein above, incorporate the special notice of the contemplated change of place of holding said town meeting. (*As amended 1870, c. 99, § 1, and 1879, c. 47, § 1.*)

See page 169.

## INTEREST ON TOWN ORDERS.\*

\*§ 79a. **Town orders—record of, when there are no funds for payment.** That each and every town treasurer in this state shall keep a suitable book, to be provided at the expense of the town, in which he shall enter the town orders that he cannot pay for want of funds when presented to him for payment, which orders, when presented, shall be endorsed by such treasurer by putting upon the back of the same [the] words: "Not paid for want of funds," giving the date of such endorsement, signing the same as town treasurer, which orders, when so endorsed, shall bear interest from that date until paid. (1881, c. 114, § 1.)

See page 177.

\*§ 79b. **Same—order of payment.** That all town orders shall be paid in the order that they are registered, out of the first moneys that come into the town treasurer's hands for such purposes. (*Id.* § 2.)

See page 177.

\*§ 219. **Roads.** The village so organized shall constitute one road district, and the street commissioner or road-master thereof be appointed by the village council, and all taxes raised within the limits of said village for road purposes shall be expended under the direction of the village council, and shall be paid over by the county treasurer, when collected, to the village treasurer, upon the warrant of the county auditor. (*Id.* § 16, as amended 1879, c. 48, § 1.)

See page 209.

\*§ 221. **Expenses of building sidewalks, etc., how paid.** The costs and expenses of building, grading, paving, and repairing sidewalks shall be chargeable to the lots fronting on said improvements, when a petition for such improvements shall be made by a majority of the legal voters, residents of said lots, or of said village, and owning lots to be affected by said improvements, as aforesaid, said petitioners being the owners of at least one-third of the lots to be so affected. Whenever the village council shall resolve or ordain it necessary to construct or repair any sidewalk in said village, they shall notify all owners and occupants of any lot or lots, or parcels of lands, 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 in said village for not less than two 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 owner or occupant, and the time within which they are required to do it. (*Id.* § 18, as amended 1879, c. 6, § 1.)

See page 209.

## MUNICIPAL BONDS FOR PUBLIC BUILDINGS.†

\*§ 226. **Bonds for city hall, market-house, etc.—authority to issue.** Whenever the council of any city, borough, or village in this state, having a population not exceeding ten thousand inhabitants, and who are authorized to erect buildings therefor and levy taxes to pay for the same, shall determine that it is for the interest of such city, borough, or village to erect a building for the purpose of a city hall, market-house, engine-house, city offices, or city prison, or one building for all or several of these purposes combined, it shall be lawful for them, and they are hereby authorized and empowered, to issue for that purpose, at any time, the bonds of such city, borough, or village, as hereinafter stated, with interest coupons attached, to an amount not exceeding two per cent. of the total assessed valuation thereof, as the same appears by the assessment of the preceding year, and with the proceeds of such bonds to erect any such hall, market-house, engine-house, city offices, or city prison, or building for all or several of these purposes combined: *provided*, that whenever

(\*An act to provide for registering and payment of interest on town orders. Approved February 25, 1881.)

(†An act to authorize certain cities, boroughs, and villages to issue bonds for the erection of public buildings, and provide for the payment of the same. Approved March 7, 1881.)

the council of any city, borough, or village in this state contemplating the erection of any such building, the proposition shall first be submitted to the legal voters within the limits of such city, borough, or village for their approval or rejection; and if a majority of the electors present and voting is in favor of such proposition, then such council shall proceed as herein provided; but if such majority is opposed, then it shall be illegal for such council to issue any bonds or other evidence of indebtedness for any such purpose. (1881, c. 93, § 1.)

See page 210.

\*§ 227. **Public hall—authority to erect—rents of.** Any such council is hereby authorized and empowered, if desired by them, to so erect and construct any such building that there may be therein a hall suitable to be used by the public for exhibitions, lectures, or other public entertainments or purposes; and to fix the rate of and collect rent for the use of the same from parties renting and using the same for any such exhibitions, entertainments, or purposes. All rents, revenues, or income received by any such city, borough, or village, for or on account of the use or rent of said hall, shall be set apart in the treasury of said city for the exclusive purpose of paying the interest upon said bonds; and if, at the end of each year when said bonds become due, there is found to be a greater sum derived from said rent than is required to pay the interest due upon said bonds, the said council shall cause such excess to be invested in unquestioned securities, or unquestioned bonds of such city, borough, or village, or of the state of Minnesota, or some city or county therein, to create a sinking fund to pay said bonds at maturity. After the interest and principal of said bonds have been paid, the revenue derived thereafter from the rent of said hall shall belong to and be a part of the general revenue fund of such city, borough, or village. (*Id.* § 2.)

See page 210.

\*§ 228. **Form of bonds.** Said bonds shall be issued in such sum as said council shall determine, by resolution, not exceeding five hundred dollars each, with interest coupons attached, and payable in not less than five nor more than twenty years from the date of issue, as such council shall determine, with interest at a rate not to exceed seven per cent. per annum, payable semi-annually. (*Id.* § 3.)

\*§ 229. **Provision for interest on bonds.** The council of any such city, borough, or village, in case there is not sufficient revenue derived from the rent of any public hall as aforesaid, shall annually levy and include in the general tax thereof an amount sufficient to pay all the interest on such of said bonds as may be issued, and before the principal, or any part thereof, becomes due, a sufficient amount to pay such principal, or to create a sinking fund to pay the same, or any part thereof. (*Id.* § 4.)

\*§ 230. **Execution of bonds.** The bonds and coupons issued under this act shall be signed by the mayor or other chief executive officer of such city, borough, or village, and be attested by the recorder or clerk thereof; and said bonds shall be sealed with the seal of such city, borough, or village; and such recorder or clerk shall keep a true record of all the bonds issued under the provisions of this act. (*Id.* § 5.)

\*§ 231. **Negotiation of bonds.** Such council shall not have authority to negotiate said bonds at less than their par value. (*Id.* § 6.)

See page 210.

\*§§ 219 to 231, incl. See note to VILLAGES. 1 53 Sup't, p. 16. And § 232 to 261, incl. See 1883 Sup't, pp. 25 to 32.