C. S. PALMER,

Duluth/MinnMay 24, 1912.

Secretary of State,

Capitol Bldg., St. Pol, Minn.

Dear Sir:

I enclose herewith for filing in your office a copy of the amendment to the charter of the city of Duluth, incorporating therein the Referendum , Initiative and Recall, with certificate of the mayor of said city that said amendment was retified by the necessary vote at a special election held May 7th, 1912.

Will you please acknowledge receipt of same that I may have it for my records.

Respectivity,

6. S. Palmer

City Clerk.

2413

#### Amendment "One".

Amend the Duluth City Charter by adding at the end thereof Chapter

XXXII, in the following words:

CHAPTER XXXII.

RECALL, INITIATIVE and REFERENDUM.

Sec. 501-The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent in the following manner: A petition signed by such electors, equal in number to at least twenty-five per centum of the entire vote cast for all candidates for said elective office at the last preceding general municipal election. demanding a special election of a successor of the person sought to be removed shall be filed with the City Clerk, which petition shall contain a general statement of the grounds on which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall state his place of residence, and street number. One of the signers of each such paper shall make oath that the statements therein made are true as he believes, and that each signature to the paper appended is the genuine signature of the person whose signature it purports to be. Within ten days from the date of filing such petition, the City Clerk shall ascertain from the voter's register whether or not said petition is signed by the requisite number of qualified electors, and, if necessary, the Council shall allow him extra help for that purpose; and shall attach to said petition his certificate, showing the result of said examination. If by the City Clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said Clerk's certificate. The City Clerk shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same; without prejudice, however, to the filing of a new petition to the same effect; if the petition is deemed sufficient, the City Clerk shall submit the same to the Council without delay, and thereupon the Council shall order the same filed. Within ten days after the filing of said petition, the Council shall fix a date for holding said special election not less than forty days nor more than fifty days from the date of said filing.

In the published call for the election there shall be printed in not more than two hundred words the reasons for demanding the recall of the officer as set forth in the recall petition, and in said call in not more than two hundred words the officer may justify his course in office.

Except as herein otherwise provided said special election shall be conducted returned and the result thereof declared, in all respects as are other city elections. But nominations of candidates for the office to be voted upon at such special election shall be made without the intervention of a primary election by filing with the City Clerk at least ten day prior to said special election a statement of candidacy subscribed and sworn to by said candidate giving his full name, and address, and stating that he is a qualified voter and containing a request that his name be placed upon the official ballot as a candidate for election to said office at said special election; which said statement must be accompanied by a petition requesting such candidacy signed by electors entitled to vote at said special election equal in number to at least ten per cent of the entire vote for all candidates for said office at the last preceding general city election. Said petition must be verified by one or more persons as to the qualifications and residence with street number of each of the persons so signing said petition, and must contain a statement that the petitioners are qualified electors of the city, and that they know —e said candidate to be a qualified elector of the city, a man of good moral character and qualified, in the opinion of said petitioners, for the duties of such office. No petitioner shall sign more than one such petition.

The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the City Clerk shall place his name on the official ballot wilnout nomination. At such election if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor, but if the incumbent receives the highest number of votes he shall continue in office.

No recall petition shall be filed against any officer until he has actually held his office for at least three months. No person who has been recalled from office, or who has resigned from such office while recall proceedings were pending against him, shall be elected or appointed to any office within one year after such recall or resignation.

Sec. 502—Any proposed ordinance may be submitted to the Council by a petition signed by registered electors of the City equal in number to the percentage hereinafter required.

The provisions of Section 501 respecting the forms and conditions of the petition, the mode of verification, certification and filing shall be substantially followed, with such modification as the nature of the case requires.

If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a Mayor was elected, and contains a request that said ordinance be submitted forthwith to a vote of the people at a special election then the Council shall either:

- (a) Pass said ordinance without alteration within twenty days after attachment of the Clerk's certificate of sufficiency to the accompanying petition; or,
- (b) Within twenty-five days after such cortification, proceed to call a special election at which said ordinance without alteration shall be submitted to a vote of the people.

If the petition be signed by electors equal in number to at least ten, but less than twenty per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, and said ordinance be not passed by the Council as provided, in the preceding subdivision, then such ordinance, without alteration, shall be submitted to a vote of the people at the next general municipal election occurring at any time after twenty days from the date of the City Clerk's certificate of sufficiency attached to the petition accompanying such ordinance.

Whenever any ordinance or proposition is required by the Charter to be submitted to the voters of the City at any election, the Council shall either cause the ordinance or proposition to be printed and mailed by the City Clerk with a sample ballot to each voter, at least three days prior to the election, or order such ordinance or proposition to be printed in the official newspaper and published in like manner as ordinances adopted by the Council.

The ballots used in voting upon such proposed ordinance shall contain the words "For the ordinance" (stating the nature of the proposed ordinance) and "Against the Ordinance" (stating the nature of the proposed ordinance). If a majority of the qualified electors voting on said proposed ordinance vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the City.

Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this chapter.

The Council may submit a proposition for the repeal of any such ordinance, or for amendments thereto, to be voted upon at any general municipal election; and should such proposition receive a majority of the votes cast at such election, such ordinance shall be repealed or amended accordingly. An ordinance proposed by petition or adopted by a vote of the people cannot be repealed or amended except by a vote of the people.

There shall not be held under this section of the Charter more than one special election in any period of six months.

The Council may, by ordinance, make such further regulation as may be necessary to carry out the provisions of this section.

Sec. 503—No ordinance passed by the Council shall go into effect before ten days from the time of its final passage, except when otherwise required by the General Laws of the State, or by the provisions of this Charter respecting street improvements, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a three-fourths vote of the Council; provided that no grant of any franchise shall be construed to be an urgent measure, but franchises shall be subject to the referendum vote as provided in Section 460 hereof. If during said ten days a petition signed by qualified electors of the City equal in number to at least twenty per centum of the entire vote cast for all candidates for Mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the Council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the Council to reconsider such ordinance, and if the same be not entirely repealed, the Council shall submit the ordinance as provided in Section 502 of this Charter, to a vote of the electors of the City, either at the next general municipal election or at a special election called for that purpose, and such ordinance shall not become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. The provisions of Section 501 respecting the forms and conditions of the petition, the mode of verification, certification and filing shall be substantially followed, with such modifications as the nature of the case requires.

No action of the Council making any contract or other provision for the furnishing of heat, light, power, transportation or any other public utility to the city or its inhabitants, or for the acquisition of any property for any such purpose, shall be

taken except by ordinance.

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Any ordinance or measure that the Council or the qualified electors of the City shall have authority to enact, the Council may of its own motion submit to the electors for adoption or rejection at a general or special municipal election, in the same manner and with the same force and effect as is provided for ordinances or measures submitted on petition.

The Council may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this Chapter.

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STATE OF MINNESOTA, ss. City of Duluth.
County of St.Louis.
I, J. A. McCuen, Mayor of the City of Duluth,
of St. Louis County, Minnesota, do hereby certify that the foregoing amend-
ment to the Charter of the City of Buluth was submitted to the qualified
voters of the City of Duluth for adoption and ratification, at the
Special City Election in the City of Duluth, which was held on the
seventh day of May, A.D. 1912; and that said amendment was duly ratified
by a three-fifths vote of all the qualified voters voting at said election.
IN WITNESS WHEREOF, I have signed this certificate and caused it
to be authenticated by the corporate seal of the City of Duluth, in
duplicate, this 24th day of May, A.D. 1912.
Jan Guen
<b>1</b>
Mayor of the City of Duluth.

# THE NEXT

# DOCUMENT

SOF POOR



QUALITY

## Proposed Charte CITY OF GLENWOOD MINNESOTA

CHAPTER I.

NAME, POWERS AND BOUNDARIES.

Section 1. Name and Power.

All that part of the County of Pope in the State of Minnesota, within boundaries described in the next Section, and the people now inhabiting or who shall hereafter inhabit said territory is hereby declared to be a municipal corporation under the name and style of "City of Glenwood," and by such name shall have perpetual succession, sue and be sued, complain and defend, plead and be impleaded in any court, or tribunal, make and use its common seal, and altar the same at pleasure, lease and convey any and all such real, personal or mixed property as its purpose may require whether the same be within or without the corporate limits of the city, shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law, under the Constitution and General Laws of the State of Minnesota, as well as all powers herein granted. Section 2. City Boundaries.

The district or country constituting the City of Glenwood shall be the following lands, to-wit: All of Section Twelve (12), except that part thereof included in Lake Minnewaska, The South half, and the Southeast quarter of the Northeast quarter of Section One (1), and the Government Lot One '(1) of Section Thirteen (13) all in Township One Hundred Twenty-five (125) Range Thirty-eight (38). All of Section Six (6) except the North half of the North half thereof,

all of Section Seven (7) except the South half of the Southwest quarter thereof, and the West half of the Northwest quarter of Section Eighteen (18) in Township One Hundred twenty-five (125) Range Thirty-seven (37), all in the County of Pope and State of Minnesota.

#### CHAPTER II. OFFICERS AND ELECTIONS.

Section 3. Officers, Qualification and How Elected or Appointed.

The officers of said City shall be those mentioned in this Charter, and such additional officers as may be appointed from time to time by the

The elective officers of the City shall be a mayor, four commissioners and two justices of the peace for the City, all of which officers shall be nominated and elected at large. All of said officers shall be residents and qualified voters of the City. All other officers of the City shall be appointed by the commission unless otherwise provided.

Section 4. Terms of Office. Salaries. The term of office of all elective officers shall be as follows: The term of office of the Mayor and justices shall be two years, and the term of office of the commissioners shall be four years. At the first election held under this charter there shall be two commissioners elected for two years and two for four years, and thereafter there shall be, at every biennial election, two commissioners elected for the full term of four years. The term of office of every officer elected or appointed under this charter shall commence on the second Tuesday of April the year he shall be elected or appointed, and shall continue in office until a successor is elected or appointed, and shall have qualified, unless otherwise provided. All persons holding office in the Village of Glenwood shall continue in office until their successors shall have been chosen and shall have qualified.

The Mayor and Commissioners shall receive no compensation for their services, but there shall, each year, he set apart from the general fund, one hundred dollars for the mayor's contingent expenses, which shall be paid out by the treasurer upon the mayor's warrant, and which he may expend for any purpose connected with the proper discharge of the duties of his office, he shall file proper vouchers for all such expenditures and if the contraction properly described to the close penditures and if any part of said sum remains unexpended at the close of the fiscal year, it shall be returned to the general fund.

Section 5. Elections and Laws Governing the Same. Elections for the elective officers provided for by this charter shall be held every two years on the third Tuesday in March and first Tuesday in April as herein provided. The provisions of the general laws of this state governing elections shall apply to all elections had under this charter expect on attention and the state of ter, except as otherwise provided, herein. All special provisions governing elections contained in this charter shall also apply to all elections within the city, but the returns for all city elections shall be made to the city clerk, and for all state and county elections to the county auditor. The Judges of election shall not be required to meet for the registration of voters at any other time than the Friday immediately preceding any general election; unless ordered so to do by the commission, they shall receive pay for no more than one day each for services in the registration of voters.

Section 6. Election Precincts and Voting Places.

The commission may divide the City into as many election precincts as they may deem proper and necessary. The whole city shall constitute one election precinct until so divided, and the boundaries of no precinct shall be changed within twenty days of any election. The commission shall designate the place of holding elections in each election precinct at least twenty days prior to such election, and the place so designated shall remain the place of holding all elections until a new designation

Section 7. Qualification of Voters.

All persons entitled to vote for state and county officers and who shall have resided for thirty days in the city next preceding the election shall be entitled to vote for any officer elected under this charter, and to hold any office created therein except as herein otherwise provided.

Section 8. Judges of Election. Hours of Election.

At least twenty days before any election the commission shall appoint three qualified voters of each election precinct to be judges of election.

The commission shall also expected two graphs also better of each precinct two graphs also better of each precinct.

The commission shall also appoint two qualified electors of each precinct to be clerks of election. All municipal elections, whether general or special, shall commence at nine o'clock A. M. and hold open until nine o'clock P. M. of the same day, and the places of election shall be open and the Judges and Clerks of election shall be present thereat ready to receive the ballots of electors during all of said time.

Section 9. Judges Count Ballots and Make Return to City Clerk.

signing the said petition, and the said petition shall be substantially in the following form.

Petition of Nomination.

The undersigned, duly qualified electors of the City of Glenwood, do thereby request that the name of (name of candidate) be placed upon the ballot as a candidate for the requisitor of the City of Glenwood, do the commission shall allow the commission shall be substantially in the commission shall be substantially in the commission shall allow the commission shall be substantially in the commission shall allow the commission shall be substantially in the commission shall ballot as a candidate for the nomination for (name of office) for the full term (or for the unexpired term) to be voted for at the municipal election to be held in the City of Glenwood on the..... day of......

city and a man of good moral character and qualified in our judgment without prejudice however for the duties of such office. We further state that we know him to be a qualified elector of said

Names of qualified electors.

Section 16. Date of Presenting Petition.
A petition of nomination, signed by not less than Twenty-five qualified electors, for any one candidate, may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The city clerk shall endose thereon the date upon which the petition was presented to him. No filing fee shall be required of any candidates for any elective office provided for in this chartor, Section 17. Withdrawal of Candidate.

Section 17. Withdrawal of Candidate.

Any person whose name has been presented a candidate, may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not equal the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty days prior to such election.

Section 18. Filing Petition for Nominations.

If the petition referred to in the preceding section be found sufficiently signed as therein provided the city clerk shall file the same twenty-five days before the date of the election. When such petition of nomination shall have been filed by the clerk it shall not be withdrawn nor added to. Section 19. Publication of Names of Candidates. Ballots for Primary.

Immediately upon the expiration of the time for filing the petitions for candidates the city clerk shall cause to be published, in one of the newspapers published in the city, in proper form the names of the persons with the offices for which they are respectively candidates, as they are to appear upon the primary ballot, and shall thereupon cause the primary ballot to be printed, authenticated with the fac-simile of his signature.

Section 20. Names on Primary Ballot. Form of Ballot.

Upon said primary ballot the names of the candidates for Mayor, arranged alphabetically, shall be placed at the head, with a square at the right of each name, and at the right of the square the words, "Vote for one." Following these names and arranged likewise there shall be placed the names of the candidates for the office of commissioners who are to serve two years, with a square at the right of each name, and likewise at the right of the square the words, "Vote for two." Or if one only is to be elected place to the right of the square the words, "Vote for one." Following these names and arranged likewise there shall be placed the names of the candidates for commissioners who are to serve four years, names of the candidates for commissioners who are to serve four years, with a square at the right of the name, and likewise at the right of the square the words, "Vote for two." Following the part of the commissioners and likewise arranged there shall be placed names of the candidates for justice of the peace, with a square at the right of each name, and likewise at the right of the square the words, "Vote for two." The ballot shall in all respects conform to the requirements of the state law, except as otherwise required by this Charter.

Section 21. Requirements of Ballot as to Party Designation.

There shall be no party designation or mark whatever on the ballot.

There shall be no party designation or mark whatever on the ballot, and nothing on the ballot shall be indicative of the source of candidacy or of the support of any candidate.

Section 22. Every Nominee to Be on Ballot.

The name of no candidate who has been duly and regularly nominated and who has not withdrawn his name as herein provided, shall be omitted

from the ballot.

Section 23. Votes Necessary for Election at First Election. In case one or more candidates for an office shall receive a majority of all votes for that office, then and in that case such candidates receiving the highest number of votes shall be declared elected, it being the intent of this paragraph to make possible the election of one or all elective officers at said first election.

Section 24. Second Election. If at any election held as above provided there be any office to which no candidate was elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill the said office. If there be no election of Mayor, the two candidates for Mayor office. If there be no election of Mayor, the two candidates for mayor who received the highest number of votes at said primary election shall be the nominees for the office of Mayor and shall be the only candidates for Mayor at such second election. If there be no election of commissioners to serve two years the four candidates receiving the highest number of votes at said election, shall be the newnees for the office of dommissioners and shall be the only candidates for commissioners at said election who are to serve two years. If there we only one commissioner elected at said first election to serve two years, the two candidates receiving the next highest number of votes at said primary election shall receiving the next highest number of votes at said primary election shall be the nominees for the office of commissioner to serve two years. If there be no election of commissioners to serve four years the four candidates programs the highest number of votes of cold obtains the four candidates programs the highest number of votes of cold obtains the four candidates programs the highest number of votes of cold obtains the four candidates programs the highest number of votes of cold obtains the c didates receiving the highest number of votes at said election, shall be the nominees for the office of commissioners and shall be the only candidates for commissioners at said election who are to serve four years. If there be only one commissioner elected at said first election to serve four years then the two candidates who received the next highest number of votes at said primary election shall be the nominees for the office of commissioner and shall be the only candidates at said second election of commissioner and shall be the only candidates at said second election for commissioner who is to serve four years. If there be no election of justices of the peace, the four candidates for Justices receiving the highest number of votes at said primary election shall be the nominee for the office of justices of the peace and shall be the only candidates for the clity clerk, which will be cleetted at such first election then the two candidates for city justices who receive the next highest number of votes at said primary election shall be the nominees for the office of justice of the peace and shall be the only candidate for said office at such second election. Provided, that if there be any person assessment will be assessment with the contract, work which is assessment with the contract. become a candidate for any office, except for the fact that some candidate received an equal number of votes therefor, then, all such of the city, we will be come candidate received an equal number of votes therefor, then, all such of the city, we will be come candidate received an equal number of votes shall likewise become candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for any office, except for the last some candidate for the city, which will be comed to be compared to the city, which will be comed to the city of the persons receiving such equal number of votes shall likewise become candidates for such office. The candidates who shall receive the highest number of votes for the respective offices at such second election shall be declared elected. Section 25.

Clerk shall ascertain from t signed by the requisite n attach to said petition his nation. If by the City Cle sufficient, it may be amend City Clerk shall, within t amination of the amended same to be insufficient it the same to the Commission shall order the same field, resign within five days at shall fix a date for holding more than forty-five days that a sufficient petition Section 31. Cause of Reca In the call for the eld

One hundred words, the reast set for him the recall hundred words, the officer Section 32. Election Under the City Clerk shall a The City Clerk shall t

ing such election, and the vided, returns be made, as in other city elections, hold office during the u sought to be removed may he requests otherwise in the official ballot withou person than the incumbe incumbent shall thereupon tion of his successor, but votes, he shall continue in

Section 33. No Recall Pe No recall petition sh actually held his office for Section 34. Incapacity of No person who has b

from such office while rec be elected or appointed to or resignation.

APPOINTIVE OFFICERS DUTIES. TENURE RE Section 35. Officers of Cit

moval.
The chief officers of the clerk, treasurer, assessor, chief of fire department and and may be removed by a sons appointed to said offices years and until their success removed in manner herein state to fill vacancies from whatev expired term of the original as in case of such original when in it's judgment the in charge of one such office such officers. The commiss of the chief officials. The after the election of its m proceed to the appointment their duties as provided in Section 36. The Commission

The commission shall tinue offices and employment the modes of filling them, its judgment of the needs removed at any time by a Section 37. Compensation

The compensation of five shall be by salary, to shall also fix the compens city, except as otherwise i shall be allowed any fee. or compensation fixed by in connection with his offi Section 38. Official Bonds.

The commission shall the Justices of the Peace by some legally authorized faithful performance of the which shall be paid by the approval of said bonds mus approving the same. All City Clerk, except the bond filed in the office of the C City Clerk shall be filed in of such bonds shall be file of the laws of the state re this Charter, shall be compli Section 39. Oath of Office

Every person elected at

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of office of the commissioners shall be four years. At the first election held under this charter there shall be two commissioners elected for two years and two for four years, and thereafter there shall be, at every biennial election, two commissioners elected for the full term of four years. The term of office of every officer elected or appointed under this charter shall commence on the second Tuesday of April the year he shall be elected or appointed, and shall continue in office until a successor is elected or appointed, and shall have qualified, unless otherwise provided. All persons holding office in the Village of Glenwood shall continue in office until their successors shall have been chosen and shall have

The Mayor and Commissioners shall receive no compensation for their services, but there shall, each year, be set apart from the general fund, one hundred dollars for the mayor's contingent expenses, which shall be paid out by the treasurer upon the mayor's warrant, and which he may expend for any purpose connected with the proper discharge of the duties of his office, he shall file proper vouchers for all such ex-penditures and if any part of said sum remains unexpended at the close of the fiscal year, it shall be returned to the general fund.

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Section 6. Election Precincts and Voting Places.

The commission may divide the City into as many election precincts as they may deem proper and necessary. The whole city shall constitute one election precinct until so divided, and the boundaries of no precinct shall be changed within twenty days of any election. The commission shall designate the place of holding elections in each election precinct at least twenty days prior to such election, and the place so designated shall remain the place of holding all elections until a new designation

Section 7. Qualification of Voters. All persons entitled to vote for state and county officers and who shall have resided for thirty days in the city next preceding the election shall be entitled to vote for any officer elected under this charter, and to hold any office created therein except as herein otherwise provided. Section 8. Judges of Election. Hours of Election.

At least twenty days before any election the commission shall appoint three qualified voters of each election precinct to be judges of election. The commission shall also appoint two qualified electors of each precinct to be clerks of election. All municipal elections, whether general or special, shall commence at nine o'clock A. M. and hold open until nine o'clock P. M. of the same day, and the places of election shall be open and the Judges and Clerks of election shall be present thereat ready to receive the ballots of electors during all of said time.

Section 9. Judges Count Ballots and Make Return to City Clerk. Notice

of Officers Elected.

The judges of election shall, immediately upon the closing of the precinct for each of the candidates, and make return thereof to the city clerk, within one day after such election, upon blanks furnished by said clerk. The commission shall meet and canvas such returns and declare the result as it appears therefrom within three days after such election. Said canvas shall be publicly made. The city clerk shall forthwith give notice to the officers elected of their respective elections by serving the same on such officers personally or by depositing the same properly addressed in the postoffice at Glenwood.

Section 10. Vacancies in Office and How Filled.

Whenever a vacancy shall occur in any office provided for, or whenever there shall be a failure by the people to elect any such officers on the day designated, the commission shall have power and it shall be their duty to declare the office vacant by resolution entered in their min-utes, and to fill such vacancy by appointment. The person so appointed to a vacancy in an elective office shall hold his office and discharge the duties thereof only until the next general municipal election.

Section 11. Special Elections. The city commission may by resolution adopted by the affirmative vote a majority of its members, order a special election for the voters of the city and provide for holding the same. The purpose of such special election shall be clearly stated in such resolution, and no other matter shall be submitted thereat. The matter or question for submission at such election shall be set forth in the ballots to be used in plain language. The commission shall direct the form in which the same shall appear on such ballots. The same proceedings shall be had as to notice and designation of the time of such election and the polling places, the manner of counting the ballots, the return and canvass by the Commission, and declaring the result thereof, as are herein provided for general munic-

It shall not be necessary to make new precincts, to appoint judges or clerks or make new registers of voters for special elections, but the clerks of the last general election in any precinct shall conjudges and clerks for such special election, and vacancies of judges and clerks may be filled the same as in case of general elections, and such judges shall have the right to take from the city clerk's office and use at such special election the registers used at the last general

When an Office Shall Be Deemed Vacant. Resignations. Any officer removing from the city or any officer who shall refuse or neglect for ten days exclusive of the date of the 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.

lot shall in all respects conform to the requirement except as otherwise required by this Charter. Section 21. Requirements of Ballot as to Party Designation.

In case one or more candidates for an office shall receive a majority of all votes for that office, then and in that case such candidates receiving the highest number of votes shall be declared elected, it being the intent of this paragraph to make possible the election of one or all elective officers at said first election.

Section 24. Second Election.

If at any election held as above provided there be any office to office. If there be no election of Mayor, the two candidates for Mayor who received the highest number of votes at said primary election shall be the nominees for the office of Mayor and shall be the only candidates for Mayor at such second election. If there be no election of commissioners to serve two years the four candidates receiving the highest number of votes at said election, shall be the normal process of the office of commissioners and shall be the only candidates receiving the highest said election who are to serve two years. If there be only one commissioners and shall be the only candidates for the office of or some legally authorized surely said election who are to serve two years. If there be only one commissioners and shall be paid by some legally authorized surely sincer elected at said first election to serve two years, the two candidates approval of said bonds must be the nominees for the office of commissioner to serve two said primary election shall be approval of said bonds approval of said bonds. which no candidate was elected, then as to such office the said first elecreceiving the next highest number of votes at said primary election shall be said bonds must be the nominees for the office of commissioner to serve the serve that the said primary election shall approval of said bonds all bonds there be no election. receiving the next highest number of votes at said primary election shall be the nominees for the office of commissioner to serve two years. If there be no election of commissioners to serve four years the four candidates receiving the highest number of votes at said election, shall be the nominees for the office of commissioners and shall be the only candidates for commissioners at said election who are to serve four years. If there be only one commissioner elected at said first election to serve for the laws of the state relation years then the two commissioner elected at said first election to serve for the laws of the four years then the two candidates who received the next highest number of the control of the co ber of votes at said primary election shall be the nominees for the office of commissioner and shall be the only candidates at said second election for commissioner who is to serve four years. If there be no election of justices of the peace, the four candidates for Justices receiving the highest number of votes at said primary election shall be the nominee for the office of justices of the peace and shall be the only candidates for justices at such second election. If one justice be elected at such first election then the two candidates for city justices who receive the next highest number of votes at said primary election shall be the nominees for the office of justice of the peace and shall be the only candidate for said office at such second election. Provided, that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office, except for the fact that some other candidate received an equal number of votes therefor, then, all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates who shall receive the highest number of votes for the respective offices at such second election shall be declared elected. declared elected. Section 25. Rules Governing Second Election.

All the provisions and conditions above set for as to the conduct of election, so far as they may be applicable, shall govern the second

Section 26. Informalities in Election.

No informalities in conducting a municipal election shall invalidate the same, if it has been conducted fairly and in substantial conformity to the requirements of this charter. Section 27. Transfer of Books at Expiration of Term of Office.

Every elective and appointive officer, shall at the expiration of his term of office, in whatsoever way terminated, turn over to his successor in office, or to some other properly authorized officer, on demand, all the

books, papers, files, records, moneys, and other property and things what soever pertaining to his office or received by reason thereof.

Section 28. Administering Oaths, Subpoenas.

Every member of the commission and the city clerk and assessor and his deputies shall have the power to administer oaths and affirmations, and every such member shall have the power to issue subpoenas, and to compel by such subpoena the production of books, papers and documents, and to take and hear testimony concerning any matter or thing pending before such body. If any person so subpoenaed neglects or refuses to appear, or to produce books, papers or documents required by such subpoena, or shall refuse to testify before such body or to answer any questions which a majority of such body shall decide to be proper or pertinent, he shall be deemed in contempt and such body shall thereupon have power to take such proceedings in the premises as are provided by the general laws of this state. The chief of police must, on request of any member of such body, detail a police officer or officers to serve such subpoenas. Section 29. First Election Under This Charter.

The first election after this charter goes into effect shall be held pursuant to the provisions hereof on the first day of October, 1912, at which time the only officers to be elected or nominated shall be those which time the only officers to be elected or momnated snail be those named in this charter. The second election provided for herein shall be held pursuant to the provisions hereof on the fifteen of the October, 1912. Said elections shall, in all things, be conducted in accordance with the provisions of this charter and all officers of the Village of Glenwood under the law governing villages who have any duties to perform in connection with elections, are hereby directed to perform such duties strictly in accordance with the provisions hereof and not otherwise. The Mayor, Justices and two Commissioners elected at the first election held under the provisions of this charter shall hold office until the second Tuesday of April, 1914, and two commissioners elected at said first election shall hold office until the second Tuesday of April, 1916.

CHAPTER III.

Section 30. Recall of Elective Officers. Method Prescribed.

be deemed to have vacated his office.

Section 13. Mode of Nomination and Election of all elective officers of the city to be voted for at any municipal election shall be as follows and not otherwise.

Section 14. Condition of Candidacy.

The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form, and under the conditions hereafter set forth.

Section 15. Form of Nomination Petition.

The petition of nomination Petition.

The petition of nomination shall be signed by not less than Twenty-five qualified electors. Each petition shall be verified by one or more persons as to qualifications and residence of each of the persons so

as in case of such or when in it's judgment in change of the support of any candidate.

Section 22. Every Nominee to Be on Ballot.

The name of no candidate who has been duly and regularly nominated and who has not withdrawn his name as herein provided, shall be omitted from the ballot.

Section 23. Votes Necessary for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In case one or many for Election at First Flasting In the case of the chief officer one such officer on the ballot, when in it's judgment officer in charge of one such officers. The company of the chief officers of the chief officers. The company of the chief officers in charge of one such officers. The company of the chief officers in charge of the chief officers. The company of the chief officers in charge of the chief officers in charge of the chief officers. The company of the chief officers in charge of the chief officers in charge of the chief officers. The company of the chief officers in charge of the chief officers in charge of the chief officers. The company of the chief officers in charge of the chief officers in charge of the chief officers.

The case of the chief officers in charge of the chief officers in charge of the chief officers in charge of the chief officers. The company of the chief officers in charge of the chief officers in charge of the chief officers.

The case of the chief officers in charge of proceed to the appointment of their duties as provided in this Section 36. The Commission May The commission shall have tinue offices and employments

The commission shall unterested through the modes of filling them, and its judgment of the needs of removed at any time by a major removed at any time by a major.
Section 37. Compensation of all cit.
The compensation of all cit.
five shall be by salary to be fix

five shall be by salary, to be fit shall also fix the compensation of city, except as otherwise provide

this Charter, shall be complied Section 39. Oath of Office.

Every person elected or enters upon the duties of the office, in form as prescribed by tion of the State, and file the the City Clerk, which shall b Section 40. Officers Not to Be No officer or employee sh

contract, work or business of price or consideration for wassessment levied by any act of any real estate or other I be sold for taxes or assessm of the city. No officer shall b lic service corporation in the tract with the city, or of an

Any contract or agreeme shall be void. Any violation deemed a misdemeanor, 'Th this section by appropriate is Section 41. No Political or

No appointment to pos made or be withheld by reations or political service, a moval from any office or en tion, reward or punishment, opinion, affiliations or service

Section 42. Executive Depart The Mayor shall be the see that the laws of the sta dinances of the city are oversight of the several de report to the commission an part of the Superintendent remedy the same. He shall city and that all contracts parties thereto.

The Mayor annually, Commission shall give the of the city, or any particul recommend to its consider for the interest of the city. Section 44. Examination

ployees. The Mayor shall emplo tent accountant to be pa examine the books, record receive or disburse city such other officers and accountant may require a and explain under oath reports. All officers and countant all required assistant as to all matters relating submit to him for exami quested. Refusal or failt comply with the requirem his removal from such ( Section 45. Supervision

The Mayor shall be c

ning the said petition, and the said petition shall be substantially in following form

ion of Nomination. The undersigned, duly qualified electors of the City of Glenwood, do

We further state that we know him to be a qualified elector of said and a man of good moral character and qualified in our judgment

Names of qualified electors.

tion 16. Date of Presenting Petition.

A petition of nomination, signed by not less than Twenty-five quali-electors, for any one candidate, may be presented to the city clerk earlier than forty-five days nor later than thirty days before the elec-tor. The city clerk shall endose thereon the date upon which the petition presented to him. No filing fee shall be required of any candidates any elective office provided for in this charter

ction 17. Withdrawal of Candidate.

Any person whose name has been presented is a candidate, may, t later than twenty-five days before the day of election, cause his name be withdrawn from nomination by filing with the city clerk a request efor in writing, and no name so withdrawn shall be printed upon the If upon such withdrawal the number of candidates remaining does not all the number to be elected, then other nominations may be made by any petitions therefor not later than twenty days prior to such election. tion 18. Filing Petition for Nominations.

tion 18. Filing Petition for Nominations.

If the petition referred to in the preceding section be found sufficiently ned as therein provided the city clerk shall file the same twenty-five is before the date of the election. When such petition of nomination I have been filed by the clerk it shall not be withdrawn nor added to. tion 19. Publication of Names of Candidates. Ballots for Primary. Immediately upon the expiration of the time for filing the petitions for the control of the state of the partition of the state of the petitions.

lidates the city clerk shall cause to be published, in one of the newsthe dates the city clerk shall cause to be problems, in one of the news-eers published in the city, in proper form the names of the persons in the offices for which they are respectively candidates, as they are appear upon the primary ballot, and shall thereupon cause the primary of to be printed, authenticated with the fac-simile of his signature.

tion 20. Names on Primary Ballot. Form of Ballot.
Upon said primary ballot the names of the candidates for Mayor, arged alphabetically, shall be placed at the head, with a square at the

t of each name, and at the right of the square the words, "Vote for "Following these names and arranged likewise there shall be placed names of the candidates for the office of commissioners who are to e two years, with a square at the right of each name, and likewise ie right of the square the words, "Vote for two." Or if one only is to elected place to the right of the square the words, "Vote for one." lowing these names and arranged likewise there shall be placed the nes of the candidates for commissioners who are to serve four years, hes of the candidates for commissioners who are to serve four years, he asquare at the right of the name, and likewise at the right of the pare the words, "Vote for two." Following the names of the canners and likewise arranged there shall be placed in lames of the canners for justice of the peace, with a square at the right of each name, if likewise at the right of the square the words, Vote for two." The balshall in all respects conform to the requirements of the state law, lept as otherwise required by this Charter.

tion 21. Requirements of Ballot as to Party Designation.

There shall be no party designation or mark whatever on the ballot, nothing on the ballot shall be indicative of the source of candidacy or

he support of any candidate. tion 22. Every Nominee to Be on Ballot.

The name of no candidate who has been duly and regularly nominated who has not withdrawn his name as herein provided, shall be omitted the ballot.

tion 23. Votes Necessary for Election at First Election. In case one or more candidates for an office shall receive a majority Il votes for that office, then and in that case such candidates receiving highest number of votes shall be declared elected, it being the intent

at said first election.

on 24. Second Election. any election held as above provided there be any office to ch no candidate was elected, then as to such office the said first elecshall be considered to have been a primary election for the nominaof candidates, and a second election shall be held to fill the said If there be no election of Mayor, the two candidates for Mayor received the highest number of votes at said primary election shall he nominees for the office of Mayor and shall be the only candidates Mayor at such second election. If there be no election of combe not serve two years the four candidates receiving the highest per of votes at said election, shall be the manner for commissioners and shall be the only candidates for commissioners at election who are to serve two years. If there he only one commissioners at election who are to serve two years. er elected at said first election to serve two years, the two candidates iving the next highest number of votes it said primary election shall e nominees for the office of commissioner to serve two years. If e be no election of commissioners to serve four years the four cantes receiving the highest number of votes at said election, shall be nominees for the office of commissioners and shall be the only candis for commissioners at said election who are to serve four years. here be only one commissioner elected at said first election to serve inere be only one commissioner elected at said first election to serve in years then the two candidates who received the next highest numfor votes at said primary election shall be the nominees for the office commissioner and shall be the only candidates at said second election of tices of the peace, the four candidates for Justices receiving the high-number of votes at said primary election shall be the nominee for office of justices of the peace and shall be the only candidates for office of justices of the peace and shall be the only candidates for office of justices of the peace and shall be the only candidates for the comment of votes at said primary election shall be the nominees the office of justices of the peace and shall be the only candidates for the country and the country and the contracts of the country and the contracts of the country and the country and the contract, work or business of the city, or in the sale of any article, the price or consideration for which is paid from the city treasury or by assessment levied by any act or ordinance; nor in the purchase or lease of any office, shall be the country and the cou years then the two candidates who received the next highest num-

purports to be. Within ten days from the date of filing such petition, the City Clerk shall ascertain from the voters' register whether or not said petition is signed by the requisite number of qualified electors, and, if necessary the undersigned, duly qualified electors of the City of Glenwood, do eby request that the name of (name of candidate) be placed upon the ot as a candidate for the nomination for (name of office) for the full attach to said petition his certificates, showing the result of said examination. If by the City Clerks certificate, the petition is shown to be into be held in the City of Glenwood on the..... day of...... City Clerk shall, within ten days after such amendment, make like examination of the amendment, and the commission shall allow him extra help for that purpose, and shall attach to said petition his certificates, showing the result of said examination. If by the City Clerks certificate, the petition is shown to be included in the City of Glenwood on the..... day of..... amination of the amended petition, and if his certificate shall show the same to be insufficient it shall be returned to the person filing the same, without prejudice however, to the filing of a new petition to the same effect. If the petition is deemed sufficient, the City Clerk shall submit the same to the Commission without delay, and thereupon the Commission shall order the same field. If the officer sought to be removed does not resign within five days after the filing of said petition the Commission shall fix a date for holding said election not less than thirty-five days nor more than forty-five days from the date of the City Clerk's certificate a sufficient petition is filed.

Section 31. Cause of Recall. Officers Justification.
In the call for the election there shall be stated in not more than One hundred words, the reason for demanding the recall of the officer, as set for him the recall petition, and in said call, in not more than One hundred words, the officer may justify his course in office.

Section 32. Election Under Recall.

The City Clerk shall give public notice of the time and place of holding such election, and the same shall be conducted, except as herein provided, returns be made, and the result thereof declared, in all respects as in other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the City Clerk shall place his name on the official ballot without nomination. At such election, if such other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from office, upon qualification of his successor, but if incumbent received the highest number of votes, he shall continue in office.

Section 33. No Recall Petition for the First Three Months.

No recall petition shall be filed against any officer until he has actually held his office for at least three months.

Section 34. Incapacity of Recalled Officer.

No person who has been recalled from office, or who has resigned from such office while recall proceedings were pending against him, shall be elected or appointed to any office within one year after such recall

CHAPTER IV.

APPOINTIVE OFFICERS AND OTHER EMPLOYEES. POWERS AND DUTIES. TENURE. REMOVAL. COMPENSATIONS. PROVISIONS COMMON TO ALL OFFICERS AND EMPLOYEES.

Section 35. Officers of City Other Than Elective. Appointment and Re-

The chief officers of the city other than elective officers shall be city clerk, treasurer, assessor, city attorney, chief of police, city engineer, chief of fire department and health commissioner. They shall be appointed and may be removed by a majority vote of the commission. All persons appointed to said offices shall hold their offices for the term of two years and until their successors are appointed and qualified unless sooner removed in manner herein stated, provided, however, that persons appointed to fill vacancies from whatever cause, shall hold office only for the unexpired term of the original appointees, subject to the right of removal as in case of such original appointees. The commission, at any time when in it's judgment the interests of the city so demand, may place in charge of one such officer the functions and duties of two or more such officers. The commission shall, by ordinance, prescribe the duties of the chief officials. The commission shall, at the first regular meeting after the election of its members, or as soon thereafter as practicable, proceed to the appointment of the said officers and the determination of their duties as provided in this section. Section 36. The Commission May Create Other Offices or Employments.

The commission shall have power by ordinance to create and discontinue offices and employments other than those prescribed, to provide I votes for that office, then and in that case product candidates receiving time onices and employments other than those prescribes, it being the intent the modes of filling them, and prescribe the duties thereof according to its paragraph to make possible the election of one or all elective official first election.

Section 37. Compensation of Officers and Employees.

The compensation of all city officers, provided for in Section Thirty-five shall be by salary, to be fixed by the Commission. The Commission shall also fix the compensation of all other officers and employees of the city, except as otherwise provided in this charter. No officer or employee shall be allowed any fee, reward or compensation other than the salary or compensation fixed by the Commission, but all fees received by him in connection with his official duties shall be paid into the city treasury. Section 38. Official Bonds.

The commission shall fix the amount of the bonds to be required by the Justices of the Peace and appointive officers, which shall be furnished by some legally authorized surety company as surety, conditioned for the faithful performance of their respective official duties, the expense of which shall be paid by the city, and shall be approved by the Mayor. The approval of said bonds must be endorsed thereof and signed by the officer approval of said bonds in the endorsed the control by the officer approving the same. All bonds when approved, shall be did with the City Clerk, except the bonds of the Justices of the Peace which shan be filed in the office of the Clerk of the District Court, and the bond of the City Clerk shall be filed in the office of the County Auditor, and copies of such bonds shall be filed in the office of City Clerk. The provisions of the laws of the state relating to officials bonds, not inconsistant with this Charter, shall be complied with.

at the right of the square the words, Vote for two. The pal-all respects conform to the requirements of the state law, therwise required by this Charter.

Requirements of Ballot as to Party Designation.

Shall be no party designation or mark whatever on the ballot, on the ballot shall be indicative of the source of candidacy or port of any candidate.

Every Nominee to Be on Ballot. ame of no candidate who has been duly and regularly nominated as not withdrawn his name as herein provided, shall be omitted

Votes Necessary for Election at First Election.

one or more candidates for an office shall receive a majority es for that office, then and in that case such candidates receiving number of votes shall be declared elected, it being the intent agraph to make possible the election of one or all elective offiid first election.

Second Election. any election held as above provided there be any office to candidate was elected, then as to such office the said first elecbe considered to have been a primary election for the nominaandidates, and a second election shall be held to fill the said there be no election of Mayor, the two candidates for Mayor there be no election of Mayor, the two candidates for Mayor ived the highest number of votes at said primary election shall be made the office of Mayor and shall be the only candidates or at such second election. If there be no election of commission to serve two years the four candidates receiving the highest of votes at said election, shall be the numbers for the office of mers and shall be the only candidates. For commissioners at ion who are to serve two years. If there be only one commission that it is not contained at the property of the period of the condidates. ceted at said first election to serve two years, the two candidates the next highest number of votes at said primary election shall ominees for the office of commissioner to serve two years. If no election of commissioners to serve four years the four can-eceiving the highest number of votes at said election, shall be nees for the office of commissioners and shall be the only candir commissioners at said election who are to serve four years. be only one commissioner elected at said first election to serve rs then the two candidates who received the next highest num-otes at said primary election shall be the nominees for the office dissioner and shall be the only candidates at said second election missioner who is to serve four years. If there be no election of of the peace, the four candidates for Justices receiving the higher of votes at said primary election shall be the nominee for of justices of the peace and shall be the only candidates for it such second election. If one justice be elected at such first then the two candidates for city justices who receive the next number of votes at said primary election shall be the nominees office of justice of the peace and shall be the only candidate for se at such second election. Provided, that if there be any person ler the provisions of this subdivision, would have been entitled to a candidate for any office, except for the fact that some other received an equal number of votes therefor, then, all such of the city. No officer shall be connected with or in the employ of any public service corporation in the city, or of any person having any consuch office. The candidates who shall receive the highest number of votes where the highest number of votes shall receive the highest number of votes are voted by the city. received an equal number of votes therefor, then, all such otes for the respective offices at such second election shall be

5. Rules Governing Second Election.
the provisions and conditions above set for as to the conduct of on, so far as they may be applicable, shall govern the second

6. Informalities in Election. Mormalities in conducting a municipal election shall invalidate the it has been conducted fairly and in substantial conformity to the

Transfer of Books at Expiration of Term of Office. y elective and appointive officer, shall at the expiration of his office, in whatsoever way terminated, turn over to his successor or to some other properly authorized officer, on demand, all the apers, files, records, moneys, and other property and things what pertaining to his office or received by reason thereof.

28. Administering Oaths. Subpoenas. member of the commission and the city clerk and assessor deputies shall have the power to administer oaths and affirmations, any such member shall have the power to issue subpoenas, and to such subpoena the production of books, papers and documents, take and hear testimony concerning any matter or thing pending uch body. If any person so subpoensed neglects or refuses to apr to produce books, papers or documents required by such subpoena. It refuse to testify before such body or to answer any questions majority of such body shall decide to be proper or pertinent, he deemed in contempt and such body shall thereupon have power such proceedings in the premises as are provided by the general The chief of police must, on request of any member body, detail a police officer or officers to serve such subpoenas.

29. First Election Under This Charter.

first election after this charter goes into effect shall be held pur-

to the provisions hereof on the first day of October, 1912, at time the only officers to be elected or nominated shall be those in this charter. The second election provided for herein shall be held nt to the provisions hereof on the fifteent day of October, 1912. lections shall, in all things, be conducted in accordance with the one of this charter and all officers of the Vilage of Glenwood under one of this charter and all officers of the village of Glenwood under w governing villages who have any duties to perform in connection elections, are hereby directed to perform such duties strictly in acce with the provisions hereof and not otherwise. The Mayor, es and two Commissioners elected at the first election held under rovisions of this charter shall hold office until the second Tuesday of 1914, and two commissioners elected at said first election shall biffice until the second Tuesday of April, 1916,

CHAPTER III.

n 30. Recall of Elective Officers. Method Prescribed.

ne holder of any elective office in the City of Glenwood may be reat any time by the electors qualified to vote for a successor of such bent in the following manner. A petition signed by such electors, in number to at least twenty per centum of the entire vote cast I candidates for the office of Mayor at the last preceding general included the control of the percentage of the per shall cause to be instituted such actions or proceedings as may be necessary to prosecute public utility companies, for violations of law, or to revoke, cancel, or annul any franchise granted by the city to any person, companies and the grounds on which the removal in the signatures to the petition need not at all be appended to paper. One of the signers of each such paper shall make oath that tatements therein made are true as he believes and that each signature it apper appended is the genuine signature of the person whose signature it and proceding seneral shall cause to be instituted such actions or proceedings as may be necessary to prosecute public utility companies, for violations of law, or to revoke, cancel, or annul any franchise granted by the city to any person, company or corporation which has become forfeitable in whole or in part, or which, for any reason, is illegal or void.

Section 46. May Require Action By City Attorney.

The City Attorney on demand of the Mayor, must institute and prosecute public utility companies, for violations of law, or to revoke, cancel, or annul any franchise granted by the city to any person, company or corporation which has become forfeitable in whole or in part, for any reason, is illegal or void.

Section 46. May Require Action By City Attorney.

The City Attorney on demand of the Mayor, must institute and prosecute public utility companies, for violations of law, or to revoke, cancel, or annul any franchise granted by the city to any person, company or corporation which has become forfeitable in whole or in part, or which, for any reason, is illegal or void.

Section 46. May Require Action By City Attorney.

The City Attorney on demand of the provisions of the preceding section.

to fill vacancies from whatever cause, shall hold office only for the un expired term of the original appointees, subject to the right of removal as in case of such original appointees. The commission, at any time when in it's judgment the interests of the city so demand, may place in charge of one such officer the functions and duties of two or more such officers. The commission shall, by ordinance, prescribe the duties of the chief officials. The commission shall, at the first regular meeting after the election of its members, or as soon thereafter as practicable, proceed to the appointment of the said officers and the determination of their duties as provided in this section.

Section 36. The Commission May Create Other Offices or Employments. The commission shall have power by ordinance to create and discontinue offices and employments other than those prescribed, to provide the modes of filling them, and prescribe the duties thereof according to its judgment of the needs of the city. Any person so appointed may be removed at any time by a majority vote of the Commission.

Section 37. Compensation of Officers and Employees.

The compensation of all city officers, provided for in Section Thirty-five shall be by salary, to be fixed by the Commission. The Commission shall also fix the compensation of all other officers and employees of the city, except as otherwise provided in this charter. No officer or employee shall be allowed any fee, reward or compensation other than the salary or compensation fixed by the Commission, but all fees received by him in connection with his official duties shall be paid into the city treasury.

Section 38. Official Bonds.

The commission shall fix the amount of the bonds to be required by The commission shall hix the amount of the bonds to be required by the Justices of the Peace and appointive officers, which shall be furnished by some legally authorized surety company as surety, conditioned for the faithful performance of their respective official duties, the expense of which shall be paid by the city, and shall be approved by the Mayor. The approval of said bonds must be endorsed thereon and signed by the officer approving the same. All bonds when approved, shall be city the City Clerk, except the bonds of the Justices of the Peace which shan be filed in the office of the Clerk of the District Court, and the bond of the City Clerk shall be filed in the office of the County Auditor, and copies of such bonds shall be filed in the office of City Clerk. The provisions of the laws of the state relating to officials bonds, not inconsistant with

this Charter, shall be complied with.

Section 39. Oath of Office.

Every person elected or appointed to any office, shall, before he enters upon the duties of the office, take and subscribe to an oath of office, in form as prescribed by Section Eight, Article Five of the Constitution of the State, and file the same with the City Clerk, except the oath of the City Clerk, which shall be filed in the office of the County Auditor.

Section 40. Officers Not to Be Interested in Contracts Or Franchises.

No officer or employee shall be directly or indirectly interested in any contract, work or business of the city, or in the sale of any article, the price or consideration for which is paid from the city treasury or by assessment levied by any act or ordinance; nor in the purchase or lease of any real estate or other property belonging to the city, or which shall be sold for taxes or assessment, or by virtue of legal process at the suit

Any contract or agreement made in the contravention of this section shall be void. Any violations of the provisions of this section shall be deemed a misdemeanor. The commission shall enforce the provisions of

this section by appropriate legislation.
Section 41. No Political or Religious Test.

No appointment to positions under the city government shall be made or be withheld by reason of religious or political opinions, affiliations or political service, and no appointment to, or election for, or removal from any office or employment, and no transfer, promotion, reduction, reward or punishment, shall be in any manner affected by such opinion, affiliations or service.

CHAPTER V.

Section 42. Executive Department, Mayor. Chief Executive.

The Mayor shall be the chief executive officer of the city. He shall

see that the laws of the state, the provisions of this charter, and the or dinances of the city are observed and enforced. He shall have general oversight of the several departments of the city government, and shall; report to the commission any neglect, dereliction of duty, or waste, on the part of the Superintendent of any department, and take active steps to remedy the same. He shall have care that in advantage is taken of the city and that all contracts of the city are faithfully performed by the parties thereto.

Section 43. Reports to Commission.

The Mayor annually, or oftener if requested by majority vote of the Commission shall give the Commission information relative to the affairs of the city, or any particular matter thereof, and from time to time shall recommend to its consideration such matters as he may deem expedient for the interest of the city.

Examination of Books, Reports, Etc., of Officers and Em-

ployees.

The Mayor shall employ at the beginning of each fiscal year a compe tent accountant to be paid by the city, who shall have full power to examine the books, records and reports of all officers and employees, who receive or disburse city moneys, and the books, records and reports of such other officers and departments as the Mayor may direct. Said accountant may require any officer or employee of the city to be sworn and explain under oath all matters relative to such books, records and reports. All officers and employees of the city shall give to such accountant all required assistance and information under oath or otherwise, as to all matters relating to such books, records and reports, and shall submit to him for examination such books and papers as may be requested. Refusal or failure of any officer or emplyee of the City to comply with the requirements of this section shall be sufficient ground for his removal from such office or employment. Section 45. Supervision of Public Utility Companies.

The Mayor shall be charged with the general supervision of all public utility companies so far as they are subject to municipal control; he shall keep himself informed as to their compliance in all respects with the law, and shall see that the terms and conditions of all franchises, whether granted by the City or other authority, are faithfully observed. He shall cause to be instituted such actions or proceedings as may be necessary

Section 47. Member of Commission.

The Mayor shall be a member of the commission, and have a right to vote upon all propositions, matters and questions coming before it, but shall have no veto power.

Section 48. Powers and Duties Prescribed By Ordinance.

The Mayor shall exercise such other powers and perform such other duties as may be prescribed by general law or ordinance.

Section 49. Acting Mayor.

The vice-president of the commission shall perform the duties of mayor during his absence or inability, and while so acting shall be known tions shall be confined wholly to such appropriations. and styled Acting Mayor. In case of the absence or inability of both and styled Acting Mayor. In case of the absence or inability of both mayor and vice-president of the commission, the commission may elect one of its members Acting Mayor during such absence or inability. The vice-president of the commission shall act as mayor under the name and style of Acting Mayor during a vacancy in the office of mayor and until such vacancy shall be filled in manner provided in this charter.

#### CHAPTER VI.

### DEPARTMENTAL DIVISION OF POWERS AND DUTIES.

Section 50. Number and Names of Departments. Subect to the qualifications and restrictions herein otherwise provided, executive and administrative powers of the City of Glenwood are hereby distributed among and assigned to five departments as follows:

1. Department of public health, sanitation, police and general welfare.

Department of accounts and finances.

Department of parks, public grounds, buildings and fire protection.

Department of water works and sewers.

5. Department of streets and alleys. Section 51. Commission To Assign Duties of The Departments.

The commission shall determine and assign the duties of the several departments, subject to the provisions of the last preceding and next following sections; shall prescribe the powers and duties of officers and employees; may assign particular officers and employees to one or more departments; may require an officer or employee to perform duties in two or more departments, and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

Section 52. The Mayor and Four Commissioners.

The Mayor shall be Superintendent of the department of public health sanitation, police and general welfare, and the commission shall, at the first regular meeting after the election of its members, designate by a majority vote one commissioner to be superintendent of accounts and finances; one to be superintendent of the department of parks, public grounds, buildings, and fire protection; one to be superintendent of the department of water works and sewers; and one to the superintendent of the department of streets and alleys; but such designation may be changed whenever it appears that the public service would be benefited thereby. Provided, no superintendent of any of the departments of the city shall have any power to contract debts or to bind the city or make any improvements in said city, unless authorized by a majority vote of the commission. Section 53. Account of Finances.

It shall be the duty of the first commissioner assigned to the superin-It shall be the duty of the first commissioner assigned to the support tendent of finances and accounts under this charter to install as soon as practicable a complete and thorough system of bookkeeping, which shall be suitable to the needs of the city, with the proper system of checks bebe suitable to the needs of the city, with the proper system of checks be-tween the various officers, and such reports as may be advisable, in order to insure a thorough knowledge of the business of the city by the mayor,

Section 54. Report of Departments. The superintendent of each department shall annually render to the commission a full report of all the operations of his department for the year, provided, however, the commission may require each department to render to the commission a full report of all the operations of his depart

ment at any time.

Section 55. Reports To Be Published. The commission shall provide for the publication of the annual report of the mayor and of the superintenednt's of the several departments.

#### CHAPTER VII.

## GOVERNMENTAL POWERS OF COMMISSION AND ELECTORS.

Section 56. Commission How Composed. Legislative and Other Powers.

The mayor and four commissioners after election and qualification under the provision of this charter, shall constitute the Council of the City of Glenwood, which shall be known, and shall act by the official title of the Commission of the City of Glenwood. The commission shall be the governing body and exercise all the corporate power of the municipality, and subject to the limitations herein contained, shall be vested with full powers of legislation adequate to the carrying out of all powers given to the city, by this charter and the gentral laws of the state, in order to provide a full and complete system of local government for said city, consistent

with the constitution of the state.

No member of the Commission shall hold any other municipal office or employment, the compensation of which is paid out of the municipal moneys; or be elected or appointed to any office, created, or the compensation while he was a member with the constitution of the state. vation of which is in a ster the expiration of the term for which he was

elected.

Section 57. Electors. Legislative Powers,

The electors of the city shall have power through the initiative and otherwise as provided in this charter, to enact legislation to carry out and enforce any and all of the general powers of the city, and any and all of the specified powers of the commission; and may, in manner provided herein and subject to the limitations stated, annul ordinances passed by the commission. Any ordinance adopted by the electors in pursuance of the provisions of this charter shall be paramount while in force to the propositions of the provisions of the provisions of the charter shall be paramount while in force to the propositions of the charter shall be paramount while in force to the provisions relating to the same matter contained in any ordinance, resol or by-law passed by the commission on its own motion and without the approval of the electors.

#### CHAPTER VIII.

#### COMMISSION. ORGANIZATIONS. MEETINGS. PROCEDURE. PUBLICA-TION OF CHARTER AND LAWS, OFFICIAL NEWSPAPER PRINTING.

Section 58. President.

The mayor shall be president of the commission, and when present, shall preside at all its meetings, Section 59. Vice President,

The commission shall, at its first meeting after election, elect from The commission shan, at its most moving its body one to be vice president.

Section 60. Meetings. Time. Open to Public.

The commission shall provide for the time and place of holding its

The statement of the subject matter of resolutions shall be preceded by these words, "The Commission of the City of Glenwood, do resolve."

Section 72. Embrace But One Subject, and This to Be Express in Title.

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No ordinances or resolutions, except an ordinance making appropriations shall embrace more than one subject, which shall be expressed in its title; provided, however, no ordinances or resolutions shall be wholly void title; provided, however, no ordinances or resolutions shall be wholly void by reason of failure to so express the subject in the title thereof, but only the subject or subjects not so expressed. Ordinance making appropriations shall be 

Section 73. Ordinances, Reading, Amendments.

Every proposed ordinance shall receive two several readings, one at being proposed ordinance shall receive two several reading each of two regular receives to its passage. The second reading each of two regular sessions, previous to its passage. The second reading shall be by sections shall be by sections, and at this reading amendments may be offered and acted upon. Amendments to any section may be made and acted upon at any time up to the first

any time up to the final passage. When a proposed ordinance fails to pass, a motion to re-consider the same may be made; but such motion must be made at the session at which the same fails to pass, and action thereupon shall be postponed to the next regular session?

Section 75. Majority Vast

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No ordinance or production shall be considered passed unless on the affirmative vote of a cleast members of the commission.

Section 76. Entry of Ayes and Nays.
The ayes and nays shall be taken upon the passage of all ordinances and resolutions and shall be entered upon the journal of proceedings. Section 77. Resolutions. Numbering. Dating. Signing. Attesting.

All resolutions shall be properly numbered, dated as of the day of their approach is the day of their against the day of the

passage, signed by the Mayor and attested by the City Clerk before becoming effective.

Section 78. Ordinances. Numbering. Dating. Signing. Attesting. Pub-

Every ordinance shall be properly numbered, dated as of the day of its final passage, and signed by the Mayor, attested by the City Clerk and published once within eight days after its final passage in the regular issue of the official passage. of the official paper.

Section 79. Amendments, Form Of. No ordinance shall be revised, re-enacted or amended by reference to its title only; but the ordinance, to be revised, amended or re-enacted, or the section or secti the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided

in this chapter for the adoption of ordinances. Section 80, Emergency Ordinance. What is. Franchise Not to Be Grant-

An emergency ordinance is hereby defined to be an ordinance for the immediate protection of the public peace, health or safety, and which contains in itself a recital of the reasons for its urgency and is passed by a four-fifths vote of the commission. No ordinance granting any franchise or right in, to or upon the streets or alleys of the city shall be considered an emergency ordinance.

an emergency ordinance.

Section 81. Ordinance, Proof of Publication.

Evidence of the due publication of an ordinance shall consist of the arridavit of the publication, or manager of the newspaper showing the name of the new later and the time and manner of such publication. Such affidavit shall be used with the City Clerk and shall be by him recorded in the book light by him for such purpose. Such affidavit, or a copy thereof, or of such record, shall be taken as sufficient evidence of such publication in all the courts of the state without further proof such publication in all the courts of the state, without further proof. Section 82. Repeal.

No ordinance or section thereof shall be repealed except by ordinance adopted in the manner provided in this chapter, Section 83. Judicial Notice,

In all prosecutions and proceedings of every kind before the courts of this city, such courts shall take judicial notice of all ordinances of the city, and it shall not be necessary to plead or prove such ordinances in such courts.

Section 84. Record of Ordinances,

A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances." Such record copy, with such certificate or a certified copy thereof, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage of the same, and shall be admissible as such in any court or proceedings. Nothing herein contained shall be construed to prevent the proof of the passage of an ordinance in the usual way.

#### CHAPTER X. INITIATIVE. DIRECT LEGISLATION.

Section 85. Electors May Propose Ordinances.

Electors of the city to the number and in manner in this chapter provided may propose ordinances to the Commission for adoption.

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Section 86. Petition.

Such proposed ordinance shall be accomplished by a petition in writing signed by electors in which reference shall be made thereto by its shall be signed only by electors who voted and whose votes were registered at the last preceding general municipal election and shall be in the same general form, verified in the same manner, examined, certified, resame general form, some and fled in manner as provided in Section Thirty turned to the commission and also in manner as provided in Section Thirty of Chapter Three hereof relative to the recall of elective officers.

Section 87. Petition of Twenty Per Cent. Proceedings On.

If such petition shall be signed by qualified electors equal in number

If such petition shall be signed by qualified electors equal in number to twenty per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, and contains a request that said ordinance be submitted forthwith to a vote of the people at a special election, then the commission shall

Pass said ordinance without alteration within twenty days after at-1. Pass said ordinance without alteration within twenty days after attachment of the City Clerk's certificate of sufficiency to the accompanying petition, subject to the provisions of Chapter Eleven of this Charter, or, 2nd. Within twenty-five days after such certification, proceed to call a cleation at which ordinance, without alteration, shall be submitted

special election at which ordinance, without alteration, shall be submitted Section 88. Ten Per Cent Petition. Proceedings On.

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If the petition be signed by electors equal in number to at least ten,
but less than twenty for centum of the entire vote cast for all candidates but less than twenty per continuous the entire vote cast for all candidates for Mayor at the last preceding general municipal election at which a for Mayor at the assureceoung general municipal election at which a Mayor was elected, an said ordinance be not passed by the Commission as provided in the peceding subdivision then such ordinance, without as provided in the subject of the people at the next general Elteration, shall be summitted to a vote of the people at the next general authorized to provide, as municipal election occurring at any time after twenty days from the date the city is authorized to of the City Clerk's estificate of sufficiency attached to the petition action and the city is authorized to the petition action.

pended from going into operasion to reconsider such ordina the Commission shall submit this Charter, to a vote of the municipal election or at a such ordinance shall not become fied electors voting on the s ions of Chapter Three respective mode of verification, cer lowed, with such modification Section 96. Reference of Me

Any ordinance or meast tors of the City shall have own motion submit to the or special municipal election and effect as is provided for Section 97. Further Regula The Commission may,

may be necessary to carry

Section 98.
The City Commission six occupation of the streets, ali of telegraph, telephone, and tracks and for laying of gas other purposes for the use ar and in all cases the City so that nothing shall inter the lateral branches there and pipes; and the City tion of any such poles, p to be changed, if the san the proper and convenien other way inconvenience granted, shall be subject,

tained. Section 99. Franchises. No ordinance for the final passage within thir Section 100. How Ratific

No ordinance grantin year shall be valid and been ratified by a major for that purpose, or at passage.

Section 101. Limit of No franchise shall Section, 102. Control as Every franchise sh

the terran and condition right to regulate and c mum rate to be charge have the right, in its d a percentage of gross Section 103. Acquisiti

Every franchise gi right to acquire the sa expiration of every te city vote in favor of s Section 104. How Acc

Whenever the vot ness operated under a be by purchase, at th ing to be determined.

Section 105. Certain With, or in addi by the constitution a shall have power to:

(1) Institution for acquire by pr maintain, equip, own toilets, rest rooms, j lections, street clear buildings, places, wo City.

(2) Water, Ligh To acquire by p maintain, equip, own heat and power work and sell to its inhal the City, water, gas, ated by the City.

(3) Public Utilit To acquire by pu maintain, equip, own or other railways, o public convenience for and all others in the

(4) Real Estate and To acquire by pur the City, such lands a tablishment, maintenar effectuate any ora

dispose of any property
(5) Lease of Public
To lease, for the r
utility owned by the displacement and had

(6) Bequests and Don To receive bequests, fee simple, or in trust acts necessary to carry donations, with power to same in accordance with solutely, in case of such

(7) Borrow Money.

(8) To Grant Fran To grant franc'

be suitable to the needs of the city, with the brider tween the various officers, and such reports as may be advisable, in order to insure a thorough knowledge of the business of the city by the mayor, and chief officials.

Section 54. Report of Departments. The superintendent of each department shall annually render to the commission a full report of all the operations of his department for the year, provided, however, the commission may require each department to render to the commission a full report of all the operations of his department at any time. Section 55. Reports To Be Published.

The commission shall provide for the publication of the annual report of the mayor and of the superintenednt's of the several departments.

GOVERNMENTAL POWERS OF COMMISSION AND ELECTORS.

Section 56. Commission How Composed. Legislative and Other Powers. The mayor and four commissioners after election and qualification under the provision of this charter, shall constitute the Council of the City of Glenwood, which shall be known, and shall act by the official title of the Commission of the City of Glenwood. The commission shall be the governing body and exercise all the corporate power of the municipality, and, subject to the limitations herein contained, shall be vested with full powers of legislation adequate to the carrying out of all powers given to the city by this charter and the gentral laws of the state, in order to provide a full and complete system of local government for said city, consistent with the constitution of the state.

No member of the Commission shall hold any other municipal office or Mo member of the Commission shart hold any other interesting employment, the compensation of which is paid out of the municipal moneys; or be elected or appointed to any office, created, or the compensation of the compensation while he was a member gation of which is included after the expiration of the term for which he was elected.

Section 57. Electors. Legislative Powers.

The electors of the city shall have power through the initiative and otherwise as provided in this charter, to enact legislation to carry out and enforce any and all of the general powers of the city, and any and all of the specified powers of the commission; and may, in manner provided herein and subject to the limitations stated, annul ordinances passed by the commission. Any ordinance adopted by the electors in pursuance of the provisions of this charter shall be paramount while in force to the provisions relating to the same matter contained in any ordinance, resolution or by-law passed by the commission on its own motion and without the approval of the electors. CHAPTER VIII.

COMMISSION, ORGANIZATIONS, MEETINGS, PROCEDURE, PUBLICA TION OF CHARTER AND LAWS, OFFICIAL NEWSPAPER PRINTING.

Section 58. President.

The mayor shall be president of the commission, and when present, shall preside at all its meetings. Section 59. Vice President.

The commission shall, at its first meeting after election, elect from its body one to be vice president.

Section 60. Meetings. Time. Open to Public.

The commission shall provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All sessions of the commission whether regular or special, shall be open to the

Section 61. Quorum. A majority of the members of the commission shall constitute a quorum for the transaction of business.

Section 62. Rules Adopted. The commission shall establish rules for its procedings.

Section 63. Absent Members.

No final action shall be taken in any matter concerning the department of any absent commissioner unless such business has been made a special order of the day, by action at a previous meeting or unless such action is taken at the regular meeting of the commission. . Section 64. Failure to Vote.

Any member of the commission, who being present when his name is

called, fails to vote upon any then pending proposition, unless excused by the commission, shall be counted as having voted in the negative. Section 65. Signing Journal,

It is hereby made the duty of the Mayor to sign the City Clerk's record of the proceedings of each meeting of the Commission when said record shall have been approved and is presented to the Mayor for his signature Section 66. Monthly Statements.

The commission shall each month print in the official paper, itemized

statement of all expenditures of the city during the preceding month. Section 67. Publication of Resolutions.

In publication of resolutions that may be included in the publication of the proceedings of the commission such resolution shall be printed with the dates of their approval without appending the signature to such resolu-

Section 68. Publication of Charter and Ordinances in Book Form.

The Commission during the first year of its organization under this charter and from time to time thereafter, shall cause all ordinances in force to be classified under appropriate heads, and together with, or separately from this charter, and such provisions of the constitution and laws of the state as the commission may deem expedient, to be published

Section 69. Contracts for Official Advertising. Official Newspaper.

The Commission shall let annually, in the month of May or as soon thereafter as practicable contracts for the official advertising for the ensuing fiscal year. For this purpose the commission shall advertise for one week, setting forth specifically the work contemplated to be done, and asking for sealed bids therefor. The proposal shall specify the type and spacing to be used. The commission shall let the contract for such official advertising to the lowest responsible bidder publishing a newspaper in the city which is a legal newspaper according to the laws of the state, provided the commission may reject any or all bids. If the commission shall deem it best for the interest of the city to select a newspaper that is not the lowest bidder, they may select such newspaper. The newspaper to which the award is made shall be designated as the "official" newspaper. The successful bidder shall be required to give a bond to the city In the sum of Five Hundred Dollars for the faithful performance of the

#### ORDINANCES AND RESOLUTIONS

Section 70. Ordinances. Enacting Clause.

The enacting clause of all ordinances shall be these words: "The Commission of the City of Glenwood, do ordain."

such publication in all the courts of the state.
Section 82. Report No ordinance or section thereof shall be repealed except by ordinance pted in the manner.

adopted in the manner provided in this chapter.

Section 83. Judicial Notice.

In all prosecutions and proceedings of every kind before the courts of the city, this city, such courts and proceedings of all ordinances in such this city, such courts at the indicial notice of all ordinances in such this city, such courts shall take judicial notice of all ordinances in such and it shall not be a such or prove such ordinances in such and it shall not be necessary to plead or prove such ordinances in such courts.

A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances," Such record copy, with such certificate or a certified copy thereof, or the ordinance and nance, shall be prima facie evidence of the contents of the ordinance and of the due passage of the same, and shall be admissible as such in any of the due passage of the same, and shall be admissible as such in any court or proceedings. court or proceedings. Nothing herein contained shall be construed to prevent the proof of the passage of an ordinance in the usual way.

## CHAPTER X.

INITIATIVE. DIRECT LEGISLATION,

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Section 87. Petition of Twenty Per Cent. Proceedings On.
If such petition shall be signed by qualified electors equal in number to twenty per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, and contains a request that said ordinance he submitted forthwith elected, and contains a request that said ordinance be submitted forthwith to a vote of the people at a special election, then the commission shall

1. Pass said ordinance without alteration within twenty days after attachment of the City Clerk's certificate of sufficiency to the accompanying petition, subject to the provisions of Chapter Eleven of this Charter, or, 2nd. Within twenty-five days after such certification, proceed to call a

special election at which ordinance, without alteration, shall be submitted

Section 88. Ten Per Cent Petition. Proceedings On.

If the petition be signed by electors equal in number to at least ten,
but less than twenty per centum of the entire vote cast for all candidates for Mayor at the last preceding general municipal election at which a Mayor was elected, and said ordinance be not passed by the Commission as provided in the preceding subdivision then such ordinance, without alteration, shall be submitted to a vote of the people at the next general municipal election accounts of the people at the next general municipal election.

municipal election occurring at any time after twenty days from the date of the City Clerk's certificate of sufficiency attached to the petition accompanying such ordiffince.

Whenever any ort lance is to be submitted to the voters of the city under this chapter the Commission shall cause said ordinance to be pub wires, street car tract lished once in the official newspaper of the city at least six (6) days prior to such election.

Section 90, Ballot. Manner of Voting. Effect.

The ballots used in voting upon such proposed ordinance shall be headed by the words, "Ordinance proposed by the electors, being an ordinance entitled, (setting forth the title in full)" and shall contain the words, "For the Ordinance" and "Against the Ordinance." Those intending to vote for the ordinance shall do so by placing the mark X after the words "For the Ordinance," and the ballots so marked shall be canvassed and counted as votes in favor of said ordinance; those intending to vote against the ordinance shall do so by placing a like mark after the words, "Against the Ordinance" and the same after the words, "Against the Ordinance," and the same shall be canvassed and counted as votes against said ordinance. The ballots shall be arranged so that the voter can conveniently indicate his purpose. If a majority of the electors voting on such proposed ordinance vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of the city. Section 91. Several Ordinances at One Election.

Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this chapter. ments. To care for, Section 92. Popular Ordinance. Application of Other Sections. "Adopted

By Electors" To Be Inserted. The provisions of section Seventy, Seventy-two, Seventy-eight, Seventy nine, Eighty-one, Eighty-three, and Eighty-four of Chapter Nine of this charter shall apply to all ordinances proposed and adopted under this chapter, except that no publication thereof other than as provided in Section Eighty-nine need be made. The clerk shall insert the words "Adopted by electors" after the date.

Section 93. Repeal or Amendment of Popular Ordinance. The commission may submit a proposition for the repeal of any such ordinance, or for any diments thereto to be voted upon at any general municipal election; and should such proposition receive a majority of the votes cast at such election, such ordinances shall be repealed or amended accordingly. An ordinance proposed by petition or adopted by a vote of the people can not be repealed or amended except by a vote of the people. Section 94. Further Regulations.

The commission may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this chapter.

#### CHAPTER XI. THE REFERENDUM.

Section 95. Mode of Protesting Against Ordinance.

No ordinance passed by the Commission shall go into effect before ten days from the time of its final passage, except when otherwise required by the general laws of the State, or by the provisions of this Chapter respecting street improvements, and except the ordinance making the annual tax levy, and except an ordinance for the immediate preservation grates therefor, in annual tax levy, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by four-fifths vote of the Commission, provided that no grant of any franchise shall be construed to be an urgency measure, but during said ten days a petition signed by qualified electors of the City equal in number to at least twenty per centum of the entire vote cast for all phone poles, horse condidates for Mayor at the last preceding general municipal election at candidates for Mayor at the last preceding general municipal election at bills and advertises which a Mayor was elected, protesting against the passage of such ordinance, be presented to the Commission the same shall thereupon be sus-

ness operated under a be by purchase, at the B ing to be determined by

Section 105. Certain Gent With, or in addition by the constitution and & shall have power to:

(1) Institution for Pu To acquire by purchas maintain, equip, own and tollets, rest rooms, jails, lections, street cleaning, buildings, places, works

(2) Water, Light, He To acquire by purcha maintain, equip, own and heat and power works wi and sell to its inhabitant the City, water, gas, elect

ated by the City.

(3) Public Utility.

To acquire by purcha maintain, equip, own and or other railways, or trailways, or the public convenience for the and all others in the hire

(4) Real Estate and O To acquire by purchas the City, such lands or tablishment, maintenance and effectuate any other dispose of any property (5) Lease of Public

To lease, for the pu utility owned by the (6) Bequests and Don

To receive bequests, fee simple, or in trust acts necessary to carry donations, with power same in accordance wit solutely, in case of such

(7) Borrow Money To borrow money authorized to provide, the City is authorized

(8) To Grant Fra To grant franchise the streets, alleys and lation and maintenanc purposes calculated to the exercise thereof.

(9) To Control Other Authority.

To regulate and or upon streets and lature or any other a

#### SPECIFI

Section 106. Specified Subject to the p contained, the Comm

(1) To adopt an (2) Care of Str To care for, supe and public grounds upon, whether upon,

nature or kind and (3) Incumbering To prevent the or public ground, with (4) Openings.

To permit openi public grounds for mains and pipes, the and to regulate the in conjunction there conductor, conduit, under or over any its permit, to be cl convenient location plan it may adopt highway or public streets or public gro of the party applying (5) Depositing

To prevent thre offensive matter in to require the owner along or in front of

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(9) Hitching B To provide for a right to re it, but

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ORS. Powers. the City tle of the e govern lity, and n to the o provide

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Section 71. Resolutions.

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No ordinances or resolutions, except an ordinance making appropriations shall embrace more than one subject, which shall be expressed in its title; provided, however, no ordinances or resolutions shall be wholly void by reason of failure that the subject in the title thereof but order. by reason of failure to so express the subject in the title thereof, but only as to subject or subjects not so expressed. Ordinance making appropriations shall be confined wholly to such appropriations.

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Section 74. Re-consideration.

When a proposed didinance fails to pass, a motion to re-consider the same may be made; but such motion must be made at the session at which the same fails to pass, and action thereupon shall be postponed to the next regular session.

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No ordinance or resolution shall be considered passed unless on the affirmative vote of at least members of the commission.

Section 76. Entry of Ayes and Nays.

The ayes and nays shall be taken upon the passage of all ordinances and resolutions and shell be entryed upon the journal of proceedings.

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Section 77. Resolutions, Numbering, Dating, Signing, Attesting, All resolutions shall be properly numbered, dated as of the day of their passage, signed by the Mayor and attested by the City Clerk before becoming effective.

Section 78. Ordinances, Numbering, Dating, Signing, Attesting. Publication.

Every ordinance shall be properly numbered, dated as of the day of its final passage, and signed by the Mayor, attested by the City Clerk and published once within eight days after its final passage in the regular issue of the official paper.

Section 79. Amendments. Form Of. No ordinance shall be revised, re-enacted or amended by reference to its title only; but the ordinance, to be revised, amended or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this chapter for the adoption of ordinances. Section 80. Emergency Ordinance. What is. Franchise Not to Be Grant-

An emergency ordinance is hereby defined to be an ordinance for the immediate protection of the public peace, health or safety, and which contains in itself a recital of the reasons for its urgency and is passed by a four-fifths vote of the commission. No ordinance granting any franchise or right in, to or upon the streets or alleys of the city shall be considered

an emergency ordinance. Section 81. Ordinance. Proof of Publication. Section 81. Ordinance. Proof of Publication.

Evidence of the due publication of an ordinance shall consist of the action of the publication of an ordinance shall consist of the action of the newspaper showing the name of such affidavit shall be dwith the City Clerk and shall be by him recorded in the book lept by him for such purpose. Such affidavit, or a copy thereof, or of such record, shall be taken as sufficient evidence of such publication in all the courts of the state, without further proof.

Section 82. Repeal.

No ordinance or section thereof shall be repealed except by ordinance adopted in the manner provided in this chapter, Section 83. Judicial Notice,

In all prosecutions and proceedings of every kind before the courts of this city, such courts shall take judicial notice of all ordinances of the city, and it shall not be necessary to plead or prove such ordinances in such

Section 84. Record of Ordinances.

A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances." Such record copy, with such certificate or a certified copy thereof, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage of the same, and shall be admissible as such in any court or proceedings. Nothing herein contained shall be construed to prevent the proof of the passage of an ordinance in the usual way.

#### CHAPTER X. INITIATIVE, DIRECT LEGISLATION,

Section 85. Electors May Propose Ordinances.

Electors of the city to the number and in manner in this chapter pro vided may propose ordinances to the Commission for adoption.

Section 86. Petition.
Such proposed ordinance shall be accomplished by a petition in writ ine signed by electors is mich reference shall be made thereto by its title, asking that the stable passed by the Commission. Such petition shall be signed only by electors who voted and whose votes were registered at the last preceding general municipal election and shall be in the same general form, verified in the same manner, examined, certified, returned to the commission and filed in manner as provided in Section Thirty of Chapter Three hereof relative to the recall of elective officers. Section 87. Petition of Twenty Per Cent, Proceedings On.

If such petition shall be signed by qualified electors equal in number to twenty per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, and contains a request that said ordinance be submitted forthwith to a vote of the people at a special election, then the commission shall

either: 1. Pass said ordinance without alteration within twenty days after attachment of the City Clerk's certificate of sufficiency to the accompanying

petition, subject to the provisions of Unapter Eleven of this Charter, or 2nd. Within twenty-five days after such certification, proceed to call a special election at which ordinance, without alteration, shall be submitted to a vote of the people Section 88. Ten Per Cent Petition. Proceedings On.

. If the petition be signed by electors equal in number to at least ten, but less than twenty per centum of the entire vote cast for all candidates for Mayor at the last preceding general municipal election at which a Mayor was elected, and said ordinance be not passed by the Commission as provided in the preceding subdivision then such ordinance, without

ilteration, shall be submitted to a vote of the people at the next general municipal election occurring at any time after twenty days from the date of the City Clerk's certificate of sufficiency attached to the petition accompanying such ordinance

pended from going into operation, and it shall be the duty of the Commission to reconsider such ordinance, and if the same be not entirely repealed the Commission shall submit the ordinance as provided in Chapter Ten of this Charter, to a vote of the electors of the City, either at the next general municipal election or at a special election called for that purpose, and such ordinance shall not become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. The provisions of Chapter Three respecting the forms and conditions of the petition, the mode of verification, certification, and filing shall be substantially followed, with such modifications as the nature of the case requires. Section 96. Reference of Measure to Popular Vote.

Any ordinance or measure that the Commission or the qualified electors of the City shall have authority to enact, the Commission may of its own motion submit to the electors for adoption or rejection at a general or special municipal election, in the same manner and with the same force and effect as is provided for ordinances or measures submitted on petition. Section 97. Further Regulations.

The Commission may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this chapter.

CHAPTER XII. FRANCHISES.

The City Commission shall have the power to grant franchises for the occupation of the streets, alleys and public grounds of said city for the use of telegraph, telephone, and electric light poles and wires, for street car tracks and for laying of gas pipes and mains, and electric conduits, and for other purposes for the use and convenience and accommodation of the public; and in all cases the City Commission shall regulate and control the same so that nothing shall interfere with the construction of common sewers or the lateral branches thereof, or with the proper location of water mains and pipes; and the City Commission may, at any time, require the location of any such poles, pipes or conduits, or anything else so authorized, to be changed, if the same shall be found to interfere, in any way, with the proper and convenient location of water mains and pipes, or in any other way inconvenience the public, provided, that all such franchises so granted, shall be subject to the regulations and restrictions hereafter con-

Section 99. Franchises. How Granted. No ordinance for the granting of any fanchise shall be put upon its final passage within thirty days after its introduction.

Section 100. How Ratified. No ordinance granting a franchise or lease for a longer term than one year shall be valid and binding upon the City until the same shall have been ratified by a majority of all the votes cast at a special election held for that purpose, or at the first general municipal election following its Section 101. Limit of Time.

No franchise shall be granted for a term to exceed twenty-five years.

Section 102. Control and Percentage.

Every franchise shall be granted by ordinance, and shall contain all the terms and conditions of said franchise; shall reserve to the city the right to regulate and control the business thereof; shall specify the musical states of the control of the said specify the musical states. mum rate to be charged for any service to be rendered, and the City shall have the right, in its discretion, to provide for the payment to the city, of a percentage of gross earnings in return for any franchise granted. Section 103. Acquisition.

Every franchise granted shall contain a provision granting the city the right to acquire the same, and the business for which it was granted at the expiration of every term of five years, if a majority of the voters of the city vote in favor of such acquisition. Section 104. How Acquired.

Whenever the voters of the City are desirous of acquiring any business operated under a franchise granted by the City such acquisition shall be by purchase, at the reasonable appraised value, the method of appraising to be determined by the City Commission by ordinance.

#### CHAPTER XIII.

tained.

Section 105. Certain General Powers of the City.

With, or in addition to all other rights, powers and privileges given by the constitution and general laws of the state, the City of Glenwood shall have power to:

(1) Institution for Public Work and Recreation. To acquire by purchase, condemnation or otherwse, and to establish, maintain, equip, own and operate libraries, reading rooms, parks, public toilets, rest rooms, jails, work houses, morgues, cemeteries, garbage collections, street cleaning, and sprinkling plants, and all other public buildings, places, works and institutions necessary for the good of the

Water, Light, Heat and Power. To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate water works, gas works, electric light, heat and power works within or without the City, and to supply the City and sell to its inhabitants and also persons, firms or corporations outside the City, water, gas, electricity, and all products of any public utility oper-

the City, water, gas, electricity, and all products of any public utility operated by the City.

(3) Public Utility.

To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate telephone and telegraph systems, electric or other railways, or transportation service of any kind, or any other public convenience for the accommodation of the inhabitants of said City and all others in the hire and sale of the use and products.

(4) Real Estate and Other Property for Public Purposes. To acquire by purchase, condemnation or otherwise, within or without City, such lands or other property as may be necessary for the establishment, maintenance and operation of public utility, or to provide and effectuate any other public purpose. To sell, convey, incumber and dispose of any property owned by it for the benefit of the City.

(5) Lease of Public Utilities.
To lease, for the purpose of maintenance and operation any public

(6) Bequests and Donations. To receive bequests, gifts and donations of all kinds of property in fee simple, or in trust for charitable and other purposes, and to do all acts necessary to carry out the provisions of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the bequest, gift, or trust, or absolutely, in case of such bequests, gift or trust be unconditional.

(7) Borrow Money.

To borrow money for any of the purposes for which the City is authorized to provide, and for carrying out any of the powers which the City is authorized to enjoy and exercise.

(8) To Grant Franchises.

To grant franchises to personal firms or corporations, for the use of the streets, alleys and public grounds or portions thereof in the installation of the streets, alleys and public grounds or portions thereof in the installation of the streets, alleys and public grounds or portions thereof in the installation of the streets.

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INITIATIVE. DIRECT LEGISLATION.

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Such proposed ordinance shall be accomplished by a petition in writing signed by electors to which reference shall be made thereto by its title, tasking that the starbe passed by the Commission. Such petition shall be signed only by electors who voted and whose votes were registered at the last preceding general municipal election and shall be in the same general form, verified in the same manner, examined, certified, returned to the commission and filed in manner as provided in Section Thirty of Chapter Three hereof relative to the recall of elective officers. Section 87. Petition of Twenty Per Cent. Proceedings On.

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1. Pass said ordinance without alteration within twenty days after attachment of the City Clerk's certificate of sufficiency to the accompanying petition, subject to the provisions of Chapter Eleven of this Charter, or,

2nd. Within twenty-five days after such certification, proceed to call a special election at which ordinance, without alteration, shall be submitted to a vote of the people.

Section 88. Ten Per Cent Petition. Proceedings On.

If the petition be signed by electors equal in number to at least ten, but less than twenty per centum of the entire vote cast for all candidates for Mayor at the last preceding general municipal election at which a Mayor was elected, and said ordinance be not passed by the Commission as provided in the preceding subdivision then such ordinance, without Alteration, shall be submitted to a vote of the people at the next general municipal election occurring at any time after twenty days from the date of the City Clerk's certificate of sufficiency attached to the petition ac-

of the City Clerk's certificate of sufficiency attached to the petition accompanying such ordyface, section 89. Publication of Popular Ordinance.

Whenever any order ance is to be submitted to the voters of the city under this chapter the Commission shall cause said ordinance to be published once in the official newspaper of the city at least six (6) days prior to such election.

Section 90. Ballot. Manner of Voting. Effect. The ballots used in voting upon such proposed ordinance shall be headed by the words, "Ordinance proposed by the electors, being an ordinance entitled, (setting forth the title in full)" and shall contain the words, "For the Ordinance" and "Against the "Ordinance." Those intending to vote for the ordinance shall do so by placing the mark X after the words "For the Ordinance," and the ballots so marked shall be canvassed and counted as votes in favor of said ordinance; those intending to vote against the ordinance shall do so by placing a like mark after the words, "Against the Ordinance," and the same shall be canvassed and counted as votes against said ordinance. The billots shall be arranged so that the voter can conveniently indicate his purpose. If a majority of the electors voting on such proposed ordinance was in favor thereof such ordinance shall thereupon become a valid and binding ordinance of the city.

Section 91. Several Ordinances at One Election. Any number of poposed ordinances may be voted upon at the same election, in accordance with the provisions of this chapter.

Section 92. Popular Ordinance. Application of Other Sections. "Adopted

By Electors" To Be Inserted. The provisions of section Seventy, Seventy-two, Seventy-eight, Seventy nine, Eighty-one, Eighty-three, and Eighty-four of Chapter Nine of this charter shall apply to all ordinances proposed and adopted under this chapter, except that it publication thereof other than as provided in Section Eighty-nine need to made. The clerk shall insert the words "Adopted by electors" after the late.

Section 93. Repeal of Amendment of Popular Ordinance. The commission may submit a proposition for the repeal of any such ordinance, or for any diments thereto to be voted upon at any general municipal election; has should such proposition receive a majority of the votes cast at such election, such ordinances shall be repealed or amended accordingly. An ordinance proposed by petition or adopted by a vote of the people can not be repealed or amended except by a vote of the people. Section 94. Further Regulations.

The commission may, by ordinance, make such further regulations as may be necessary to carry out the provisions of this chapter.

CHAPTER XI.

THE REFERENDUM.

Section 95. Mode of Protesting Against Ordinance.

No ordinance passed by the Commission shall go into effect before ten days from the time of its final passage, except when otherwise required by the general laws of the State, or by the provisions of this Chapter respecting street improvements, and except the ordinance making the annual tax levy, and except an ordinance for the immediate preservation grates therefor, in the sidewalks or to prohibit the same.

(7) Crosswalks, Curbs and Gutters.

To provide for and regulate crosswalks, curbs and grates are grates therefor, in the sidewalks or to prohibit the same. no grant of any franchise shall be construed to be an urgency measure, but franchises shall be subject to the referendum vote herein provided. If during said ten days a petition signed by qualified electors of the City equal grounds, for signs, in number to at least twenty per centum of the entire vote cast for all phone poles, horse troughs, racks and the posting and distributing of hand candidates for Mayor at the last preceding general municipal election at bills and advertisements. which a Mayor was elected, protesting against the passage of such ordinance, be presented to the Commission the same shall thereupon be sus-

expiration of every term of five years, if a majority or city vote in favor of such acquisition. Section 104. How Acquired.

Whenever the voters of the City are desirous of acquiring any busi-

ness operated under a franchise granted by the City such acquisition shall be by purchase, at the reasonable appraised value, the method of apprais-ing to be determined by the City Commission by ordinance.

CHAPTER XIII.

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To acquire by purchase, condemnation or otherwse, and to establish, maintain, equip, own and operate libraries, reading rooms, parks, public toilets, rest rooms, jails, work houses, morgues, cemeteries, garbage collections, street cleaning, and sprinkling plants, and all other public buildings, places, works and institutions necessary for the good of the

(2) Water, Light, Heat and Power.
To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate water works, gas works, electric light, heat and power works within or without the City, and to supply the City and sell to its inhabitants and also persons, firms or corporations outside the City, water, gas, electricity, and all products of any public utility operated by the City.
(3) Public Utility.

(3) Public Utility.
To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate telephone and telegraph systems, electric or other railways, or transportation service of any kind, or any other public convenience for the accommodation of the inhabitants of said City and all others in the hire and sale of the use and products.

(4) Real Estate and Other Property for Public Purposes.

To acquire by purchase, condemnation or otherwise, within or without the City, such lands or other property as may be necessary for the establishment, maintenance and operation of public utility, or to provide and effectuate any other public purpose. To sell, convey, incumber and dispose of any property owned by it for the benefit of the City.

(5) Lease of Public Utilities.

To lease, for the purpose of maintenance and operation any public utility owned by the City.

(6) Bequests and Donations.

To receive bequests, gifts and donations of all kinds of property in simple, or in trust for charitable and other purposes, and to do all. acts necessary to carry out the provisions of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the bequest, gift, or trust, or absolutely, in case of such bequests, gift or trust be unconditional.

(7) Borrow Money.
To borrow money for any of the purposes for which the City is uthorized to provide, and for carrying out any of the powers which

the City is authorized to enjoy and exercise.

(8) To Grant Franchises.
To grant franchises to persons, firms or corporations, for the use of the streets, alleys and public grounds or portions thereof, in the instaltation and maintenance of telegraph, telephone, electric light, poles and wires, street car tracks, gas pipes or mains, electric conduits, and other purposes calculated to be for the use, convenience and accommodations of the exercise thereof.

(9) To Control Exercise of Franchise Granted By Legislature of

Other Authority.

To regulate and control the exercise of privileges and franchises in or upon streets and other public places of the City granted by the legislature or any other authority.

CHAPTER XIV.

SPECIFIED POWERS OF THE COMMISSION.

Section 106. Specified Powers of Commission for Certain Purposes. Subject to the provisions, limitations and restrictions in this charter contained, the Commission shall have power:

(1) To adopt and provide a corporate seal.
(2) Care of Streets and Property of City.
To care for, supervise and control all bridges, streets, alleys, highways, and public grounds and to prevent injury thereto or encroachment thereupon, whether upon, over or under the same, and remove such encroachments. To care for, supervise, control and protect all property of whatever nature or kind and wherever situated, belonging to the City.

(3) Incumbering Streets.

To prevent the encumbering of any bridge, street, alley, highway, or public ground, with animals, vehicles, or other matter or thing.

(4) Openings. Excavations in Streets.

To permit openings and excavations in streets, alleys, highways and public grounds for the laying of gas pipes, electric conductors, water mains and pipes, the building of sewers, tunnels, drains, or other purpose, and to regulate the same and the use of all structures connected or used n conjunction therewith; to require the location of any gas pipe, electric conductor, conduit, or other thing, installed, constructed or erected upon, under or over any bridge, street, alley, highway or public grounds, under its permit, to be changed when the same interferes with the proper and convenient location of public sewers, water mains or pipes, or with an plan it may adopt for the improvement of any such bridge, street, alley, highway or public grounds; to require that all excavations made in the streets or public grounds shall be filled and relaid by the City, at the cost of the party applying to make the same.

(5) Depositing Offensive Matter in Streets. Snow and Ice on Side-

To prevent throwing or depositing ashes, offal, dirt, garbage, or any offensive matter in or upon any street, alley, public ground or place, and to require the owner or occupant of any premises to keep the sidewalks along or in front of the same free from snow, ice or other obstructions.

(6) Coal Holes, Hatchways, Etc.
To regulate the construction of coal holes, hatchways, coverings, and

To provide for and regulate crosswalks, curbs and gutters.

(8) Signs, Awnings, Etc.
To regulate, or prevent, the use of streets, sidewalks, and public

(9) Hitching Posts, Etc.

To provide for and regulate the erection of hitching posts and rings

for fastening horses, and to prohibit the same in such portions of the otherwise dealing in such liquors unless under license, and to impose amount of the City as it shall see fit,

(10) Piling Snow By Railroad or Street Car Company. Care of

upon any street or public grounds by railroad companies or any company houses. operating cars upon, along or across the streets, alleys or highways in the city, and to compel the removal of the same; to require any such company to keep the streets in repair between the tracks, and along and coal oil, benzine, naphtha, gasoline, turpentine, hemp, cotton, nitroglycerine within the distance of one and one-half feet upon each side of the tracks or any products thereof and other combustible or explosive materials occupied by the company.

abatement of the same at the expense of the person creating, causing or candles, skyrockets, and other fire works.

maintaining such nuisance.

(12) Poles and Wires in and Along Streets.
To regulate and control, or prohibit, the placing of poles and the suspending of wires along or across the streets, alleys, or public grounds, and to require any and all wires within the limits it may designate, to be placed in condults beneath the surface of the streets or sidewalks, and to require any poles already erected or wires already suspended within such limits, to be removed and the wires likewise placed in conduits beneath the surface of the street, and to compel any and all such wires, pipes and other constructions and conduits to be placed in a common area beneath the surface in such manner and places as it may designate.

(13) Banners Across Streets, Bill Boards. To regulate, or prevent the flying of flags, banners and signs across or over the streets or any part thereof; and to regulate the construction and use of bill boards adjacent to or near the streets or public places.

To regulate, or prohibit traffic or sales upon the streets, sidewalks, or other public places. (144) Traffic on Sidewalks.

(15) Safety in Streets. To regulate the speed of railroad trains, engines and cars passing through the city, and the speed of cars of street or interurban railways using the streets of the city; to require railroad companies to station flagmen, place gates, or viaducts at all such street crossings as the Commission deems proper; to require street cars and local trains to be provided with fenders, or other appliances for the better protection of the public; to prohibit the making up of railroad trains on any of the streets, street crossings, or street intersections of the city; to regulate the speed at which persons may drive, ride, or propel bicycles, automobiles or other vehicles along or upon any of the streets or highways of the city.

(16) Width of Tires. Loads on Streets. To regulate and prescribe the width of tires on wheels of vehicles used on the streets of the city, and the maximum weight of loads to be drawn over any street in the city, and to direct upon what street heavily loaded vehicles may be drawn, and from what streets, avenues and boulevards the same shall be excluded.

(17) Weeds and Rubbish on Sidewalks.

To compel the owner or occupant of buildings or grounds to remove dirt, rubbish and weeds from the sidewalks, adjacent thereto; and on default, to authorize the removal thereof by some officer of the city at dirt, rubbish and weeds from the sidewalks, adjacent thereto; and on rials used for piping buildings, or other structures for the purpose of supply-default, to authorize the removal thereof by some officer of the city at ing the same with water or gas, and the manner of so doing, and to prothe expense of such owner or occupant, and to make such expense a lien high the construction of buildings and structures which do not conform to upon such buildings or grounds.

(18) Name of Streets and Right to Change.

To name, and change the names of streets, avenues, alleys and other public places.
(19) Drains, Sewers, and Cess Pools, Bridges, Etc. Compel Sewer

To regulate the use of all bridges, viaducts, tunnels, drains, sewer and cess pools within the city and to prohibit the use or maintenance of cesspools and privies in such portions of the city as it may designate, and to compel sewer connections in such portions, and to make the same, and assess the cost thereof on the property so connected with the sewer in manner provided by Chapter Twenty.

(20) Numbering of Houses and Lots. To regulate the numbering of houses and lots and to compel the owners of houses and other buildings to have the numbers of such houses and buildings shown conspicuously thereon or adjacent thereto.

(21) Ditches, Etc., By Railroad Companies. To compel and require railroad companies to make and keep open and session of dogs, and in repair, ditches, drains, sewers and culverts along and under railroad pay such license fee. tracks within the city, so that water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

(22) Spur Tracts. Temporary Use of Streets,

To permit the laying of spur or sidetracks and running cars thereon, for the purpose of connecting warehouses, manufacturies, or other husiness enterprises, with any line of railroad that may be built, with other lines of railroad which do now or may hereafter enter the city, subject to such regulations and conditions as may be prescribed by the Commission, such tracks to be used for transportation of freight only, and not to be used as a main line or a part thereof, and also for the purpose of excavating and filling a street or other property for such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street and must be operated under such restrictions as not to interfere with the use of the streets by the public. All permits granted under the provisions hereof shall be revocable at the pleasure of the

(23) Regulation of Tracks on Street.

To prevent, or regulate, the locating, construction and laying of street or other railway tracks, in, along, or over any street, alley, highway or public grounds.

To make all rules and regulations governing elections not inconsistant injurious noises. with this Charter.

(25) Boulevards. ing franchise for any railroad, and to regulate and prevent heavy team-Ang thereon; and when any such street shall have been set aside as a boulevard, no franchise for a railroad, interurban or street railway of any kind shall ever be granted upon each boulevard, unless an ordinance to the effect shall have been duly passed by popular vote, as provided for

in Chapter Ten.

(26) Commissioners for Parks, Play Grounds, and Public Charities.

To establish a park commission, a play ground commission, and a commission of public charities, and to appoint commissioners thereon to serve without commensation with such personal dutter and dutter and regulate the inspection of all dairies, milk and gream depets that offer for sale any of their products in the city, whether situated within or without the city.

(53) Inspection of Restaurants, Hetels, Lodging Houses, Butcher Shops, Tenement and Apartment Houses. serve without compensation, with such powers and duties as may be fixed by the Commission.

(27) Methods of Taking Over Property for Public Use.
To provide a suitable procedure for taking over or otherwise acquiring municipal ownership of public utilities.

(28) Size, Location and Plat of Pipes in Streets and Public Places,

(28) Size, Location and Fiat of Fipes in Succession of the Pipes and License Pipmbers.

To regulate the size and location of all water, gas and other pipes and conduits laid or constructed, in the streets and public places, and to require the filing of charts and maps of such pipes and conduits. To license plumbers, and regulate the construction, repair and use of sewers, sinks, gutters, wells, cesspools, and vaults, and to compel the connecting, cleaning or emptying of the same and to designate the time and manner in

penalties therefor.

To license and regulate billiard, pool and all similar tables for the one instance for the ring of games, bowling allows about and all similar tables for the one instance for the Streets Between or Around the Side of Tracks.

To prohibit the throwing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or prohibit the throwing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or prohibit the throwing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or prohibit the throwing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or prohibit the throwing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing or piling of snow or other encroachments playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a fellowing through the snow of the snow o

To regulate, or prevent the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, resin, a year to be expended to the storage of gunpowder, dry pitch, a year to be expended to the storage of gunpowder, dr or any products thereof and other combustible or explosive materials within the city, and the use thereof, and lights in stables, and the building of bonfires; and to regulate or prevent the use of firecrackers, torpedoes candles, skyrockets, and other fire works. (11) To declare what is a nuisance and to provide for the summary of bonfires; and to regulate or prevent the use of firecrackers, torpedoes,

(39) Rubbish, Garbage, Etc.

To compel the owner of vacant property within the city to keep the same clear of brush or other material liable to communicate fire to adjoining property, and in case the owner of such property shall neglect or refuse to remove the same within ten days after being notined so to do by the commission, either personally or by one publication in the official newspaper of the city, the commission shall have authority to have the same removed and assess the colt thereof against the property. To provide for the collection and disposal of garbage, ashes, animal and vegetable refuse, game, poulty, meat, its game, meat, its game, poulty, meat, its game, meat, its game, meat, its ga to remove the same within ten days after being notified so to do by the

To require the owner and lessees of buildings or other structures to weapons and to provide upon or in them fire essence and action of place upon or in them fire escapes and appliances for the extinguishing and

prevention of fires.

To prevent the construction and to cause the removal of dangerous the weight and quality of the places stoves stove stov chimneys, fire places, stoves, stove pipes, ovens, boilers, apparatus and seizure and forfeiture machinery used in any building in the city; to require gas cut offs at curb (73) Hay, Wood, lines, to regulate the operation of manufacturing light-lines at curb vent the depositing of ashes, accumulations of shavings, rubbish or any straw, and of selling combustible material in unsafe places and to relate the deposition of shavings, rubbish or any straw, and of selling lines, to regulate the operation of manufactories liable to cause fire; to precombustible material in unsafe places, and to make provisions to guard against fires.

(42) Provisions for Safety in Theatres, Halls, Etc. To regulate the size and construction of the entrances to and exits location and operation theatres lecture rooms hells acheels from theatres, lecture rooms, halls, schools, churches and other places for tors and other mecha public gatherings of every kind, and to prevent the placing of seats, chairs, life or property, benches and other obstructions in the bellsware states. benches and other obstructions in the hallways, aisles, or open places there-

(43) Building Regulations,

To regulate the construction of and the material used in all buildings, chimneys, stacks, and other structures; to prevent the erection and maintenance of insecure and unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction. To regulate the materials used in the method of construction of foundations, the manner of construction and location of drains and sewers. The materials and methods used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes, and matesuch regulations,

(44). Fire Limits.

To prescribe fire limits, and determine the character and height of buildings that may be erected therein and the nature of the materials to be used in the construction, alteration or repair of such buildings, or exist-

ing buildings within such fire limits.

(45). Police and Fire Department.
To organize and maintain police and fire departments, erect the necessary buildings and own all implements and apparatus required therefor.

(46) Police and Fire Alarm System.

To establish and maintain a fire alarm, police, telegraph or telephone a distance of one system, and manage and control the same, and to appoint a superintendent

(47) Bogs. To regulate and prevent the running at large of dogs; to prevent dog fights in the streets; to provide for the destruction of vicious dogs and to require the payment of license fees by the owners or persons having pos-session of dogs, and to impose penalties upon such persons for refusing to (48) Public Pound.

To prevent or regulate the running at large of any animals and to establish and maintain a pound and to authorize the destruction, or other disposition of any animals running at large.

(49) Cruelty to Animals.

To prohibit and punish cruelty to animals and to require the places where they are kept to be maintained in a clean and healthful condition.

(50) Preservation of Health.

To make all regulations which may be necessary and expedient for the preservation of health and the uppression of disease; to make regulations to prevent the introduction of contagious, malignant, infectious or other diseases into the city; to make quarantine laws and regulations; to regulate, control and prevent the entry into the city of persons, baggage, merchandise or other property infected with contagious disease.

(51) Dangerous and Offensive Occupations. Disagreeable Noises. To regulate or prohibit the operation of all manufactories, occupations, or trades which may be of such a nature as to effect the public health, or good order of the city, or disturb the public peace, or which may be offensive or dangerous to the inhabitants residing in the vicinity, and to proregulate vide for the punishment of all persons who knowingly permit the same to proscution of be violated in any building or upon any premises owned or controlled by pressly referred them; to make regulations for the suppression of disagreeable, offensive or

this Charter.

(52) Inspection of Food Products, Dairies.

To provide for and regulate the inspection and sale of meats, poultry, necessary for the set apart as a boulevard any street over which there is no exist fish, game. bread, butter, cheese, lard, eggs, vegetables, breadstuffs, milk habitants, the paranchise for any railroad, and to regulate and prevent heavy team. and other food products offered for sale in the city and to provide for the and the enhancement. taking and summarily destroying of any such products as are unsound, spoiled, adulterated or unwholesome, and to regulate and prevent bringing into the city or keeping within the city any such unsound, spoiled, adulterated or unwholesome products. To provide for and regulate the inspectable of the normal content of the provided for an angle of the normal content of the provided for an angle of the normal content of the normal

Shops, Tenement and Apartment Houses.

To provide for the inspection and regulation of restaurants, hotels, bakeries, butcher shops, lodging, tenement and apartment houses, and to provide that they be put and kent in proper sanitary condition; to prevent the overcrowding of lodging, tenement and apartment houses.

Section 10. the overcrowding of lodging, tenement and apartment houses.
(54) Public Shows, Etc.

the overcrowding of longing, temperature (54) Public Shows, Etc.

To license, regulate, restrain or prohibit all exhibitions of public shows, caravans, menageries, circuses, concerts, theatrical performances, museums, skating rinks, and all places of amusement for entrance into which or amusement or entertainment in which money is charged.

(55) Gambling.

amusement or entertainment in which money is variable.

(55) Gambling,

To prevent and prohibit all rescriptions of gambling and fraudulent devices and practices, bucket shops, all playing of cards, dice or other games of chance for the purpose of gambling, the keeping or operating of money is staked, hazarded, deposited or paid upon chance, the selling of the purpose and the purpose of paid upon chance, the selling of the purpose and the purpose of gambling and fraudulent games of chance and purpose of gambling and prohibit and purpose of gambling and purpose of the purpose of gambling and purpose of gambling and purpose of the purpose of gambling and purpose of the purpose of gambling and purpose of gambling and purpose of the purpose of gambling and purpose of the purpose of gambling and gambling a

(65) Rewards. To ofter rewards

(66) Mayor's Un 10 provide an urg

employes to others, at it may direct, and make said persons in their series and make said persons in their series said persons to the series said pers

(68) Newsboys, B To license and rest

(69) Distilleries and (70 Butcher Shops

(72) Location of To establish and I for the use thereof;

(73) Hay, Wood, To provide for a

(74) Blasting, P To regulate the

To declare the comotives within the vent the emission of and to require the pliances as it may smoke, and to design turnace, stove or f the emission of den

(76) Births and To provide for deaths within the

(77) Cemeteric To regulate or regulate and deteri in a vault or tom moved and to regu tories and to vacal tery within the lin

(78) Location To direct the tion of stock yar chandler's, store-h factories, dye how regulate the cons dispensaries, stab the limits of the

(79) Lumber To regulate, piling of timber, of said city, and or lath piles or come dangerous

(80) Public To establish ings maintained

(81) Gas. To regulate prescribe and en gas, and to insp measurement an light, heat and p

(82) Officer To establish cians and such inspection laws direct said offic ordinance relati

(83) General for the Comfort, To regulate prosecution of

sion may requir to establish all hereinbefore ma and the enhance

(84) Legis To adopt s all of the power

(85) Penal To declar

The comme by ordinance all other ack the full carries of this charge tution and people of not be he sion mis general

(18) Name of Streets and Hight to Charge.
To name, and change the names of streets, avenues, alleys and other

(19) Drains, Sewers, and Cess Pools, Bridges, Etc. Compel Sewer Connection.

To regulate the use of all bridges, viaducts, tunnels, drains, sewer and To organize and maintain police and fire departments, erect the ne pools and privies in such portions of the city as it may designate, and to sary buildings and own all implements and apparatus required therefor. compel sewer connections in such portions, and to make the same, and assess the cost thereof on the property so connected with the sewer in manner provided by Chapter Twenty.

(20) Numbering of Houses and Lots.
To regulate the numbering of houses and lots and to compel the owners of houses and other buildings to have the numbers of such houses and buildings shown conspicuously thereon or adjacent thereto.

(21) Ditches, Etc., By Railroad Companies.

To compel and require railroad companies to make and keep open and In repair, ditches, drains, sewers and culverts along and under railroad pay such license fee. tracks within the city, so that water cannot stand on their grounds right of way, and so that the natural drainage of adjacent property shall not be impeded.

(22) Spur Tracts. Temporary Use of Streets,
To permit the laying of spur or sidetracks and running cars thereon, for the purpose of connecting warehouses, manufacturies, or other business enterprises, with any line of railroad that may be built, with other lines of railroad which do now or may hereafter enter the city, subject to such regulations and conditions as may be prescribed by the Commission, such tracks to be used for transportation of freight only, and not to be used as a main line or a part thereof, and also for the purpose of excavating and filling a street or other property for such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street and must be operated under such restrictions as not to interfere with the use of the streets by the public. All permits granted under the provisions hereof shall be revocable at the pleasure of the Commission.

(23) Regulation of Tracks on Street. To prevent, or regulate, the locating, construction and laying of street other railway tracks, in, along, or over any street, alley, highway or public grounds.

(24) Elections.

To make all rules and regulations governing elections not inconsistant injurious noises. with this Charter.

(25) Boulevards.

To set apart as a boulevard any street over which there is no existing franchise for any railroad, and to regulate and prevent heavy teamthereon; and when any such street shall have been set aside as a boulevard, no franchise for a railroad, interurban or street railway of any kind shall ever be granted upon each boulevard, unless an ordinance to the effect shall have been duly passed by popular vote, as provided for

(26) Commissioners for Parks, Play Grounds, and Public Charities.

To establish a park commission, a play ground commission, and a commission of public charities, and to appoint commissioners thereon to serve without compensation, with such powers and duties as may be fixed by the Commission.

(27) Methods of Taking Over Property for Public Use.

To provide a suitable procedure for taking over or otherwise acquiring mannicipal ownership of public utilities.

(28) Size, Location and Plat of Pipes in Streets and Public Places,

To regulate the size and location of all water, gas and other pipes and conduits laid or constructed, in the streets and public places, and to require the filing of charts and maps of such pipes and conduits. To license plumbers, and regulate the construction, repair and use of sewers, sinks, gutters, wells, cesspools, and vaults, and to compet the connecting, cleaning or emptying of the same and to designate the time and manner in which the work shall be done.

(29) Street Grades.
To establish and change the grade of any street, alley or public place.

(30) Change of Crossing. Railroad Grade.

To provide for and change the location, grade on crossing of any railroad upon or across any street, and to compel railroad or street car companies to raise or lower their tracks to conform to any grade which may be established by the Commission, and to keep such tracks on a level with the street surface and to compel the planking of such tracks by such company so that they may cross at any place on such street, alley or highway.

(31) Use of Engines, Whistling and Smoke.
To regulate the use of steam engines, gas engines, steam boilers, and electric motors, and to prohibit their use in such localities as in the judgment of the Commission would endanger public safety. To regulate or prohibit the whistling of locomotives, mills, factories and the discharge of steam, cinders, sparks and dense smoke therefrom.

(36) Polution of Waters.

To restrain the polution of waters of any creek, river, pond or water hacks, course within or adjacent to the city; to prevent the dumping of refuse or houses. other matter therein, and to provide for the cleaning and purification of (59) water, watercourses and canals, and draining or filling of ponds or pools on private property whenever necessary to prevent or abate nuisances and to compel the owner or occupant of any building or grounds to remove from the premises owned or occupied by him all such offensive substances as the city Commission or Commissioner of health may direct, and upon his default to authorize the removal or destruction thereof by some officer the city at the expense of such owner or occupant.

(33) Drainage of Low Grounds.
To compel the owner of low ground where water collects and becomes stagnant to fill or drain such low places, and upon his default to authorize such draining or filling at the expense of such owner, and to make the expense of the destruction or removal of such substance specified in sub-division thirty-two, or the expense of filling or draining any such low ground, lien upon the property from which such substances are removed To order the repaying by the tre or destroyed, or in which said low ground is filled or drained, and to costs, erroneously or illegally collected. make a special assessment for the same upon such property in manner and to be collected as other special assessments are collected under

Chapter Twenty.

(36) Intoxicating Liquors. Licenses.

(36) Intoxicating Liquors. Licenses.

(36) Intoxicating Liquors. Licenses.

(37) To license and regulate the sale of spirituous, vinous, fermented, malt and other liquors. To restrain any person from selling, giving away, or favor of the city, but the amount bid on such purchase shall not exceed the by the commission shall.

buildings that may be erected therein and the nature of the materials to tories and to vacate, and be used in the construction, alteration or repair of such buildings, or exist tery within the limits of the ing buildings within such fire limits.

(45). Police and Fire Department.

To organize and maintain police and fire departments, erect the necestion of stock yards, slaus (46) Police and Fire Alarm System.

To establish and maintain a fire alarm, police, telegraph or telephone system, and manage and control the same, and to appoint a superintendent

(47) Dogs. To regulate and prevent the running at large of dogs; to prevent dog fights in the streets; to provide for the destruction of vicious dogs and to require the payment of license fees by the owners or persons having possession of dogs, and to impose penalties upon such persons for refusing to

(48) Public Pound.

To prevent or regulate the running at large of any animals and to establish and maintain a pound and to authorize the destruction, or other disposition of any animals running at large. (49) Cruelty to Animals.

To prohibit and punish cruelty to animals and to require the places where they are kept to be maintained in a clean and healthful condition.

(50) Preservation of Health.

To make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease; to make regulations to prevent the introduction of contagious, malignant, infectious or other diseases into the city; to make quarantine laws and regulations; to regulations and regulations of prevent the city; to make quarantine laws and regulations; to regulations are required to the city of persons begage merlate, control and prevent the entry into the city of persons, baggage, merchandise or other property infected with contagious disease.

(51) Dangerous and Offensive Occupations. Disagreeable Noises.

To regulate or prohibit the operation of all manufactories, occupations, or trades which may be of such a nature as to effect the public health, or good order of the city, or disturb the public peace, or which may be offensive or dangerous to the inhabitants residing in the vicinity, and to provide for the punishment of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by pressly referred to and pro them; to make regulations for the suppression of disagreeable, offensive or sion may require regulation

(52) Inspection of Food Products, Dairies.

To provide for and regulate the inspection and sale of meats, poultry, necessary for the promotion. fish, game, bread, butter, cheese, lard, eggs, vegetables, breadstuffs, milk habitants, the preservation and other food products offered for sale in the city and to provide for the and the enhancement of pu taking and summarily destroying of any such products as are unsound. spoiled, adulterated or unwholesome, and to regulate and prevent bringing terated or unwholesome products. To provide for and regulate the inspection of all dairies, milk and cream depots that offer for sale any of their products in the city, whether situated within or without the city.

To adopt such ordinar 10 adopt such ordinar 10 adopt such ordinar 11 adopt such ordinar 12 adopt such ordinar 12 adopt such ordinar 13 adopt such ordinar 14 adopt such ordinar 15 adopt such ordinar 16 adopt such ordinar 16 adopt such ordinar 16 adopt such ordinar 16 adopt such ordinar 17 adopt such ordinar 18 adopt such ordinar 19 ad

(53) Inspection of Restaurants, Hotels, Lodging Houses, Butcher Shops, Tenement and Apartment Houses.

To provide for the inspection and regulation of restaurants, hotels, butcher shops, lodging, tenement and apartment houses, and to provide that they be put and kept in proper sanitary condition; to prevent Section 107. Additional P

Public Shows, Etc.

To license, regulate, restrain or prohibit all exhibitions of public shows, caravans, menageries, circuses, concerts, theatrical performances, museums, skating rinks, and all places of amusement for entrance into which or amusement or entertainment in which money is charged.

(55) Gambling. To prevent and prohibit all rescriptions of gambling and fraudulent devices and practices, bucket shops, all playing of cards, dice or other games of chance for the purpose of gambling, the keeping or operating of card machines, slot machines or other contrivances upon or into which money is staked, hazarded, deposited, or paid upon chance, the selling of pools on races, and to authorize the destruction of all instruments used for the purpose of gambling. (56) Fire Sales, Etc.

To license and regulate gift, fire auction and bankruptcy sales, and auctions.

Transient Merchants, Peddlers, Etc.

To regulate, control and license, transient merchants, pawnbrokers, auctioneers, peddlers, second hand and junk dealers, book agents and canvassture of money shall be valued to the city. ers, doing business in the city, and to compel all such persons to keep tion passed by the commissuch records of the transactions as it may direct, and make report thereof, sions of Chapter Ten, and

(58) Public Vehicles, Etc. Regulation of. To establish stands for hacks, express wagons, automobiles, and other public vehicles for hire, and to regulate the charges for such vehicles and require schedules of such charges to be posted in or upon such public vehicles; to license and regulate porters, runners, agents and solicitors for hacks, public carriages, cars and other public vehicles for hire, and public

Weights and Measures.

To provide for the inspection and sealing of all weights and measures used in the city, and to enforce the use by dealers of proper weights and measures duly tested and sealed.

(60) Public Order an December 1

To restrain and punish vagrants, mendicants, street beggars, prosti-tutes, and to regulate bathing and swimming in waters within the city limits, and to prevent and punish drunkenness, fighting, assaults, batteries, disorderly conduct and obscenity in the city; to prohibit within the city the circulation, sale or exhibition of libelous, obscene and immoral publications, prints, pictures, advertisements, and illustrations, and any printed matter naturally tending to provoke a breach of the peace or impair the morals of the community.

(61) Erroneous Taxes.

To order the repaying by the treasurer of any taxes, percentage or (62) Fees.

To fix the fees and charges for all official services not otherwise provided for in this charter.

(63) Lease of Lands By the City, Sale of Useless Personal Property.

To regulate street railways, their tracks and cars, to compel the owners of two or more such street railroads using the same street, to use the same tracks and to equitably divide the cost of the construction and maintenance thereof between them.

(35) Licenses.

(63) Lease of Lands By the City, Sale of Useless Personal Property.

To provide for the lease of any lands now or hereafter owned by the city, but all leases shall be made by public acution to the highest responsible bidder at the highest monthly rental, after publication of notice thereproposed lease; provided, that the commission may in its discretion reject ing for five days, or personal property unfit or unnecessary for the use of the city.

(34) Regulation of Street Railroads.

(53) Lease of Lands By the City, Sale of Useless Personal Property.

To provide for the lease of any lands now or hereafter owned by the city, but all leases shall be made by public acution to the highest responsible bidder at the highest monthly rental, after publication of notice thereproposed lease; provided, that the commission may in its discretion reject ing for five days, or personal property unfit or unnecessary for the use of the city.

(78) Location of Stock To direct the location 2 chandler's, store-houses for factories, dye houses and to a distance of one mile with regulate the construction dispensaries, stables, livery

the limits of the city. (79) Lumber Yards. To regulate, or prohibi piling of timber, wood and of said city, and to requir or lath piles or mill-yards

come dangerous to any buil (80) Public Buildings, To establish and enior ings maintained by the city

(81) Gas. To regulate and contro prescribe and enforce regu gas, and to inspect gas at measurement and use of e light, heat and power in the (82) Officers for Inspe

To establish offices for cians and such other office inspection laws of the city, direct said officers to enfo ordinance relative thereto.

(83) General Powers of for the Comfort, Safety, Et

To regulate and require prosecution of such occupa to establish all such regula

(84) Legislation By O To adopt such ordinar

To declare and impose breach of any provision of law, or regulation of the ci dollars and costs of prose county jail of Pope county

The commission shall ordinance, resolution, by all other acts and things the full carrying out of th of this charter, and to extution and the laws of the people of the city, and the not be held in any way to sion might otherwise hav general Laws of the State

CONTR

Section 108. Contracts for dinance or Resolution

sions of Chapter Ten, and ter provided, and not othe commission under this cha Section 109. Estimates.

The commission, in th on the recommendation or determine in a general wa furnished, and shall estim such estimated cost may the city. After such estin commodities, labor or ser partment or officer of the tion require that said con done upon public bids and Section 110. Plans and S

Before advertising for by the proper department detailed plans and specific commodities and service.

Said contract shall, the matters, following:

(1) Right to Suspend Wo Reserving the right to mission, in case of impr time, or to order the enti (2) When Commission Ca If, in the opinion of t

sion may from time to ti

npany. Care of

r encroachments or any company or highways in equire any such de of the tracks

for the summary ting, causing or

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and signs across the construction ublic places.

treets, sidewalks,

ind cars passing erurban railways s to station flagigs as the Comrains to be proprotection of the ny of the streets. gulate the speed mobiles or other the city.

of loads to be

ounds to remove thereto; and on of the city at ch expense a lien

alleys and other

Compe! Sewer

rains, sewer and itenance of cessesignate, and to the same, and th the sewer in

nt property shall

ing cars thereon, s, or other busi-built, with other the city, subject i by the Commis-

portions of the otherwise dealing in such liquors unless under license, and to impose amount of judgment and costs. penalties therefor.

playing of games, bowling alleys, shooting galleries, taverns and victualing have committed a felony in the city, and to authorize the payment thereof.

(38) Explosives and Inflammable Materials. quire any such To regulate, or prevent the storage of gunpowder, dry pitch, resin, a year to be expended under the direction of the mayor. and along and coal oil, benzine, naphtha, gasoline, turpentine, hemp, cotton, nitroglycerine (67) Intelligence or Employment Offices. or any products thereof and other combustible or explosive materials of bonfires; and to regulate or prevent the use of firecrackers, torpedoes, candles, skyrockets, and other fire works.

(39) Rubbish, Garbage, Etc.

To compel the owner of vacant property within the city to keep the same clear of brush or other material liable to communicate fire to adjoining same clear of brush or other material liable to communicate for refuse property, and in case the owner of such property shall neglect or refuse to remove the same within ten days after being notified so to do by the to remove the same within ten days after being notined so to do by the commission, either personally of by one publication in the official newspaper of the city, the commission shall have authority to have the same removed and assess the cott thereof against the property. To provide for the collection and disposal of garbage, ashes, animal and vegetable refuse, game, poultry, meat, fish and perishable materials.

(71) Concealed Weapons.

(40) Fire Escapes. To require the owner and lessees of buildings or other structures to weapons and to provide for the confiscation of the same. place upon or in them fire escapes and appliances for the extinguishing and prevention of fires.

(41) Precaution Against Fires. To prevent the construction and to cause the removal of dangerous chimneys, fire places, stoves stove pipes, ovens, boilers, apparatus and seizure and forfeiture of bread baked contrary thereto. machinery used in any building in the city; to require gas cut offs at curb lines, to regulate the operation of manufactories liable to cause fire; to prevent the depositing of ashes, accumulations of shavings, rubbish or any combustible material in unsafe places, and to make provisions to guard coal and lime. against fires.

from theatres, lecture rooms, halls, schools, churches and other places for tors and other mechanical structures, apparatus or operations, hazardous to public gatherings of every kind, and to prevent the placing of seats, chairs, benches and other obstructions in the hallways, aisles, or open places there-

(43) Building Regulations. To regulate the construction of and the material used in all buildings, teels of vehicles chimneys, stacks, and other structures; to prevent the erection and mainat street heavily structures, and to provide for their summary abatement or destruction, enues and boule. To regulate the materials used in the method of construction of foundations, the manner of construction and location of drains and sewers. The materials and methods used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes, and materials used for piping buildings, or other structures for the purpose of supplying the same with water or gas, and the manner of so doing, and to prohibit the construction of buildings and structures which do not conform to such regulations.

such regulations,
(44). Fire Limits,
To prescribe fire limits, and determine the character and height of buildings that may be erected therein and the nature of the materials to be used in the construction, alteration or repair of such buildings, or existing buildings within such fire limits.

sary buildings and own all implements and apparatus required therefor.

(46) Police and Fire Alarm System.

system, and manage and control the same, and to appoint a superintendent

to compel the (47) Bogs.

To regulate and prevent the running at large of dogs; to prevent dog fights in the streets; to provide for the destruction of vicious dogs and to require the payment of license fees by the owners or persons having possession of dogs, and to impose penalties upon such persons for refusing to any such license fee.

d under railroad pay such license fee,
(48) Public Pound.
(their grounds or their grounds or their property shall
establish and maintain a pound and to authorize the destruction, or other disposition of any animals running at large.

(49) Cruelty to Animals.

To prohibit and punish cruelty to animals and to require the places where they are kept to be maintained in a clean and healthful condition.

(50) Preservation of Health.
To make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease; to make regulations

(65) Rewards. (37) Billiard and Other Tables. Bowling Alleys. To offer rewards not exceeding two hundred and fifty dollars in any To license and regulate billiard, pool and all similar tables for the one instance for the apprehension and conviction of any person who may To offer rewards not exceeding two hundred and fifty dollars in any

> (66) Mayor's Urgency Fund. To provide an urgent necessity fund not exceeding one hundred dollars

To license and regulate keepers of intelligence or employment officers, within the city, and the use thereof, and lights in stables, and the building and all persons doing the business of seeking employment for or furnishing employes to others, and to require such persons to keep such records as it may direct, and make reports thereof; and to punish unfair dealings by said persons in their said business. (68) Newsboys, Bootblacks, Etc.

To license and regulate newsboys, bootblacks, fortune tellers, clairvoyants, astrologists and massage doctors.

(69) Distilleries and Breweries

To tax, license and regulate distilleries and breweries.

To license and regulate butcher stalls, shops and stands for the sale of

To license, regulate and control, or prohibit, the carrying of concealed

(72) Location of Market Houses.

To establish and regulate the location of market houses, and to provide for the use thereof; to regulate the making and sale of bread and prescribe the weight and quality of the bread in the loaf and to provide for the

(73) Hay, Wood, Coal, Etc.

To provide for and regulate the place and manner of weighing hay, straw, and of selling the same, and of measuring and selling fire wood,

(74) Blasting, Passenger and Freight Elevators, Derricks, Etc. To regulate the operation of blasts and blasting, and the construction. (42) Provisions for Safety in Theatres, Halls, Etc.

To regulate the operation of plasts and plasting, and the construction, and operation of derricks, windlasses, freight and passenger elevator regulate the size and construction of the entrances to and exits location and operation of derricks, windlasses, freight and passenger elevators and other mechanical structures, apparatus or operations, hazardous to

(75) Emission of Smoke. To declare the emission of dense smoke from chimneys, stacks and locomotives within the limits of the city a nuisance, and to prohibit and prevent the emission of dense smoke in any portion of or throughout the city, chimneys, stacks, and other structures; to prevent the erection and main-tenance of insecure and unsafe buildings, walls, chimneys, stacks or other furnace, stove or fireplace without the use of such appliances to prevent the emission of dense smoke.

(76) Births and Deaths. To provide for and compel the reporting and record of all births and

deaths within the city,
(77) Cemeteries, Vaults, Etc., Crematories, Removal of Bodies.
To regulate or prevent the burial of the dead within the city and to regulate and determine the manner in which bodies that have been buried in a vault or tomb or other place for the purpose of burial may be removed and to regulate and control the location of cemeteries and crematories and to vacate, and cause the removal of bodies interred in any cemetery within the limits of the city not existing according to law.

(78) Location of Stock Yards, Slaughter Houses, Gas Works, Etc. buildings within such the location and regulate the management, use and construc-(45). Police and Fire Department.

To direct the location and regulate the management, use and construc-tion of stock yards, slaughter houses, packing houses, renderies, tallow chandler's, store-houses for hides, bone or glue houses, gas works, song the location and regulate the management, use and construc-tion of stock yards, slaughter houses, packing houses, renderies, tallow chandler's, store-houses for hides, bone or glue houses, gas works, song (46) Police and Fire Alarm System.

To establish and maintain a fire alarm, police, telegraph or telephone a distance of one mile without the limits thereof; to direct the location and telem, and manage and control the same, and to appoint a superintendent regulate the construction and use and manner of operation of breweries, dispensaries, stables, livery stables, blacksmith shops, and foundries within the limits of the city.

To regulate, or prohibit the keeping of any lumber yard, or places for piling of timber, wood and other combustible material within the fire limits of said city, and to require any person maintaining any lumber shineles (79) Lumber Yards. or lath piles or mill-yards in the city to remove the same when they become dangerous to any building or other property near the same.

(80) Public Buildings.
To establish and entorce rules for the use and regulation of all build-

ings maintained by the city. (81) Gas.

To regulate and control the quality and measurement of gas, and to prescribe and enforce regulations for the manufacture and distribution of gas, and to inspect gas and gas meters, and to control and regulate the measurement and use of electricity and electrical apparatus for furnishing lleys and other

rains, sewer and the same, and th the sewer in

to compel the of such houses

their grounds or nt property shall

ing cars thereon, , or other busi-built, with other the city, subject by the Commisonly, and not e purpose of ex-ted time as may es must be laid strictions as not permits granted pleasure of the

laving of street illey, highway or

not inconsistant injurious noises.

t railway of any as provided for

blic Charities. amission, and a oners thereon to as may be fixed

otherwise acquir-

id Public Places,

other pipes and s, and to require luits. To license of sewers, sinks, connecting, cleanand manner in

y or public place.

ssing of any railet carcompanies may be establishel with the street uch company so highway.

team boilers, and as in the judgment gulate or prohibit scharge of steam,

ping of refuse or houses. ponds or pools on nsive substances direct, and upon of by some officer

lects and becomes and to make the ance specified in the community. ing any such low roperty in manner collected under

s, to compel the

her of issuing all

is, fermented, malt

(44). Fire Limits, and determine the character and height of moved and to regulate and control the location of cemeteries and cremabulidings that may be erected therein and the nature of the materials to tories and to vacate, and cause the removal of hodies interred in any cemebe used in the construction, alteration or repair of such buildings, or exist. ing buildings within such fire limits.
(45). Police and Fire Department. Compel Sewer

ntenance or cess-designate, and to sary buildings and own all implements and apparatus required therefor.

(46) Police and Fire Alarm System. system, and manage and control the same, and to appoint a superintendent

To regulate and prevent the running at large of dogs; to prevent dog fights in the streets; to provide for the destruction of vicious dogs and to require the payment of license fees by the owners or persons having posd keep open and session of dogs, and to impose penalties upon such persons for refusing to dunder railroad pay such license fee.

(48) Public Pound. To prevent or regulate the running at large of any animals and to establish and maintain a pound and to authorize the destruction, or other disposition of any animals running at large.

(49) Cruelty to Animals.

To prohibit and punish cruelty to animals and to require the places where they are kept to be maintained in a clean and healthful condition,

(50) Preservation of Health. To make all regulations which may be necessary and expedient for the preservation of health are the improvement of disease; to make regulations to prevent the introduction contagious, malignant, infectious or other diseases into the city; to make quarantine laws and regulations; to regulate, control and prevent the entry into the city of persons, baggage, mertically interest the entry infected with contagious disease. chandise or other property infected with contagious disease.

(51) Dangerous and Offensive Occupations. Disagreeable Noises. To regulate or prohibit the operation of all manufactories, occupations, or trades which may be of such a nature as to effect the public health, or or trades which may be of such a nature as to effect the public nearth, or good order of the city, or disturb the public peace, or which may be offensive or dangerous to the inhabitants residing in the vicinity, and to previde for the punishment of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them; to make regulations for the suppression of disagreeable, offensive or inhabitants residing in the vicinity, and to previously require licenses to be obtained for the pursuit and prosecution of such occupation, or kind of business, not herein above expressly referred to and provided for, as in the opinion of the city commission may require regulations, in case for which no express provision is heaving before made as the city commission may from time to time deem

(52) Inspection of Food Products, Dairies.
To provide for and regulate the inspection and sale of meats, poultry, there is no exist-sent heavy teamget aside as a taking and summarily destroying of any such products as are unsound, set aside as a taking and summarily destroying of any such products as are unsound, railway of any spoiled, adulterated or unwholesome, and to regulate and prevent bringing spoiled, adulterated or unwholesome, and to regulate and prevent hringing into the city or keeping within the city any such unsound, spoiled, adulterated or unwholesome products. To provide for and regulate the inspection of all dairies, milk and cream depets that offer for sale any of their products in the city, whether situated within or without the city.

(53) Inspection of Restaurants, Hetels, Lodging Houses, Butcher Shops, Tenement and Apartment Houses.

To provide for the inspection and regulation of restaurants, hotels, bakeries, butcher shops, lodging tenement and apartment houses, and to provide that they be put and keat in proper sanitary condition; to prevent the overcrowding of lodging, tenement and apartment houses.

(54) Public Shows, Etc.

(54) Public Shows, Etc.

To license, regulate, restrain or prohibit all exhibitions of public shows, caravans, menageries, circuses, concerts, theatrical performances, museums, skating rinks, and all places of amusement for entrance into which or amusement or entertainment in which money is charged.

To prevent and prohibit all rescriptions of gambling and fraudulent devices and practices, bucket shops, all playing of cards, dice or other games of chance for the purpose of gambling, the keeping or operating of card machines, slot machines or other contrivances upon or into which money is staked, hazarded, deposited, or paid upon chance, the selling of pools on races, and to authorize the destruction of all instruments used for the purpose of gambling.

Fire Sales, Etc. To license and regulate gift, fire auction and bankruptcy sales, and auctions.

(67) Transjent Merchants, Paddlers, Etc.
To regulate, control and license, transient merchants, pawnbrokers, auctioneers, peddlers, second hand and junk dealers, book agents and canvassers, doing business in the city, and to compel all such persons to keep such records of the transactions at it may direct, and make report thereof.

public vehicles for hire, and to regulate the charges for such vehicles and Section 109. Estimates. Amount of Contract. to require schedules of such charges to be posted in or upon such public vehicles; to license and regulate porters, runners, neets and solicitors for er, pond or water backs, public carriages, cars and other public vehicles for hire, and public

to remove from measures duly tested and sealed.

(60) Public Order an Decencial
To restrain and punish vagrints, mendicants, street beggars, prostitutes, and to regulate bathing and swimming in waters within the city limits, and to prevent and punish dunkenness, fighting, assaults, batteries, disorderly conduct and obscenity in the city; to prohibit within the city the default to author- prints, pictures, advertisements, and illustrations, and any printed matter commodities and service. naturally tending to provoke a breach of the peace or impair the morals of

(61) Erroneous Taxes. nces are removed To order the repaying by the treasurer of any taxes, percentage or drained, and to costs, erroneously or illegally collected.

To fix the fees and charges for all official services not otherwise pro-

vided for in this charter.

(63) Lease of Lands By the City, Sale of Useless Personal Property. of for at least one week, stating explicitly the time and conditions for the moneys due or to become due such contractor, or may be collected from proposed lease; provided, that the commission may in its discretion reject him or the sureties on his bond in a suit by the city. any and all bids. To provide for the sale at public auction, after advertis- (3) Estimates and Payments Thereon. Final Payment, for a longer term ing for five days, or personal property unfit or unnecessary for the use of the city.

(64) Purchase of Property Under Execution.

(78) Location of Stock Yards, Slaughter Houses, Gas Works, Etc. To direct the location and regulate the management, use and construc-(45). Police and Fire Department.

To organize and maintain police and fire departments, erect the necestion of stock yards, slaughter houses, packing houses, renderies, tallow chandler's, store-houses for hides, bone or glue houses, gas works, soap factories, dye houses and tanneries, within the limits of the city, or within (46) Police and rife Alarm, System.

To establish and maintain a fire alarm, police, telegraph or telephone a distance of one mile without the limits thereof; to direct the location and and manage and control the same, and to appoint a superintendent regulate the construction and use and manner of operation of breweries, dispensaries, stables, livery stables, blacksmith shops, and foundries within the limits of the city. (79) Lumber Yards.

To regulate, or prohibit the keeping of any lumber yard, or places for plling of timber, wood and other combustible material within the fire limits of said city, and to require any person maintaining any lumber, shingles, or lath piles or mill-yards in the city to remove the same when they become dangerous to any building or other property near the same.

(80) Public Buildings.
To establish and enforce rules for the use and regulation of all buildings maintained by the city.

(81) Gas.

To regulate and control the quality and measurement of gas, and to prescribe and enforce regulations for the manufacture and distribution of gas, and to inspect gas and gas meters, and to control and regulate the measurement and use of electricity and electrical apparatus for furnishing light, heat and nower in the city.

light, heat and power in the city.

(82) Officers for inspection.

To establish offices for inspectors, weighers, gaugers, scalers, electricians and such other officers as may be necessary to carry into effect the inspection laws of the city, and to regulate their duties, and authorize and direct said officers to enforce and carry into effect the provisions of any ordinance relative thereto.

(83) General Powers of Control In Matters Beyond Those Herein Specified,

hereinbefore made, as the city commission may from time to time deem necessary for the promotion of the health, comfort and safety of the inhabitants, the preservation of peace and good order, the supression of vice and the enhancement of public welfare in said city.

Legislation By Ordinance, Resolution and By-Yaws. To adopt such ordinances, resolutions, by-laws or regulations as may he necessary and proper to carry out the provisions of this charter, and all of the powers specified in this chapter.

(85) Penalties and Punishments.

To declare and impose penalties and punishments for the violation or breach of any provision of this charter, or of any ordinance, resolution, bylaw, or regulation of the city not exceeding however, a fine of one hundred dollars and costs of prosecution, or imprisonment in the city lockup, or county jail of Pope county, for a term not exceeding three months.

Section 107. Additional Powers. Enumeration of Powers Not to Exclude Other Powers.

The commission shall have full power to enact appropriate legislation by ordinance, resolution, by-law or regulation, and do and perform any and all other acts and things which may be necessary and proper in order to the full carrying out of the general powers of the city, and the provisions of this charter, and to exercise all powers not in conflict with the constitution and the laws of the state, this charter, or ordinance adopted by the people of the city, and the foregoing enumeration of specific powers shall not be held in any way to curtail or restrict any power which the commission might otherwise have under the common law, the constitution and general Laws of the State of Minnesota.

#### Chapter XV.

#### CONTRACTS AND PUBLIC WORKS.

Section 108. Contracts for Expenditures of Money Authorized Only By Ordinance or Resolution of the Commission, or Ordinance Under Chap-

No contract for commodities, labor, service or other matter furnished or performed for the city or any department thereof, involving an expendi-ture of money shall be valid except as authorized by ordinance or resolution passed by the commission, or by ordinance adopted under the provisions of Chapter Ten, and all such contracts shall be made as in this chap-(58) Public Vehicles, Etc. Regulation of. ter provided, and not otherwise. All action authorized to be taken by the To establish stands for hacks, express wagons, automobiles, and other commission under this chapter shall be by resolution or ordinance.

The commission, in the first instance, shall on its own motion, or may on the recommendation or report of any department or officer of the city, determine in a general way the commodities, labor, or service to be done or furnished, and shall estimate the cost thereof, and in order to determine nd purification of (59) Weights and Measures.

such estimated cost may require estimates from any officer or employee of the city. After such estimate is made the commission may direct that the nuisances and to used in the city, and to enforce the use by dealers of proper weights and commodities, labor or service be procured by or through the proper desuch estimated cost may require estimates from any officer or employee of partment or officer of the city without public bids or may in its discretion require that said commodities or service, shall only be furnished or done upon public bids and under contract.

Section 110. Plans and Specifications. Proposed Contract, Before advertising for bids, the commission shall cause to be prepared by the proper department or office of the city, and file with the city clerk, circulation, sale or exhibition of libelous, obscene and immoral publications, detailed plans and specifications, and the form of the proposed contract for

> Said contract shall, among other things, contain stipulations covering the matters following:

(1) Right to Suspend Work.

Reserving the right to the city engineer, with the consent of the commission, in case of improper construction, to suspend the work at any time, or to order the entire reconstruction of the work if improperly done.

When Commission Can Complete Work. If, in the opinion of the commission, any work under contract does not progress each month so as to insure its completion within the time named to compel the To provide for the lease of any lands now or hereafter owned by the in the contract, the commission and city engineer shall have power to fursame street, to city, but all leases shall be made by public acution to the highest responnish and use men and material to complete the work and charge the exf the construction sible bidder at the highest monthly rental, after publication of notice there- pense thereof to the contractor, and the same shall be educated from any

In the course of the proper performance of the contract, the commission may from time to time, not oftener than once a month, as the work progresses, allow to the contractor on estimates made by the city engineer To provide for the purchase of property levied upon under execution in the amount earned less fifteen per cent thereof, which, when ordered paid giving away, or favor of the city, but the amount bid on such purchase shall not exceed the by the commission shall entitle said contractor to receive the amount so allowed out of the money applicable to the payment of such work. When each fiscal year, may if the Commission elect, be pald into the winking fund such work has been completed by the contractor to the satisfaction of the or the general fund. All action hereunder that resolution. the work has been completed by the contractor to the satisfaction of the commission and the city engineer, the balance due may be audited and

Irrespective of any action hereunder shall be by resolution.

Irrespective of any action that may be taken by the Commission establishing other funds under the authority above. allowed by the commission.

Section 11. Advertising for Bids.

When the plans, specifications and proposed contract are filed as aforesaid, the commission shall set a time and place for opening bids for the doing of the work or furnishing the commodities or service, in accordance therewith, and direct the city clerk to advertise for such bids. The advertisement shall state that all bids will be received and opened at a meeting of the commission at the time and place named in the resolution and that the right is reserved to reject any and all bids. Such advertisement only shall be paid. shall be made in the official newspaper. The commission may direct other second: A sir and further publication of such advertisement.

Section 112. Certified Checks. Forfeiture.

In advertising for bids the city commission shall require each bidder to deliver with his bid an approved certified check payable to the city theasurer for at least five per cent of the total amount of such bid, which check shall be forfeited to the city as liquidated damages, if the bidder, upon letting of the contract to him, shall fail to enter into the contract

Section 113. Receiving and Opening Bids. Inspection of Bids. Not Re-

ceived Unless Check Accompanies.

At the time and place mentioned in the advertisement for bids, the commission shall meet in public session and publicly receive, open and read all bids that may be presented. Before any bids are opened, they shall be numbered consecutively, and no further bids shall be received after any bid has been opened. The commission shall give all persons who desire the same, an opportunity to inspect all bids when they are opened. No bid shall be considered if unaccompanied by a certified check as aforesaid.

Section 114. Action of Commission. Lowest Bidder. Default of Bidder. New Bids. Works, Etc. May Be Done By City.

The commission shall act upon such bids and determine which one, if any, shall be accepted. All contracts shall be awarded to the lowest reliable and responsible bidder complying with the foregoing requirements, provided, that the commission may reject any bids which it may deem unreasonable or unreliable, and the commission in determining the reliability of the bidder shall consider the question of the responsibility of the bidder and his ability to perform his contract without reference to the responsibility of sureties on his bond, and any person who shall have defaulted in any contract awarded by the city, except as to time, or who shall have refused to enter into a contract after the same shall have been awarded him, shall not be considered a reliable and responsible bidder. In case the lowest responsible bid shall be more than the estimated cost of such commodities, or service, the commission may reject all bids and abandon the proposed contract, or it may require the city clerk to advertise for new bids in the manner hereinbefore provided, and if the lowest responsible bid after such second notice shall be more than the estimated cost of such commodities or service, the Commission may again reject all bids, and either abandon the proposed contract or cause the necessary commodities, labor and service to be procured by or through the proper department of the city to carry out the proposed improvement, work, or other purpose. All contracts shall be executed by the bidder to whom the same may be awarded within five days after notice to him that the contract is ready for his signature, and if not executed by him in said time he shall be deemed to have abandoned the same.

Section 115. Execution of Contract. Performance By City. After the acceptance by the Commission of any bid, it shall direct the execution of a contract by the proper officers, in accordance with the said plans and specifications, and such contract shall be carried out by the proper department or officer of the city, as in this Charter provided. case the Commission shall determine that any commodities or service are to be procured in open market the same shall be procured by the proper department or officer in accordance with such directions as the Commission

Section 116. Bond of Contractor.

Every person to whom a contract is awarded, for an amount exceeding two hundred and fifty dollars, shall give bond, in such sum as the Commission may direct and with such sureties as it may approve, for the faithful performance of such contract. In all cases of contracts coming within the purview of Sections 4535 to 4539 inclusive of Revised Laws 1905, of the State of Minnesota, and the amendments thereof, it shall require such bonds as are required by law.

Section 117. Expenditures. Estimate By Department.

It shall be the duty of each officer or head of a department to report to the Commission quarterly, the commodities, work and service likely to be needed for the operation of his department or office, for the ensuing quarter, and not theretofore contracted for.

Section 118. Contracts Not To Be Assigned. Forfeiture.
No contract for which a bond is required shall be assigned or transferred in any manner exactly as in this section provided, and any assign-or transfer there by operation of law or by consent of the Constiguion examples the constant ruly and and determine such Con-dission expressed to the same null and void as to any other or further contract and the same null and void as to any other or further contract and the same null and void as to any other or further contract and the same null and void as to any other or further contracts or his assigns, without any act on performance thereof by the contractor or his assigns, without any act on the part of the city; and the city, through its proper authorities, may at once proceed to re-let such contract or may, in its discretion, proceed to complete the same as the agent and at the expense of such contractor and

Section 119. Affidavits That Claims Are Paid.

Before any contractor or his representative shall require a final estimate on any contract for which a bond is required, said contractor or his representative, shall make and file with the City Clerk an affidavit that all claims for materials and labor to the date of the estimate on the work on which such estimate is asked, have been fully paid.

Section 120. Conclusion With Bidder By Officer or City.

Any officer of the city or of any department thereof, who shall aid or assist any bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another, by giving or withholding information or who shall wilfully mislead any bidder in regard to the character of the material or supplies called for or who shall knowingly accept materials or supplies of a quality inferior to those called for by any contractor, or who shall knowingly certify to a great amount of labor performed, or to the receipt of a greater amount or different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be been actually removed from office.
removed from office.
Section 121. Collusion By Bidder,
that the person to whom a contract has

lishing other funds under the authority above provided, there shall be maintained in the city treasury the following funds, and except as herein other wise provided, the Commission may levy an annual tax upon all taxable property in the city for the support of such funds and the purposes following fund, and shall by an of the sinking funds. property in the city for the support of such funds, and the purposes following, that is to sav:

Second: A sinking fund to provide for the payment when due of honds other funded daht of the city. The first there second: A sinking fund to provide for the payment when the or other funded debt of the city. For the maintenance of this fund, there may be larged to contain the city. may be levied an annual tax upon all taxable property in the city. This fund shall be applied only to the payment of the principal of bonds issued by the city.

Third: A roads, streets and bridges fund to provide for the engineer-department, and cleaning and side ing department, and cleaning and repairing of streets, sewers and side walks, crosswalks and bridges.

Fourth: A library fund to provide for the support of the public library.

Fourth: A norary fund to provide for the support of the poor.

Fifth: A poor fund to provide for the support of the poor.

Sixth: A waterworks fund to provide for the support and maintenance of any plant owned or operated by the city for the furnishing to the city or its inhabitants water, and of paying the cost of the purchase, construction, extension, operation, maintenance and repair of such plant.

This fund shall not be puintained by targets what there shall be paid

This fund shall not be maintained by taxation, but there shall be paid into it all moneys derived from the sale of any property acquired for or used in connection with any water plant in the proceeds used in connection with any water plant of the city; also the proceeds of all special assessments levied on account of or in connection with such water plant, also such amounts as may from time to time be realized from the sale of bonds issued on account of said plant, and also all moneys received from the sale of said plant including water rentals and penalties. The surplus in this fund at the close of each fiscal year, may, if the Com-

mission elect, be paid into the general or the sinking fund.

Seventh: A permanent improvement fund for the purpose of paying the cost of all real property, and all rights therein and all improvements thereon, which the city shall acquire for its various purposes, and the payment for which is not otherwise provided for out of other funds, and also for the purpose of paying such portions of the expenses of local improvements as shall devolve upon the said city. There shall also be paid into this fund all moneys received from the sale of any permanent improvement or property of the city, not otherwise disposed of under this Charter, and also such amounts as may from time to time be realized from the sale of bonds issued on account of this fund.

Bight: A general fund to provide for all current and incidental expenses of and judgments against the city not otherwise provided for and such other disbursements as may be authorized by law. There shall be paid into this fund all moneys received from any source save when received for a specific use and purpose,

Funds, other than those heretofore mentioned, may, at any time, be created by the Commission by resolution.

By resolution of the Commission moneys gary be drawn from the general fund to aid and help any other fund wherein its judgment public necessity requires.

Ninth: A permanent improvement revolving fund for the purpose of providing money for paying for that portion of local improvements, under the provisions of this Charter for which assessments may be levied, but it shall not be supported by taxation. There shall be paid into it all moneys received from all special assessments levied under this Charter for local improvements, and also amounts as may be realized from the sale of bonds, warrants or certificates authorized therefor in this Charter.

Section 129. Distribution of Moneys in Treasury, and To Be Collected When Charter Takes Effect.

Moneys in the Village Treasury at the time this Charter goes into effect and all moneys that shall be collected from taxes levied before this Charter goes into effect, shall so far as practicable be divided among the several funds hereby established and where such division is not practicable, shall be kept in the general fund.

The Commission, by resolution shall provide for such division in accordance with the directions herein contained.

Section 130. Contingent Expenses By Mayor.

From the general fund the Commission may every year by resolution appropriate a sum not to exceed one hundred dollars for contingent expenses incurred or to be incurred by the Mayor in the detection and prevention of crime in the city.

Section 131. Duty of Treasurer to Keep Separate Account of Funds.
It shall be the duty of the Treasurer to keep a complete accurate and separate account of each and all of the separate funds embraced in subdivisions one to nine inclusive of Section One hundred twenty-eight, which shall accurately show at all times the amount of money received by him for the credit of each of such funds, and whence received, and the amount of money paid out by him on account hereof. The whom, and for what purpose paid out.

Section 132. Duty of Treasurer to Keep Account of Moneys Received and

Use of Moneys. The Treasurer shall keep a separate account of moneys received or to be received for each local improvement, for which an assessment is made, and when any money is collected by him from the County Treasurer or any other source, on account of any such assessment, it shall be his duty to credit the sum to its separate assessment account. Whenever the County Treasurer shall pay over to the City Treasurer any taxes belonging to the city, and collected under and levy, and whenever any money is received by the City Treasurer from the sale of certificates of indebtedness disposed of in anticipation of the collection of a tax based on a tax tax levy make a budget of the estimate is made, the money expense of conduction at the estimate is made, the money estimate of the fiscal year for which such, estimate is made, the money collected on account of assessments shall not be paid out by the Treasurer the Treasurer year. except in payment of assessment work. The money received from the sale of certificates of indebtedness based on a tax estimate, and the money received from the County Treasurer on a tax levy based on such estimate, shall be used and applied only to defray the expenditures together with the arrearages due and unpaid for the specific object for which said estimate was made, and said taxes were levied,

Section 133. Distribution of Moneys Received After Books Opened.

After the accounts are opened in the books as hereinbefore provided, any moneys thereafter received by the city tom the collection of delinquent taxes, shall be forthwith distributed to the funds provided for herein, so far as such funds correspond to the funds mmed in the particular tax levy, on which said delinquent taxes are collected; and so far as they do not correspond, the delinquent taxes collected hall be credited to the general attures in any particu-

Section 139. Board of Sinking Fund The mayor, the Superintendent of

First: An interest fund, for which there may be levied a sum sufficient to provide for the payment of the interest to become due during the next fiscal year, upon the indebtedness of the City. Out of such fund interest any county or school bonds of the city shall be paid. fund, and the interest thereon shall Whenever any bonds of the

shall, with the consent of the Com then in the sinking fund, if any, as sufficient to pay such maturing bon the consent of the Commission, ma such other time as is deemed for ever the amount of such sinking fu computed to the time of the maturi all of said bonds, the levy of five omitted and the money otherwise other funds, but, whenever said fur sion be insufficient to pay said be sumed, Said commissioners shall m at the first meeting in July of each Commission may require and said sinking fund, the nature and value with a full description of said s owners of bonds of the city shall of competent jurisdiction any prop the part of the Commission or provisions of this section. Whene city, said sinking fund shall not h maturing, or whenever the Commany hond not due, other bonds o as to place and time of payment, deemed advisable, and in such an deficiency, and to take up and re Section 140. Right of City To Ac

ments. The city shall have authority property subject to special asse authority by ordinance to assign whether proceedings to acquire s the going into effect of this C power in like manner to assign to on account of; or arising out of payment of the bonds, or certific indebtedness mentioned in Section that such certificates or other e may be collected out of any such Section 141. Interest on Bonds,

Than Par Value.

Bonds, certificates, and oth authorized by this Charter, shall than six per centum per annum, the par value and accrued inter-Section 142. Limit of Indebtedn The total indebtedness of th

(3) per cent of the last preceding therein: provided however:

First: Debts contracted an voted and not issued by the villa the purpose of acquiring water to its inhabitants and others, wa with and necessary therefore, an same, remaining unpaid at such Second: Bonds and other adoption of this Charter to exte or to re-acquire or re-construct a taining thereto that may be desti ditional water works, and equip,

Third: Bonds or other oblig purposes named in subdivisions i division four (4) ending with the hundred Five of this Charter, oth

Fourth: Moneys, bonds or see other than those enumerated in seventh of this section,

Fifth: Bonds issued in pursu first of Section One Hundred Third Sixth: Bonds, certificates, or and warrants that may have been is ter for the purpose of providing mon in said city for which assessements Seventh: Certificates, bonds, or warrants that may be issued under th Thirty-five, One hundred Forty-six and

deemed a part of the indebtedn ss of Section 143. Annual Budget. The Commission shall annually at

expense of cond tucting the business of

Section 144. Levy. When Made.
The levy shall be made by the Comm Auditor on or before the tenth day of O shall be entered upon the tax duplicate if the county and state taxes.

Section 145. Accounts With Funds to Be

The City Clerk and Treasurer shall is made in each year, open and keep in counts for each of the several divisions of the then current year; and in making and in making any levy, the Commissi and in making any levy, the Commission show separately the amount to be collected finds are designated in section a Section 146. Certificates and Other Taxes Levied.

his signature, and if not executed by him in said time he suant to have abandoned the same.

proper department or officer of the city, as in this Charter provided. In of bonds, warrants or certificates authorized therefor in this Charter, case the Commission shall determine that any commodities or service are Section 129. Distribution of Moneys in Treasury, and To Be College of the commodities of the commod to be procured in open market the same shall be procured by the proper department or officer in accordance with such directions as the Commission

Section 116. Bond of Contractor.

Every person to whom a contract is awarded, for an amount exceeding two hundred and fifty dollars, shall give bond, in such sum as the Commission may direct and with such sureties as it may approve, for the faithful performance of such contract. In all cases of contracts coming within the cordance with the directions herein contained. purview of Sections 4535 to 4539 inclusive of Revised Laws 1905, of the State of Minnesota, and the amendments thereof, it shall require such bonds as are required by law.

Section 117. Expenditures. Estimate By Department. It shall be the duty of each officer or head of a department to report to the Commission quarterly, the commodities, work and service likely to be needed for the operation of his department or office, for the ensuing quarter, and not theretofore contracted for.

Section 118, Contracts Not To Be Assigned. Forfelture.

No contract for which a bond is required shall be assigned or transferred in any manner except as in this section provided, and any assignor transfer the receipt population of law or by consent of the
Complission expressed in the same null and void as to any other or further
contract and state of the same null and void as to any other or further performance thereof by the contractor or his assigns, without any act on the part of the city; and the city, through its proper authorities, may at once proceed to re-let such contract or may, in its discretion, proceed to complete the same as the agent and at the expense of such contractor and his sureties.

Section 119. Affidavits That Claims Are Paid. Before any contractor or his representative shall require a final estimate on any contract for which a bond is required, said contractor or his representative, shall make and file with the City Clerk an affidavit that all claims for materials and labor to the date of the estimate on the work on

which such estimate is asked, have been fully paid.

Section 120. Conclusion With Bidder By Officer or City.

Any officer of the city or of any department thereof, who shall aid or assist any bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another, by giving or withholding information or who shall wifelily wieledd one bidder in manufacture. who shall wilfully mislead any bidder in regard to the character of the material or supplies called for or who shall knowingly accept materials or supplies of a quality inferior to those called for by any contractor, or who shall knowingly certify to a great amount of labor performed, or to the receipt of a greater amount or different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be removed from office.

Section 121. Collusion By Bidder.

If, at any time, it is found that the person to whom a contract has been awarded has, in presenting any bid or bids colluded with any other party or parties for the purpose of preventing any other competing bids being made, or has entered into any arrangement by which he made a higher or lower bid than some other person for the purpose of dividing the contract or profits therefrom between two or more bidders then the contact so awarded shall be null and void, and the Commission shall advertise for new bids for said work or provide for such work to be done by the proper department or officer.

Section 122. Contract in Violation of Provisions of This Chapten Void.

Rights of City.

Any contract made in violation of the provisions of this Chapter shall be absolutely void and any money paid on account of such contract by the city, may be recovered by the city, without restitution of the property or the benefits received or obtained by the city thereunder. CHAPTER XVI.

#### INDEBTEDNESS. TAXATION, FINANCES.

Section 123. Property Subject To Taxation.

All property in the City of Glenwood taxable under the laws of the State shall be subject to taxation for the support of the City government and the payment of its debts and liabilities and the same shall be assessed as provided for by law, and this Charter.

April of each year.

person, company or corporation, except as herein provided. Section 126. Money How Paid Out. City Orders.

All moneys belonging to the city, except as otherwise provided for in this Charter, shall be under the control of the Commission, and shall be paid out only upon the order of the Mayor, contersigned by the city Clerk, duly authorized by motion, ordinance or resolution by the Commission passed by affirmative vote by ayes and noes of at least three of its members. Every order drawn upon the Treasury shall designate the purpose for which it is drawn, and the fund upon which drawn and shall be payable only out of the fund named in the motion, ordinance or resolution providing for its payment. Each order shall be payable to the order of the person in whose favor it is drawn, and may be transferred by endorsement: no order on any fund shall be drawn until there is money sufficient to the any water works, gas works, electric light, heat and power plant, telephone necessary, not later than credit of such fund to pay the same, together with all the orders previous or telegraph system, electric or other railways for any other system of July, to review, amend at transportation or any other public convenience, shall be first liens upon the the general laws of the same.

Section 127. Provisions To Be Made To Pay Bonds. The commission is authorized to provide by taxation, for the prompt for which they were issued. payment of interest upon the indebtedness of the city, and for a sinking Section 137. Bonds. How Authorized. fund for the purpose of meeting the payment of bonds of the city at maturity, whether heretofore or hereafter issued.

Section 128. Funds in Treasury. Commission May Create Other Funds. It shall be the duty of the Commission on the acquisition of any of the of the purposes mentioned in subdivisions third and fourth of section One personal property as return public conveniences mentioned in subdivisions Two (2) and Three (3) of hundred thirty-four, and no bonds shall be issued for any of such purposes Section 151. Who May A Section One hundred five (105), beyond those now owned by the city and except as so authorized. Bonds for any of the purposes named in the first Every person aggricular provided for, to establish separate and distinct funds for each and second subdivisions of said section, and bonds issued in pursuance pear in person or by attorney. of such conveniences so required. None of such funds shall be supported of the provisions of sections One hundred thirty-five and One hun for its consideration, by taxation, but there shall be paid into the proper fund all moneys ded dred forty-six may be authorized by resolution of the Commission passed by of said board, and give rived from the sale of any property acquired for or used in connection with affirmative votes of four members. the property, plant or system it represents, also the proceeds of all bonds Section 138. Bonds. Form. Execution. Time of Payment. issued on account of said property, plant, or system, also all moneys redli bonds authorized by the provisions of this Charter to be issued board, shall transmit to the
ceived as earnings from the operation thereof, and all moneys received shall be in form and execution as provided by the general laws of the not later than the second
from the sale thereof. The surplus in any of these funds at the close of State, and shall be payable in not more than twenty years after their isthe assessor shall proceed

of providing money for Payine for that portion of local improvement der the provisions of this Charter for which assessments may be levied, but Section 115. Execution of Contract. Performance By City.

After the acceptance by the Commission of any bid, it shall direct the execution of a contract by the proper officers, in accordance with the moneys received from all special assessments levied under this Charter for the executions, and such contract shall be carried out by the said plans and specifications, and such contract shall be carried out by the local improvements, and also amounts as may be realized from the sale and plans and specifications of this Charter provided. In of bonds, warrants or certificates authorized therefor in this Charter provided.

Section 129. Distribution of Moneys in Treasury, and To Be Collected

Moneys in the Village Treasury at the time this Charter goes into effect and all moneys that shall be collected from taxes levied before this Charter goes into effect, shall so far as practicable be divided among the several funds hereby established and where such division is not practicable, shall be kept in the general fund.

The Commission, by resolution shall provide for such division in ac-

Section 130. Contingent Expenses By Mayor,

From the general fund the Commission may every year by resolution or to re-acquire or re-constri appropriate a sum not to exceed one hundred dollars for contingent expenses incurred or to be incurred by the Mayor in the detection and prevention of crime in the city.

Section 131. Duty of Treasurer to Keep Separate Account of Funds.

It shall be the duty of the Treasurer to keep a complete accurate and separate account of each and all of the separate funds embraced in sub-divisions one to nine inclusive of Section One hundred twenty-eight, which shall accurately show at all times the amount of money received by him other than those enumerate for the credit of each of such funds, and whence received, and the amount, seventh of this section, of money paid out by him on account hereof. To

Section 132. Duty of Treasurer to Keep Account of Moneys Received and

Use of Moneys.

The Treasurer shall keep a separate account of moneys received or to be received for each local improvement, for which an assessment is made, and when any money is collected by him from the County Treasurer or any other source, on account of any such assessment, it shall be his duty to credit the sum to its separate assessment account. Whenever the County Treasurer shall pay over to the City Treasurer any taxes belonging to the city, and collected under and levy, and whenever any money is received by the City Treasurer from the sale of certificates of indebtedness disposed of in anticipation of the collection of a tax based on a tax tax levy make a budget of estimate of the fiscal year for which such, estimate is made, the money expense of conducting the collected on account of assessments shall not be paid out by the Treasurer year. except in payment of assessment work. The money received from the sale Section of certificates of indebtedness based on a tax estimate, and the money received from the County Treasurer on a tax levy based on such estimate, shall be used and applied only to defray the expenditures together with the arrearages due and unpaid for the specific object for which said estimate was made, and said taxes were levied.

Section 133. Distribution of Moneys Received After Books Opened.
After the accounts are opened in the books as hereinbefore provided, any moneys thereafter received by the city from the collection of delinquent taxes, shall be forthwith distributed to the funds provided for herein, so far as such funds correspond to the funds named in the particular tax levy, on which said delinquent taxes are collected; and so far as they do not correspond, the delinquent taxes collected shall be credited to the general fund. The surplus of any year's receipts over expenditures in any particu-Section 134. Bonds. For What Purposes Authorized.

In addition to those authorized to be issued by the provisions of Section One hundred thirty-five, the city shall have power to be exercised in may issue and sell as man tion One hundred thirty-nve, the city sites and for the purposes following, in anticipation of the column this chapter provided to issue bonds for the purposes following, in anticipation of the column that is to sav:

First: For the purpose of paying, funding, or refunding any bonded indebtedness of the city, whether due or not due, existing at the time this of said separate funds, excharter goes into effect or created at any time as authorized by this Char said tax estimate, to be c

Second: For the purpose of paying the lawful floating indebtedness December 31st. of the year of the city, existing prior to the adoption of this Charter, and not already, certified to the Auditor as funded into bonds, such indebtedness not however, to include any indebted; bond shall state upon its f ness of the city for which assessments have been or may be levied to pay, be used, and the whole

Third: For the purpose of raising money to defray the cost of establishing and maintaining a general system of sewers and of maintaining, nominations of fifty dollar alternating, relaying, and extending the existing system of sewers.

Fourth: For the purpose of borrowing money to defray the cost inci-made payable at such pla dent to and made necessary by the carrying out and full effectuation of all proceeds of the tax asses or any of the rights, powers, privileges and purposes authorized in and by fund, and the faith and c Section One hundred five of this Charter. Section 124. Fiscal Year.

Section 124. Fiscal Year.

The fiscal year of the city shall commence on the Second Tuesday of Section 135. Certificates, and Other Evidence of Indebtedness Against Tax. Section 147. Assessor an

es Levied.

April of each year.

Section 125. Debt Not To Be increased or Credit Loaned.

The city may issue its certificates, or other evidence of interest and have powers, in anticipation of any taxes or assessments levied upon any portion of the nesota and have powers, in the city shall not be increased nor shall any new bonds of in anticipation of any taxes or assessments levied upon any portion of the nesota and have powers, in the city shall not be increased nor shall the city loan its taxable property of the city, as provided for hereinafter. The resolution ing the list of property of the city as provided herein, nor shall the city loan its taxable property of the city, as provided for hereinafter. The resolution ing the list of property of the city as provided herein, nor shall the city loan its taxable property of the city, as provided for hereinafter. same shall be general obligations of the city, or that they will not be gen- in the name of the assess eral obligations, but shall be payable out of any specified taxes, assess. Section 148. Appointment ments, funds, or liens held by the city, or may limit the city's liability. The assessor must be thereon in any other manner, or may guarantee that the city shall pay the years a resident and ele same.

Section 136. Bonds. When General Ob Vitions of the City. What Bonds duties of his office, and s

Liens. Upon What Property.

All bonds issued under subdivisions Scond, Third and Fourth of Sec-, mission for its approval a tion One hundred thirty-four shall be general obligations of the city. All Section 149. Board of Education of the city of the Commission shall be general obligations of the city. bonds issued under subdivision first of said section shall be general obligath. The Commission shall tions of the city if the bonds which they are issued to pay, fund or refund be sworn according to lay are themselves such general obligations. All bonds issued on account of Monday in June of each respective properties and the appliances and property connected therewith, Section 150. Record, Section which they were issued,

The Commission, by ordinance, passed by affirmative vote of four of or may be vested in the tits members and approved by a majority vote of the electors in manner equalization under the ger provided in Section Ninety-six, may authorize the issuance of bonds for any by any limitations in res

authorized by this Charter, than six per centum per ann the par value and accrued it Section 142. Limit of Indeb The total indebtedness

(3) per cent of the last prece therein: provided however:

First: Debts contracted voted and not issued by the the purpose of acquiring wo to its inhabitants and others with and necessary therefor

same, remaining unpaid at Second: Bonds and ot adoption of this Charter to taining thereto that may be ditional water works, and

Third: Bonds or other purposes named in subdivis division four (4) ending w hundred Five of this Chart Fourth: Moneys, bonds

Fifth: Bonds issued in first of Section One Hundre Sixth: Bonds, certifica and warrants that may have ter for the purpose of prov

in said city for which asse Seventh: Certificates, warrants that may be issue Thirty-five, One hundred F deemed a part of the indeb Section 143. Annual Budge

The Commission shall

Section 144. Levy. When The levy shall be made Auditor on or before the t shall be entered upon the the county and state taxes. Section 145. Accounts Wit

The City Clerk and Ti is made in each year, open counts for each of the seve of the then current year: and in making any levy, show separately the amou said funds are designated Section 146. Certificates

Against Taxes Levied.
At any time after the Auditor, and not earlier for such special fund, but no certificate or bond shall particular purpose. coupons attached, and sh redemption of the certification

the manner and form pre

record of its proceedings Section 151. Who May

of said board, and give it sessments rolls in accord the same shall have bee il year, may if the Commission elect, be paid into the sinking fund sue, neral fund. All action hercunder shall be by resolution.

ective of any action that may be taken by the Commission estabvided, the Commission may levy an annual tax upon all taxable in the city for the support of such funds, and the purposes follow-

An interest fund, for which there may be levied a sum sufficient r, upon the indebtedness of the City. Out of such fund interest

and: A sinking fund to provide for the payment when due of bonds funded debt of the city. For the maintenance of this fund, there devied an annual tax upon all taxable property in the city. This all be applied only to the payment of the principal of bonds issued

rd: A roads, streets and bridges fund to provide for the engineer-fartment, and cleaning and repairing of streets, sewers and side-crosswalks and bridges.

rth: A library fund to provide for the support of the public library.
h: A poor fund to provide for the support of the poor.
h: A waterworks fund to provide for the support and mainte-

if any plant owned or operated by the city for the furnishing to the its inhabitants water, and of paying the cost of the purchase, conextension, operation, maintenance and repair of such plant

s fund shall not be maintained by taxation, but there shall be paid all moneys derived from the sale of any property acquired for or connection with any water plant of the city: also the proceeds pecial assessments levied on account of or in connection with such lant, also such amounts as may from time to time be realized from of bonds issued on account of said plant, and also all moneys re-from the sale of said plant including water rentals and penalties. plus in this fund at the close of each fiscal year, may, if the Comelect, be paid into the general or the sinking fund.
enth; A permanent improvement fund for the purpose of paying

of all real property, and all rights therein and all improvements which the city shall acquire for its various purposes, and the payr which is not otherwise provided for out of other funds, and also purpose of paying such portions of the expenses of local improved eemed advisable, and in such amount as may be necessary a shall devolve upon the said city. There shall also be paid into deficiency, and to take up and refund such bonds if not due. d all moneys received from the sale of any permanent improvement erty of the city, not otherwise disposed of under this Charter, and sh amounts as may from time to time be realized from the sale of ssued on account of this fund.

th: A general fund to provide for all current and incidental ex-of and judgments against the city not otherwise provided for and her disbursements as may be authorized by law. There shall be to this fund all moneys received from any source save when reor a specific use and purpose.

nds, other than those heretofore mentioned, may, at any time, be

resolution of the Commission moneys may be drawn from the gen-ind to sid and help any other fund when in its judgment public neces-

nth: A permanent improvement revolving fund for the purpose widing money for paying for that portion of local improvements, unce provisions of this Charter for which assessments may be levied, but I not be supported by taxation. There shall be paid into it all s received from all special assessments levied under this Charter for improvements, and also amounts as may be realized from the sale ds, warrants or certificates authorized therefor in this Charter.

n 129. Distribution of Moneys in Treasury, and To Be Collected

hen Charter Takes Effect. oneys in the Village Treasury at the time this Charter goes into and all moneys that shall be collected from taxes levied before this r goes into effect, shall so far as practicable be divided among the I funds hereby established and where such division is not practicable, be kept in the general fund.

he Commission, by resolution shall provide for such division in ac-

ice with the directions herein contained.

n 130. Contingent Expenses By Mayor. rom the general fund the Commission may every year by resolution priate a sum not to exceed one hundred dollars for contingent exs incurred or to be incurred by the Mayor in the detection and pren of crime in the city.

n 131. Duty of Treasurer to Keep Separate Account of Funds. shall be the duty of the Treasurer to keep a complete accurate and ate account of each and all of the separate funds embraced in subfate account of each and all of the separate the substance in substance of some to nine inclusive of Section One hundred twenty-eight, which accurately show at all times the amount of money received by him the credit of each of such funds, and when the sectived, and the amount oney paid out by him on account have to the substant what pure paid out.

ion 132. Duty of Treasurer to Keep Account of Moneys Received and Jse of Moneys.

The Treasurer shall keep a separate account of moneys received or ter for the purpose of providing money to pay for any local improvement be received for each local improvement, for which an assessment is in said city for which assessments have been or may be made. Eventh: Certificates, bonds, or other evidence of indebtedness and ny other source, on account of any such assessment, it shall be his by Treasurer shall pay over to the City Treasurer any taxes belongto the city, and collected under and levy, and whenever any money is Section 143. Annual Budget. wed by the City Treasurer from the sale of certificates of indebted. The Commission shall an mate of the fiscal year for which such, estimate is made, the money experted on account of assessments shall not be paid out by the Treasurer year. poted on account of assessments shall not be paid out by the liberal state of indebtedness based on a tax estimate, and the money restricted of indebtedness based on a tax estimate, and the money restricted of indebtedness based on a tax estimate, and the money restricted of indebtedness based on a tax estimate, and the money restricted on the touch day of October of each year, and the same ed from the County Treasurer on a tax levy based on such estimate, it be used and applied only to defray the expenditures together with carrearages due and unpaid for the specific object for which said estimate. was made, and said taxes were levied.

ion 133. Distribution of Moneys Received After Books Opened.
After the accounts are opened in the books as hereinbefore provided, moneys thereafter received by the city from the collection of delinquent es, shall be forthwith distributed to the funds provided for herein, so as such funds correspond to the funds nimed in the particular tax levy, which said delinquent taxes are collected; and so far as they do not respond, the delinquent taxes collected that be credited to the general vear's receipts or mas in any particu-

Section 139. Board of Sinking Fund Commissioners. Who Are. Duty.

The mayor, the Superintendent of the department of accounts and finanher funds under the authority above provided, there shall be main-the city treasury the following funds, and except as herein other sioners and the Commission may, by resolution, define such duties for said rided, the Commission may levy an annual tax upon all taxable board as are not herein prescribed. Said commissioners shall have charge of the sinking fund, and shall by and with the consent of the Commission, invest the same in bonds or other obligations of the city, issued pursuant An interest fund, for which there may be levied a sum sufficient to the Charter, or in such other bonds as are permitted by law for the le for the payment of the interest to become due during the next investment of, the public school funds for the state of Minnesota, or in any county or school bonds of this state. In case of investment in the bonds or other obligations of the city the same shall not be cancelled, except when authorized by the Commission, but shall be held in the sinking fund, and the interest thereon shall be paid and applied to "such sinking fund. Whenever any bonds of the city become due said commissioners shall, with the consent of the Commission, dispose of enough of the bonds then in the sinking fund, if any, as will with the money then on hand be sufficient to pay such maturing bonds; and the commissioners by and with the consent of the Commission, may dispose of any bonds in said fund, at such other time as is deemed for the best interest of said fund. Whenever the amount of such sinking fund, together with the interest therefrom computed to the time of the maturity of the city bonds is sufficient to pay all of said bonds, the levy of five mills hereinbefore provided for, may be omitted and the money otherwise voted to this fund may be diverted to other funds, but, whenever said fund, shall in the judgment of the Commission be insufficient to pay said bonds at maturity, such tax shall be resumed, Said commissioners shall make a detailed report to the Commission, at the first meeting in July of each year, and at such other times as the Commission may require and said reports shall show the condition of said sinking fund, the nature and value of all the securities thereunto belonging with a full description of said securities. Any taxpayer, or any of the owners of bonds of the city shall have the right to maintain in a court of competent jurisdiction any proper action or proceedings to enforce, upon the part of the Commission or said Commissioners compliance with the provisions of this section. Whenever, at the maturity of any bonds of the city, said sinking fund shall not have money sufficient to pay the bonds so maturing, or whenever the Commission shall deem it advisable to take up any bond not due, other bonds of the city may be issued, on such terms as to place and time of payment, not exceeding twenty years, as may be deemed advisable, and in such amount as may be necessary to meet such

Section 140. Right of City To Acquire Property For Lien For Local Assessments.

The city shall have authority to protect itself by acquiring title to any property subject to special assessment for improvements, and shall have authority by ordinance to assign and convey any property so acquired, whether proceedings to acquire such title have been had prior to the time of the going into effect of this Charter, or thereafter, and shall have the power in like manner to assign any lien or right of action held by the city on account of; or arising out of any such assessments as security for the payment of the bonds, or certificates of indebtedness or other evidence of nayment of the bonds, or certificates or other evidence of indebtedness mentioned in Section One hundred Thirty-five or to provide that such certificates or other evidence of indebtedness mentioned herein, may be collected out of any such property, liens, or right of action.

Section 141. Interest on Bonds, Certificates, Etc., Not to Be Sold for Less Than Par Value.

Bonds, certificates, and other evidence of indebtedness of the city authorized by this Charter, shall in no event bear a greater rate of interest than six per centum per annum, and shall in no event be sold for less than the par value and accrued interest, Section 142, Limit of Indebtedness.

The total indebtedness of the city shall not at any time exceed three (3) per cent of the last preceding assessed valuation of the property taxable therein: provided however:

First: Debts contracted and bonds and other obligations issued and voted and not issued by the village prior to the adoption of this Charter for the purpose of acquiring water works for supply to the Village and selling to its inhabitants and others, water, and also the property connected therewith and necessary therefore, and equipping, maintaining and operating the same, remaining unpaid at such adoption.

Second: Bonds and other obligations that may be issued after the adoption of this Charter to extend, enlarge or improve such water works, or to re-acquire or re-construct any building, structure, or apparatus appertaining thereto that may be destroyed or to acquire or construct other additional water works, and equip, maintain and operate the same,

Third: Bonds or other obligations that may be issued for any of the purposes named in subdivisions two (2), Three (3), and that part of subdivision four (4) ending with the words, "public utility" of Section One hundred Five of this Charter, other than for water works,

Fourth: Moneys, bonds or securities in the sinking fund to pay debts other than those enumerated in paragraphs first, second, third, sixth and seventh of this section.

Fifth: Bonds issued in pursuance to the power given in subdivision first of Section One Hundred Thirty-four.

Sixth: Bonds, certificates, or other evidence of indebtedness, and and warrants that may have been issued before the adoption of this Charter for the purpose of providing money to pay for any local improvement

by other source, on account of any such assessment, it shall be his warrants that may be issued under the provisions of section One Hundred to credit the sum to its separate assessment account. Whenever the Thirty-five, One hundred Forty-six and Two hundred Fifteen, shall not be deemed a part of the indebtedness of the city as limited herein

ved by the City Treasurer from the sale of certificates of indebted.

The Commission shall annually at a meeting in September prior to the disposed of in anticipation of the collection of a tax based on a tax tax levy make a budget of the estimated amounts required to pay for the late of the fiscal year for which such, estimate is made, the money expense of conducting the business of the city for the next ensuing fiscal

shall be entered upon the tax duplicate for the county, and collected with

the county and state taxes, Section 145. Accounts With Funds to Be Kept Separate,

The City Clerk and Treasurer shall each, as soon as the tax estimate is made in each year, open and keep in his book sparate and distinct accounts for each of the several divisions of taxes shown in the tax estimate of the then current year: and in making any tax estimate for expenditures and in making any levy, the Commission shall itemize the same, so as to show separately the amount to be collected from taxes for each fund, as Said funds are designated in section One Hundred twenty-eight, Section 146. Certificates and Other Evidences of Indebtedness issued

Ninth: A permanent improvement revolving fund for the perput of providing money for paying for that portion of local improvements, under the provisions of this Charter for which assessments may be levied, but it shall not be supported by taxation. There shall be paid into it all moneys received from all special assessments levied under this Charter for local improvements, and also amounts as may be realized from the sale of bonds, warrants or certificates authorized therefor in this Charter.

Section 129. Distribution of Moneys in Treasury, and To Be Collected

When Charter Takes Effect.

Moneys in the Village Treasury at the time this Charter goes into effect and all moneys that shall be collected from taxes levied before this Charter goes into effect, shall so far as practicable be divided among the several funds hereby established and where such division is not practicable, shall be kept in the general fund.

The Commission, by resolution shall provide for such division in ac-

cordance with the directions herein contained.

Section 130. Contingent Expenses By Mayor. From the general fund the Commission may every year by resolution appropriate a sum not to exceed one hundred dollars for contingent expenses incurred or to be incurred by the Mayor in the detection and prevention of crime in the city.

Section 131. Duty of Treasurer to Keep Sepanate Account of Funds.

ft shall be the duty of the Treasurer to keep a complete accurate and separate account of each and all of the separate funds embraced in subshall accurately show at all times the amount of money received by him for the credit of each of such funds, and whence received, and the amount of money paid out by him on account neteof.

seventh of this section.

Section 132. Duty of Treasurer to Keep Account of Moneys Received and
Use of Moneys.

The Treasurer shall keep a separate account of moneys received or to be received for each local improvement, for which an assessment is made, and when any money is collected by him from the County Treasurer or any other source, on account of any such assessment, it shall be his duty to credit the sum to its separate assessment, it shall be his county Treasurer shall pay over to the City Treasurer any taxes belonging to the city, and collected under and levy, and whenever any money is received by the City Treasurer from the City Treasurer from the City Treasurer from the City Treasurer from the city, and collected under and levy, and whenever any money is received by the City Treasurer from the city and collected under and levy, and whenever any money is received by the City Treasurer from the city and collected under and levy, and whenever any money is received by the City Treasurer from the amount of this section.

Fifth: Bonds issued in pursuance to the power given in subdivision feet of Section One Hundred Thirty-four.

Sixth: Bonds, certificates, or other evidence of indebtedness, and and warrants that may have been issued before the adoption of this Charter for the purpose of providing money to pay for any local improvement in said city for which assessments have been or may be made.

Seventh: Certificates, bonds, or other evidence of indebtedness and warrants that may be issued under the provisions of section One Hundred for the country for which an assessment is said city for which assessments have been or may be made.

Seventh: Certificates, bonds, or other evidence of indebtedness and warrants that may be issued under the provisions of section One Hundred for the country for which assessments have been or may be made.

Seventh: Certificates, bonds, or other evidence of indebtedness of the city and the city and the city for which assessments have been or may be made.

Seventh: Certificates, bo county Treasurer shall pay over to the City Treasurer any taxes belonging to the city, and collected under and levy, and whenever any money is received by the City Treasurer from the sale of certificates of indebtedness disposed of in anticipation of the collection of a tax based on a tax levy make a budget of the estimated amounts required to pay for the estimate of the fiscal year for which such, estimate is made, the money expense of conducting the business of the city for the next ensuing fiscal collected on account of assessments shall not be paid out by the Treasurer year. except in payment of assessment work. The money received from the sale Secti except in payment of assessment work. The money received from the County Treasurer on a tax estimate, and the money received from the County Treasurer on a tax levy based on such estimate, shall be used and applied only to defray the expenditures together with the arrearages due and unpaid for the specific object for which said estimates. mate was made, and said taxes were levied.
Section 133. Distribution of Moneys Received After Books Opened.

any moneys thereafter received by the city from the collection of delinquent taxes, shall be forthwith distributed to the funds provided for herein, so taxes, shall be forthwith distributed to the funds provided for herein, so far as such funds correspond to the funds named in the particular tax levy, on which said delinquent taxes are collected; and so far as they do not correspond, the delinquent taxes collected shall be credited to the general fund. The surplus of any year's receipts over expenditures in any particular fund may be carried forward to the same fund for the succeeding year.

Section 134. Bonds. For What Purposes Authorized.

Section 134. Bonds. For What Purposes Authorized.

The addition to those authorized to be issued by the provisions of Section 134. Bonds the court of the county and not earlier than October 10th, in any year, the Commission shall itemize the same, so as to show separately the amount to be collected from taxes for each fund, as said funds are designated in section One Hundred twenty-eight.

Section 134. Bonds. For What Purposes Authorized.

At any time after the annual tax levy has been certified to the County Auditor, and not earlier than October 10th, in any year, the Commission shall itemize the same, so as to show separately the amount to be collected from taxes for each fund, as said funds are designated in section One Hundred twenty-eight.

Section 134. Bonds. For What Purposes Authorized.

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Section 134. Bonds. For What Purposes Authorized.

At any time after the annual tax levy has been certified to the County and the county funds to the county funds the provisions of the county funds the county

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alternating, relaying, and extending the existing system of sewers.

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The city may issue its certificates, of other evidence of indebtedness bonds of in anticipation of any taxes or assessments levied upon any portion of the loan its taxable property of the city, as provided for hereinafter. The resolution ing the list of property for taxation, and notice may be signed and other same shall be general obligations of the thy, or that they will not be general obligations, but shall be payable of of any specified taxes, assessive thereon in any other manuer, or may guantee that the city's liability shall be thereon in any other manuer, or may guantee that the city shall pay the sity Clerk, same.

Section 136. Bonds. When General Obligations of the City. What Bonds members.

Liens, Upon What Property.

The assessor and his deputies hereinafter mentioned, shall qualify in the manner and form prescribed by the general laws of the state of Minnents. The manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the general laws of the state of Minnents and have powers, rights and privileges allowed by the same respective in the manner and form prescribed by the eastern and have powers, rights and privileges allowed by the same respective a

Liens. Upon What Property.

All bonds issued under subdivisions second, Third and Fourth of Sec. mission for its approval at its first meeting in April.

tion One hundred thirty-four shall be general obligations of the city. All Section 149. Board of Equalization.

bonds issued under subdivision first of said section shall be general obligations of the city of the city if the bonds which they are issued to pay, fund or refund be sworn according to law as such, and shall meet at its office on the 4th are themselves such general obligations. All bonds issued on account of Monday in June of each year, and shall continue in session as long as a property shall be property. any water works, gas works, electric light heat and power plant, telephone necessary, not later than the Friday next preceding the second Monday in or telegraph system, electric or other railways or any other system of July, to review, amend and equalize the work of the assessor, pursuant to transportation or any other public convenience, shall be first liens upon the the general laws of the state. respective properties and the appliances and property connected therewith, Section 150. Record, Sessions. Powers.

Said board shall elect one of its members secretary, who shall keep a

the prompt for which they were issued.

any of the purposes mentioned in subdivisions third and fourth of section One personal property as returned by the city assessor.

Section 151. Who May Appear Before Board.

The city and except as so authorized. Bonds for any of the purposes named in the first as a cauthorized. Bonds for any of the purposes named in the first as a cauthorized. Bonds for any of the purposes named in the first are supported of the provisions of said section, and bonds issued in pursuance of the provisions of sections. One hundred thirty-five and O

Bonds, certificates, and other evidence authorized by this Charter, shall in no event bear a greater rate of interest than six per centum per annum, and shall in no event be sold for less than the par value and accrued interest. Section 142. Limit of Indebtedness.

The total indebtedness of the city shall not at any time exceed three (3) per cent of the last preceding assessed valuation of the property taxable

therein: provided however:

First: Debts contracted and bonds and other obligations issued and voted and not issued by the village prior to the adoption of this Charter for the purpose of acquiring water works for supply to the Village and selling to its inhabitants and others, water, and also the property connected therewith and necessary therefore, and equipping, maintaining and operating the same, remaining unpaid at such adoption.

Second: Bonds and other obligations that may be issued after the adoption of this Charter to extend, enlarge or improve such water works, or to re-acquire or re-construct any building, structure, or apparatus appertaining thereto that may be destroyed or to acquire or construct other ad-

taining thereto that may be destroyed or to acquire or construct other additional water works, and equip, maintain and operate the same.

Third: Bonds or other obligations that may be issued for any of the purposes named in subdivisions two (2), Three (3), and that part of subdivision four (4) ending with the words, "public utility" of Section One hundred Five of this Charter, other than for water works.

Fourth: Moneys, bonds or securities in the sinking fund to pay debts other than those enumerated in paragraphs first, second third sixth and

other than those enumerated in paragraphs first, second, third, sixth and

Section 144. Levy. When Made.

The levy shall be made by the Commission and returned to the County Auditor on or before the tenth day of October of each year, and the same shall be entered upon the tax duplicate for the county, and collected with the county and state taxes.

Section 145. Accounts With Funds to Be Kept Separate.

The City Clerk and Treasurer shall each, as soon as the tax estimate After the accounts are opened in the books as hereinbefore provided, is made in each year, open and keep in his book sparate and distinct acmoneys thereafter received by the city from the collection of delinquent counts for each of the several divisions of taxes shown in the tax estimate of the then current year: and in making any tax estimate for expenditures

tion One hundred thirty-five, the city shall have power to be exercised in may issue and sell as many certificates of indebtedness or bonds as needed manner in this chapter provided to issue bonds for the purposes following, in anticipation of the collection of the taxes so levied, as aforesaid, for that is to say:

any special fund named in tax estimates for the purpose of raising money any special fund named in tax estimates for the purpose of raising money First: For the purpose of paying, funding, or refunding any bonded indebtedness of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in the charter goes into effect or created at any time as authorized by this Charter.

The the purpose of paying, funding, or refunding any bonded infor such special fund, but no certificates or bonds shall be issued for any said tax estimates, to be collected for the use and benefit of said fund, and no certificate or bond shall be issued to become due and payid that the contribute of the purpose of paying, funding any bonded infor such special fund, but no certificates or bonds shall be issued for any said tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the purpose of the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the city, whether due or not due, existing at the time this of said separate funds, exceeding fifty per cent. of the amount named in tax estimates to the city, whether due or not due, existing at the city of said separate funds, exceeding fifty per cent. Of the amount named in tax estimates to the city of the Second: For the purpose of paying the lawful floating indebtedness of the city, existing prior to the adoption of this Charter, and not already certified to the Auditor as aforesaid was made. Every such certificate or bond shall state upon its face for which fund the proceeds of the same shall take upon its face for which fund the proceeds of the same shall state upon its face for which fund the proceeds of the same shall state upon its face for which fund the proceeds of the same shall state upon its face for which the proceeds of the same shall state upon its face for which the proceeds of the same shall state upon its face for which the proceeds of the same shall state upon its face for which contains the proceeds of the same shall state upon its face for which the proceeds of the same shall state upon its face for which the proceeds of the same shall be applied to the same shall state upon its face for which the proceeds of the same shall be applied to th bond shall state upon its face for which fund the proceeds of the same shall be used, and the whole amount embraced in said tax estimate for that Third: For the purpose of raising money to defray the cost of estab- particular purpose. They shall be numbered consecutively and be in delishing and maintaining a general system of sewers and of maintaining, nominations of fifty dollars, or a multiple thereof, and may have interest Fourth: For the purpose of borrowing money to defray the cost incimade payable at such place, as will best aid in their negotiation, and the dent to and made necessary by the carrying out and full effectuation of all proceeds of the tax assessed and collected as aforesaid on account of said or any of the rights, powers, privileges and purposes authorized in and by fund, and the faith and credit of the city are irrevocably pledged for the section One hundred five of this Charter. coupons attached, and shall be otherwise of such form and terms and be Section One hydren live of this Charter.

Section 135. Certificates, and Other Evidence of Indebtedness Against Tax- Section 147. Assessor and His Deputies.

The assessor and his deputies hereinafter mentioned, shall qualify in

Section 137. Bonds. How Authorized.

The Commission, by ordinance, passed by affirmative vote of four of or may be vested in the township board of review and the county board of its members and approved by a majority vote of the electors in manner equalization under the general laws of the state, but shall not be restricted

provided in Section Ninety-six, may authorize the issuance of bonds for any by any limitations in respect to reducing the aggregate sum of real or

of all bonds Section 138. Bonds, Form. Execution. Time of Payment.

the same shall have been certified by the Mayor and Secretary of said moneys reAll bonds authorized by the provisions of this Charter to be issued board, shall transmit to the County Auditor such revised assessments rolls ye received shall be in form and execution as provided by the general laws of the not later than the second Monday in July, and unless otherwise provided, the close of State, and shall be payable in not more than twenty years after their is the assessor shall proceed under the general laws of the state.

on month, or at such more frequent intervals as directed by the commission of parcel so assessed.

on, and immediately pay all of such moneys into the Treasury, for the or parcel so assessed. Section 168. Assessment results of the month falls upon Sunday, or a legal holiday, the said paypits shall be made on the next preceding business day.

totion 154. Uniform Accounts and Report.
The Commission shall prescribe uniform forms of accounts, which shall 1 observed by all officers and departments of the city which receive or

churse moneys.

CHAPTER XVII.

MINENT DOMAIN, AND OTHER METHODS OF ACQUIRING PROP-ERTY MAY BE ACQUIRED. PRELIMINARY STEP TO CONDEM-NATION.

NATION.

Section 155. Eminent Domain. Property Already Dedicated May Be Taken.
The City of Glenwood is hereby empowered to acquire by condemnas.
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The City of Glenwood is hereby empowered to acquire by condemnas.

Section 169. Notice of Completion of fiecament Roll.

When completed, the Commission in the office paper of the city, to the effect that simits, as may be needed by said city for laying out, opening, widening, extending, extending, enlarging, or altering any street, alley, highway or nilke manner acquire the right to damage, injure or destroy any property of whatever nature in laying out, opening, widening, extending, ellarging, altering, grading and change of grade, of streets, alleys and highways, or in the improvement for any public purpose or use, of any grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, whether the same grounds or other property owned or acquired by it, w of other injury thereto.

Section 156. Property Acquired By Gift, Devise, Purchase, and Otherwise Section 171.

Than By Condemnation. The city may acquire any real estate, or interest, or easement therein, needed for any public use or purpose, within or without its limits, by purchase, gift, devise, or otherwise.

Ten, which shall be the preliminary step thereto; such resolution or ordinatice shall be found imperfect, or in case of the absence of the Comnance shall in a general way describe the property so needed and order mission, or for any other reason which shall be satisfactory to the Comnance shall in a general way describe the property so needed and order mission, or for any other reason which shall be satisfactory to the Comnance shall be satisfactory to the Comnance shall be satisfactory to the comthis condemnation.

#### CHAPTER XVIII.

POWER TO MAKE ASSESSMENT FOR IMPROVEMENT. ASSUMPTION OF PORTION OF COST BY CITY.

Section 158. Power to Make Assessments for Improvements.

assessment on the property benefited.

PUBLIC IMPROVEMENTS. SESSMENTS FOR BENEFITS.

Section 160. Determination of Nature and Extent of Improvements. Plat to Be Made.

After the adoption of a resolution or ordinance as herebefore stated declaring that for public improvement it is necessary to take any private for any cause, jurisdictional or otherwise, the Commission shall proceed property, or property devoted to a public use, by condemnation, the Comproperty, or property devoted to a punic use, by concemnation, the comto make a new assessment and shall proceed in the manner and give the
mission shall determine by resolution in a general way the nature and notice as herein required in relation to the first assessment, and all
extent of the proposed improvement and notify the City Engineer of such persons in interest shall have like rights and the said Commission shall
determination; thereupon the said Engineer shall make and present to perform like duties and have like powers in relation to any subsequent as
the Commission, a plat and survey of such proposed improvement, showing
sessment as are hereby given in relation to the first assessment, prothe nature, course and extent of the same, and the property necessary vided, however, that if the assessment of damages or benefits as to
to be taken, damaged, injured or destroyed or benefited thereby, toany parcel or parcels of land shall have been paid, there shall be no re-assessment thereof.
The property, as the same appears by the last assessment list in the office of As often as an assessment assist any place or parcel of real estate. property, as the same appears by the last assessment list in the office of As often as an assessment against any place or parcel of real estate Auditor of the County in which said lands are situated at the date of assessed for any local improvement is set aside, the same shall be resaid resolution by the Commission, together with such other statements assessed until said property has paid its share of benefit accruing from as may be proper to explain such survey and the nature and extent of such the said improvement. as may be proper to explain such survey and the nature and extent of such proposed improvement. Such plat and survey shall show approximately the amount of land belonging to each owner which is to be benefited, taken, damaged, injured or destroyed, and the Commission may cause such plat or survey to be modified, amended or changed.

Section 161. Adoption of Plan. Order for Improvement and Notice.

When such plat or survey shall finally describe the proposed improvement to the satisfaction of the Commission, it shall by resolution adopt the same and order the making of the improvement. The Commission shall then give fifteen days notice by one publication in the official paper of the city of the time and place when it will meet to make an award

of the city of the time and place when it will meet to make an award of the city of the time and place when it will meet to make an award of damages and assessments of benefits, or an award of damages or assessments and benefits as the case may be, in which notice, it shall describe the land or property to be condemned, by general description, and shall specify what such assessment, if any, is to be for, and in a general way what property will be assessed therefor. It shall cause a conv of such notice to be served in the same manner in which a suma general way what property will be assessed therefor. It shall cause a general way what property will be assessed therefor. It shall cause a copy of such notice to be served in the same manner in which a summons is served in a civil action in District Court upon all parties interested in the land to be condemned or benefited as appears by the last whenever an award of damage shall be made, confirmed and not appealed from, in any proceedings for the taking of property under this Chapter, or whenever the Court shall render final judgment in any appeal from any such award or from the confirmation thereof, the right of all ested in the land to be condemned or benefited as appears by the last assessment list in the office of the auditor of the county in which the land is situate, who can be found in said county, and also upon all persons occupying said lands, or any part thereof, and it shall mail a copy of such notice to all non-residents of the said County, appearing to be interested in said, land, addressed to the last known postoffice address of such non-residents; if such address is unknown to the Commission such notice shall be addressed to such person at Glenwood, Minnesota. Proof of the services and mailing of such notice shall be made by the affidavit of the person serving or mailing the same, which shall state the affidavit of the person serving or mailing the same, which shall state the time, place and manner of serving or mailing the same, and how notice so mailed was addressed, and such affidavit shall be filed and preserved in the office of the City Clerk

Section 167. Damages, Etc., To Be Assessed Upon Real Estate Benefited.

Having ascertained the damages and expenses of such improvement

ction 152. Compensation.

Each Member of the board of equalization shall be paid out of the city

Each Member of the board of equalization shall be paid out of the city

as aforesaid, the Commission shall thereupon apportion and assess the same,
easury the sum of two dollars a day for each veny

except such amount, if any, as has been appropriated by the Commission. as aforesaid, the Commission shall thereupon apportion and assess the same, except such amount, if any, as has been appropriated by the Commission to such benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by such improvement in payment of same, together with the costs of the proceedings upon the real estate and property, it deems benefited by the commission that the real estate and property, it deems benefited by the costs of the payment

When the Section 168. Assessment Roll.

The assessment roll shall contain a brief description of each tract or a said payparcel of property taken, injured or assessed, the name or names of the owners thereof as far as known to the Commission, or if unknown, shall so state and the amount of damages awarded, and benefits, if any, asso state and the amount of damages and the total damages awarded and the total benefits assessed, if any, assessed the total damages awarded and the total benefits assessed, if any, If the whole amount of such compensation and damages awarded, together with the costs of the proceedings, shall exceed the actual benefit to the property subject to assessment, the Commission shall so state on such assessment roll, and shall specify the amount of such excess. The Commission shall also note on the assessment roll the total amount included

mission shall also note on the assessment roll the total amount included in the assessment to cover the expense of the proceedings.

Section 169. Notice of Completion of Beaument Roll.

When completed, the Commission shall cause to be given ten days notice by one publication in the official paper of the city, to the effect that such assessment has been completed and that at a time and place therein specified, it will hear objections thereto and that all such objections thereto and that all such objections thereto are the state one day retermined.

said notice.

Section 171. Adjournment of Proceedings.

Should the Commission not be present at the time and place appointed, the proceedings may be adjourned by the City Clerk, to such other

Convenient time and place as may be deemed expedient.

Section 172. New Notice May Be Given.

Nothing herein contained shall preclude the Commission from causing purchase, gift, devise, or otherwise.

Section 157. Eminent Domain. Perliminary Step.

The necessity for the taking of any property shall be first determined a new notice as aforesaid to be given, specifying a time and place by resolution of the Commission or ordinance adopted under Chapter at which it will hear objections to said assessments, in case the previous which shall be the preliminary step thereto; such resolution or ordinate shall be found imperfect, or in case of the absence of the Commission or ordinate shall be satisfactory to the Commission or ordinate shall be satisfa mission for so doing. Section 173. Commission to Have Power to Adjourn Hearing and Revise

Assessment. The Commission shall have the power to adjourn such hearing from time to time, and in its discretion to reverse and correct the said assessment, and to confirm or set aside the same and to proceed to make an

Section 158. Power to Make Assessments for Improvements.

The city is hereby authorized and empowered, except as otherwise provided, to levy assessments upon any property benefited by improvements to the amount of such benefit, provided for in Chapter Nineteen to Twenty-one inclusive, without regard to cash valuation.

Section 159. Assumption of Portion of Cost By City.

The Commission may by resolution passed by a four-fifths vote of all its members, order that the cost and expense of all or any part of any improvement in Chapters Nineteen to Twenty-one inclusive provided, shall collection of said assessment shall be entered into a book kept for that purpose by the City Clerk. A warrant for the improvement in Chapters Nineteen to Twenty-one inclusive provided, shall assessment on the property benefited.

not be payable in installments.

CHAPTER XIX.

Section 175. Notice of Confirmation of Assessments.

As soon as practicable after an assessment of damages and benefits has been confirmed the Commission shall cause a brief notice by one publication of the fact of such confirmation, to be published in the official paper of the city.

Section 176. Re-Assessment. If the said assessment shall be set aside by the Commission as aforesaid to make a new assessment and shall proceed in like manner and give like

Section 177. Procedure When No Assessment for Benefits Can Be Made. All the provisions of this chapter, insofar as applicable shall apply to and be followed in the condemnation of property where no assessment for the benefits can be made.

Section 178. Commission May Abandon Proceedings.

The Commission may, by resolution, abandon any proceedings under this chapter at any time before the confirmation of any award of damages made by it, or in case of appeal within twenty days after final determination thereof on such appeal.

Chapter, or whenever the Court shall render final judgment in any appear from any such award or from the confirmation thereof, the right of all parties shall be finally determined thereby, and the same shall constitute a lawful and sufficient condemnation and appropriation to the public use of the land, article, franchise, property right or thing of value for which damages are so awarded, and every right, title and interest therein and thereto, and every lien thereon shall be thereby divested and the city shall become yested with the title, and become the owner of the property taken thereto, and every hen thereon shall be thereby divested and the city shad, become yested with the title, and become the owner of the property taken and condemned absolutely for all purposes for which the city may ever use the same, except that as to lands and rights taken for streets, alleys and highway purposes the city shall affiling only an easement.

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ments to the amount of such benefit, provided for in Chapter Nineteen to Twenty-one inclusive, without regard to cash valuation.

Section 159. Assumption of Portion of Cost By City.

The Commission may by resolution passed by a four-fifths vote of all its members, order that the cost and expense of all or any part of any its members, order that the cost and expense of all or any part of any improvement in Chapters Nineteen to Twenty-one inclusive provided, shall improvement in Chapters Nineteen to Twenty-one inclusive provided, shall improvement in Chapters Nineteen to Twenty-one inclusive provided, shall improvement in Chapters Nineteen to Twenty-one inclusive provided, shall into a book kept for that purpose by the City Clerk. A warrant for the collection of said assessment shall issue as provided in section Two collection of said assessments, except said assessment shall mot be payable in installments.

Section 174. Procedure After Confirmation of Assessment is confirmed, it, together with all affidavits of When said assessment is confirmed, it, together with all affidavits of When said assessment is confirmed, it, together with all affidavits of When said assessment is confirmed.

When said assessment is confirmed, it, together with all affidavits of When said assessment is confirmed.

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Notice of Confirmation of Assessment.

Section 175. Notice of Confirmation of Assessments.

CHAPTER XIX.

CONDEMNATION OF PROPERTY. AS-PUBLIC IMPROVEMENTS. SESSMENTS FOR BENEFITS.

Section 160. Determination of Nature and Extent of Improvements.

determination; thereupon the said Engineer shall make and present to the Commission, a plat and survey of such proposed improvement, showing the Commission, a plat and survey of such proposed improvement, showing the nature, course and extent of the same, and the property necessary to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby, to be taken, damaged, injured or destroyed or benefited thereby to be app gether with the name of the owner or owners of each parcel of such property, as the same appears by the last assessment list in the office of Auditor of the County in which said lands are situated at the date of assessed for any local improvement is set aside, the same shall be resaid resolution by the Commission, together with such other statements as may be proper to explain such survey and the nature and extent of such proposed improvement. Such plat and survey shall show approximately proposed improvement. Such plat and survey shall show approximately the amount of land belonging to each owner which is to be benefited, the amount of land belonging to each owner which is to be benefited, and aged, injured or destroyed, and the Commission may cause such plat or survey to be modified, amended or changed.

Section 161. Adoption of Plan. Order for Improvement and Notice.

Section 161. Adoption of Plan. Order for Improvement and Notice.

When such plat or survey shall finally describe the proposed improvement to the satisfaction of the Commission, it shall by resolution adopt the same and order the making of the improvement. The Commission shall same and order the making of the improvement. The Commission shall then give fifteen days notice by one publication in the official paper of the city of the time and place when it will meet to make an award of damages and assessments of benefits, or an award of damages or assessments and benefits as the case may be, in which notice, it shall describe the land or property to be condemned, by general description, and shall specify what such assessment, if any, is to be for, and in a general way what property will be assessed therefor. It shall cause a copy of such notice to be served in the same manner in which a sumcopy of such notice to be served in the same manner in which a summons is served in a civil action in District Court upon all parties intermons is served in a civil action in District Court upon all parties interested in the land to be condemned or benefited as appears by the last assessment list in the office of the auditor of the county in which the land is situate, who can be found in said county, and also upon all spersons occupying said lands, or any part thereof, and it shall mail a copy of such notice to all non-residents of the said County, appearing to be interested in said, land, addressed to the last known postoffice address of such non-residents; if such address is unknown to the Commission such notice shall be addressed to such person at Glenwood, Minnemission such notice shall be addressed to such notice shall be made by the affidavit of the person serving or mailing the same, which shall state the time, place and manner of serving or mailing the same, and how notice so mailed was addressed, and such affidavit shall be filed and preserved in the office of the City Clerk.

Section 162. Hearing.

All parties interested in any property so to be condemned, or in any real estate to be assessed for such improvement, may appear and adduce evidence, as may also the City Attorney, before said Commission at Section 162. Hearing. evidence, as said hearing.

Damages. How Awarded. Interest.

Section 163. Damages. How Awarded. Interest.
The Commission, in making such assessment, shall determine and appraise to the owner or owners the value of the real estate taken, dampered to the owner or owners the value of the real estate taken, dampered to the owner of the dampered arising aged, injured or destroyed for the improvement, and the damages arising to them respectively from the condemnation thereof which shall be awardto such owners, respectively, as damages, after making due allowance therefrom for any benefit which such owners may respectively derive from such improvement. And said sum, so awarded, as damages, shall bear interest at the rate of six per cent. per annum from and after the date of the confirmation of assessment therefor as hereinafter provided until paid. Section 164. Damages in Excess of Benefits.

If the damages to any person be greater than the benefits received, or if the benefits be greater than the damages, the Commission shall strike a balance and carry the difference forward to another column, so that the assessment may show what amount is to be received or paid by such owners respectively, and the difference only shall in any case be collectible

from them or paid to them. Section 165. Lands. Buildings. Appraisement.

In case there are buildings or improvements upon any land proposed to the taken in such proceedings, the award shall be for the damages to the fland and improvements separately. The value of such building or im-provements or the part thereof necessary to be taken, to the owner in wase of removal, shall also be determined by said Commission, and notice of such determination shall be given by it to the owner when known, if a resident of the city personally, or be left at his usual place of abode with some person of suitable age and discretion then residing therein. If the owner is not known, or is a non-resident of the city, ten days notice by one publication to all persons interested shall be given in the official paper of the city which shall be sufficient notice to such owner, Such owner may at any time, within ten days after such notice notify in writing the Commission of his election to take such building or improvement or such part thereof at its appraised value, and in such case the amount of such appraisal shall be deducted by the Commission from the estimated damages for the building or improvement, and the owner shall have such reasonable time for the removal of such building or improvement after the confirmation of the assessment as the Commission. provement, after the confirmation of the assessment, as the Commission may allow. If the owner shall refuse to take the building or improvement at such appraisal, or fail to give notice of his election as aforesaid, at such appraisal, or fail to give notice of his election as aforesaid, within the time prescribed, then no deduction shall be made from the estimated damages, aforesaid, and the Commission shall, after the confirmation of the assessment and after the money is in the hands of the one Hunded Eighty-two, unless otherwise ordered by the Commission, as provided by Saction One Hunded Eighty-two. firmation of the assessment and after the money is in the hands of the Treasurer ready to be paid to the owner for his damages, proceed to provided by Section One Hundred Fifty-nine, and excepting the construction of maintenance of cross walks over public streets and cash, giving ten days notice of sale by one publication in the official alleys, sidewalks adjacent to public grounds, squares and parks, improve ment or ornamenting public grounds, squares and parks, curbing, gutter removed. The proceeds of such sale shall be paid into the city treasury the intersections of alleys and streets which shall be paid by the city, and to the credit of the fund chargeable with such improvement.

Section 166. Joint Owners. If the land and building belong to different persons, or if the land is subject to lease, the damages done to such persons, respectively, may be awarded to them by the Commission, less the benfits resulting to them, Section 184. Assessment of Corner Lots. respectively, from the improvement,

not be payable in instantioners.

Section 175. Notice of Confirmation of Assessments.

As soon as practicable after an assessment of damages and benefits has been confirmed the Commission shall cause a brief notice by one publication of the fact of such confirmation, to be published in the official paper of the city.

Section 176. Re-Assessment.

If the said assessment shall be set aside by the Commission as aforesaid After the adoption of a resolution or ordinance as herebefore stated

11 the said assessment shall be set using by the Commission as aforesaid declaring that for public improvement it is necessary to take any private for any cause, jurisdictional or otherwise, the Commission shall proceed for any cause, jurisdictional or otherwise, the Commission shall proceed to the commission of a resolution of a resolution of a resolution of a resolution or ordinance as herebefore stated for any cause, jurisdictional or otherwise, the Commission shall proceed for any cause, jurisdictional or otherwise, the Commission shall proceed to the commission of a resolution of a resolu declaring that for public improvement it is necessary to take any private property, or property devoted to a public use, by condemnation, the Commission shall determine by resolution in a general way the nature and mission shall determine by resolution in a general way the nature and extent of the proposed improvement and notify the City Engineer of such persons in interest shall have like rights and the said Commission shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give like to make a new assessment and shall proceed in like manner and give persons in interest shall have like rights and the said Commission shall perform like duties and have like powers in relation to any subsequent assessment as are hereby given in relation to the first assessment, provided, however, that if the assessment of damages or benefits as to any parcel or parcels of land shall not be appealed from, or said assessment thereon shall have been paid, there shall be no re-assessment thereon.

section 178. Commission May Abandon Proceedings.
The Commission may, by resolution, abandon any proceedings under this chapter at any time before the confirmation of any award of damages made by it, or in case of appeal within twenty days after final determination thereof on such appeal.

termination thereof on such appear.

Section 179. Appeal to District Court.

Any award or failure to award damages for any property taken or damaged, or assessment of benefits in proceedings under this chapter, may be appealed from by the persons and in manner provided in Chapter Twenty-three (23) of this Charter, and the same shall be heard and determined in manner therein stated.

termined in manner therein stated.

Section 180. Effect of Award,

Whenever an award of damage shall be made, confirmed and not appealed from, in any proceedings for the taking of property under this Chapter, or whenever the Court shall render final judgment in any appeal from any such award or from the confirmation thereof, the right of all parties shall be finally determined thereby, and the same shall constitute a lawful and sufficient condemnation and appropriation to the public use of the land sufficient franchise. Property right or thing of value for which of the land, article, franchise, property right or thing of value for which damages are so awarded, and every right, title and interest therein and thereto, and every lien thereon shall be thereby divested and the city shall thereto, and every lien thereon shall be thereby divested and the city shall become vested with the title, and become the owner of the property taken and condemned absolutely for all purposes for which the city may ever use the same, except that as to lands and rights taken for streets, alleys and highway purposes the city shall acquire only an easement therein for such purposes; but before entering upon possession of said land or property, the city shall pay or offer to pay the amount of such award with interest at the rate of six per cent per annum from the date of the final award or confirmation thereof or independ of the court as the case may award or confirmation thereof, or judgment of the court, as the case may be; provided however no appeal from an award or fallure to award damages shall suspend the right to enter thereupon. If there shall be doubt as to who is entitled to such compensation or damages, or any part thereof, so awarded, the amount so awarded and in doubt, shall be by the Commission appropriated and set apart in the city treasury for whosoever shall establish his right thereto by some judicial proceeding, and notice thereof shall be given to the persons claiming the same or appearing to be interested therein, and thereupon the property so taken and for which said award was made may be entered upon and taken possession of; before payment of such award the owner of such property or the claimant of the award, shall furnish satisfactory evidence of his right to such award, if required so to do.

Section 181. Description of Property Taken To Be Recorded. Upon the completion of any proceedings, under this chapter, for the acquisition of any property for the city, the Commission shall cause an accurate description of the property so taken to be prepared, together with a statement of the amount of damages, if any, awarded and paid or to be paid, to each former owner thereof, and cause its Mayor and City Clerk to acknowledge the same for the city, and cause the same to be recorded in the office of the Register of Deeds of Pope County.

### CHAPTER XX,

LOCAL IMPROVEMENTS AND ASSESSMENTS THEREFOR.

Section 182. Power of City To Make Local Improvements and Assessments Therefor.

The city is hereby authorized to grade, pave, repave, curb, gutter, wall, bridge, gravel, macadamize, sprinkle, plauk, sweep or repair any street, avenue, alley, or highway; to grade, improve, protect and ornament any public park, square or grounds; to construct, improve and grament parkand grass plats; to plant and portect shade or ornament trees ways, along its streets and avenues; to construct, lar, re-lay and repair side walks, retaining walls, gutters, sewers and drains, in, over, or under any street, alley or highway; to abate nuisances; to drain marshes, swamps and low grounds within the city when they constitute a nuisance; and the whole or any part of the expense of any such improvement may be subject to the provisions hereinafter contained, defrared by an assessment subject to the provisions hereinafter contained, defrayed by an assessment upon the real estate benefited thereby, in proportion to such benefits, without regard to cash valuation, to be determined and levied in the manner hereinafter provided.

the intersections of alleys and streets which shall be paid by the city, and except as stated in section One Hundred Eighty-five shall be defrayed by assessment upon the real estate benefited thereby, to be levied and collected in manner hereinafter provided.

The Commission may, in its discretion, where any lot fronting on two

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Section 167. Damages, Etc., To Be Assessed Upon Real Estate Benefited. except such amount, if any, as has been appropriated by the Commission such portion of such second assessment not exceeding the amount of in payment of same, together with the costs of the proceedings upon assessment for a frontage of sixty-six feet on such lot, as it may deem use of the city the real estate and property, it deems benefited by such improvement in just under all circumstances of the case.

The last day of proportion to such benefits, if any be assessable therefor, but in no case Section 185. Amounts Assessable Against City. Public or Exempt Propby the Commis- shall the amount of such assessment exceed the actual benefit to the lot reasury, for the or parcel so assessed, ong. When the Section 168. Assessment Roll.

parcel of property taken, injured or assessed, the name or names of the general fund of the city.

Section 186. Provisions of Chapter Fifteen. To Apply to Contracts.

Except as herein otherwise provided the provisions of Chapter Fifteen.

Except as herein otherwise provided the provisions of Chapter Fifteen. so state and the amount of damages awarded, and benefits, if any, as-sessed against each parcel of property. The assessment roll shall show both the total damages awarded and the total benefits assessed, if any. If the whole amount of such compensation and damages awarded, together with the costs of the proceedings, shall exceed the actual benefit to the property subject to assessment, the Commission shall so state on such assessment roll, and shall specify the amount of such excess. The Commission shall also note on the assessment roll the total amount included

mission shall also hote of the expensent roll the total amount includes in the assessment to cover the expense of the proceedings. In the assessment to cover the expense of the proceedings. In the discovery the proceedings of the completed, the Completion of the cause to be given ten days either within or notice by one publication in the office paper of the city, to the effect play out, opening, that such assessment has been completed and that at a time and place like will bear objections therefore a such characteristic and the complete of the city. ring out, opening, that such assessment has been completed and that at a time and place of highway or therein specified, it will hear objections thereto and that all such objections must be filed in writing with the City Clerk at least one day prior or destroy any to the time so specified, and unless sufficient cause is shown to the consenting, extending, trary, the same will be confirmed. Said notice shall contain a copy of the assessment roll as completed.

Any improvement authorized by section One Hundred Eighty-two of this Chapter shall be inauguarted in manner following: If a majority of the owners of the property abutting on any proposed improvement shall

said notice. Section 171. Adjournment of Proceedings.

Section 172. New Notice May Be Given.

mission, or for any other reason which shall be satisfactory to the Com-

Assessment. The Commission shall have the power to adjourn such hearing from

time to time, and in its discretion to reverse and correct the said assess- the appropriate fund, or the general fund.

the city without Hundred One in case of other assessments, except said assessment shall not be payable in installments.

Section 175. Notice of Confirmation of Assessments.

As soon as practicable after an assessment of damages and benefits has been confirmed the Commission shall cause a brief notice publication of the fact of such confirmation, to be published in the official paper of the city.

Section 176. Re-Assessment.

If the said assessment shall be set aside by the Commission as aforesaid ake any private for any cause, jurisdictional or otherwise, the Commission shall proceed nation, the Com- to make a new assessment and shall proceed in like manner and give like the nature and notice as herein required in relation to the first assessment, and all Engineer of such persons in interest shall have like rights and the said Commission shall and present to perform like duties and have like powers in relation to any subsequent assessment as are hereby given in relation to the first assessment, provided, however, that it the assessment of damages or benefits as to any parcel or parcels of land shall not be appealed from, or said assessment thereon shall have been paid, there shall be no re-assessment thereof. in the office of As often as an assessment against any place or parcel of real estate at the date of assessed for any local improvement is set aside, the same shall be rether statements assessed until said property has paid its share of benefit accruing asom extent of such the said improvement.

Section 177. Procedure When No Assessment for Benefits Can Be Made. All the provisions of this chapter, insofar as applicable shall apply to and be followed in the condemnation of property where no assessment for the benefits can be made.

Section 178. Commission May Abandon Proceedings:

The Commission may, by resolution, abandon any proceedings under this chapter at any time before the confirmation of any award of damages made by it, or in case of appeal within twenty days after final determination thereof on such appeal.

Section 179. Appeal to District Court, Any award or failure to award damages for any property taken or damaged, or assessment of benefits in proceedings under this chapter, may be appealed from by the persons and in manner provided in Chapter Twenty-three (23) of this Charter, and the same shall be heard and determined in manner therein stated.

t shall cause a which a sumil parties intering by the last y in which the also upon all chapter, or whenever an award of damage shall be made, confirmed and not appealed from, in any proceedings for the taking of property under this chapter, or whenever the Court shall render final judgment in any appeal to the shall math a from any such award or from the confirmation thereof, the right of all parties shall be finally determined thereby, and the same shall constitute a lawful and sufficient condemnation and appropriation to the public use of the land, article, franchise, property right or thing of value for which of the land, article, franchise, property right or thing of value for which damages are so awarded, and every right, title and interest therein and all be made by hich shall state become yested with the title, and become the owner of the property taken and condemned absolutely for all purposes for which the city may ever When the Commission shall have completed such assessmen use the same, except that as to lands and rights taken for streets, alleys cause like notice to be given of the time and place at what and highway purposes the city shall acquire only an easement therein hear objections and for the confirmation of such

streets has been previously assessed, and the assessment paid, for laying id out of the city Having ascertained the damages and expenses of such improvement any sewer pipe upon a street other than the one in which such improve-tual service upon as aforesaid, the Commission shall thereupon apportion and assess the same, then is to be extended; remit from the assessment of such corner lot except such amount, if any, as has been appropriated by the Commission such portion of such second assessment not exceeding the amount of

The amounts which would otherwise be assessable against property, Section 168. Assessment Roll.

The assessment roll shall contain a brief description of each tract or parcel of property taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed, the name or names of the party taken, injured or assessed to the city.

shall apply to all contracts mentioned in this and the succeeding chapters of this Chapter in like manner as other contracts of the city.

Section 187. Property Owners May Construct Streets. Property owners shall be allowed to construct streets and public improvements upon or through their own property at their own expense, in such cases and upon such terms and regulations as the Commission may by resolution prescribe. Section 188. Procedure Where Two Improvements Are Made At the Same

If two or more improvements are included in one contract the expense of each improvement shall be separately apportioned and assessed

eets, alleys and assessment roll as completed, or use, of any Section 170. Objection. How Made, this Chapter shall be inauguarted in manner following: If a majority sether the same All objections to the assessment shall be in writing and filed with of the owners of the property abutting on any proposed improvement shall be resituate. The the City Clerk at least one day prior to the time specified in said notice, injured or deprovided that said Commission may, in its discretion, allow any person in the domain, or is terested who has inadvertently omitted to file his objections as aforesaid, the city, to do so at the time fixed for the hearing of said objections named in notice of the time and place when and where the Commission will meet and against such improvement, which notice shall and hear reasons for and against such improvement, which notice shall be published at least once in the official paper, and the last publication Should the Commission not be present at the time and place appointed, the proceedings may be adjourned by the City Clerk, to such other convenient time and place as may be deemed expedient.

Should the Commission not be present at the time and place appointed, the proceedings may be adjourned by the City Clerk, to such other convenient time and place as may be deemed expedient.

Should the Commission not be present at the time and place appointed, the proceedings may be adjourned by the City Clerk, to such other convenient time and place as may be deemed expedient.

Should the Commission not be present at the time and place appointed, the proceedings may be adjourned by the City Clerk, to such other convenient time and place as may be deemed expedient. fifths vote of all its members may, without petition, on its own motion, Nothing herein contained shall preclude the Commission from causing cause plans and specifications for any such improvement to be made and first determined a new notice as aforesaid to be given, specifying a time and place filed in the office of the City Clerk, and on giving like notice as is reunder Chapter at which it will hear objections to said assessments, in case the previous quired in case of a petition of a majority of the property owners abutting solution or ordinates and ordinate of the Commission from causing cause plans and specifications for any such improvement to be made and contained shall be found imperfect, or in case of the absence of the Commission from causing cause plans and specifications for any such improvement to be made and in the office of the City Clerk, and on giving like notice as is re-Section 190, Hearing.

mission for so doing.

If upon such hearing the Commission believe said improvement necessaction 173. Commission to Have Power to Adjourn Hearing and Revise sary and proper, they shall order the improvement made and assess the cost thereof on property benefited thereby, provided, that the Commission may order a portion of the cost of said improvement paid out of

time to time, and in its discretion to reverse and correct the said assessment, and to confirm or set aside the same and to proceed to make an epit as otherwise assessment de novo. The assessment when confirmed, shall be corrected to conform to such confirmation, and shall be final and conclusive upon all apter Nineteen to persons interested therein, and not appelling therefron.

When said assessment is confirmation of Assessment, when confirmed, shall be corrected apter Nineteen to persons interested therein, and not appelling therefron.

Section 174. Procedure After Confirmation of Assessment, with all affidavits of the appropriate of such improvement to be make any improvement to comform to such confirmation to make any improvement to comform to such confirmation to make any improvement to comform to such confirmation of the general fund.

When the Commission shall determine to make any improvement to comform to make any improvement to comform to make any improvement to comform to such confirmation of the general fund.

When the Commission to Let Contract and Make Assessment. When the Commission shall determine to make any improvement to comform to make any improvement to make any improvement to make any improvement to comform to make any improvement to comform to make any improvement to make any improvement to conform to make any improvement to conform to make any improvement to make any improvement to conform to make any improvement to make any improvement to conform to make any improvement to conform to make any improvement to make any improvement to make any improvement to conform to make any improvement to conform to make any When the Commission shall determine to make any improvement described in Section One Hundred Eighty-two of this chapter, it shall cause an estimate of the cost of such improvement to be made by the City Engiheer. After said estimate is made, the Commission shall proceed at once to assess the estimated cost thereof, except that portion to be paid out of the appropriate or general fund, on the property to be benefited thereby, in proportion to the benefits resulting thereto, but in no case in excess of such benefits. In making such assessment roll of the Commission shall describe each parcel of property assessed, and state the amount assessed against the same, and shall state the name of the owner thereof, a far as known to the Commission. No mistake in, or omission of such owner's name shall in any wise affect such assessment. If the work is completed before any assessment is made, or if the amount so assessed shall be insufficient to complete the work, the Commisson after the completion of said work, may make a final assessment in the same manner to pay the same. All assessments paid on account of any improvement ordered to be done by contract, before the contract therefor is let, shall be kept in the permanent improvement revolving fund for such improve-

Section 192. Assessments Against Railways or Street Railways.
When in any case and proportion of the cost of making any improvement mentioned in Section One Hundred Eighty-two shall by virtue of any valid law, ordinance or contract, be chargeable to any railway or street railway company the amount so chargeable may be assessed against such railway company, and the remainder only upon the real estate beefited thereby; and the city may collect the amount so assessed against such railway company by distress and sale of personal property, in the manner provided by the general laws of this state in case of taxes levied upon personal property, or by suit brought to enforce the collection of said assessment as an indebtedness; provided, that any real estate belonging to such railway company and subject to assess ment and deemed benefited by said improvement, shall be assessed as in other cases.

Section 193. Notice To Be Given Before Making Assessment.

Before proceeding to make an assessment for any improvement mentioned in Section One Hundred Eighty-two, the Commission shall give ten days notice by one publication in the official paper, of the time and place when and where it will attend for the purpose of making such assessment, in which notice it shall specify what such assessment is to be for, and the amount to be assessed. The Commission shall also give at least five days notice to the same effect to all property owners give at least five days notice to the same effect to all property owners interested or their agents resident in the city, if known to said Commission. The notice required by this section may be made by depositing in the Post Office a postal card or letter addressed to each property owner to be assessed, or his agent residing in the city, at least five days prior to the making of the assessment, upon which card or letter shall be either printed or written, substantially the notice above specified; but failure to give such personal notice shall in no wise affect the validity of said assessment or of any of the proceedings. sessment or of any of the proceedings.

Section 194. Hearing Before Making Assessment.

All persons interested in any such assessment shall have the right to

be present and be heard, either in person or by counsel, and the Commission may receive any legal evidence and may adjourn the hearing, if necessary from time to time, and place to place.

if necessary from time to time, and place if necessary from time to time, and place at which it shall have completed such assessment, it shall necessary to be given of the time and place at which it is

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nd extent of such the said improvement. ssion may cause

the official paper of damages or h notice, et shall general descripto be for, and in It shall cause a in which a sum-all parties interpears by the last inty in which the postoffice own to the Com-Glenwood, Minneshall be made by which shall state be filed and pre-

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any land proposed to the damages to the en, to the owner in nmission, and notice er when known, if a all be given in the otice to such owner, such notice notify in ich building or ime, and in such case he Commission from ent, and the owner such building or imding or improvement hereinafter provided. lection as aforesaid,

d by improve to conform to such confirmation, and whalf be final and conclusive apontation of Assessment to conform to such confirmation, and spinaling therefrom the persons interested therein, and not apptaling therefrom the persons interested therein, and not apptaling therefrom the Section 174. Procedure After Confirmation of Assessment Section 174. Procedure After Confirmation of Assessment with all affidavits of When said assessment is confirmed, it, together with all affidavits of the vote of all publication and service of potices connected therewith shall be entered that the confirmation and service of the confirmation and service of the confirmation and service of the confirmation and conclusive apontation to confirmation. any part of any into a book kept for that purpose by the City Clerk. A warrant for the provided, shall collection of said assessment shall issue as provided in section Two the city without Hundred One in case of other assessments, except said assessment shall not be payable in installments. Section 175. Notice of Confirmation of Assessments.

publication of the fact of such confirmation, to be published in the official paper of the city.

Section 176. Re-Assessment. If the said assessment shall be set aside by the Commission as aforesaid take any private for any cause, jurisdictional or otherwise, the Commission shall proceed in the Com- to make a new assessment and shall proceed in like manner and give like the nature and notice as herein required in relation to the first assessment, and all Engineer of such persons in interest shall have like rights and the said Commission shall and present to perform like duties and have like powers in relation to any subsequent as-

ovement, showing sessment as are hereby given in relation to the first assessment, property necessary vided, however, that if the assessment of damages or henefits as to any parcel or parcels of land shall not be appealed from, or said assessment. parcel of such ment thereon shall have been paid, there shall be no re-assessment thereof. t in the office of As often as an assessment against any place or parcel of real estate at the date of assessed for any local improvement is set aside, the same shall be reother statements assessed until said property has paid its share of benefit accruing from

w approximately Section 177. Procedure When No Massement for Benefits Can Be Made to be benefited. All the provisions of this chapter, insofar as applicable shall apply sion may cause to and be followed in the condemnation of property where no assessment for the benefits can be made.

nd Notice.

Section 178. Commission May Abandon Proceedings.

The Commission may, by resolution, abandon any proceedings under this chapter at any time before the confirmation of any award of damthe official paper. termination thereof on such appeal,

o make an award Section 179. Appeal to District Court. Any award or failure to award damages for any property taken or damaged, or assessment of benefits in proceedings under this chapter, may be appealed from by the persons and in manner provided in Chapter Twenty-three (23) of this Charter, and the same shall be heard and determined in manner therein stated;

Section 180. Effect of Award, Whenever an award of damage shall be made, confirmed and not appealed from, in any precedings for the taking of property under this Chapter, or whenever the Court shall render final judgment in any appeal d it shall mail a from any such award or from the confirmation thereof, the right of all County, appearing parties shall be finally determined thereby, and the same shall constitute a lawful and sufficient condemnation and appropriation to the public use of the land, article, franchise, property right or thing of value for which damages are so awarded, and every right, title and interest therein and damages are so awarded, and every right, title and interest therein and thereto, and every lien thereon shall be thereby divested and the city shall become vested with the title, and become the owner of the property taken and condemned absolutely for all purposes for which the city may ever use the same, except that as to lands and rights taken for streets, alleys and highway purposes the city shall and rights taken for streets, alleys for such purposes; but before entering upon possession of said land or property, the city shall pay or offer to pay the amount of such award with interest at the rate of six per cent per annum from the date of the final award or confirmation thereof, or judgment of the court, as the case may be; provided however no appeal from an award or fallure to award damages shall suspend the right to enter thereupon. If there shall be doubt ages shall suspend the right to enter thereupon. If there shall be doubt determine and apost to who is entitled to such compensation or damages, or any part therestate taken, dam-complexion appropriated and in doubt, shall be by the Commission appropriated and set apart in the city treasury for whosoever shall establish his right thereto by some judicial proceeding, and notice ch shall be award shall be fiven to the persons claiming the same or appearing the same shall be heard and determined in manner respectively derive to be interested therein, and thereupon the property so taken and for as damages, shall which said award was made may be entered upon and taken possession of; as damages, shall be heard and determined in manner therein stated.

Section 197. Notice of Confirmation.

When any assessment of benefits has finally been confirmed by the ereinafter provided ant of the award, shall furnish satisfactory evidence of his right to such confirmation, it shall forthwith cause a brief notice of the fact of such confirmation, the award of the a award, if required so to do. Section 181. Description of Property Taken To Be Recorded.

Upon the completion of any proceedings, under this chapter, for the acquisition of any property for the city, the Commission shall cause an amission such strike accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the property so taken to be prepared, together column, so that accurate description of the amount of damages, if any, awarded and paid or column, so that accurate description of the amount of damages, if any, awarded and paid or column, so the property so the column of the amount of the amount of the accurate description of the amount of the accurate description of the accura to be paid, to each former owner thereof, and cause its Mayor and City Clerk to acknowledge the same for the city, and cause the same to be recorded in the office of the Register of Beeds of Pope County.

#### CHAPTER XX.

LOCAL IMPROVEMENTS AND ASSESSMENTS THEREFOR.

Section 182. Power of City To Make Local Improvements and Assess-

ments Therefor. The city is hereby authorized to grade pave, repave, curb, gutter, wall, Section 199. City Clerk Shall Keep Record of All Assessments. sual place of abode bridge, gravel, macadamize, sprinkle, plank, sweep or repair any street, en residing therein, avenue, alley, or highway; to grade, improve, protect and ornament any the city, ten days public park, square or grounds; to construct, improve and ornament park. avenue, alley, or highway; to grade, improve, protect and ornament any purpose, a correct record of all assessments, confirmed by the Commission; public park, square or grounds; to constrict, improve and ornament park, the said books to be properly ruled and headed so as to contain at all ways, and grass plats; to plant and portect shade or ornament trees times a substantial description and history of each assessment on each lot along its streets and avenues; to construct, lay, relay and repair side, and parcel of ground, whether payable in installments, as hereinafter walks, retaining walls, gutters, sewers and drains, in, over, or under any provided, and whether paid to the city or county treasurer or whether street, alley or highway; to abate nuisances; to drain marshes, swamps remaining unpaid.

Section 200. Assessments Payable in Installments.

When such assessments are fully completed and have been consupon the real estate benefited thereby, in proportion to such benefits with. as the Commission out regard to cash reluction to be determined to such benefits, with out regard to cash valuation, to be determined and levied in the manner

election as aforesaid, be made from the be made from the cost and expense of any of the improvements mentioned in section in the hands of the hands of the damages, proceed to provided by Section One Hundred Fifty-nice, and excepting the construction of the notice provided in section Two damages, proceed to provided by Section One Hundred Fifty-nice, and excepting the construction of the notice provided in section Two damages, proceed to provided by Section One Hundred Fifty-nice, and excepting the construction for tion, reconstruction or maintenance of cross walks over public streets and allevs sidewalks adjacent to public grounds, squares and parks, improvein the hands of the damages, proceed to fat public auction for cation in the official representation or maintenance of cross walks over public streets and parks, improved alleys, sidewalks adjacent to public grounds, squares and parks, improved ment or ornamenting public grounds, squares and parks, curbing, gutterinto the city treasury vement.

Section 201. Warrant for Assessments shall be confirmed and established by the City Clerk into the city treasury vement.

When any special assessments shall be confirmed and established by the Commission as herein provided for, it shall be the duty of the City Clerk ing, paving, re-paving, macadamizing and grading street intersections and the intersections of alleys and streets which shall be paid by the city, and except as stated in section One Hundred Eighty-five shall be defrayed by assessment upon the real estate benefited thereby, to be levied and collected in manner hereinafter provided.

Section 201. Warrant for Assessments shall be confirmed and established by the Commission as herein provided for, it shall be the duty of the City Clerk to issue a warrant for the collection thereof, which shall be under the seal of the city and signed by the Mayor and City Clerk, and shall contain a printed or written copy of the assessment roll as confirmed, or so much thereof as described the real estate and the amount of the assessment in each case, said warrant shall also include a copy of the resolution passed by the Commission as provided in Section Two Hundred of this Charter.

an estimate of the cost of such improvement to be made by the City Engi-After said estimate is made, the Commission shall proceed at once to assess the estimated cost thereof, except that portion to be paid on of the appropriate or general fund, on the property to be benefited thereby, in proportion to the benefits resulting thereto, but in no case in excess of such benefits. In making such assessment roll of the Commission shall describe each parcel of property assessed, and state the amount assessed against the same, and shall state the name of the owner thereof, a far as known to the Commission. No mistake in, or omission of such Section 175. Notice of Confirmation et researchement of damages and benefits owner's name shall in any wise affect such assessment. If the work is has been confirmed the Commission shall cause a brief notice by one completed before any assessment is made, or if the amount so assessed shall be insufficient to complete the work, the Commisson after the completion of said work, may make a final assessment in the same manner to pay the same. All assessments paid on account of any improvement ordered to be done by contract, before the contract therefor is let, shall be kept in the permanent improvement revolving fund for such improvement.

Section 192. Assessments Against Railways or Street Railways.

When in any case and proportion of the cost of making any improvement mentioned in Section One Hundred Eighty-two shall by virtue of any valid law, ordinance or contract, be chargeable to any railway or street railway company the amount so chargeable may be assessed against such railway company, and the remainder only upon the real estate beefited thereby; and the city may collect the amount so assessed against such railway company by distress and sale of personal property, in the manner provided by the general laws of this state in case of taxes levied upon personal property, or by suit brought to enforce case of taxes levied upon personal property, or by suit brought to enforce the collection of said assessment as an indebtedness; provided, that any real estate belonging to such railway company and subject to assess ment and deemed benefited by said improvement, shall be assessed as in other cases.

Section 193. Notice To Be Given Before Making Assessment.

Before proceeding to make an assessment for any improvement mentioned in Section One Hundred Eighty-two, the Commission shall give ten days notice by one publication in the official paper, of the time and place when and where it will attend for the purpose of making such assessment, in which notice it shall specify what such assessment is to be for, and the amount to be assessed. The Commission shall also give at least five days notice to the same effect to all property owners interested or their agents resident in the city, if known to said Commission. The notice required by this section may be made by depositing in the Post Office a postal card or letter addressed to each property owner to be assessed, or his agent residing in the city, at least five days prior to the making of the assessment, upon which card or letter shall be either printed or written, substantially the notice above specified; but failure to give such personal notice shall in no wise affect the validity of said assessment or of any of the proceedings.

Section 194. Hearing Before Making Assessment. All persons interested in any such assessment shall have the right to be present and be heard, either in person or by counsel, and the Commission may receive any legal evidence and may adjourn the hearing, if necessary from time to time, and place to place.

Section 195. Notice of Hearing. Objections After Hearing. Assessment When the Commission shall have completed such assessment, it shall cause like notice to be given of the time and place at which it will hear objections and for the confirmation of such assessments, as hereinbefore required in relation to assessments for the condemnation of real estate, and objections shall be made in like manner and under like regulations and conditions and all parties in interest shall have like rights, and the Commission shall perform like duties and have like power in relation to such assessments as are herein given in relation to assessment for the condemnation of real estate.

Section 196. Assessment Final and Conclusive. Appeal.

When said assessment is confirmed, it shall be final and conclusive upon all parties not appealing therefrom. Such assessment may be appealed from by the persons and in manner provided by Chapter Twenty-three and the same shall be heard and determined in manner

confirmation to be published once in the official paper.

Section 198. Assessments Paramount Lien,

Assessments levied under the provisions of this Charter shall be liens on the real estate upon which the same may be imposed, from the date of the confirmation of such assessment, and of equal rank with the lien of the state for taxes which have been or may be levied upon said property under the general laws of the state; and the general rules of law as to priority of tax liens shall apply equally to the liens of such assessment and to such liens for general taxes, with the same force and effect as though all of the liens aforesaid and all of the taxes and assessments aforesaid were of the same general character and imposed for the same purpose and by the same authority, without regard to priority in point of time of the attaching of either of said liens, and a sale for perfecting title under either shall not bar or extinguish the other.

The City Clerk shall keep in his office in books provided for that purpose, a correct record of all assessments, confirmed by the Commission;

firmed and established the Commission shall by resolution in writing, provide that the owner, or any person interested in any lot or parcel so assessed and described in such assessment, may at his election and written request pay the same in three annual installments. Each of said in-

Section 202. Warrant Delivered to City Treasurer.

All warrants issued for the collection of any special assessment by the city as herein authorized, shall be delivered by the city clerk to the city treasurer as soon as practicable after said assessment has been confirmed and established. The city clerk shall in each instance take a receipt for such warrants and place the same on file.

Section 203. Treasurer to Give Notice on Warrant.

Upon the receipt of any warrant for the collection of any special assessment, the city treasurer shall forthwith give notice by one publication in the official newspaper that such warrant is in his hands for collection, briefly describing its nature and the improvement for which the assessment was made, and the territory embraced in such assessment. Such notice shall require all persons interested to make payments within thirty days from the date of such notice. Said notice shall also state that the owner, or any person interested in any lot or parcel of land so assessed and described in such assessment, may at his election and written request, pay the assessment in three annual installments.

Section 204. Notice of Election By Property Owners.

Any person desiring to pay such assessment in installments, as a condition precedent to the exercise of such rights, shall, within thirty days after the publication of the notice provided for in the preceding section and before such assessment become delinquent, make and file with the city treasurer in duplicate, written notice of his election to pay such assessment in annual installments, recognize and assent to the regularity of said assessment, and at the same time, pay the first installment then due and payable; upon failure to file such notice and pay such first installment, the whole of such assessment shall be due and payable the same as though no extension of time for payment had been provided for. Upon the filing of such notice by any person interested, the city treasurer shall divide the said assessment into the proper installments, and make record of the same and transmit one of such duplicate notices to the city clerk, who shall note such fact in his record book of assessments. The commission may at any time after an assessment becomes delinquent and before the same is certified to the county auditor, and upon the written application to the owner, and upon such terms as may be equitable, waive the neglect to so elect within the proper time, and permit any assessment which has become delinquent to be paid in installments, as hereinbefore

Section 205. Election-Walver of Defects. Any person making an election to pay in installments as provided in Section Two Hundred Four, his heirs, personal representatives or grantees of any lot or parcel of land as to which an extension has been granted, shall be held to have recognized and assented to the validity and regularity of said assessment, and of all proceedings had thereon prior to the granting of said application, and shall thereby forever be estopped from denying the validity of said assessment or the amount thereof.

Section 206. Installments. When Due and Payable. To Whom.
When any assessment shall be payable in installments, such installments shall be due as follows: The first installment in thirty days after the publication of the notice provided in Section Two Hundred three hereof: subsequent with interest on the first day of October of each year, commencing with October first of the year subsequent to the year of the completion of such assessment, and continuing until three such installments with interest, shall have been paid, Payment of such installments shall be made to the City Treasurer,

Section 207. Return of City Treasurer to Clerk of Delinquent Assessments If the assessment charged in any special assessment warrant made for any improvement, shall not be paid within thirty days after the publicaon of the notice provided in Section Two Hundred Three, and the owner or persons interested in the lot or parcel so assessed has neglected to make and file the notice of election and make the first payment as provided by Section Two Hundred Four, the City Treasurer shall return to the City Clerk a list, duly certified by him of the assessments which still remain unpaid, giving in such list the description of the several lots and parcels on which the assessments have not been paid, with the names of the respective owners thereof, if known, and the several amounts assessed

Section 208. City Clerk to Transmit List to County Auditor.

The City Clerk shall on or before the first day of November, following cause a statement of the amount of said delinquent assessments, except assessments that have been appealed, which shall be dealt with as hereinafter provided, with six per cent, annual interest thereon computed from the time said assessments became delinquent to the first day of October, of the year next following the making of said assessments, added thereto with a description of the several lots and parcels of land on which the same are made, and the names of the respective owners thereof, if known, to be certified to the auditor of Pope County. It shall be the duty of the said auditor to enter the several amounts of said unpaid assessments, and interest as aforesaid upon the tax duplicate of the county at the time said duplicates are made up, and the same for each year ending November first, shall be carried to the tax becoming due or payable in January of the following year, and enforced and collected in the manner provided for the enforcement and collection of state and county taxes under and in accordance with the provisions of the general laws of the state. Such assessments when collected, shall be paid over by the County Treasurer to the City Treasurer, the same penalties and interest shall attach and be collected by the County Treasurer on assessments as upon general taxes, which penalties and interest shall belong to the city and be turned over by said Treasurer to the City Treasurer with the assessments. Section 209. Installments Not Paid When Due.

If any installment and interest is not paid when due on the first day of October of each year together with interest to that time on all future installments of the same assessment, the City Treasurer shall add a penalty of five per cent. to the total amount thus delinquent and certify the same to the City Clerk as a special tax on said property. The City Clerk shall thereupon certify the same to the Auditor of Pope County, in the same manner, at the same time as in case of other delinquent assessments. The County Auditor upon receipt thereof shall enter and carry out the same upon the proper tax duplicates of the county in the same manner as in other cases of unpaid assessments, certified to him under the provisions of this Charter, and the same shall thereupon be collected and payment thereof enforced the same as other taxes on real estate are collected and enforced and when collected, together with any penalties and interest on same, be paid over to the City Treasurer.

Section 210. Installments May Be Paid Before Due. Any owner or person interested in any land against which an assess ment has been levied, may, after such assessment has been divided into installments, pay one or more of the installments at any time before maturity upon the payment of thirty days interest in addition to the interest which has already accrued.

Section 211. Installments Paramount Lien.
Every installment, the time of payment

Treasurer shall keep a proper record of the Post Office addresses of the holders of all warrants issued to smid it shall be the duty of the holders of all warrants issued as aforesaid. It shall be the duty of the City Treasurer to pay such warrants and interest coupons as they mature and are presented for maynest the fund on which they are drawn and are presented for payment, out of the fund on which they are drawn and to cancel the same when produced the same when the s and to cancel the same when paid. Every warrant issued as aforesaid shall contain the following provides

"The City of Glenwood reserves the right to pay this warrant and accrued interest at any time upon giving the holder therof thirty days notice."

Section 216. Collection of Section 216. Collection of Assessments Levied Before This Charter Goes

All assessments made by the Village of Glenwood prior to the time this Charter goes into effect, shall be collected and the lien thereof enforced in the same manner and under the same provisions of law that they would have been collected under the same provisions of law that they have been collected under that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would have been collected under the same provisions of law that they would be same provisions of have been collected under and the lien thereof enforced as if this Charter has not been adopted has not been adopted.

CHAPTER XXI. SIDEWALKS.

Section 217. Procedure to Build. Plans and Specifications.

The Commission shall by resolution adopt and cause to be filed for inspection in the control of spection in the office of the City Clerk, general plans and specifications to apply to and govern the building regying and repairing of all sidewalks in the city. The Commission shall, from time to time, direct the City Clerk to advertise in the official paper for by's for building, laying or repairing all sidewalks that may be ordered by a Commission. Such advertisements. sidewalks that may be ordered by an Commission. Such advertisements, and all other proceedings in and about said work shall be done and per-tormed in manner as provided by Chapter Fifteen of this Charter.

Section 218. Power of City. Duties of Owners of Property.

The Commission shall have the right to cause to be constructed, sidewalks along any of the public streets and highways of the city that it may deem necessary, and cause the same to be relaid, repaired or removed when necessary, and it is hereby made the duty of all owners of land adjoining any street or highway to construct, relay or repair or remove such sidewalk along the side of the street or highway next to the land of such owners respectively as may be ordered by the Commission and according to the plans and specifications adopted by the Commission therefor. Section 219. Repair of Sidewalks.

If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten, or out of repair it shall be the duty of the superintendent of the department of streets and alleys to immediately repair the same in a good and substantial manner and report to the commission the cost of such repairs in each case, with a description of the lot or parcel of land abutting upon the sidewalks on which such repairs are made, and such reports shall be carefully filed and preserved by the city clerk.

Section 220. Notice of Making Assessment.

The said commission shall give ten days notice by one publication in the official paper to the effect that at a certain time and place, it will proceed to make an assessment for constructing, relaying or repairing said sidewalks. Said notice shall briefly describe the location and nature of said improvement by streets.

Section 221. Assessment to What Amount and On What Property.

The Commission shall assess the amount as nearly as it can ascertain the same which will be required to defray the cost of such improvement mcluding the necessary expense of making and collecting such assessment, upon the real estate or its of land benefited by said improvement to the amount of such benefit.

Section 222. Notice of Meeting for Confirmation of Assessment.

of Confirmation.

When said assessment is completed, the Commission shall give ten days' notice by one publication in the official paper, to the effect that at a time and place therein specified, said assessment will be confirmed unless sufficient cause is shown to the contrary, and that objections must be filed one day before the time specified in said notice with the City Clerk. The Commission shall proceed on the hearing in the same manner and shall have the same power to revise, correct and confirm or set aside such assessment, or to proceed de novo as in case of other assessments. When any such assessment has finally been confirmed by the Commission, it shall forthwith cause a brief notice of the fact of such confirmation to be published once in the official paper.

Section 223. Assessment. Final and Conclusive.
Said assessment when confirmed, shall be final and conclusive, unless appealed from as provided in Chapter Twenty-three, and shall be collected and enforced as other assessments made under Chapter Twenty of this Charter. In case of an appeal, said appeal shall not delay or effect the collection of the assessment, except as to the property appealed from. CHAPTER XXII,

VACATING STREETS, ALLEYS AND HIGHWAYS.

Section 224. Petition and Order,

Section 224. Petition and Order,

No public streets, alleys or highways, or any part thereof shall be vacated or discontinued except upon the verified petition of one or more of the owners of real property on that portion thereof proposed to be vacated. Said petition shall describe the said street, alley or highway or the portion thereof, proposed to be vacated and state the reason or reasons for such vacation. Upon presentation of such petition, the Commission shall, if of the opinion that the matter should be proceeded with, by resolution, order the same filed with the City Clerk, and direct that notice be published for two successive weeks at least once in each week in be published for two successive weeks at least once in each week in the official newspaper, stating that such petition has been filed and its the official newspaper, stating that such petition has been filed and its object, and that the same will be heard and considered at a time and place specified therein, which time shall be at least ten days after the last publication of said notice. The City Clerk shall cause such notice to be published.

Section 225. Hearing.

The Commission at the time and place appointed shall investigate and consider the subject involved in said petition, and may view the premount of the consider the subject involved in said petition. Section 226. Order of Commission.

The Commission after hearing such petition may by resolution passed by four-fifths vote of its members, grant the prayer of the petition and order and declare such street, alley or highway or portion thereof vacated and discontinued.

Section 227. Publication of Resolution.

Upon the passage of such resolution and the approval thereof by the Mayor as in other cases, and upon the same being countersigned by the City Clerk, it shall be published once in the official paper of the city.

the City Clerk, it shall be published once in the official paper of the city. Section 228. Copy of Resolution To Be Filed With the Register of Deeds. A copy of such resolution, duly certified by the City Clerk, shall if no appeal is taken therefrom, be filed with the Register of Deeds of the appeal is taken therefrom, be filed with the Register of Deeds of the appealed from the companied from the companies are companied from the companies and the companies are companies to the companies are companies and the companies are companies are companies and the companies are companies and the companies are companies and the companies are companies and companies are companies and compan County of Pope and duly decorded in his office. If appealed from

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any improvement, shall not be paid within thirty on of the notice provided in Section Two Hundred Three, and the owner or persons interested in the lot or parcel so assessed has neglected to make and file the notice of election and make the first payment as provided by Section Two Hundred Four, the City Treasurer shall return to the City Clerk a list, duly certified by him of the assessments which still remain unpaid, giving in such list the description of the several lots and parcels on which the assessments have not been paid, with the names of the respective owners thereof, if known, and the several amounts assessed thereto.

Section 208. City Clerk to Transmit List to County Auditor.

The City Clerk shall on or before the first day of November, following cause a statement of the amount of said delinquent assessments, except assessments that have been appealed, which shall be dealt with as hereinafter provided, with six per cent. annual interest thereon computed from the time said assessments became delinquent to the first day of October, of the year next following the making of said assessments, added thereto with a description of the several lots and parcels of land on which the same are made, and the names of the respective owners thereof, if known, to be certified to the auditor of Pope County. It shall be the duty of the said auditor to enter the several amounts of said unpaid assessments, and interest as aforesaid upon the tax duplicate of the county at the time said duplicates are made up, and the same for each year ending November first, shall be carried to the tax becoming due or payable in January of the following year, and enforced and collected in the manner provided for the enforcement and collection of state and county taxes under and in aggordance with the provisions of the general laws of the state. messments when collected, shall be paid over by the County urer to the City Treasurer, the same penalties and interest shall attach and be collected by the County Treasurer on assessments as upon general taxes, which penalties and interest shall belong to the city and be turned over by said Treasurer to the City Treasurer with the assessments. Section 209. Installments Not Paid When Due.

If any installment and interest is not paid when due on the first day of October of each year together with interest to that time on all future installments of the same assessment, the City Treasurer shall add a penalty of five per cent, to the total amount thus delinquent and certify the same to the City Clerk as a special tax on said property. The City Clerk shall thereupon certify the same to the Auditor of Pope County, in the same manner, at the same time as in case of other delinquent assessments. The County Auditor upon receipt thereof shall enter and carry out the same upon the proper tax duplicates of the county in the same manner as in other cases of unpaid assessments, certified to him under the provisions of this Charter, and the same shall thereupon be collected and payment thereof enforced the same as other taxes on real estate are collected and emforced and when collected, together with any penalties and interest on same, be paid over to the City Treasurer.

Section 210. Installments May Be Paid Before Due.

Any owner or person interested in any land against which an assessment has been levied, may, after such assessment has been divided into installments, pay one or more of the installments at any time before maturity upon the payment of thirty days interest in addition to the interest which has already accrued.

Section 211. Installments Paramount Lien. Every installment, the time of payment of which has been extended, shall constitute and continue to be a paramount them in the city of the city. and against the lots or parcels of land as to which said extension is granted for the amount so extended for each lot or parcel until the same is fully Section 212. Informalities.

No assessment shall be set aside or held invalid by reason of any informality in the proceedings prior to the entry thereof on the tax list by the auditor of Pope County, as hereinbefore required, unless it shall appear that by reason of such informality or irregularity substantial injury has peen done to the person or persons claiming to be aggrieved., Section 213. New Assessments. When,

If for any cause the proceedings of the Commission or any of its officers, be found irregular or defective, whether such defects are jurisdictional or otherwise, the Commission may make a new assessment as often as need be, upon all estate benefited on which no payment has been made for said improvement until the full amount of all the benefits assessed have been realized from the real estate benefited by such improvement. Section 214. Power to Purchase Property or Assignment of Liens.

In order to protect the lien of the city on special assessments, the Commission shall, whenever necessary, have power to purchase any lot or parcel of land at any tax sale or take an assignment of any lien on the same against which the city has a lien for special assessment, and may sell and assign any such lien held by said city, and otherwise take such action as will protect the interest of the city. Whenever there are funds action as will protect the interest of the city. Whenever there are funds in the permanent improvement revolving fund that may be properly applied to the payment of any such outstanding warrant, it shall be the duty of the City Treasurer to notify the holder of such warrant that there is money in the treasury for the payment of the same. Said notice may be given by mail addressed to the last known Post Office address of the owner of said warrant, and if such address is unknown such notice shall be addressed to such person at Glenwood, Minnesota. Proof of such mailing shall be made by the affidavit of the person mailing the same, and shall state the time and manner of mailing, and how each notice was addressed, and such affidavit shall be filed and preserved in the office of the City Treasurer. Said warrant shall draw no interest after thirty days from the mailing of said notice.

The Commission is hereby authorized in anticipation of the levy, and collection of such assessment, whether divided into installments or not, to issue warrants on the permanent improvement revolving fund, payable at such times, and in such amounts as in the judgment of the Commission the said assessments will provide for, which warrants shall bear interest at a rate not exceeding six per cent. per annum, payable annually on the fifth day of October, and may have coupons attached representing each year's interest. Such warrants shall be non-assessable, and shall state upon their face for what purpose they are issued, and that they are payable out of the permanent improvement revolving fund, and shall be signed by the Mayor and countersigned by the City Clerk under the seal of the city, and be in denominations of not more than one thousand dollars each Such warrants may be used in making payments on contracts for making

Section 215. Commission May Issue Warrants.

of Confirmation.

When said assessment is completed, the Commission shall give ten days' notice by one publication in the official paper, to the effect that at a city. time and place therein specified, said assessment will be confirmed unless sufficient cause is shown to the contrary, and that objections must be filed one day before the time specified in said notice with the City Clerk. The Commission shall proceed on the hearing in the same manner and shall have the same power to revise, correct and confirm or set aside such assessment, or to proceed de novo as in case of other assess ments. When any such assessment has finally been confirmed by the Commission, it shall forthwith cause a brief notice of the fact of such confirmation to be published once in the official paper. Section 223. Assessment. Final and Conclusive.

Said assessment when confirmed, shall be final and conclusive, unless appealed from as provided in Chapter Twenty-three, and shall be collected and enforced as other assessments made under Chapter Twenty of this Charter. In case of an appeal, said appeal shall not delay or effect the collection of the assessment, except as to the property appealed from.

CHAPTER XXII.

VACATING STREETS, ALLEYS AND HIGHWAYS.

Section 224. Petition and Order.

No public streets, alleys or highways, or any part thereof shall be vacated or discontinued except upon the verified petition of one or more of the owners of real property on that portion thereof proposed to be vacated. Said petition shall describe the said street, alley or highway or the portion thereof, proposed to be vacated and state the reason or reasons for such vacation. Upon presentation of such petition, the Commission shall, if of the opinion that the matter should be proceeded with, by resolution, order the same filed with the City Clerk, and direct that notice be published for two successive weeks at least once in each week in official newspaper, stating that such petition has been filed and its object, and that the same will be heard and considered at a time and place specified therein, which time shall be at least ten days after the last publication of said notice. The City Clerk shall cause such notice to be published.

Section 225. Hearing.

The Commission at the time and place appointed shall investigate and consider the subject involved in said petition, and may view the premises and shall hear all testimony offered for or against said petition. Section 226. Order of Commission.

The Commission after hearing such petition may by resolution passed by four-fifths vote of its members, grant the prayer of the petition and order and declare such street, alley or highway or portion thereof vacated and discontinued.

Section 227. Publication of Resolution.

Upon the passage of such resolution and the approval thereof by the Mayor as in other cases, and upon the same being countersigned by the City Clerk, it shall be published once in the official paper of the city. Section 228. Copy of Resolution To Be Filed With the Register of Deeds.

A copy of such resolution, duly certified by the City Clerk, shall if no appeal is taken therefrom, be filed with the Register of Deeds of the Cases of offenses comm the action of the Commission is confirmed on such appeal a certified victions under any or transcript of the order or judgment on such appeal a certified victions under any or order or said Register of Deeds.

Section 229 Appeal to District Court Section 229. Appeal to District Court.

Any action of the Commission vacating any public street, alley or highway or portion thereof, under the provisions of this chapter, may be appealed from by the persons and in manner provided by Chapter Twenty-three, and the same shall be heard and determined in manner as therein directed.

CHAPTER XXIII.

PROCEEDINGS THEREUPON. APPEALS AND RE-ASSESSMENT WHEN.

Section 230. Who May Appeal.

Any person interested in any property taken, damaged, or assessed for benefits resulting from any improvement, in proceedings under Chapter Nineteen may appeal to the Distict Court of Pope County from any award of damages, or failure to award damages, or any such assessment, within twenty days after the publication of the notice provided for in section One Hundred Seventy-five; any person interested in any property assessed for benefits resulting from any improvement under the provisions of Chapter Twenty may appeal to said court from such assessment within twenty days after the publication of the notice of confirmation provided for the Section One Hundred Ninety caves any person interested in one for in Section One Hundred Ninety-seven, any person interested in any property assessed in proceedings under Chapter Twenty-one, may appeal to said court from such assessment within twenty days after the publication of the notice of confirmation provided in section Two Hundred Twenty-two; any person owning real property on that portion of any twenty-two, any person owning rear property on that portion or any street, alley or highway vacated under the provisions of Chapter Twenty-two may appeal to said court from the action of the Commission vacating the same within twenty days after the publication of the resolution provided for in Section Two Hundred Twenty-seven.

provided for in Section Two Hundred Twenty-seven.
Section 231. Appeal How Taken..
Such appeal shall be made by serving upon the City Clerk a written notice signed by the person appealing, his agent or attorney, stating that the person named therein appeals to the District Court from the matter or thing therein mentioned, and filing the same with proof of such service with the Clerk of said Court. Said notice shall set forth and contain, First, a description of the property affected by the award, or failure to award damages or assessment, in street vacation. Second the particular tain, First, a description of the property affected by the award, or railure to award damages, or assessment, or street vacation. Second, the particular award or failure to award, resessment, or street vacation appealed from. Third, if from an award or failure to award damages the nature and amount of the claim of the appellant. Fourth, if from any assessment, or any street vacation, the objection of said appellant to such assessment. any street vacation, the objection of said appenant to such assessment, or to such street vacation. Fifth, the ground of such appeal. The party appealing shall within the time aforesaid execute and file in the office of the Clerk of said Court his bond in the sum of two hundred first dollars. lars with two sufficient sureties approved by the Judge of said Court, conditioned to abide the result of the determination of such appeal and to pay the costs and charges that may be awarded against him thereon, not exceeding the penalty of the bond. No appeal shall be effectual for any formed by them whether purpose unless the bond herein requird shall be given.

the improvements for which the assessments are made, or may be sold for cash, at not less than the par value thereof, and the proceeds thereof credited to the permanent improvements revolving fund, and used for paying for the said improvement. It shall be the duty of the City Treasurer to endorse on each warrant issued as aforesaid, on presentation to him, the matter so appealed from arose. The court may on the application of either the city or appellant require other and further return to the port office address of such assigned. The City Treasurer to endorsement of the Post Office address of such assigned. The City Treasurer to endorsement of the Post Office address of such assigned. The City Treasurer to endorsement of the Post Office address of such assigned. The City Treasurer to endorse the city or counciling the proceeding shall be given.

Section 232. Return To District Court on Appeal. Amendment.

When any such appeal shall be perfected the City Clerk shall forthw prepare and deliver to the Clerk of said Court a copy certified by him of all papers and records of the city pertaining to the proceedings out of which the matter so appealed from arose. The court may on the application of either the city or appellant require other and further return to the city or counciling the city or council council network the city or council t Post Office address of the owner, and in case of assignment of any such warrant, the holder thereof shall present the same to the City Treasurer by made.

Section 233. No Pleadings Required. No Notice of Issue or Notice of the city is interested, and the city is interested, and for endorsement of the Post Office address of such assignee.

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demands, and shall in any street, alley,

Section 238. Injury Any person who remove or in any Wi pipe, conduit, or vent or any part of the city, or who shall wi or pipe, or make cont of misdemeanor. The viction and punishme Section 239. Obligation

The owner of pri nected with such wat the lessee of the prer all water from said w recovered in action any or all of them. Section 240. Powers

The commission lations as it may deen of the city and the thereof. And may m ping of any mains private parties, or lice violation thereof. And for failure to pay the of such water after b ment of such water water from any premis such rates shall be pa

COURTS OF THE JU TITLE OF JUS

Section 241. Official The official name City shall be Justices they shall do and pel jurisdiction, rights, po the County under the thereto they shall have plaints for violation of or any ordinance, byby virtue thereof, and peace in which the c proceedings in the rec by-law, ordinance, or r of keeping or maintail tices shall have power compel said offenders t the peace for a perio ceeding five hundred Section 242. Additional

In all suits broug any forfeiture, fine on the violation of any of complaints for assault criminal offence, not tices shall be authorize for each trial, for the Section 243. Proceeding

Peace. Appeal. In all civil suits prosecutions and proces ceedings shall be had are established and rec the peace; and appeals shall be allowed as n rendered by justices of

Section 244. Process. In all civil suits of issued by a Justice of words, "To the Sheriff Police or any Police prosecutions for offense diction of said Justices, cess shall be directed in a justice of the peace i by-laws of said city, sha officer of said city.

Section 245. Fines and All fines and penalti city for offenses committee ordinance, by-law or reg offenses against the law Section 246. Method of

and Issue Process. Said justices shall be of business at such reason complaints may be made time, in court or otherw Section 24. Fees. Entitle

for the City, County, Said justices shall b against the city or coun claims; and may tax or o

Treasurer shall keep a proper record of the Post Office addresses of the by holders of all warrants issued as aforesaid. It shall be the duty of the City Treasurer to pay such warrants and interest coupons as they mature and are presented for payment, out of the fund on which they are drawn and to cancel the same when paid. Every warrant issued as aforesaid shall contain the following proviso:

"The City of Glenwood reserves the right to pay this warrant and accrued interest at any time upon giving the holder therof thirty days notice." Section 216. Collection of Assessments Levied Before This Charter Goes

Into Effect.

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All assessments made by the Village of Glenwood prior to the time this Charter goes into effect, shall be collected and the lien thereof enforced in the same manner and under the same provisions of law that they would have been collected under and the lien thereof enforced as if this Charter has not been adopted.

#### CHAPTER XXI. SIDEWALKS.

Section 217. Procedure to Build. Plans and Specifications.

The Commission shall by resolution adopt and cause to be filed for inspection in the office of the City Clerk, general plans and specifications to spection in the office of the City Cierk, general plans and specifications to apply to and govern the building reging and repairing of all sidewalks in the city. The Commission shall, from time to time, direct the City Clerk to advertuse in the official paper for the formula for building, laying or repairing all sidewalks that may be ordered by the Commission. Such advertisements, and all other proceedings in and about said work shall be done and performed in manner as provided by Chapter Fifteen of this Charter.

Section 218. Power of City. Duties of Owners of Property.

The Commission shall have the right to cause to be constructed, sidewalks along any of the public streets and highways of the city that it may deem necessary, and cause the same to be relaid, repaired or removed when necessary, and it is hereby made the duty of all owners of land adjoining any street or highway to construct, relay or repair or remove such sidewalk along the side of the street or highway next to the land of such owners respectively as may be ordered by the Commission and according to the plans and specifications adopted by the Commission therefor, Section 219. Repair of Sidewalks.

If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken; rotten, or out of repair it shall be the duty of the superintendent of the department of streets and alleys to immediately repair the same in a good and substantial manner and report to the commission the cost of such repairs in each case, with a description of the lot or parcel of land abutting upon the sidewalks on which such repairs are made, and such reports shall be carefully filed and preserved by the city clerk.

Section 220. Notice of Making Assessment.

The said commission shall give ten days notice by one publication in the official paper to the effect that at a certain time and place, it will proceed to make an assessment for constructing, relaying or repairing said sidewalks. Said notice shall briefly describe the location and nature of said improvement by streets.

Section 221. Assessment to What Amount and On What Property.

The Commission shall assess the amount as nearly as it can ascertain the same which will be required to defray the cost of such improvement including the necessary expense of making and collecting such assessment, upon the real estate or its of land benefited by said improvement to the amount of such benefit.

Section 222. Notice of Meeting for Confirmation of Assessment. Notice of Confirmation.

When said assessment is completed, the Commission shall give ten days' notice by one publication in the official paper, to the effect that at a sufficient cause is shown to the contrary, and that objections must be filed one day before the time specified in said notice with the City Clerk. The Commission shall proceed on the hearing in the same manner and shall have the same power to revise, correct and confirm or set aside such assessment, or to proceed de novo as in case of other assess-When any such assessment has finally been confirmed by the Commission, it shall forthwith cause a prief notice of the fact of such confirmation to be published once in the official paper.

Section 223. Assessment. Final and Conclusive.
Said assessment when confirmed, shall be final and conclusive, unless appealed from as provided in Chapter Twenty-three, and shall be collected and enforced as other assessments made under Chapter Twenty of this Charter. In case of an appeal, said appeal shall not delay or effect the collection of the assessment, except as to the property appealed from.

### CHAPTER XXII.

VACATING STREETS, ALLEYS AND HIGHWAYS.

Section 224. Petition and Order.

No public streets, alleys or highways, or any part thereof shall be vacated or discontinued except upon the verified petition of one or more vacated or discontinuous except upon the verified petition of one or more of the owners of real property on that portion thereof proposed to be vacated. Said petition shall describe the said street, alley or highway or the portion thereof, proposed to be vacated and state the reason or reasons for such vacation. Upon presentation of such petition, the Commission shall, if of the opinion that the matter should be proceeded with, by resolution, order the same filed with the City Clerk, and direct that notice be published for two successive weeks at least once in each week in the official newspaper, stating that such petition has been filed and its object, and that the same will be heard and considered at a time and place specified therein, which time shall be at least ten days after the last publication of said notice. The City Clerk shall cause such notice to be published. to be published.

Section 225. Hearing.

The Commission at the time and place appointed shall investigate and consider the subject involved in said petition, and may view the premises and shall hear all testimony offered for or against said petition. Section 226. Order of Commission.

The Commission after hearing such petition may by resolution passed by four-fifths vote of its members, grant the prayer of the petition and order and declare such street, alley or highway or portion thereof vacated and discontinued.

Section 227. Publication of Resolution. Upon the passage of such resolution and the approval thereof by the Mayor as in other cases, and upon the same being countersigned by the City Clerk, it shall be published once in the official paper of the city. Section 228. Copy of Resolution To Be Filed With the Register of Deeds.

A copy of such resolution, duly certified by the City Clerk, shall if no Trial. Entry On Civil Calendar. Except as hereinafter stated no pleadings shall be required, but

issue shall be considered made by the objections stated in the notice of appeal. No notice of trial need be given or note of issue filed. the appeal shall be enteed by the Clerk of said Court upon the civil calent for trial at the next term of said Court commencing not less than eit days after the same is perfected, and shall be brought on for trial in e same order as other civil actions.

Section 234. Procedure in District Court. Joinder of Parties. Power Court,

The Court may order issues to be framed and other parties to be joined and plead therein if necessary for the proper determination of the questions involved. Every such appeal shall be tried by the Cott without a jury, except an appeal from an award or failure to award darages, which shall be tried by jury unless the parties otherwise agree, ad the court or jury trying the same shall re-assess and apportion the saie as justice may require. In an appeal from an assessment the court my revise, correct, amend, increase, reduce or confirm the assessment appeald from, or may order a new assessment to be made as to the properly concerning which said appeal is taken. Disbursements and costs shill be allowed on said appeal as in other civil cases, and either party my appeal from the determination of said District Court to the Supreme Court of the State in manner provided by the general laws of the State.

Section 235. Clerk To Transmit To Treasurer Copy of Order or Judgment

Duty of Treasurer and Commission Thereupon.
Within twenty days after the determination by said Court of any appeal from any assessment the Clerk of said Court shall mail and diliver to the City Treasurer. liver to the City Treasurer a copy of the order or judgment in the said proceedings. Unless the Court orders a new assessment, the City Treasuer shall certify the assessments mentioned in said order of the District Court to the City Clerk in the same manner as other delinquent assessments are certified. And if the Court orders a new assessment, the City Treasurer on receipt of the copy of the order or judgment from the Clerk of the District Court as aforesaid shall immediately transmit the same to the City Clerk, and the Commission shall thereupon proceed to make a new assessment.

Section 236. Re-Assessment. If any assessment shall be set aside by the Court for any cause, jurisdictional or otherwise, the Commission shall proceed to make a new assessment, and it shall proceed in like manner and give like notice, as herein required, in relation to the first assessment, and all pesons in interest shall have like rights and the said Commission shall proceed in any subsequent assessment, as in the case of the first assessment provided, that if the assessments or benefits to any tract of land shall not be appealed from or shall not have been set aside by the Court, the Commission, in any subsequent assessment or re-assessment may omit the tract of land as to which the first assessment shall not have been set aside or appealed from, or on which said assessment shall have been paid, and as often as an assessment or re-assessment against any tract of real estate assessed for any local improvement is set aside, the same shall be re-assessed until said property shall have paid its proper share of benefits accruing from the said improvement.

CHAPTER XXIV. WATER WORKS.

Section 23. Right to Maintain Water Works.

The Commission shall have the power to maintain water works now established, and to enlarge, extend and improve the same or contract for a new system of water works at any time when public necessity demands, and shall have the right to lay water mains, pipes and hydrants in any street, alley, highway or public grounds within or without the

Section 238. Injury to Water Works.

Any person who shall without authority from the city, wilfully break, remove or in any way injure or damage any water main, branch, water pipe, conduit, or vent, box or box cover, main pipe or cover of hydrant, or any part of the machinery or property of the water works of said city, or who shall without authority from the city, open any water main or pipe, or make connection with any such main or pipe, shall be guilty of misdemeanor. The Commission may provide by ordinance for the conviction and punishment for any such offense.

Section 239. Obligation of owner for Water Rent.

The owner of private property, which property has upon it pipes connected with such water works to convey water therein, shall, as well as the lessee of the premises, be liable to the city for the rents or rates of all water from said water works used upon said premises, which may be recovered in action against such owner, lessee or occupant, or against

any or all of them.

Section 240. Powers of Commission. Rules and Regulations. Penalties. The commission may by ordinance, establish such rules and regulations as it may deem necessary for the management of the water works of the city and the supplying of water for the use of the inhabitants thereof. And may make such rules and regulations concerning the tapping of any mains or branches or making connections therewith by private parties, or licensed plumbers, and may provide penalties for any violation thereof. And may impose a charge for the shutting off of water for failure to pay the water rate due thereupon, and for the turning on of such water after being so shut off if the same is requested after payment of such water rate, and may also provide for the shutting off of water from any premises where rates are payable and remain unpaid until such rates shall be paid together with such charges.

CHAPTER XXV. COURTS OF THE JUSTICE OF THE PEACE. OFFICIAL NAME AND TITLE OF JUSTICES. POWER. PROCEDURE. APPEAL. DUTIES OF JUSTICES.

Section 241. Official Name and Title. Powers.

The official names and titles of the Justices of the Peace of the City shall be Justices of the Peace; under this name and by this title they shall do and perform all of the acts, and be vested with all the jurisdiction, rights, powers, and privileges of Justices of the Peace of the County under the constitution and laws of the State, and in addition thereto they shall have exclusive jurisdiction to hear and try all comthereto they shall have exclusive jurisdiction to hear and try all complaints for violation of any provision or provisions of the city charter, or any ordinance, by-law, rule or regulation made or adopted under or by virtue thereof, and of all cases cognizable before a justice of the peace in which the city is a party, and of all writs, prosecutions and proceedings in the recovery of any fine, forfeiture or penalty under any by-law, ordinance, or regulation of the said city or its charter, and in all cases of conviction for cases of offenses committed against the same. In all cases of conviction for against the same in all cases of conviction for against batteries and affrays within said city, and in all cases of conviction for against batteries and affrays within said city, and in all cases of conviction for against batteries and affrays within said city, and in all cases of conviction for against batteries and affrays within said city, and in all cases of conviction for against batteries and affrays within said city, and in all cases of conviction for against the same of the page of the city of the page. appeal is taken therefrom, be filed with the Register of Deeds of the cases of offenses. County of Pope and duly decorded in his office. If appealed from and assaults butterles

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The Commission at the time and place appointed shall investigate and consider the subject involved in said petition, and may view the premises and shall hear all testimony offered for or against said petition.

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CHAPTER XXV.

COURTS OF THE JUSTICE OF THE PEACE. OFFICIAL NAME AND TITLE OF JUSTICES. POWER. PROCEDURE. APPEAL. DUTIES OF JUSTICES.

Section 241. Official Name and Title. Powers.

The official names and titles of the Justices of the Peace of the The official names and titles of the Justices of the Peace of the City shall be Justices of the Peace; under this name and by this title they shall do and perform all of the acts, and be vested with all the jurisdiction, rights, powers, and privileges of Justices of the Peace of the County under the constitution and laws of the State, and in addition thereto they shall have exclusive jurisdiction to hear and try all complaints for violation of any provision or provisions of the city charter, or any ordinance, by-law, rule or regulation made or adopted under or by virtue thereof, and of all cases cognizable before a justice of the neace in which the city is a party, and of all writs prosecutions and peace in which the city is a party, and of all writs, prosecutions and proceedings in the recovery of any fine, forfeiture or penalty under any by-law, ordinance, or regulation of the said city or its charter, and in all cases of offenses committed against the same. In all cases of conviction for assault, batteries and affrays within said city, and in all cases of convictions under any ordinances of the city for breach of the 'peace, disorderly conduct, keeping houses of til fame, or frequenting the same, and of keeping or maintaining disorderly or ill-governed houses the said justices shall have power, in addition to the fines or penalties imposed, to convol said effonders to give (convict for their goal the research of the fines of penalties imposed, to compel said offenders to give security for their good behaviour, and to keep the peace for a period not exceeding six months, and in a sum not exceeding five hundred dollars.

Section 242. Additional Costs May Be Taxed.

In all suits brought on be half of said city for the recovery of any forfeiture, fine or penalty; in all cases arising on complaints for the violation of any ordinance, by-law or regulation of said city, and on complaints for assault, battery, or affray, or for other misdemeanor, or criminal offence, not indictable committed within said city the said justices shall be authorized to tax with the other local certificate delices. tices shall be authorized to tax, with the other legal costs, one dollar for each trial, for the benefit of said city.

Section 243. Proceedings Same as In General Law for Justices of the

Peace. Appeal.
In all civil suits and proceedings and in all criminal information, prosecutions and proceedings before said justices the same forms and proceedings shall be had and used, except as herein otherwise provided, as are established and required by the laws of this state before justices of the peace; and appeals from the judgment and decision of said justices shall be allowed as now provided by law of appeals from judgments rendered by justices of the peace.

Section 244. Process. Direction.

In all civil suits or proceedings the summons, writ or other process issued by a Justice of the Peace in said City shall be directed in these words, "To the Sheriff or any Constable of Pope County, the Chief of Police or any Police Officer of the City of Glenwood." In all criminal prosecutions for offenses against the laws of the state within the jurisdiction of said Justices to hear and determine, the warrant or other process shall be directed in like manner. All warrants, process or writs by a justice of the peace in said City for the violation of an ordinance and by-laws of said city, shall be directed to the chief of police or any police officer of said city.

Section 245. Fines and Penalties. Disposition.
All fines and penalties imposed by the justices of the peace in said city for offenses committed within the city limits, for the violation of any ordinance, by-law or regulation of said city shall belong to the city for offenses against the laws of the state, to the county treasury. Section 246. Method of Business, May At All Times Receive Complaint

and Issue Process.

Said justices shall be in attendance at their offices for the transaction of business at such reasonable hours as the Commission may prescribe, and complaints may be made to, and writs and process issued by them at all time, in court or otherwise.

Section 24. Fees. Entitled to Receive for Services, Whether Performed

for the City, County, or Individuals. Regulations.
Said justices shall be entitled, to receive fees for any services performed by them whether for the city, county or individuals. Such charges against the city or county to be presented, allowed and paid as other purpose unless the bond herein requird shall be given.

Section 232. Return To District Court on Appeal Amendment.

When any such appeal shall be perfected the City Clerk shall forthw

prepare and deliver to the Clerk of said Court a copy certified by him of same as are provided for Justices of the Peace under said laws for like

port to the commission all the proceedings instituted before them in which The City Section 233. No Pleadings Required. No Notice of Issue or Notice of the city is interested, and shall at the same time account for and pay over to he city treasurer, all fines and penalties collected or received by

them beinging to said city. Section 49. Residence in City Does Not Disqualify.

The fact that persons acting as Justices of the peace of the City of Glenyood are residents of said city shall not deprive them of jurisdiction of actions brought in favor of or against said city, when said actions are otherwise within the jurisdiction of a Justice of the Peace. Section 250. Powers. Duties.

In all prosecutions for the violation of any provision of this charter or any ordinance, resolution, by-laws or regulation adopted under or by virtue thereof, said justice of the peace shall proceed to the trial and determination thereof, in a summary manner, without the aid of a jury.

CHAPTER XXVI.

ACTION FOR DAMAGES. FOR INJURY ON STREETS, ETC. Section 251. Notice to City and Limitation of Time for Commencing

No action shall be maintained against the city on account of any de fect in any street, road, bridge, sidewalk, public utility or other public places or by reason of the negligence of its officers, agents, or servants, unless such street or highway upon which said injury happened is actually unless such street or highway upon which said injury happened is actually open, used and traveled by the public as a street or highway, nor unless the person claiming to have sustained such injury or loss, or his lawful representative, shall, within thirty days, or if the alleged injury shall have resulted in the death or insanity of the person injured, then within sixty days, after the happening of such injury or loss, present his claim for compensation, damages or other relief on account thereof to the Commission in writing, stating the time when, the place where, and the circumstances under which such injury or loss occurred, and the amount of compensation or the nature of the relief demanded from the city and give said Commission ten days time after such claim is presented, within which to decide upon the course it will pursue with relation to such claim, nor shall any action be maintained unless the same shall be commenced nor shall any action be maintained unless the same shall be commenced within one year after the happening of such injury or loss.

Section 252. How Long Defect to Exist. Actual Notice to City Required.

In the prosecution of actions against the city for personal injuries

growing out of defective or improperly constructed highways, bridges, culverts, streets, alleys, sidewalks, or public utilities, it shall be necessary in order to maintain said action for the plaintiff to allege and prove that the defect or want of repair complained of existed for more than ten days immediately prior to the time of the happening of the injury, or that actual notice in writing of such defect or want of repair shall have been filed with the City Clerk at least five days before the time of such injury

#### CHAPTER XXVII. INTOXICATING LIQUORS.

Th general laws of the State of Minnesota pertaining in any manner to intoxicating liquors shall, so far as applicable, be in force and applied to the City of Glenwood, provided, however, that the legal voters of said City shall have the right to decide for themselves whether license shall be granted in the City, to such persons and in such numbers as the commission may deem proper, for the sale of spirituous, vincus, fermented and malt liquors in less quantities than five gallons, and provided further that the question of whether or not such license shall be granted, shall be submitted to the legal voters of said city only at a special election called as hereinafter set forth and held on the second Tuesday in March of any old numbered year, and no other question sall be voted upon at said election. No such election shall be held unless, within twenty-five days prior to the second Tuesday in March in any odd numbered year, a petition, asking that the question of whether such licenses shall be granted in said city be submitted to the voters of said city, and signed by electors equal in number to twenty per centum of the number of votes cast for all candidates for mayor at the last preceding general municipal election, is filed with city clerk, which petition shall be in the same general form, and verified in the same manner as in Section Thirty of eral form, and vermed in the same manner as in section initive of the chapter Three relative to the recall of elective officers. When said petition has been filed as aforesaid the said city clerk shall give public notice of the said election by posing in three of the most public places in said city, a notice in writing stating the time and place of holding said election and hours during which the polls shall be open and that the question of whether licenses for the sale of spirituous, vinous, fermented and malt liquors in less quantities than five gallons shall be granted in said city, will be submitted at such election, which notice shall be so posted at least twenty days prior to the date of such election and shall be published in one newspaper in said city at least ten days prior to the date of said election. The feilure of the city clerk to give such notice shall not invalidate the election thereunder.

The ballots at such election shall be printed on plain white paper and be substantially in the following form:
"Special Election Ballot"

In favor of license.....

Electors desiring to vote in favor of license shall make their cross mark, thus X, opposite the words "In favor of license" and the electors desiring to vote against license shall make their cross mark, thus X, opposite the words "Against license." The ballots cast at such election shall be determined and canvassed as in this charter prescribed for canvassing and determining the votes cast at general municipal elections. It shall be and determining the votes cast at general municipal elections. It shall be the duty of the city clerk to cause said ballots to be printed at the expense of the city and delivered to the judges of election before the time set for the opening of the polls. The number of ballots to be printed and delivered as aforesaid shall be twice the number of votes cast for mayor at the last preceding municipal election.

All persons holding any office or employment under the city, whether elective or appointive, shall be required to engage in the actual work of the office or employment so held, to the extent that their service may be necessary for the full and complete discharge of the duties of said office, or employment, and a failure so to do, shall be ground for removal. Section 257. Peace Officers.

The Mayor, Commission, Chief of Police and all police officers, whether regular or temporary, shall be peace offices, and may suppress in a summary manner any riotous or disorderly conduct in the streets, or other public places of the city, and may command the assistance of all persons, under such penalties for disobendience to such contract of all perprescribed by ordinarce. The City Attorney shall prosecute in behalf of the city, all criminal cases, arising from violations of the provisions of this Charter and the cases, arising from violations shall attend to all suits and proceedings in ordinances of the city, and shall attend to all suits and proceedings in ordinances of the city, and said proceedings in which the city may be legally interested; provided, the Commission shall which the city may be located for the city, and may employ other attorneys to take charge of any litigation or to assist the city Attorney therein. section 264. Actions on Behalf of City to Be Brought in Corporate Name.
All actions brought to recover any penalty, or forfeiture under this

Charter, or the ordinances, by-laws, police, or health regulations made in pursuance thereof, shall be brought in the corporate name of the city. in pursuance thereof, shall be broad any provision of this Charter, or of any ordinance, resolution, by-laws or regulation of the City shall be brought in the name of the City of Glenwood,

Section 265. Actions Against City. Process to Be Served on City Clerk.
Service of summons, process or notice in any action or proceeding against the city may be made by leaving a copy thereof with the City Clerk, against the city that be the duty of the City Clerk to forthwith inform the City Attorney thereof, who shall take such other proceedings as may be need-

ful to defend the interests of the dity.

Section 266. Citizens or Taxpayers May Sue or Defend Actions In any action pending in which the City of Glenwood is a party, either plaintiff or defendant any citizen or taxpayer, or any number of citizens or taxpayers, after it has been show and determined that such citizen or citizens, taxpayer or taxpayers has an interest in the subject matter the action, may intervene and are ar and defend or prosecute the same in the name of said city, in the manner hereinafter provided. Such citizens to the contract of taxpayers, so intending to intervene

or citizens, taxpayer, or taxpayers, so intending to intervene, shall make but the District Court of said Pope County in such cause for leave to intervene and defend or prosecute such action, setting forth in said petition the facts showing their interest in said cause. Notice of a hearing upon such application shall be given and served upon the city attorney at least ten days before the hearing thereof. Such application shall be determined in such manner as the district court may direct and the city may resist such application. The decision upon such application by said district court shall be final as to right of such applicant to intervene. If the right of intervention shall be granted by said court, such applicant or applicants may appear and prosecute or defend said cause in the name of said city, and all acts in that behalf which the said city might or could do; provided, that such interveners shall be required to file in such cause such bond as may be directed by said court indemnifying the city of Glenwood against any costs which may be awarded against it in the action subsequent to the date of intervention; and provided, that such intervention shall not be construed to prevent the City of Glenwood from prosecuting or defending the action in its own behalf. And any citizen, citizens, taxpayer, or taxpayers may bring any action in the name of and in behalf of the City of Glenwood against whomsoever such cause may exist, and in any court and may obtain in said action any and all relief in behalf of said city which the city might or could obtain if the city prosecuted such action. Such citizen, citizens, taxpayer, or taxpayers shall, before commencing said action, obtain leave of the court in which said action is commenced in the same manner as hereinbefore provided in case of any in-tervention, and shall file in said cause a bond in an amount to be fixed and approved by the court, indemnifying the city against any judgment which approved by the court, indemnitying the city against any judgment which may be obtained against it in said action. If any judgment shall be obtained in favor of said city in such action so brought, said person so bringing such action shall be reimbursed for, his reasonable costs and expenses in a prosecution thereof; provided, that nothing herein shall be construed to prevent the city from bringing or prosecuting said action in its own helalf, or from appearing in and prosecuting any action so brought, and the city may appear and prosecute therein without obtaining leave of the court. Section 267. Parked Part of Streets.

The Commission shall have power to provide by ordinance that the parked part or grass plot of any street shall be graded and covered with sod or seeded with grass, to be maintained and the grass to be properly cut by the occupant or owner of the abutting property and in case of the neglect of the accupant or owner to so do that the same may be done by the city at the expense of the abutting property, and that said expense be collected by assessment in the same manner as assessments for laying and

repairing sidewalks are collected. Section 268. Inspection of Records.

All records, books and papers pertaining to the business of the city, or any department thereof, shall be public and open to the inspection of any citizen of the city at all reasonable times and places. section 269. Plats and Approval Thereof.

The Commission shall have the sole power to accept and approve all plats of property within the city, and to prescribe the width and location of streets and alleys required in such plats. The Commission shall have the power to require the owners of unplatted property to make such improvements as it deem proper before a plat thereof shall be accepted and approved by it.

Section 270. Filing Proof of Publication. The proprietor of the official paper, shall, immediately after the publication of any notice, ordinance or resolution, or proceedings of the Com mission or of any other matter which is required by any provision of this Charter file with the City Clerk a copy of such publication, with his affidavit or that of his foreman of its due publication, and no bill or claim for any publication whatever, shall be allowed or adjusted by the City Clerk until such affidavit shall have been filed with him and until he shall have approved the same.

Section 21. Remission of Penalty or Judgment, Vote For. No penalty or judgment recovered in favor of the city shall be remitted or discharged, except by the vote of four-fifths of the Commission. Section 272. City Money and Depositories. Council To Designate. Amount

of Deposit in Any One.

(A) The Commission shall have the power and authority, at the begin-Section 255.

If, upon such canvassing, it is found that the majority of the votes cast at said election shall be against granting such license the commission shall not thereafter, until some subsequent contrary vote, grant any such licenses.

CHAPTER XXVIII.

MISCELLANEOUS.

Section 256. Officers to Perform Duties.

All persons holding any office or employment under the city, whether elective or appointive, shall be required to engage in the actual work of the likely to be in the hands of the city treasurer at any one time, and shall, so to be in the hands of the city treasurer at any one time, and shall, so far as consistent with the best interest of the city, designate such depositories in this city and shall require from such depositories good and sufficient bonds, to be approved by the Commission, payable to the city for double the amount of money likely to be received and conditioned for the safe keeping and payment of funds so deposited.

(B) Duty of Treasurer. Failure of Depository Exonorates.

The city treasurer shall keep the fit.

that the question of whether or not such license shan b submitted to the legal voters of said city only at a special election called submitted to the legal voters of said city only at a special election called as hereinafter set forth and held on the second Tuesday in March of any odd numbered year, and no other question sall be voted upon at said election. No such election shall be held unless, within twenty-five days prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March of numbered year, a prior to the second Tuesday in March of numbered year, a prior to the second Tuesday in March of numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year, a prior to the second Tuesday in March in any odd numbered year. by electors equal in number to twenty per centum of the number of votes by electors equal in number to twenty per centum of the number of votes cast for all candidates for mayor at the last preceding general municipal election, is filed with city clerk, which petition shall be in the same general form, and verified in the same manner as in Section Thirty of eral form, and verified in the recall of elective officers. When said perchapter Three relative to the recall of elective officers. When said perchapter three relative to the recall of elective officers when said perchapter three relative to the recall of elective officers. When said perchapter the said election by posing in three of the most public places notice of the said election by posing in three of the most public places in said city, a notice in writing stating the time and place of holding in said city, and hours during which the polls shall be open and that said election and hours during which the polls shall be open and that the question of whether licenses for the sale of spirituous, vinous, ferthe question of whether licenses for the sale of spirituous, vinous, ferthe question and malt liquors in less quantities than five gallons shall be granted in said city, will be submitted at such election, which notice mented and mait inquors in less quantities than nive gailons shall be granted in said city, will be submitted at such election, which notice granted in sosted at least twenty days prior to the date of such election shall be so posted at least twenty days prior to the date of such election. shall be so posted at least twenty days prior to the date of such election and shall be published in one newspaper in said city at least ten days prior to the date of said election. The frilure of the city clerk to prior to the date of said election. prior to the date of the election thereunder.

The ballots at such election shall be printed on plain white paper Section 254.

and be substantially in the following form:
"Special Election Ballot"

In favor of license...

aforesaid shall be twice the number of votes cast for mayor at the last preceding municipal election.

If, upon such canvassing, it is found that the majority of the votes cast at said election shall be against granting such license the commission shall not thereafter, until some subsequent contrary vote, grant any such licenses.

#### CHAPTER XXVIII. MISCELLANEOUS.

Section 256. Officers to Perform Duties.

All persons holding any office or employment under the city, whether elective or appointive, shall be required to engage in the actual work of the office or employment so held, to the extent that their service may be necessary for the full and complete discharge of the duties of said office, or employment, and a failure so to do, shall be ground for removal. Section 256. Officers to Perform Duties.

or employment, and a failure so to do, shall be ground for remover.

Section 257. Peace Officers.

The Mayor, Commission, Chief of Police and all police officers, whether regular or temporary, shall be peace offices, and may suppress in a summary manner any riotous or disorderly conduct in the streets, or other summary manner any riotous or disorderly conduct in the streets, or other public places of the city, and may command the assistance of all perpublic places of the city, and may command as may be sons, under such penalties for disobendience to such command as may be prescribed by ordinance.

Section 258. Warrants for Arrest. Arrest. Imprisonment.

In all prosecutions for the violation of the laws of the State, the provisions of this Charter, or the ordinances of the city, the first process shall be by warrant, provided that no warrant shall be necessary in the case of arrest of any person while in the act of violating any such law, provision of the Charter or ordinance of the city; and the person or persons so arrested shall be proceeded against in the same manner as persons so arrested shall be proceeded against in the same manner as if the arrest had been by warrant. From the time of the arrest of any person or persons for any offense whatever, until the time of trial, the person or persons so arrested may be imprisoned in the city prison, or in

case there be no city prison, in the common jail of the county, Section 259. Power of Police Officers, The Chief of Police and all regular or temporary police officers shall possess the powers of constables at common law and under the statutes of this State, and in addition thereto, shall have the power to serve and execute all warrants, summons, commitments, writs, subpoenas, or process issued out of the justices courts, and shall have authority to pursue and arrest in any part of the State beyond the limits of the city any person charged with any violation of any law, ordinance of the city, or any offense or crime within the limits of the city, Provided, that no such officer shall have power to arrest without a warrant, except in cases in which arrest without a warrant are authorized by the general laws of the State, or this Charter; and the violation of any city ordinance shall be deemed a public offense,

Section 260. Punishment of Offenses Not Otherwise Provided. Definition of Misdemeanor.

Every act or omission to act, which, under this Charter or the ordinances of the city, is or shall be made a misdemeanor or subject to punishment, shall be, if the punishment is not otherwise prescribed, punishable by imprisonment for not more than ninety days or by a fine of not more than one hundred dollars. The term "misdemeanor" as used in this Charter, shall mean a violation of this Charter, or of any ordinance, of which the Justices Courts have jurisdiction.

Section 261. Proceedings After Sentence. Imprisonment, or May Be Re-

quired to Work on Streets, Etc.
In all cases of the imposition of any fine or penalty, or of the rendering of any judgment by a justice of the peace of the city, pursuant to any statute of the State of Minnesota, or pursuant to any ordinance or by-law of the city, as punishment for any offense, or for the violation of any ordinance or by-law as aforesaid, the offender shall be forthwith committed to the city prison of the city, or if there be no city prison, to the common jail of the county, and be there imprisoned for a term not exceeding three months, in the discretion of the justice of the peace of said city, unless the said fine or penalty be sooner paid or satisfied, provided, however, the Commission may provide by ordinance that any person committed upon sentence, or in default of the payment of the fine imposed, may be kept at hard labor during his term of imprisonment upon the streets or public improvements of the city for a time not exceeding three months; and the said Commission shall have full power to establish by ordinance all need-ful regulations for the security of such persons so employed and to prevent escapes and secure proper discipline. prevent escapes and secure proper discipline.

Section 262. Resident of City Not Incompetent for Witness or Juror. No person shall be an incompetent witness or juror, by reason of his being an inhabitant of the city, in any proceeding or action in which the city shall be a party in interest. Section 263. Conduct of Legal Proceedings.

such action shall be to provided, that house said action in its own he to prevent the city from bringing or prosecuting said action in its own he half, or from appearing in and prosecuting any action so brought, and the city may appear and prosecute therein without obtaining leave of the court, section 267. Parked Part of Streets.

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The Commission shall have power to provide by ordinance that the parked part or grass plot of any street shall be graded and covered with sod or seeded with grass, to be maintained and the grass to be properly sod or seeded with grass, to be maintained and the grass to be properly to the cut by the occupant or owner of the abutting property and in case of the neglect of the accupant or owner to so do that the same may be done by the city at the expense of the abutting property, and that said expense be collected by assessment in the same manner as assessments for laving and collected by assessment in the same manner as assessments for laying and

repairing sidewalks are collected.
Section 268. Inspection of Records.
All records, books and papers pertaining to the business of the city, or any department thereof, shall be public and open to the inspection of the city. repairing sidewalks are collected.

any citizen of the city at all reasonable times and places.

section 269. Plats and Approval Thereof. The Commission shall have the sole power to accept and approve all The Commission shall have the sole power to accept and approve all plats of property within the city, and to prescribe the width and location of streets and alleys required in such plats. The Commission shall have the power to require the owners of unplatted property to make such improvements as it does proper before a plat thereof shall be accepted and provements as it deem proper before a plat thereof shall be accepted and

approved by it. Section 270. Filing Proof of Publication. The proprietor of the official paper, shall, immediately after the public The proprietor of the official paper, shall, infinediately after the publication of any notice, ordinance or resolution, or proceedings of the Commission or of any other matter which is required by any provision of this mission or of any other matter which is required by any provision of this Charter file with the City Clerk a copy of such publication, with his affiliation of that of his foreman of its due publication, and no bill or claim dayl or that of his foreman of its due publication, and no bill or claim for any publication whatever, shall be allowed or adjusted by the City Clerk until such affidavit shall have been filed with him and until he shall have

Section 21. Remission of Penalty or Judgment, Vote For.

No penalty or judgment recovered in favor of the city shall be remitted or discharged, except by the vote of four-fifths of the Commission.

Section 272. City Money and Depositories. Council To Designate. Amount

of Deposit in Any One.

(A) The Commission shall have the power and authority, at the beginning of each calendar year by resolution, to designate and from time to ning of each calendar year by resolution, to designate and from time to time re-designate the banks, banking houses and other depositories of the city in which the city treasurer of the city shall deposit and keep the moneys of the city, designating in each instance the maximum amount which may at any time be kept in any one of such depositories, which maximum amount shall in no case exceed twenty-five per centum of the paid up capital and surplus of such depository. The Commission shall at paid up capital and surplus of such depository. The Commission shall at the case of the city of Glenwood or elsewhere in the United States sufficient for the depository of all funds which are likely to be in the hands of the city treasurer at any one time, and shall, so the United States sufficient for the depository of an funds which are likely to be in the hands of the city treasurer at any one time, and shall, so to be in the hands of the city treasurer at any one time, and shall, far as consistent with the best interest of the city, designate such depositories in this city and shall require from such depositories good and sufficient in this city and shall require from such depositories good and sufficient to the city that the control of the city to the city that the city the city that the c tories in this city and shall the Commission, payable to the city for clent bonds, to be approved by the Commission, payable to the city for double the amount of money likely to be received and conditioned for the

double the amount of money likely to be received and conditioned to the safe keeping and payment of funds so deposited.

(B) Duty of Treasurer. Failure of Depository Exonerates.

The city treasurer shall keep the funds of the city as far as possible in the depositories so designated and when so deposited the treasurer and the sureties on his official bond shall be exempt from all liability for the loss of any such funds so deposited as in this act provided, if loss is caused by the failure hankruptor or any other set of default of such decided. caused by the failure, bankruptcy or any other act of default of such depository.

Treasurer Not Relieved By Failure to Designate Depository.

The failure of the Commission to designate depositories, as in this act

provided, shall not exempt or relieve the city treasurer of the sureties on his official bond from any liability.

(D) Care in Depositing. Interest on Funds.

The Commission shall exercise all possible care to secure safe depositories for the city funds and to obtain the highest rate of interest possible consistent with safety for such moneys. All interest received in any way for the use or keeping of moneys or on account of the same shall be the property of the city and shall be credited to the current expense fund of the city.

Money. How Drawn Out.

All moneys of the city kept in accordance with this act in any depository designated by the commission shall be kept and deposited in the name of the city and such depository or depositories shall have no authority to pay out such money except upon checks drawn upon such depository or depositories signed by the city treasurer and countersigned by the Mayor.

(F) Fund, How Withdrawn. Re-designation.

The city treasurer whenever notified so to do by the surities on his

official bond or by the Commission, shall withdraw all funds from any design nated depository, and it shall be the duty of the Mayor to countersign all checks for such withdrawal. The city treasurer shall thereupon, upon such withdrawal notify the Commission thereof and thenceforth the treasurer shall deposit no more funds in such depository until authorized so to do by the Commission. And upon such withdrawal, it shall be the duty of e Commission to proceed forthwith to re-designate, in accordance with the provisions of this act.

Section 273. Power of City Clerk to Acknowledge Instruments and Ad-

minister Oaths. minister Oaths.

The City Clerk shall have the now to administer oaths and affirmations, and to take and certify acknowledgments of deeds and other instruments in all cases in which the same are required or sanctioned by law CHAPTER XXIX.

## EFFECT OF ADOPTION/OF THIS CHARTER.

Section 274. Rights, Powers, Property, Indebtedness Etc.
When this Charter takes effect, the City of Glenwood shall be and become the legal successor of the Village of Glenwood as incorporated under the laws of the State, and shall be vested with all the rights, powers and immunities formerly vested in said Village, except as herein otherwise provided. All property rights and interests of every kind and nature former ly vested in said Village of Glenwood shall, when this Charter takes effect, be and become vested in the City of Glenwood under this Charter and all time of its adoption shall continue in full force and effect, and nothing herein shall be understood or construed as repealing, amending or modifying any such ordinance, resolution, rule, order or regulation, except so far as the same be incompatible with any of the provisions of this Char Section 275. Public Act.

Upon its taking effect in manner provided by law this Charter shall

thereby become and be a public act, and as such may be read in evidence in all the courts of the State of Minnesota without being first pleaded or proven.

Droven.

Certificate of Commission.

The foregoing consisting of Section One to Two Hundred Seventy-five inclusive is a draft of the proposed Charter for a City to succeed the present Village of Glenwood, Minnesota, made, framed and adopted by the Commission appointed by the Judge of the District Court of the Sixteenth Judicial District of the State of Minnesota, under and pursuant to the powers given in and by Section thirty-six of Article Four of the Constitution of the State of Minnesota, and Sections seven hundred forty-eight to seven hundred fifty-five inclusive of the Revised Laws of Minnesota for the year 1905, and acts amendatory or supplementary thereto. We, the undersigned, a majority of the said commission do hereby sign the said draft as and for the above mentioned purposes and do hereby return the same to the Honorable Henrik Shipstead, President of the Village Council of the Village of Glenwood, to be by him acted upon in manner as the law directs.

Dated at Glenwood, Minnesota, this 29th day of April 1912.

Dated at Glenwood, Minnesota, this 29th day of April 1912.

M. A. WOLLAN, Chairman.
W. J. CARSON, Secretary.
G. T. LEE.
C. T. WOLLAN,
OLE GUILLICKSON.
G. C. TORGUSON. JOHN JEFFERS, ANDREW LUND, E. KOEFOD, G. W. THACKER, W. F. DOUGHERTY, W. T. BOURDETT.
THEODARE AUNE.
THOMAS CALLACHAN.
HENRY T. RONNING.
HENRIK SHIPSTEAD.