

PROPOSED CHARTER

FOR THE

CITY OF MORRIS

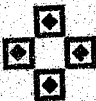
FRAMED BY THE

Board of Freeholders

AND DELIVERED TO

W. F. COOLEY, Mayor

September 2, 1913



2424

MORRIS TRIBUNE PRINT

CHAPTER 2. Elective Officers.

SECTION 2:—The elective officers of said City shall be one (1) Mayor, two (2) commissioners and Judge of Municipal Court. The legislative, executive and administrative authority of the City shall be vested in a mayor and two commissioners, who shall constitute the City Commission. The terms of office of the mayor and commissioners shall each be four (4) years and until their successors are elected and qualified, except that, at the general municipal election in 1913, the mayor and one commissioner shall be elected for four (4) years and the other commissioner for two (2) years; and on the ballots and certificates of nomination used for said 1913 election, the candidates for commissioners shall be designated as "short term" and "long term" candidates respectively.

SECTION 3:—All powers of the City, unless otherwise provided in this Charter, shall be exercised by, through and under the direction of the mayor and commissioners as the Commission, the mayor and commissioners shall be elected by the voters at large in said City and shall be subject to the control and direction of the people at all times, by the initiative, referendum and recall provided for in this Charter.

No person shall be eligible to any elective office under this Charter unless he be a citizen of the United States and of the State of Minnesota and a resident of Morris.

SECTION 4:—The office of mayor or commissioner shall be deemed vacant in case of failure to qualify or by reason of death, resignation, removal from office, removal from the City, continuous absence from the City for more than six (6) months, conviction of a felony, or violation of any of the duties of office, which, by the provisions of this Charter, render the office vacant.

If any such vacancy occurs (other than by recall or resignation after a recall petition is filed), the commission shall without delay appoint an eligible person to fill the same until the next municipal election, when the office shall be filled by election for the unexpired term.

SECTION 5:—The mayor and commissioners shall each serve without compensation.

CHAPTER 3. Commission and Legislation.

SECTION 6:—At its first regular meeting in 1914, and at its first meeting each second year thereafter, the Commission shall elect, by a majority vote, from among the two commissioners, a chairman, who shall be mayor and president of the Commission in the absence of the mayor, or in case of his inability to serve. The mayor shall be president of the Commission, and the chief executive officer of the City. He shall sign all bonds and contracts and all other obligations required to be signed by the chief executive of the City. He shall be the proper officer upon whom to make service of notice, summons or process, in any action or proceedings against the City,

and in case of any such service upon him he shall forthwith inform the Commission thereof. In the absence or disability of both mayor and chairman of the Commission, the remaining member shall assume the office of acting mayor and president and perform the duties of president and mayor. The Commission shall determine its own procedure.

SECTION 7:—All meetings of the Commission shall be public. It shall keep a journal of its proceedings, which shall be a public record. The Commission shall hold at least one legislative meeting each month, and may hold special meetings at the call of the mayor or two commissioners. At any meeting of the Commission, two members shall constitute a quorum, but a less number may adjourn from time to time. The Commission shall provide by ordinance a means by which a minority may compel the attendance of absent members. Each commissioner and the mayor shall be entitled to one vote, but the mayor shall have no veto power. The manner in which each member of the Commission votes upon all propositions shall be entered upon the journal of the proceedings.

SECTION 8:—Except as in this Charter otherwise provided, all legislation and appropriations of money shall be by ordinance, save that where obligations have been incurred by ordinance, payment thereof may be ordered by resolution, and save also that licences may be granted and salaries fixed by resolution. Every ordinance and resolution shall be in writing, and read in full at a Commission meeting before a vote is taken thereon; and upon every such vote the ayes and nays shall be called and recorded.

SECTION 9:—The subject of every ordinance shall be set out clearly in the title thereof, and no ordinance, except one making appropriations, shall contain more than one subject. Ordinances making appropriations shall be confined to the subject of appropriations.

SECTION 10:—The enacting clause of all ordinances shall be in the words "THE CITY OF MORRIS DOES ORDAIN."

SECTION 11:—Every ordinance, other than emergency ordinances, shall be filed with the City Manager as the initial step in its enactment and shall have two (2) public readings, not more than one (1) of which shall be on the same day. At least one week shall elapse between the introduction and the final passage of any ordinance appropriating money in excess of five hundred dollars (\$500.00) and every ordinance and resolution authorizing the making of any contract involving a liability on the part of the City in excess of five hundred dollars (\$500.00) shall remain on file in the office of the City Manager at least one week before its passage, except an emergency ordinance or resolution. An emergency ordinance or resolution is an ordinance or resolution for the immediate preservation of the public peace, health or safety, in which the emergency is defined and declared in a preamble thereto, separately voted on, and receiving the affirmative vote of all members of the Commission; provided that no grant of any franchise shall be construed to be an emergency ordinance or resolution. An emergency ordinance may be enacted without previous filing.

SECTION 12:—Every ordinance passed by the Commission shall be signed by the mayor or two commissioners, and attested by the City Manager.

SECTION 13:—Every ordinance shall be published at least once after its passage in the official paper of the City and such publication shall occur within eight (8) days of its passage exclusive of the day of such passage.

SECTION 14:—Every ordinance, after its enactment, shall receive and thereafter be designated by its proper consecutive number and shall be recorded and indexed in a separate book kept for that purpose, which record shall be attested by the City Manager.

SECTION 15:—Emergency ordinances shall take effect immediately upon their passage. All other ordinances enacted by the Commission shall take effect fifteen (15) days after passage, as required by this Charter, unless a later date is fixed therein, in which event they shall take effect at such later date.

SECTION 16:—Ordinances adopted by the electors of the City shall take effect at the time fixed therein, or, if no such time is designated therein, at the date of the adoption thereof.

SECTION 17:—Amendments and repeals of ordinances, or section thereof, shall be by ordinance. An amending ordinance shall contain the entire ordinance or section thereof amended.

CHAPTER 4.

Administration of City Affairs.

SECTION 18:—The entire management and administration of City Affairs, including all executive and administrative powers, authority, and duties, except such executive authority as may be by this Charter vested in the mayor as chief executive of the City, shall be vested in the Commission as such, provided, that the Commission may appoint such non-salaried boards as it sees fit, to have the management, under its direction, of any department or sub-division of the City's affairs which it shall see fit to make. The members of any such boards shall serve without pay, and for such times as the Commission shall direct, and the Commission shall make rules and regulations by ordinance for the government and direction of each such non-salaried boards.

SECTION 19:—The chief officers of the City, other than elective officers, shall be City Treasurer, City Assessor, City Manager, Chief of Police, Chief of Fire Department and the members of the Board of Health. With the exception of the Chief of the Fire Department, who shall be elected by the members of the Fire Department, subject to the approval of the Commission, 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 one (1) year, and until their successors are appointed and qualified, unless sooner removed in manner herein stated, provided, however, that persons appointed to fill vacancies arising from whatever cause, shall hold office only for the unexpired term of the original appointees, subject also to the power of removal by the Commission, as in the case of the original appointees. 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, provide for their compensation and prescribe their duties in accordance with the provisions of this Charter.

SECTION 20:—The City Treasurer shall be the custodian of the funds of the City and he shall be governed in the discharge and performance of his duties by all provisions of this Charter relating to finances applicable to his office and by such directions and restrictions as the Commission shall by ordinance prescribe.

SECTION 21:—The City Assessor shall qualify in the manner and form prescribed by the General Laws of the State of Minnesota. He shall perform all duties required by the General Laws of the State of Minnesota respecting the listing of property and the valuation thereof for taxation.

SECTION 22:—The Commission may, if in its discretion it is necessary so to do, appoint a City Attorney, who when so appointed shall be the legal advisor of the City and shall perform all the services incident to his office. He shall appear in and conduct all civil suits, prosecutions and proceedings in which the City shall be directly or indirectly interested. He shall, when so required by the Commission, furnish opinions upon any subject submitted to him touching the affairs of the City, he shall advise the Commission and all City officers in respect to their official duties, he shall attend meetings of the Commission, when requested to do so, and shall perform such other and further duties, consistent with his office, as the Commission may by ordinance prescribe.

SECTION 23:—The City Manager shall have such qualifications as the commission shall require.

The City Manager shall be the general recording officer of the City, the custodian of the corporate seal and all records, books, files and documents of the City, and he shall keep a record of the proceedings of the Commission whose meetings it shall be his duty to attend. He shall also perform all such duties as are imposed upon and be vested with such powers as are conferred upon City Clerks and recording officers of municipal corporations by the General Laws and statutes of the State of Minnesota, not inconsistent with the provisions of this Charter.

The City Manager shall superintend and have direction of all civil engineering work for all departments of the City, he shall have the supervision and general charge of all work done for the City and all work done on any sidewalk, street, highway, alley or sewer in the City, and he shall direct the manner of performing such work and the manner of construction of all sidewalks, street crossings, bridges, sewers, culverts, drains, conduits, and other structures in or upon said streets or alleys.

The City Manager shall also be superintendent of waterworks, have charge of the operation and repair of all pumps, pumping station and appurtenances, intakes, water mains, pipes and hydrants, and of the installation and maintenance of all constructions connected with the waterworks, subject to such rules and regulations as the Commission may by ordinance prescribe.

He shall, by and with the consent of the Commission, appoint all assistants required by him in the discharge and performance of the duties as-

signed to him by the provisions of this Charter and shall hire and discharge from time to time such subordinate employees as may be provided for by the Commission.

The first City Manager appointed by the Commission hereunder shall, as soon as practicable, install, under the supervision of the Commission, a complete and practical system of City bookkeeping, with the proper system of checks between the various officers and such reports as may be deemed advisable, and he and his successors in office shall thereafter keep a complete, detailed and accurate account of the finances and business affairs of the City in accordance therewith, subject to such changes or improvements of such system of bookkeeping as may be from time to time made by the City Manager by and with the consent of the Commission, provided, however, that the Commission may, in its judgment, promulgate such system of bookkeeping by ordinance, in which case no changes in or improvements of such system shall thereafter be made except by valid ordinance passed by the Commission.

The City Manager shall perform such other and further duties as the Commission shall by ordinance prescribe, not inconsistent with the provisions of this Charter.

Whenever, if ever, the office of City Manager shall be vacant for the reason that the Commission is unable to find or agree upon a person of suitable qualifications, the Commission may appoint at a reduced salary a person with lesser qualifications temporarily to discharge the duties of City Manager or the Commission may sub-divide the duties of the City Manager and appoint two or more persons to perform the same temporarily, provided however, that the Commission shall not permit the City to remain without a City Manager, suitably qualified, for more than six (6) months at one time.

SECTION 24:—The Chief of Police shall be the principal police officer of the city and he shall be responsible for the efficiency of the Police Department of the city, subject to the control and supervision of the Mayor, who shall be chief executive officer and head of the Department. The Commission may appoint such other regular police officers as, in its judgment, are necessary to the proper policing of the city and such special or extra police officers from time to time as the exigencies of occasions may require.

The Chief of Police and all regular police officers of the city 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 any warrant, commitment, writ, subpoena and process issued out of the Municipal Court, and shall have the authority to pursue and arrest in this city or in any part of the state beyond the limits of the city any person charged with, or who has committed any violation of any ordinance of the city, or any other 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 arrests without a warrant are authorized by the General Statutes of the state, and the violation of any city ordinance shall be deemed a public offense.

SECTION 25:—The Board of Health shall consist of three members

one of whom shall be a physician regularly licensed to practice as such who shall be the Health Commissioner of the city and the executive officer of the Board of Health.

The Health Commissioner shall enforce the laws of the state and ordinances and regulations of the city relative to the public health and sanitation of the city; he shall abate all nuisances injurious thereto and prevent or exterminate contagious or infectious diseases among animals; he shall control all quarantines, hospitals and morgues maintained by or located in the city, and all cemeteries, crematories, vaults and burial places maintained or regulated by the city; he shall inspect all such food products exposed for sale in the city as may be required by law or ordinance; he shall grant all burial permits and regulate the disposition of all dead bodies; he shall keep a permanent record of all vital statistics of the city; and he shall perform such other and further duties as may be required of him by statute or ordinances of the city.

The Board of Health shall have such powers and perform such functions and duties as are prescribed by law for local Boards of Health, and such further duties as may be prescribed by law or ordinance.

SECTION 26:—The Commission shall have power by ordinance to create and discontinue offices and employments other than those prescribed herein, 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 27:—The compensation of all city officers provided for in this Charter, except elective officers, shall be by a 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 may be otherwise provided in the Charter.

SECTION 28:—The City Manager shall furnish a surety bond in the sum of five thousand dollars (\$5,000.00) and the City Treasurer shall furnish a surety bond in the sum of at least five thousand dollars (\$5,000.00) and such further amount as the Commission may deem advisable, for the faithful performance of their respective duties. The Commission may require any of the appointive officers of the City to give to the City such bonds for the faithful performance of their several duties as it shall see fit. All such bonds shall be bonds of an acceptable surety corporation and the cost thereof shall be paid by the City. They shall be approved and accepted by the Commission.

SECTION 29:—Every officer, both elective and appointive, before he enters upon the duties of his office, shall make and file with the City Manager an oath or affirmation to support the Constitution of the United States and of the State of Minnesota, and to perform faithfully, honestly and impartially the duties of his office.

SECTION 30:—No officer or employe of the City shall solicit or receive any, pay, commission, money or thing of value, or derive any benefit, profit or advantage, directly or indirectly, from, or by reason of, any improvement, alteration or repair required by authority of the City, or any contract to which the City shall be a party, except his lawful compensation

or salary as such officer or employe. No officer or employe of the City, except as otherwise provided in this Charter, shall solicit, accept or receive, directly or indirectly, from any public service corporation, or the owner of any public utility or franchise, in the City, any pass, frank, free ticket, free service or any other favor, upon terms more favorable than those granted the public generally. A violation of any of the provisions of this section shall disqualify the offender to continue in office or employment of the City, and he shall be removed therefrom. Any contract in which any officer or employe of the City is, or becomes, directly or indirectly, interested, personally, or as a member of a firm, or as an officer, director or stockholder of a corporation, shall be and become absolutely void; and any money which shall have been paid on such contract by the City may be recovered back from any or all the persons interested therein, by a joint or several action.

SECTION 31:—In all cases of work to be done by contract, or of the purchase of property of any kind, when the amount involved is more than two hundred dollars (\$200.00) unless the Commission, by an emergency resolution, shall provide otherwise, it shall advertise for bids in the official paper of the City. When such probable expenditure shall be more than two hundred dollars (\$200.00) and less than one thousand dollars (\$1,000.00) in amount, such notice shall be published once in said official paper, and when more than one thousand dollars (\$1,000.00), the same shall be published in at least two successive issues of said paper. Contracts shall be let to the lowest responsible bidder, and purchases shall be made from the responsible bidder who offers to furnish the article or articles desired for the lowest sum. The Commission may, however, reject any and all bids; and nothing contained herein shall prevent the City from contracting for the doing of work with patented processes, or from purchasing patented appliances. The Commission shall regulate the making of bids and letting of contracts by ordinance.

SECTION 32:—All written contracts, bonds and instruments of every kind and description, to which the City shall be a party, shall be executed in the name of the City by the mayor, and shall be attested by the City Manager, and, when necessary, shall be acknowledged.

SECTION 33:—The Commission shall annually provide for the publication of all matters required by this Charter to be published and, to that end, annually, at the first regular meeting of each fiscal year, by resolution, shall award the contract for all City printing and publications to that responsible proprietor or publisher of a legal newspaper printed and published in the City who theretofore files with the City Manager the lowest offer or bid for such printing and publications and shall designate the newspaper owned or published by such successful bidder as the official newspaper of the City.

SECTION 34:—The fiscal year shall be the calendar year. At the end of every fourth year coincident with the expiration of the term of office of the mayor the Commission shall cause a complete examination and audit of all books and accounts of the City, to be made by a competent accountant, who shall not otherwise be an officer or employe of the City,

the result of which examination and auditing, and the general details thereof, shall be published in the official paper of the City.

CHAPTER 5. Elections.

SECTION 35:—A municipal election shall be held on the first Tuesday after the first Monday of November, A. D. 1913, and on the first Tuesday after the first Monday of November in each second year thereafter, which shall be known as the general municipal election. All others shall be known as special municipal elections. Each officer elected under this Charter shall assume the duties of the office to which he is elected on the first Tuesday after the first Monday in January next succeeding his election at twelve o'clock noon.

SECTION 36:—The registration of voters shall be the same as is now or may hereafter be provided by the General Laws of the State relating to County, State and Municipal elections. The Commission shall establish necessary voting precincts and shall appoint the necessary judges and clerks of election. The qualifications of the voters shall be ascertained in the same manner as provided by the general election laws of the State.

In case of special elections the commission shall fix the time of holding the same, shall appoint the necessary judges and clerks of such election in the same way and under the same conditions as herein enumerated for general municipal elections.

SECTION 37:—The 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:

(a) 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 hereinafter set forth.

(b) Form of Nomination Petition:—The petition of nomination shall consist of not less than twenty-five (25) and not more than fifty (50) individual certificates which shall read substantially as follows:

PETITION OF NOMINATION.

Individual Certificate.

State of Minnesota }
County of Stevens } ss.
City of Morris }

I do hereby join in a petition for the nomination of.....whose residence is in Morris, for the office of.....to be voted for at the municipal election to be held in the City of Morris, on the.....day of.....19...; and I certify that I am a resident and qualified elector of the City of Morris, and am not at this time a signer of any other certificate nominating any other candidate for the above named office.

I also certify that I believe the above named person is especially quali-

fied to fill the said office and is of good moral character. I further certify that I join in this petition for the nomination of the above named person believing that he has not become a candidate as the nominee or representative of, or because of any promised support from any political party, or any committee or convention representing or acting for any political party.
(Signed).....

State of Minnesota }
County of Stevens } ss.
City of Morris }

....., being first duly sworn, deposes and says that he is the person who signed the foregoing certificate, and that the statements therein are true.

(Signed).....

Subscribed and sworn to before me this.....
day of.....A. D. 191...

Notary Public Stevens Co., Minn.
My commission expires.....

(c) Forms Supplied by City Manager:—It shall be the duty of the City Manager to furnish, upon application, a reasonable number of forms of such individual certificates and of acceptances of nomination.

(d) Requirements of Certificate:—Each certificate must be on separate paper. All certificates must be of a uniform size as determined by the City Manager. Each certificate must contain the name and signature of one signer thereto and no more. Each certificate must contain the name of one candidate and no more. In case an elector has signed two or more conflicting certificates, all such conflicting certificates shall be rejected. Each signer must make oath to his certificate before any officer having authority to administer oaths substantially in the form prescribed in (B) of this article.

(e) Date of Presenting Petition:—Twenty-five (25) or more of such individual certificates shall constitute a petition of nomination for any one candidate, and shall be presented to the City Manager, not earlier than thirty (30) nor later than twenty (20) days before the election. The City Manager shall endorse thereon the date upon which the petition was presented to him, and by whom presented.

(f) Examination of Petition by City Manager:—When a petition of nomination is presented to the City Manager for filing, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this article. If found not to conform thereto, he shall then and there in writing on said petition state the reason why such petition cannot be filed, and shall forthwith return the petition to the person presenting the same. The petition may then be amended and again, but not later than three (3) days after said petition shall have been returned, presented to the City Manager, as in the first instance. The City Manager shall forthwith proceed to examine the amended petition as hereinbefore provided.

(g) Filing of Petitions:—If either the original or the amended peti-

tion of nomination be found sufficient, as hereinbefore provided, the City Manager shall file the same forthwith.

(h) Withdrawal or Acceptance:—Any person nominated under this article shall file his acceptance with the City Manager not later than fifteen (15) days before the day of election, and in the absence of such acceptance, the name of the candidate shall not appear on the ballot.

(i) Form of Acceptance:—The acceptance mentioned in the preceding paragraph shall be substantially in the following form:

State of Minnesota }
County of Stevens } ss.
City of Morris }

I....., having heretofore been nominated for the office ofin said City, do hereby accept the said nomination, and I have not become, and am not a candidate as the nominee or representative of, or because of any promised support from any political party, or any committee or convention representing or acting for any political party, or organization.

(Signed).....

Subscribed and sworn to before me this.....
day of.....A. D. 191...

Notary Public Stevens Co., Minn.
My commission expires.....

(j) The City Manager shall preserve in his office, for a period of two (2) years, all papers relative to nominations.

SECTION 38:—The City Manager, on the fourteenth day before every election, shall prepare and file in his office a certificate, containing a complete list of the offices to be filled, stating whether for a full or an unexpired term, and the candidates for each office who are entitled to have their names appear upon the ballot. The City Manager shall cause to be published, in all succeeding issues of the official paper of the City before the day of election, an election notice, which shall contain a copy of the certificate above described, and also the time and place of holding such election. A copy of such notice shall be posted at all polling places seven (7) days before the day of election.

SECTION 39:—The City Manager shall cause ballots for each general and special election to be prepared, printed and authenticated. The ballots shall contain a complete list of the offices to be filled and the names of the candidates nominated therefor. The form of ballot shall be substantially as follows:

GENERAL (OR SPECIAL) MUNICIPAL ELECTION.
CITY OF MORRIS (Inserting Date Thereof).
INSTRUCTIONS.

To vote for any person mark a cross (X) in a square to the right of the name.

Vote your first choice in first column.

Vote your second choice in second column.
 Vote only one first choice and only one second choice for any one office.
 Do not vote for more than one choice for one person, as only one choice will count for any candidate.
 Any distinguishing mark makes the ballot void.
 If you wrongly mark, tear or deface this ballot, return it and obtain another from the election officers.

	First Choice	Second Choice
For Mayor Vote for one first choice		
.....
For Commissioners Vote for..... first choices or ballot will be void.		
.....
For Other Officers.		
.....

(Charter amendments, ordinances or other referendum matters to be voted upon to appear here.)

SECTION 40:—All official ballots used at any election shall be identical in form. Space shall be provided on the ballot for charter amendments or other matters to be voted upon at municipal elections. The names of candidates shall be arranged in alphabetical order of surnames. Nothing on the ballot shall be indicative of the source of the candidacy, or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any party or political designation or mark, or anything indicating his views or opinions.

SECTION 41:—The City Manager, at least ten (10) days before the election, shall cause to be printed not less than five hundred (500) sample ballots, upon paper of different color but otherwise identical, except numbering, with the ballot to be used at the election, and shall distribute the same to registered voters at his office. Sample ballots shall be posted at the polls on election day.

SECTION 42:—Canvass of Returns and Determination of Results of Elections.

(a) As soon as the polls are closed, the precinct election officers shall open the ballot boxes, take therefrom and count the ballots and enter the total number thereof on the tally sheets provided therefor. They then shall count and enter the number of the first and second choice votes for each candidate on said tally sheet and make return thereof to the City Manager, as provided by law.

(b) If any candidate for an office receives a majority of the first

choice votes cast for such he shall be declared elected.

(c) If no candidate is then elected, drop the name of the one having the least number of first choice votes and add the second choice votes cast by his supporters to the first choice votes of the remaining candidates for whom they were cast, and

(d) If no candidate then has a majority, drop from the remaining candidates the one having the least number of first choice votes combined with the second choice votes received through such elimination, and add the second choice votes cast by his supporters to the votes of the remaining candidates for whom they were cast.

(e) Repeat this operation until some candidate has a majority or until only two candidates remain, then the one having the greatest number of votes to his credit shall be declared elected.

(f) No second choice votes shall be counted when they are cast for a candidate whose name shall have been dropped as herein provided.

(g) Any tie shall be decided by lot by the canvassers.

(h) Whenever the word "majority" is used in this section, it shall mean more than one-half of the total number of ballots cast at such election.

SECTION 43:—No informalities in conducting municipal elections shall invalidate the same, if they be conducted fairly and in substantial conformity with the requirements of this Charter.

SECTION 44:—Expenditure of Money on Elections:

(a) All expenditure of money in aid of the election of candidates, except for holding public meetings and printing and distributing literature, is prohibited, and the total expenditure by or on behalf of any one candidate, shall not exceed fifty dollars (\$50.00).

(b) No candidate or any other person, association or organization on his behalf with his knowledge or consent, directly or indirectly, shall pay or cause any person to be paid, in cash, or by any other material inducement, for work for his election at the polls on election day. No candidate shall directly hire, use or cause to be hired in aid of his candidacy, on the day of the municipal election, any automobile, carriage or other vehicle for the purpose of transporting voters to or from the polls.

(c) A violation of any of the provisions of this section by any candidate or, with his knowledge and consent, by any person, association or organization in his behalf, shall disqualify him for holding the office for which he is a candidate.

(d) Every elective officer, at the time he takes his oath of office, shall make and file with the City Manager an oath that he has not violated any of the provisions of this section, which oath shall contain a complete itemized statement of expenditures of money, or of the giving of any other consideration or promise, by him or by any other person in his behalf, in such election.

(e) If any person shall pay, or cause any person to be paid, in cash or by other material inducement, for work for any candidate at the polls on election day, he shall be guilty of a misdemeanor, and the Commission

shall provide, by ordinance, for the enforcement of this provision by suitable penalties.

SECTION 45:—The provision of any state law, now or hereafter in force, relating to the qualifications and registration of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other provisions with respect to the management of elections, except as otherwise provided in this Charter, so far as they may be applicable, shall apply to all municipal elections.

SECTION 46:—The Common Council and clerk of the City of Morris at the time of the adoption of this charter, shall make preparation for, and cause to be held, the first election hereunder, and said Common Council shall constitute the canvassing board for the canvass of the votes at said first election; all subsequent elections shall be under the supervision and control of the officers provided for in this Charter and the Commission herein constituted shall be the canvassing board for all such subsequent elections.

SECTION 47:—Whenever it becomes necessary to hold a special election under this Charter, the same shall be called by resolution of the Commission which resolution shall fix the time therefor and state the offices to be filled or the questions to be decided thereat and shall direct the City Manager to give the necessary notice and make necessary preparation for the holding of such election.

CHAPTER 6.

Recall, Initiative and Referendum.

SECTION 48:—The holder of any elective office, in the City of Morris, except Judge of Municipal Court, 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 (25) per cent of the total ballots cast at the last preceding general municipal election, demanding the removal from office of the person sought to be removed, shall be filed with the City Manager, which petition shall contain a general statement, in not more than two hundred (200) words, of the grounds on which the removal is sought. One of the signers of each such petition 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 (10) days from the date of filing such petition, the City Manager shall ascertain from the voters' register whether or not said petition is signed by the requisite number of qualified electors. The City Manager shall attach to said petition his certificate, showing the result of said examination. If by the City Manager's certificate, the petition is shown to be insufficient, it may be amended within ten (10) days from the date of said City Manager's certificate. The City Manager shall, within ten (10) 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 found suf-

ficient, the City Manager shall submit the same to the Commission without delay, and thereupon the Commission shall order the same filed, and a copy thereof delivered to the person sought to be recalled.

Within ten (10) days after the filing of said petition, the Commission shall fix a date for holding said special election not less than forty (40) days, nor more than fifty (50) 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 reason for demanding the recall of the officer, as set forth in the recall petition, and in said call, in not more than two hundred (200) words, the officer may justify his course in office.

Except as herein otherwise provided, such special election shall be conducted, returned, and the result thereof declared, in all respects as are general municipal elections. The question to be voted for at such special election shall be as follows: "Shall....., who is now holding the elective office of....., in the City of Morris, be removed from such office."

Yes

No

Vote by placing cross (X) in square.

At such election, if a majority of the votes cast be in favor of such removal, he shall be deemed removed from office upon the election of his successor; otherwise he shall continue in office. In case of such removal from office a special municipal election shall be held within thirty (30) days after such recall election to elect such successor. Nominations for such office to be filled at such special election shall be made and such election conducted in all things as in this Charter provided for general municipal elections, and the person so elected shall take the oath of office herein provided and assume the duties of his office forthwith.

No recall petition shall be filed against any officer until he has actually held his office for at least six (6) 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 in the City within one (1) year after such recall or resignation.

If a majority of the Commission shall fail or refuse to act in such recall proceedings, compliance with the provisions of this Section may be enforced by proceedings in the District Court of Stevens County at the suit of any citizen of this city.

Initiative.

SECTION 49:—Any proposed ordinance of the City may be submitted to the Commission by a petition signed by electors of the City, as hereinafter required.

The provisions of Section forty-eight (48) of this Charter, respecting the form 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.

If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty (20) per cent of the total ballots cast at the last preceding general municipal election, and contains a request that said ordinance be submitted forthwith to a vote of the people, at a special election, then the Commission shall, except as herein provided, either:

(a) Pass said ordinance without alteration within twenty (20) days after attachment of the City Manager's certificate of sufficiency to the accompanying petition; or

(b) Within twenty-five (25) days after such certification, proceed to call a special election, to be held not less than forty (40), nor more than fifty (50) days after such call, 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 (10), but less than twenty (20), per cent of the total ballots cast at the last preceding general municipal election, and said ordinance be not passed by the Commission, as provided in the preceding paragraph (a), 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-five (25) days from the date of the City Manager's certificate of sufficiency attached to the petition accompanying such ordinance.

Upon any ordinance being submitted to the Commission, as in this section provided, the Commission may, however, within ten (10) days after attachment of the City Manager's certificate of sufficiency, pass an alternative ordinance covering the same subject matter. If within ten (10) days after the passage of such alternative ordinance not less than fifty (50) per cent of the petitioners for the submitted ordinance shall file with the City Manager a petition for the withdrawal of their names from such petition, the ordinance petitioned for shall not be submitted to a vote of the people, as petitioned for, and the alternative ordinance shall thereupon become effective. If a petition for the withdrawal of the names of at least fifty per cent (50 per cent) of the petitioners for the ordinance, be not filed with the City Manager within the said ten (10) days after the passage of such alternative ordinance, the ordinance petitioned for shall be submitted to a vote of the people as in this Section provided. In such event the Commission may at the same time submit said alternative ordinance, and the one receiving the highest number of votes at said election shall thereupon become the ordinance of the City.

Whenever any ordinance or proposition is to be submitted to the voters of the City at any election, the Commission shall order such ordinance or proposition to be printed in the official newspaper, and published at least once and at least five (5) days prior to the election.

The Commission shall prepare suitable ballots for the submission of any ordinance provided for in this section. If a majority of the electors voting on any such ordinance, submitted by petition, 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 Section.

The Commission 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 thereon at such election, such ordinance shall be repealed or amended accordingly. An ordinance proposed by petition or adopted by a vote of the people shall not 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 (1) special election in any period of six (6) months; nor shall any such special election be called to be held within sixty (60) days prior to any general municipal election.

Referendum.

SECTION 50.—No ordinance, except emergency ordinances passed by the Commission, shall go into effect before fifteen (15) days from the time of its final publication, except when otherwise required by the general laws of the State, or by the provisions of this Charter.

If during said fifteen (15) days a petition, signed by qualified electors of the City equal in number to at least twenty (20) per cent of the total number of ballots cast at the last preceding general municipal election, protesting against the passage of such ordinance, be presented to the Commission, the same shall thereupon be suspended from going into operation; and it shall be the duty of the Commission to re-consider such ordinance, and if the same be not entirely repealed, the Commission shall submit the ordinance, as provided in Section forty-nine (49) 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 Sections forty-eight and forty-nine (48 & 49) of this Charter, respecting the forms and conditions of the petition, and 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 Commission 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; and no such ordinance shall be construed to be an emergency ordinance.

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 election in the same manner, and with the same force and effect, as is provided for ordinances or measures submitted on petition.

CHAPTER 7.
City Finances.

SECTION 51:—All disbursements, except the principal and interest on bonds and certificates of indebtedness, shall be made only upon the order of the mayor and City Manager, duly authorized by a resolution of the Commission, and every such resolution and order shall specify the purpose for which the disbursement is made and the fund out of which it is to be paid. Each such order shall be payable to the order of the person in whose favor it is drawn. But no such order shall be issued until there is money sufficient to pay the same to the credit of the fund out of which it is to be paid, together with all then outstanding orders against such fund. Any order or resolution for the payment of money violating any provision of this section shall be void, and any officer of the City violating any provision of this section, shall be personally responsible for the amount of such payment if any such payment is made contrary to the provisions hereof. No contract requiring the payment of money by the City shall be valid unless the particular fund out of which the same is to be paid is specified in such contract.

SECTION 52:—There shall be maintained in the City treasury the following funds for the support of which the Commission may levy an annual tax:

1. An interest fund for which there shall be levied a sum sufficient for the payment of the interest to become due during the next fiscal year upon bonds and debts of the City, and out of this fund such interest only shall be paid.
2. A sinking fund for the purchase, or payment when due, of any bonds or any other funded debt of the City.
3. A public safety fund for the maintenance and operation of the fire department, the police department and the health department.
4. A library fund for the support of the public library. Into this fund shall be paid all gifts or devises made for the support of such library.
5. A public works fund for the maintenance and repair of the highways of the City. Into this fund shall be paid all licenses or fees imposed upon vehicles.
6. A permanent improvement fund for the payment of the cost of all real property which the City shall acquire, payment for which is not otherwise provided for out of other funds, and for the payment of such proportion of the cost of local improvements as shall devolve upon the City.
7. A public utility fund for the acquisition, construction, support, maintenance and operation of any public utility owned or operated by the City, including the payment of the interest on any bonds or other indebtedness which may be a lien upon such utility. There shall be paid into this fund all moneys derived from the sale of bonds issued on account of any utility, and from the operation of such utility, and from the sale of any property acquired for or used in connection with any such utility. There shall be paid out of this fund the cost of the purchase, construction, extension, operation, maintenance and repair of such utility, including the interest upon

all bonds or other indebtedness which may be a lien upon such utility. Any surplus in said fund may be used for the purchase of any bonds or certificates of indebtedness issued against said utility, and for the payment of such bonds or other indebtedness upon their maturity. Separate accounts shall be kept for each such utility operated separately.

8. A general fund for the support of such other funds and for the payment of such expenses of the City as the Commission may deem proper. Into this fund shall be paid all moneys not herein provided to be paid into any other fund.

9. A permanent improvement revolving fund, which shall not be supported by taxation. There shall be paid into this fund moneys received on special assessments heretofore or hereafter levied by the City for local improvements. The Commission may by resolution determine the aggregate amount of the assessments for local improvements which, in its judgment, shall be extended for payment, as is provided for in Chapter eight (8) of this Charter, but in no case shall such aggregate amount exceed seventy-five per cent (75 per cent) of the total estimated cost of such improvement, and order the issuance and sale of extended assessment certificates representing such aggregate sum, which shall entitle the holder thereof to demand and receive from the City of Morris, upon the surrender of such certificates to the treasurer on or after the date of payment thereof, the amount of money named to be paid therein, with the rate of interest stipulated to be paid thereon to the due date thereof and not after such date. Such certificates may be issued in such amounts and become due on such dates as the Commission may determine, but none of the same shall be payable more than five (5) years from the date of the same. The proceeds of the sale of said certificates shall be paid into the permanent improvement revolving fund. Said certificates shall bear a rate of interest not exceeding six per cent (6 per cent) per annum. The Commission may, in its discretion, either sell said certificates direct to investors, or may contract for the sale of all such certificates that may be issued during any calendar year. No sale of such certificates, by contract, shall be made except after advertising for bids, at least one week prior to sale in the official newspaper of the City, and such sales shall be made to the highest responsible bidder. Bids may be asked on the basis of a rate of interest specified in the proposals and on the net interest basis on which the bidder will pay par for the same.

The aggregate amount levied by general taxation in any one year for all of said funds, not including funds numbered one and two (No. 1 and No. 2) shall not exceed twenty (20) mills on the dollar of the assessed valuation of all taxable property in said City, and a levy in excess of such limitation shall be void as to such excess.

There shall be levied, each year, by general taxation for fund numbered two (2) an amount at least equal to one (1) mill on the dollar of the assessed valuation of all taxable real property in said City.

SECTION 53:—The City of Morris may issue bonds or certificates of indebtedness by ordinance as follows:

1. To pay, fund or refund any debts of the City.

2. To purchase, construct, extend, improve and maintain public utility plants. Such bonds or certificates of indebtedness so issued shall be a specific lien upon such plants named in such ordinance authorizing the issuance of said bonds or certificates of indebtedness.

SECTION 54:—No County official shall have any authority or power to refund, reduce or abate any special assessment.

SECTION 55:—Whenever the expense and obligations incurred, chargeable to any particular fund of the City, in any fiscal year, are sufficient in the aggregate to absorb eighty per cent (80 per cent) of the entire amount embraced in the tax levy for that year, together with eighty per cent (80 per cent) of the amount estimated, in the apportionment of the current year, to be received by said fund from other sources, including such amount as may remain in the fund from the levy of any prior year or years, no officer, board or official body of the City shall have any power, and no power shall exist, to create any additional indebtedness (save as the remaining twenty per cent (20 per cent) of said tax levy is collected), which shall be a charge against that particular fund, or which shall be in any manner a valid claim against the City, but said additional indebtedness attempted to be created shall be a personal claim against the officer or the members of the municipal board or body voting for or attempting to create the same.

SECTION 56:—On or before the twentieth (20th) day of September of each year the City Manager shall submit to the Commission an estimate of the probable expenditures in his departments as herein before defined for the next ensuing fiscal year. On or before the first day of October in each year the City Commission shall determine the amount to be raised by taxation to meet expenditures for all departments of the City government including the amounts necessary for the departments under the City Manager, interest and maturing bonds of the outstanding indebtedness of the City and sinking fund, in detail, for the ensuing fiscal year. The City Commission shall transmit not later than October tenth (10th) to the County Auditor of Stevens County a statement of the amounts so to be raised by taxation and the County Auditor shall thereupon raise the same by tax levy as by law required.

SECTION 57:—As soon as said statement is transmitted to the County Auditor of Stevens County, as aforesaid, the Commission, by ordinance first directing the same, may issue and sell certificates of indebtedness in anticipation of the collection of taxes for any special fund named in said statement, for the purpose of raising moneys for such special fund; but no power shall exist to issue certificates for any of said special funds exceeding eighty (80) per cent of the amount named in said statement, to be collected for the use and benefit of said fund. No certificates shall be issued to become due and payable later than December thirty-first (31st) of the next succeeding fiscal year.

CHAPTER 8.

Local Improvements and Special Assessments.

SECTION 58:—The City of Morris shall have power to create, provide for, construct, maintain and do, directly, by the employment of labor,

or by contract, all things of the nature of local improvements, which by the laws of the State are made, or may be made, chargeable by special assessments upon the property specially benefited thereby, or which, not being prohibited by the laws of the State, may inhere in, or pertain to, municipal corporations. It also shall have power, under the conditions hereinafter specified, to provide for the payment of the whole, or any part, of the cost of any such improvement by special assessments upon the property specially benefited thereby. The amount assessed to the property specially benefited, to pay for such local improvements authorized by this section, shall not exceed the amount of benefits received by such property.

SECTION 59:—The Commission may, by a majority vote, order the construction of any sidewalk, sewer, or the installation, upon the business streets of said City of Morris, of a system of ornamental street lights or lamps known as "White Way," or the sprinkling of any highway, which it deems necessary for public convenience or safety, and may cause the cost of such construction or installation or sprinkling, or any portion of such cost, to be assessed against the property specially benefited thereby.

SECTION 60:—The Commission may, upon the petition of not less than fifty (50) per cent of the owners, owning not less than fifty (50) per cent of the real estate to be assessed therefor, as shown by the records in the office of the Register of Deeds and Registrar of Titles, of Stevens County, cause to be made any improvement authorized by law, or by this Charter, to be made by the City, and may thereupon assess the cost of such improvement, or any portion thereof, against the property specially benefited by such improvement.

SECTION 61:—The cost of grading, paving and otherwise improving the intersections of streets, avenues and alleys with other streets, avenues and alleys, shall be paid by general taxation, and no assessments for benefits for any such improvements shall ever be made.

SECTION 62:—Any party interested in any property assessed under this chapter may appeal from such assessment to the District Court of Stevens County, Minnesota, within thirty (30) days after the publication of the notice of confirmation thereof by the Commission. Such appeal is hereby declared to be the exclusive way in which such assessment can be in any wise revised, modified, amended or annulled.

SECTION 63:—Said appeal shall be made by filing a written notice with the City Manager, stating that the party appeals to said District Court from said assessment, and containing a description of the property of said appellant so assessed, and the objection of said appellant to such assessment, and by filing with the clerk of the District Court within ten (10) days thereafter, a copy of said notice of appeal. In case of an appeal, the Commission shall cause a copy of the assessment roll to be made and filed with the clerk of the District Court within ten (10) days from the time of the service of the notice of appeal. In case the return so made to the District Court shall in any respect be defective, or insufficient, the court may require a further and fuller return to be made. The cause shall be entered by the clerk of the District Court in the name of the person taking the appeal against the City as an "appeal from assessments," and it

may be brought on for hearing by either party, the same as other causes in said District Court.

SECTION 64:—Such appeal shall be tried by the District Court without a jury, at a general or special term, without pleadings other than as above stated. Upon such trial the appellant can make no other objections to said assessment than those stated in his notice of appeal, but the court may, in its discretion, permit such notice to be amended in this respect at any time. The court shall hear such competent evidence as may be offered by either party, and may revise, correct, amend, reduce or confirm the assessment appealed from, or may order a new assessment to be made as to the property concerning which such appeal is taken, and in that event shall direct the Commission how to make such new assessment so as to avoid the errors complained of. The assessment roll shall, when confirmed by the Commission, in all cases, whether on an appeal, or otherwise, and in all courts, be prima facie evidence of the validity of all proceedings up to, and including, the confirmation of the assessment. Disbursements, but no costs, may, in the discretion of the District Court, be allowed upon an appeal from assessments as in other civil cases, but the judgment entered therefor against said City shall be a separate judgment and paid out of the general fund of the City. From the determination of such appeal by the District Court, either party may appeal to the Supreme Court of the State.

SECTION 65:—If an assessment shall be set aside by the District Court for any cause, jurisdictional, or otherwise, the Commission shall proceed de novo to make another or new assessment, and it shall proceed in like manner as herein required, in relation to the first assessment. Provided, however, that if the assessment as to any parcel 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 pieces or parcels of land as to which the first assessment shall not have been set aside or appealed from, or on which the assessment shall have been paid. As often as an assessment, or re-assessment, against a piece or parcel 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 proportionate share of the benefits accruing from said improvement.

SECTION 66:—As soon as said assessment is confirmed, the Commission shall insert in the official paper of the City a notice briefly describing the improvement for which the assessment is made, and stating that the assessment is payable at the City Treasurer's office at any time within forty (40) days from the publication of said notice, and that unless the same is so paid within said forty (40) days, or an application is made to the Commission for the extension of the time of payment, as herein provided, within thirty (30) days after the publication of said notice, a penalty of ten (10) per cent will be added to such assessment. Within said thirty (30) days after the publication of said notice, upon application in writing to the Commission by any owner of real estate against which the

assessment is made, when such assessment exceeds twenty-five dollars (\$25.00) for each three thousand five hundred (3,500) square feet of property benefited by the improvement, and upon payment to the treasurer of twenty-five (25) per cent of such assessment, and when the remaining portion of such assessment does not exceed the assessed valuation of such real estate, and when the applicant waives all defenses and questions as to the legality of such assessment, whether such defenses be interposed in proceedings by the State for collection of general taxes, or otherwise, the Commission shall, by resolution, extend the time for paying the remaining portion of such assessment into not exceeding three (3) installments payable in one (1), two (2) and three (3) years from the first day of October next following the date of the passage of such resolution. In case such assessment is made between October first and December thirty-first, and the applicant is granted an extension of the time within which to pay the same, the first installment of such extended assessment shall be due and payable on the first day of October next thereafter. Each of said installments of extended assessment shall bear interest at the rate of seven per cent (7 per cent) per annum from the date the original assessment would be payable without penalty. Such installments of extended assessments, together with the accrued interest thereon to the first Monday in January following, shall be considered to be delinquent under the next section of this Charter when they shall severally become due and payable, but not before. Any such installment of extended assessments may be paid at any time prior to its maturity with interest to date of payment only. No assessment for the construction of sidewalks shall be payable in installments, unless the sidewalk is constructed in connection with other street improvements. The ownership of any property upon which application for extension of assessment is made hereunder shall be determined according to the records in the office of the Register of Deeds or Registrar of Titles of Stevens County.

SECTION 67:—Each assessment not paid on or before forty (40) days after the publication of the notice directing payment shall be deemed delinquent, and a penalty of ten per cent (10 per cent) shall thereupon be added, unless an extension of the assessment shall have been made by the Commission, as provided for in the next preceding section. All installments of extended assessments shall be deemed delinquent if not paid at the time fixed for payment in the extension, and when delinquent a ten per cent (10 per cent) penalty shall in each case be added. Every assessment shall be a lien upon the property against which the assessment is made, from the time such assessment is confirmed by the Commission.

SECTION 68:—In each year the Commission shall cause to be made a certified statement of the several pieces of land against which assessments have been made and are delinquent, describing the land affected and giving the amount of assessment with penalties added, which certified statement shall be filed with the County Auditor of Stevens County, Minnesota, on or before the tenth (10th) day of October of each year. It shall be the duty of said County Auditor to extend said assessments with

penalties, as shown by said certified statement, upon the tax rolls of the said County of Stevens for the taxes of the particular year in which said assessment is filed, and the same, for each year ending October 15th, shall be carried into the tax becoming due or payable in January of the following year and shall be 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, except that in court proceedings to enforce the collection of taxes, no defense as to the validity of any such assessment shall be permitted. Such assessment, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes for State and County purposes under the general laws of the State.

SECTION 69:—All assessments with penalties and interest thereon paid to the County Treasurer shall belong to the City of Morris, and shall be turned over to the City Treasurer by said County Treasurer in the manner provided by law.

Every franchise granted to any public service corporation shall contain a provision that such corporation shall to the extent of such franchise be subject to all the provisions of this chapter in all respects the same as any other person or corporation.

CHAPTER 9.

Eminent Domain.

SECTION 70:—The City of Morris is hereby empowered to acquire, by purchase, gift, devise or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by said City for any public use or purpose, and the fact that the property so needed has been acquired by the owner under the power of eminent domain, or is already devoted to public use, shall not prevent its acquisition by said City. In addition to the power to acquire property for other public purposes, said City may also acquire, as herein provided, any gas, water, heat, power, light, telephone or other plant, or other public utility; but no proceedings to acquire any such plant or utility shall be consummated unless the City has the money in its treasury to pay for the same or unless provision for paying for the property proposed to be acquired has been made by vote of the people.

SECTION 71:—The necessity for the taking of any property by the City shall be determined by the Commission and shall be declared by resolution, which shall describe such property as nearly as may be and state the use to which it is purposed to be devoted. The acquisition of such property may be accomplished by proceedings at law, as in taking land for public use by right of eminent domain by the laws of Minnesota, except as otherwise provided in this chapter.

SECTION 72:—Whenever an award of damages shall be confirmed in any proceeding for the taking of property under this chapter, or whenever the court shall render final judgment in any appeal from any such award, and the time for abandoning such proceedings by the City shall have expired, the City shall be bound to and shall, within sixty (60) days of such final determination, pay the amount of such award with interest thereon at the rate of six (6) per cent per annum from the date of the confirmation of the award or judgment of the court, as the case may be; and if not so paid, judgment therefor may be had against the City.

SECTION 73:—The City may, by resolution of the Commission, at any stage of the condemnation proceedings, or at any time within thirty (30) days after any commissioners appointed by the court hereunder shall have filed their report with the clerk of said court, or in case of an appeal to the District or Supreme Court at any time within thirty (30) days after final determination thereof, abandon such proceedings as to all or any parcel of the property sought to be acquired and shall thereupon pay all costs thereof.

SECTION 74:—In case the City shall condemn a public utility, which is operated at the time of the commencement of condemnation proceedings, as one property or one system, it shall not be necessary in such condemnation proceedings, or any of the proceedings of the Commission, to describe or treat separately the different kinds of property composing such system, but all of the property, lands, articles, franchises and rights which enter into and go to make up such system, may unless otherwise ordered by the court, be treated together as constituting one property and an award for the whole property in one lump sum may be made by the commissioners in condemnation or other body assessing the damages.

SECTION 75:—No public utility owned by the City, whether acquired prior to the adoption of this Charter or thereafter, shall be sold, leased or otherwise disposed of by the City, unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefor, shall have been published in the official paper of said City once a week for six (6) successive weeks, before final action of the Commission, and submitted to a vote of the people for ratification or rejection at special election called for that purpose or at the next general municipal election, and ratified by at least a two-thirds majority vote of electors voting thereon.

No real property of the City shall be disposed of except by ordinance. The proceeds of the sale of any property belonging to the City and used for purposes mentioned in sub-division seven (7) of Section fifty-two (52) shall be used only for the purchase or improvement of property of the character mentioned in said sub-division seven (7).

SECTION 76:—Easements for slopes, fills, sewers, building lines, poles, wires, pneumatic tubes and pipes and conduits for water, gas, wires, heat and power may be acquired by proceedings to be conducted by the

Commission in the manner provided by Chapter one hundred ninety-four (194) of the General Laws of Minnesota for the year 1903, enabling municipalities to establish and acquire a building line easement along streets, highways, parks and parkways.

CHAPTER 10.

Franchises.

SECTION 77:—The word "franchise," as used in this chapter, shall be construed to mean any special privilege granted for the purpose of profit to any person, co-partnership or corporation in, over, upon or under any of the highways or public places of the City of Morris, whether such privilege has been, or shall hereafter be, granted by the City of Morris, or by the State of Minnesota. The term "public service corporation, co-partnership or person," as used in this chapter, shall be construed to mean any person or corporation exercising any franchise within the City of Morris, except those operating steam railroads.

SECTION 78:—The commission may, by ordinance adopted by the affirmative vote of a majority of all its members, grant rights in, over, upon or under any highway or public place for the purpose of constructing or operating street and other railways, or for telephoning or telegraphing or transmitting electricity, or transporting by pneumatic tubes, or for furnishing to the City or its inhabitants, or any portion thereof, water, light, heat or power, or for any other purpose, but subject always to the limitation and conditions in this chapter prescribed.

SECTION 79:—No perpetual or exclusive franchise shall ever be granted, nor shall any franchise be granted except by ordinance. It shall be a feature of every franchise so granted that the maximum price for the service or charge shall be stated in the grant thereof; and no franchise shall be granted for a longer period than twenty-five (25) years.

SECTION 80:—Every ordinance granting any franchise shall contain all the terms and conditions of the franchise and shall be published verbatim in the official paper of the City at least once a week for four successive weeks after its passage and shall take effect fifteen (15) days after its last or final publication, subject to the referendum provisions of this Charter.

SECTION 81:—The City of Morris shall have the right and power to regulate and control the exercise by any person, co-partnership or corporation of franchise, whether such franchise has been, or shall hereafter be, granted by the City of Morris or by the State of Minnesota.

SECTION 82:—The Commission may, by ordinance, regulate and control the maximum price to be charged by any corporation or person exercising any franchise for the service rendered by it to the City and to any

other person or corporation, but such price shall be fair and reasonable to such public service corporation or person and to the public. When any person or corporation against whom any order is directed under the provisions of this section shall believe such order to be unjust and unreasonable, he or it may test its justice or reasonableness by proper action in the courts, commenced within thirty (30) days after the service of such order, and in such action such order shall be entered in the premises as shall be warranted by the facts developed upon the trial and the law applicable thereto.

SECTION 83:—If any controversy, dispute or disagreement shall arise between any public service corporation, co-partnership or person, operating in the City of Morris, and its employees, which, in the opinion of the Commission, interferes or threatens to interfere with the service which said public service corporation owes to the City, or its inhabitants, the Commission shall have the power to compel the parties involved in such controversy, dispute or disagreement, to submit the same to arbitration under such procedure as may be provided by ordinance, and the findings of such arbitral authority shall be advisory or mandatory as such authority may determine in each case.

SECTION 84:—Every franchise, which does not contain the provisions prescribed in this section, shall be absolutely void and incapable of ratification by estoppel or otherwise. Every franchise shall contain a provision:

1. That the grantee shall be subject to and will perform on its part all the terms of Sections 81, 82 and 83 of this charter.

2. That the commission shall have the right:

(a) To hear and determine what are just, fair and reasonable rates, fares, and charges for public service, and to order that only reasonable charges shall be imposed, and to make effective such order by penalties and forfeitures. The granting of a franchise shall not be deemed to confer any right to include in the charge for service any return upon the value of the franchise or grant.

(b) To require reasonable extension of any public service system.

(c) To make such rules and regulations as may be required to secure adequate and proper service, and to provide sufficient accommodations for the public.

3. That the grantee shall not issue any capital stock on account of the franchise, or the value thereof, and that the grantee shall have no right to receive, upon condemnation proceedings brought by the City to acquire the public utility using such franchise, any return on account of the franchise, or its value.

4. That no sale or lease of said franchise shall be effective until the assignee or lessee shall have filed in the office of the City Manager an in-

strument, duly executed, reciting the fact of said sale or lease, accepting the terms of said franchise, and agreeing to perform all the conditions required by the grantee thereunder. The assignee or lessee shall also file a bond in such amount and with such conditions as the Commission may require, which bond shall run to the City as obligee, with sureties satisfactory to the Commission, and shall obligate the grantee, or lessee, to discharge all obligations and liabilities imposed by said franchise.

5. Every franchise granted for the erection of poles or masts on or along the highways, or other public places of the City, for the conduct of electricity, or for any telegraph or telephone purpose, shall also contain a provision that the Commission may require the placing underground, or in any other safe or convenient position, of wires carrying electricity, and other wires.

The violation by the owner of any franchise of any of the express provisions prescribed by this section shall be cause for forfeiture of the franchise by the Commission.

SECTION 85:—The enumeration and specification of particular matters, which must be included in every franchise or renewal or extension of any franchise granted, shall not be construed to impair the right of the City to insert in such franchises such other and further conditions and restrictions as the Commission may deem proper to protect the City's interest, nor shall anything contained in this chapter limit any right or power possessed by the City over existing franchises.

CHAPTER 11.

Licenses for Sale of Intoxicating Liquors. Local Option.

SECTION 86:—In this chapter, and in the sections and parts thereof, the terms "intoxicating liquor" and "liquor," "sell" and "sale," shall be given the same meaning respectively as is prescribed therefor in Section 1564 of the Revised Laws of Minnesota for 1905.

SECTION 87:—The City Manager, on petition of not less than ten per cent (10 per cent) of the legal voters, such percentage to be determined by the number of votes cast at the last city election, filed with him at least twenty (20) days before the regular City election, shall give notice at the same time and in the same manner as the notice of such city election, that the question of granting license in the City of Morris for the sale of intoxicating liquors will be submitted for determination at such election.

SECTION 88:—At such election, when so petitioned for, said question shall be voted on by separate ballot provided therefor by the City Manager, which ballot shall be known as, and shall have printed thereon at the top thereof the words, "License Ballot." The said ballot shall have printed thereon the words "For License" and "Against License," and each

qualified elector voting upon the question shall place a cross mark (X) in the place opposite the words "For License" or in the place opposite the words "Against License," which ballot shall be deposited in a separate ballot box to be provided for in each voting precinct, and such votes shall be counted for or against said question in accordance with the expressed will of the elector, as provided by the election laws of this State. The ballots so cast shall be duly canvassed, returned and certified, according to the law governing the city elections and the provisions of this Charter. If a majority of the votes cast upon the question shall be in favor of license, then license for the sale of intoxicating liquors may be granted; but if such majority shall be against license, then no license shall be granted and no liquor shall be sold in any quantity whatever, either wholesale or retail, in the said City of Morris, until such vote shall be reversed at a subsequent election at which the question of license is again in like manner submitted; provided that any duly licensed and practicing physician or veterinarian may prescribe, and any duly licensed druggist or pharmacist actually carrying on business as such may in good faith as such druggist or pharmacist dispense, intoxicating liquor under the conditions and restrictions and subject to the penalties prescribed in such case by Chapter 16 of the Revised Laws of Minnesota for 1905, and acts amendatory thereof.

SECTION 89:—The number of licenses for the sale of intoxicating liquors which may be granted and issued by the City of Morris upon applications made therefor in the year 1914, and in each subsequent year thereafter, is hereby limited to five (5), provided that no license to sell intoxicating liquors granted by the City of Morris prior to January 1st, 1914, shall be terminated or become void, by reason of the foregoing limitation, until the expiration of the full period of one (1) year from the date of its issuance.

CHAPTER 12.

Fire Department.

SECTION 90:—The Fire Department of the City of Morris shall be a voluntary association of able-bodied citizens of the city, organized for the purpose of preventing and extinguishing fires. The members thereof shall adopt and maintain a suitable Constitution and By-laws prescribing the form of the organization, the officers and the manner of electing them, and the powers, duties and restrictions of the officers and members, not inconsistent with the general laws and statutes of the State of Minnesota and the provisions of this Charter. The chief officer of this association shall be called the Chief of the Fire Department; he shall be responsible to the City Commission for the efficiency of the Department, the care and maintenance of its equipment and the conduct of the individual members of the Department in the discharge of their duties. He shall be elected by the members of the Fire Department in the manner and

form provided in the Constitution and By-laws, but his election shall be subject to the approval of the Commission. Notice of the election of the Chief of the Fire Department by the members thereof shall be transmitted forthwith to the Commission which shall, at its first meeting after such notice, either approve or reject such election. If the Commission fails to approve such election, it shall forthwith notify the Fire Department and the members thereof shall thereupon elect a Chief whose election is satisfactory to the Commission.

SECTION 91:—The members of the Fire Department shall receive such compensation as the Commission shall by ordinance prescribe. While they continue members of the Department, they shall be exempt from jury duty and the payment of poll tax; and their Constitution and By-laws may provide that they may continue so exempt for life upon completion of fifteen years of continuous membership.

SECTION 92:—The Fire Department and its members shall have such police power as may be necessary for the proper and efficient discharge of their duties, to be exercised in the manner and by the officers prescribed by their Constitution and By-laws; and the Chief of the Fire Department or either of his assistants may, while engaged in the performance of their duties, call upon the police department of the city for assistance in the protection of property, the protection of fire equipment and the establishment and maintenance of fire lines.

SECTION 93:—The City Commission shall provide a suitable building or buildings for the housing of the fire engines, hose, hose carts, chemical carts or wagons, and for all equipment kept and maintained by the City and used by the Fire Department for the prevention and extinguishment of fires, at least one of which buildings shall contain a suitable room or rooms to be used as a meeting place and headquarters of the Fire Department. The Commission shall also, upon recommendation of the Chief of the Department, furnish such suitable equipment as, in its judgment, may be necessary to the efficiency of the Fire Department.

SECTION 94:—The Fire Department shall maintain a Relief Association for the relief of disabled and injured firemen so injured or disabled in the performance of their duty, of which Relief Association each member of the Fire Department shall be a member. Such Relief Association shall be governed by a Constitution and By-laws adopted by the members thereof, no part of which shall be inconsistent with this Charter or the general laws and statutes of the State of Minnesota. All general laws and statutes of the State of Minnesota applicable to Firemen's Relief Associations, of the nature, size and character of that organized and maintained by the Fire Department of this city, shall apply to the Relief Association of the Fire Department of Morris.

SECTION 95:—The Commission shall divide the city into convenient

fire wards to facilitate efficient fire protection. The Commission shall also, by ordinance, prescribe fire limits within which buildings and other structures of substantially fire proof construction only shall hereafter be erected and shall, in the same ordinance, prescribe the essentials of such fire proof construction. The Commission may also, in its discretion, prescribe such other and further building regulations as the growth and development of the City or the necessities of fire prevention may require.

SECTION 96:—All general laws and statutes of the State of Minnesota, applicable to volunteer fire departments and not inconsistent with this Charter, shall apply to the Fire Department.

CHAPTER 13.

Municipal Court.

SECTION 97:—A court of record to be known as "The Municipal Court of Morris" is hereby established in and for said City of Morris; and the office of Justice of the Peace, heretofore existing in said city, is hereby abolished. The judge of said court shall be elected at the general municipal election, in the manner prescribed in this Charter for the election of all elective officers, for a term of four (4) years, beginning on the first Tuesday after the first Monday of the month of January next following his election, and until his successor is elected and qualifies. He shall be a man learned in the law and a resident of the City of Morris. The salary of said judge shall be Six hundred (\$600.00) Dollars per year which shall be paid monthly by the City. The Municipal Judge shall perform all the duties and discharge all the functions inherent in his office, and in addition he shall perform the duties incumbent on the Clerk of such Municipal Court.

SECTION 98:—As nearly as may be, the Municipal Court of Morris shall be governed by, under and pursuant to, and the jurisdiction thereof, the practice and procedure therein shall conform to, the provisions of law applicable to municipal courts in cities of the fourth class as contained in Chapter 5 of the Revised Laws of Minnesota for 1905, and acts amendatory thereof and supplemental thereto, subject, however, to the exceptions and modifications hereinafter prescribed.

SECTION 99:—In all civil proceedings had in Municipal Court the judge thereof shall charge, collect and monthly pay over to the City Treasurer the fees provided in Section 32 of Chapter 229 of the General Laws of Minnesota for 1895; and he shall not be required to enter any judgment in any cause, nor to perform any service required of him in any cause, either before or after the entry of judgment therein, until the fees accruing therein have been paid.

SECTION 100:—In all criminal proceedings had in said court the judge hereof shall perform the duties required by law in respect to the making of reports, the collection of fines and the payment thereof to the county, and the preparation and filing of statements of costs taxed therein against the county; all fees of the Municipal Court, or the judge thereof, taxed against the county in such criminal proceedings shall belong to the city, and it shall be the duty of the judge, in the name of the city, to prepare and file in the office of the County Auditor duly itemized and duly certified bills for such fees, whenever necessary. When allowed by the County Board, all such bills shall be paid by the county direct to the City Treasurer.

SECTION 101:—The Mayor and the City Manager, or either in the absence or disability of the other, shall meet with the judge of the Municipal Court at his office on the second Tuesday in the months of January and July of each year and they shall then and there select one hundred voters of the city as jurors of said court, when required and drawn as such during the ensuing six months, and until their successors are chosen. Their names shall be listed and the list certified by the officials selecting them and the judge shall place said names, written on separate slips, in a box or wheel. No person shall be required to serve as such juror more than one such period of six months in any one year.

SECTION 102:—If either party desires a jury, he shall so state when the case is set for trial. A jury of six may be drawn, if both parties consent thereto in open court. The party demanding a jury shall pay to the judge at the time One (\$1.00) Dollar for each juror required, otherwise the case shall be tried by the court. The judge shall draw from the box twice as many names as there are jurors required for the trial, the parties to the action shall thereupon proceed to the selection of the jury from the names of prospective jurors so drawn in the manner prescribed by statute for the selection of juries in justice courts, and the persons so selected as jurors shall be summoned to appear at the appointed time. Either party may challenge any juror for cause and have him sworn to answer questions concerning the same, and may prove such cause by other evidence. Such challenge shall be decided by the judge. Whenever necessary, a special venire may be issued. Each juror sworn as such shall be paid One (\$1.00) Dollar out of the City Treasury, upon a certificate issued to him by the judge at the time of his discharge.

SECTION 103:—The municipal Court shall be held in the City of Morris in some suitable place provided therefor by the city; and the city shall furnish all dockets, civil and criminal, document files and file cases, printed blanks and such other supplies as may be necessary for the use of such other supplies as may be necessary for the use of such court, or the preservation of its records.

CHAPTER 14.

Miscellaneous.

SECTION 104:—The Commission shall biennially designate depositories of moneys in the City Treasury by competitive proposals. Such depositories shall be designated only within the State of Minnesota and upon condition that fidelity surety bonds are first given by such depositories to the city for the safe-keeping and prompt payment of such deposits; provided, that the amount deposited in any such depository shall not at any time exceed the assessed value of the capital stock of such depository as the same shall appear on the duplicate tax list. Whenever any of the funds of the city shall be deposited by the City Treasurer in any such depository, the sureties on his official bond shall, to such extent, be exempt from all liability thereon for loss of any such deposited funds by reason of the failure, bankruptcy or any other act or default of such depository.

SECTION 105:—The Commission shall have the exclusive power to vacate or discontinue highways within the city. No such vacation or discontinuance shall be ordered by the Commission except upon petition of a majority of the owners owning a majority of the property upon the portion of the line of such highway proposed to be vacated, together with the distance of three hundred (300) feet in direct extension of such highway from the ends of such portions proposed to be vacated. The Commission, by majority vote of all the members thereof, may declare such highway vacated and a record thereof shall be made in the office of the Register of Deeds or the Registrar of Titles of Stevens County. Such vacation may be made on such terms and by such procedure as the Commission may, by ordinance, provide.

SECTION 106:—All assessments made by the city prior to the time when this Charter goes into effect shall be collected and lien thereof enforced in the same manner that they would have been collected and enforced, if this Charter had not been adopted. The laws in force when any condemnation proceedings are commenced shall apply thruout such proceedings.

SECTION 107:—No action shall be maintained against the city on account of any injuries or damages to persons or property unless such action shall be commenced within one (1) year from the occurrence of the injury or damage, nor unless notice shall have been given in writing to the City Manager within thirty (30) days of the occurrence of such injury or damage, stating the time when and the specific place where, and the circumstances under which the same occurred, and that the person injured or damaged will claim damages of the city therefor; but such notice shall not be required when the person injured shall, in consequence thereof, be bereft of reason.

SECTION 108:—No right, title, estate or easement of the city in any

property shall be lost by adverse possession or occupancy, and no statute of limitations shall operate against the city in favor of any person occupying any public property or highway, whether such highway shall have been improved or not.

SECTION 109:—The city shall not be required in any judicial or quasi-judicial proceedings to enter into any bond or undertaking or to give any security whatever.

SECTION 110:—The Commission shall, by ordinance, make such regulations as may be necessary to carry out and make effective the provisions of this Charter.

SECTION 111:—All general laws and statutes of the State of Minnesota applicable to cities of the fourth class, not inconsistent with the provisions of this Charter, shall apply to the City of Morris and shall be construed as supplemental to the provisions of this Charter.

SECTION 112:—Until Tuesday, January 6th, A. D. 1914, at twelve o'clock noon, and no longer, the officers of the City of Morris holding office at the time this Charter takes effect shall continue in office.

State of Minnesota }
County of Stevens } ss.
City of Morris }

CERTIFICATE OF COMMISSION.

WHEREAS, the Hon. S. A. Flaherty, Judge of the District Court in and for the Sixteenth Judicial District of Minnesota, did, on the 23rd day of January, 1913, duly make and file his order, under and pursuant to Section 36 of Article 4 of the Constitution of the State of Minnesota and Sections 748 to 758, inclusive, of the Revised Laws of Minnesota for 1905, and acts amendatory thereof and supplemental thereto, appointing as a Board of Freeholders to frame and submit a Charter for the City of Morris, Stevens County, Minnesota, for its own government, the following named voters and freeholders of the said City of Morris, to-wit:—E. J. Jones, Geo. W. Beise, J. H. Devenney, W. F. Cooley, F. R. Putnam, M. B. Lord, John House, F. A. Hancock, C. A. Dushek, F. E. Ware, N. Vinje, Max Trantow, F. A. Mullen, J. R. Krueger and J. J. Cairney; and

WHEREAS, on the 6th day of February, 1913, all of the persons appointed as aforesaid did duly qualify as members of said Board of Freeholders, in the manner and form prescribed by law, except the last named, J. J. Cairney; and

WHEREAS, on the 14th day of February, said J. J. Cairney having declined to qualify and serve as a member of said Board of Freeholders, the Hon. S. A. Flaherty, District Judge, did make and file his order appointing M. F. Finnegan as a member of said Board of Freeholders, in lieu of said J. J. Cairney, and the said M. F. Finnegan did, on the 17th day of February, 1913, duly qualify as a member of said Board of Freeholders, in the manner and form prescribed by law; and

WHEREAS, the persons aforesaid did, on the 17th day of February, 1913, effect a permanent organization of the said Board of Freeholders, with E. J. Jones as Chairman and F. E. Ware as Secretary, and there-

after the said Board of Freeholders did duly frame, prepare and adopt a proposed Charter for the said City of Morris, of which the foregoing document composed of one hundred twelve (112) sections, numbered from one (1) to one hundred twelve (112) inclusive, is a draft;

NOW, THEREFORE, We, the undersigned, comprising a majority of the said Board of Freeholders, under and pursuant to the power conferred upon us as aforesaid, do hereby sign the said draft of a proposed Charter for the said City of Morris and do hereby deliver the same to the Hon. W. F. Cooley, Mayor of the said City of Morris, to be submitted in the manner prescribed by law.

Dated at Morris, Minnesota, this 2nd day of September, A. D. 1913.

- E. J. JONES, Chairman
- M. F. FINNEGAN
- F. A. HANCOCK
- JOHN HOUSE
- J. R. KRUEGER
- C. A. DUSHEK
- F. A. MULLEN
- J. H. DEVENNEY
- W. F. COOLEY
- M. B. LORD
- MAX TRANTOW
- N. VINJE
- GEO. W. BEISE
- F. R. PUTNAM
- F. E. WARE, Secretary.

State of Minnesota }
County of Stevens } ss.
City of Morris }

I, W. F. Cooley, Mayor and Chief Magistrate of the City of Morris, Stevens County, Minnesota, do hereby certify that the foregoing printed document composed of one hundred twelve (112) sections, numbered from one (1) to one hundred twelve (112), inclusive, is a full and correct copy of, and sets forth fully and accurately, that certain charter which was drafted and proposed for the said City of Morris by the Board of Freeholders of said city, appointed and acting under and pursuant to Section 36 of Article 4 of the Constitution of the State of Minnesota and Sections 748 to 758, inclusive, of the Revised Laws of Minnesota for 1905, and acts amendatory thereof and supplemental thereto, and delivered to me, as chief executive of said City of Morris, by said Board of Freeholders on the 2nd day of September, 1913 to be submitted in the manner proscribed by law; I do further certify that the said proposed charter was duly submitted to a vote of the qualified voters of said City of Morris at a special election, held on the 30th day of September, 1913 and called for that purpose by the Common Council of said City of Morris, the result of which special election has been duly canvassed and declared by said Common Council; and I do hereby further certify that said proposed charter was, at said special election, duly ratified by the affirmative votes of more than four-sevenths (4/7) of the qualified voters of said City of Morris voting at said special election.

Dated at Morris, Stevens County, Minnesota, this 21st day of October, A. D. 1913.

W. F. Cooley
Mayor.

Attest:
C. B. Busper
City Clerk.

2424

City of ...
City of ...
STATE OF ... 2424

Secretary
of ... OCT 30 1912

John S. ...

Charles

RE-INDEXED

MAY 12 1921