

#2430

# SAUK CENTRE

VOLUME FIFTY.

SAUK CENTRE, MINNESOTA, THURSDAY

## CAMP PIKE BOYS GETTING ACTIVE TRENCH SERVICE

ARMY OFFICERS ARE WHIPPING WESTERN STEARNS COUNTY BOYS INTO CONDITION.

## SOUTHERN WOMEN STARTLED

BAD WEATHER INTERFERES WITH SPORTS PLANNED FOR CHRISTMAS DAY.

Camp Pike, Ark., Dec. 28.

Dear Bill:—  
The fourth Christmas of the war has been laid among the archives of history. The usual Yuletide spirit of gaiety and cheer, always with us at this period, was not so evident this year, due, perhaps, to the sobering influence of the Great War. At Camp Pike it was raw and blustery and a light rain fell. It put a damper on the sports that were scheduled to take place in the open; it delayed the balloon ascension of Chas. Harding of Fergus Falls, a member of my company; it made the men who were doing guard duty on that day smile though as there were anxious eyes on the bulletin board the night before to see who was to pace a post on this holiday. To the Northern men, the weather was about right, but to the Southerners, including those of the Y. M. C. A. buildings, the havens of refuge for soldiers, were various programs, glowing fireplaces, beautiful decorations of holly and a home-like atmosphere. In most of the barracks buildings there were impromptu programs, some good and some "rotten," but nevertheless thoroughly enjoyed by the boys. They sang (roared), they orated (ballyhoed); they danced (hoeddowned.)

No weather has yet been invented that could head them off entirely.

Some sections of the camp had lights on late for the event and you could hear sounds of their joyousness for miles. Many companies, including

## German-Russian Peace

his friend from another company. Practically every town or city in the United States near which cantonments are located have these conveniences for the soldiers, for there is no doubting the fact that such a camp is a mighty attribute to any place. Thousands of dollars are being spent by the men and, as a whole, these selective conscriptive men conduct themselves as gentlemen while in any city. As a result of these men stating their ideas on the cards, a soldier's club has been opened up in Little Rock. It occupies the second floor of a building and is 70 feet by 140 feet. It has comfortable lounging chairs, free stationery, tables and facilities for games. A platform has been built across the rear where stunts will be staged. Sunday afternoon entertainments at Little Rock theatres have been arranged for. We are still under quarantine and would you believe it, we may remain so indefinitely, as one or two are taken down with the measles every week. Any Doctor will tell you that when hundreds of men have been exposed, that they would not guess at the length of confinement. Each case means 14 more days. Maybe the war will be over when we get out!

We took our first crack at mimic warfare Friday. Starting out at the south end of the cantonment our company shot (point) through an Arkansas forest, and an Arkansas woods is about as filled with underbrush and bramblebrushes as any we have ever seen. The first half of the advance guard was on a high hill of solid rock and we were looking down a grade of 250 feet. The enemy were supposed to be in hiding at the left of a cotton ranch building lying peacefully down in the valley. Down the incline we went, and when the enemy had started to annihilate the men constituting the point, we brought our main body up on their right flank, completely outwitting them. We charged them in deployed formation, our range fire falling perfectly (?). Not only did we route the enemy, but we scared every bit of live stock off the place and the farmer's wife hid her fact in fright as we charged through her cotton patch and pounced on the enemy. This little experience gave us a faint insight of what a soldier must go through on a march and an attack.

## Unfortunate People With Greedy Teutonic Fighting May Be

London, Jan. 2.—Peace negotiations at Brest-Litovsk have been broken off by the Bolsheviki government because of the attitude of the German delegates toward Poland and Lithuania and the enemy proposal that garrisons be retained at Lebeau, Riga and elsewhere, according to a Petrograd correspondent.  
The dispatch quotes an article from the Bolsheviki newspaper Izethia discussing the "new phrase in the peace negotiations." The article says that Germany proposes to hold Holland and Lithuania, claiming that self definition is impossible, and adds that the terms of peace as presented by the German delegates contain no provisions favorable to Russia.  
Defies Germans.  
"Just you try it," says the Izethia at the close of the article. This is the line of argument taken up by the Russian peace factions. The correspondent of the Daily News adds that probably the question will be taken up at a general meeting to consider the report of the Russian peace delegates. The Bolsheviki heads, he adds, are much disturbed over this action. "And nature presented by Germany. As long as the Bolsheviki government in the matter of peace negotiations, I prophesy that the Russian signatures to such a peace will not be Bolsheviki."  
The correspondent says a considerable number of Red Guards are being sent to the front and other preparations for defense made.  
It is not clear from the dispatch of the Daily News correspondent when the meeting was held and there is a possibility that it may refer to an alleged disagreement between the representatives several days ago when the discussion was adjourned.  
Break Seems Sure.  
"I have private and reliable information with regard to the breaking honesty of the Bolsheviki intentions."

HERALD.  
juries, and from military duty during continuance of such membership, and shall elect their own officers, and make their own by-laws, subject, however, to the approval of the common council." (Sp. L. 1889, Chap. VII, Sec. 3, p. 101.)  
Section 35. Street Commissioner. The street Commissioner shall be the head of his department and, subject to the orders of the council, shall have charge of laying out, grading, paving, sprinkling, and cleaning of all the streets and alleys, the construction and repair of curbs and gutters, sidewalks, bridges, sewers, pipes and other structures in or under the streets, and shall perform such further duties as the council direct.

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to the proposed peace treaty. Poland, Lithuania, etc. saying they had all refused their demands regarding the statement that Ukrainian refused to join the Bolsheviki and toward peace, also that they would keep garrisons at Riga and other points.  
Libau refuse to consider it.  
The delegates, according to the correspondent, refused unequivocally to consider the proposition and declared that no German soldier would be sent to the country. They further had left the delegates asking what they had left the Germans. They asked also whether the proposed marching upon Petrograd would harm the country, displace every workman had a right to demand time for negotiations should not be left Brest-Litovsk.

Russ Badly Treated.  
M. B. Bok on behalf of the Bolsheviki, according to the Russian official news, made a statement regarding the meeting with the German delegation to discuss conditions of peace, in which he said that at a moment the conference had assembled with the prospect of alleviating the miseries of war, to those battling for peace was added still more suffering. He stated that many Russian fighting for the cause of peace had been imprisoned and badly treated by the Germans. Others were forced to labor for German interests.  
A Petrograd dispatch says that the Russians demanded that all Socialists imprisoned in Germany be released immediately.  
The dispatch also mentions the capture by Cossacks troops of the town of Alexandrovitch.

## Returned from Battlefields, Is

Dr. Frederick A. Perry, Mich., recently returned from a extensive tour of the European battlefields is delivering a series of lectures under the direction of the Red Cross.  
The Sauk Centre branch of the Red Cross has received word that Perry will be one of the speakers in the state to be addressed at the High School auditorium on the evening, Jan. 9, 1918, at 8 o'clock.  
The gentleman comes highly recommended and his presence is doubt be interesting and profitable. It is hoped that he will be able to give a free will contribution to cover the expenses. The balance will be taken into the local Red Cross.

## Schools Inaugurate New System of Hot Lunches

With the opening of the new school year the supplying of hot lunches for pupils who are unable to take them at home will be started. This year the system tried with success in the past and it is hoped that the marked improvement in the condition of these students of the children coming to school are so chilly that they apply themselves to their studies some time. It is planned who need it a bowl of cream just before schooling. A fine electric range installed with a fireless stove in this that the cereal ed. Mrs. A. F. Moynihan, will have charge of the work.

DEATHS OF A

observed under quarantine. At one building they had a "freak" indoor track meet and a unique variety show. Contestants engaged in a hundred-yard dash with a toothpick and a bean shot-putting with a paper bag, a running broad grin, the blindfolded high jump, a continuous glum, a cock fight and blindfold boxing, mouth organ selections, characteristic comedy and dancing. "Lost harmony Resurrected" was sung, "General Orders" was rendered and many pantomimes by special casts. It was far from being a sorrowful scene. For Christmas dinner, we had everything you can imagine. We visited the kitchen the night before and gazed wonderingly at the long rows of pies, masses of dressed turkeys, the tubs of dressing, the strings of cakes, the bales of celery, boxes of nuts, apples, candy, and the sweating chefs, who worked far into the night. Housewives alone can imagine what it means to cook a dinner of this kind for 250 men. And the next day we sat down to as fine a meal as ever was set before a king. When we were about through with the repast we proposed three cheers for the cooks, and they were given with all the vociferousness that fullness would permit.

Another event which marked the occasion was the Army wedding of the cook in Company D, 347 Inf., to a girl he was engaged to before the conscription got him. It occurred at 11 o'clock a. m. Comrades of the groom gathered pine boughs for decorations and built an altar which was marked U. S. N. A. A guard of honor formed in a hollow square about the altar during the ceremony and an army chaplain tied the double bowlin. After the ceremony the bridal party was given a seat of honor at a special dinner in the mess hall and were also presented with a purse of \$25 by the men. The groom was given all a 36 hours to celebrate; his leave from camp expired in that time and he and his bride left for Little Rock in a machine tagged with old shoes.

Among other cards that a soldier has to fill out is a card stating what his name is, all his family tree, what fraternal order he belongs to as well as his folks, what other accomplishments he has besides his regular vocation, whether he is a musician or not, what his religion is, if any, what church his parents belong to, if he desires to learn a foreign language, what his favorite sports are and many other things. The last one to be answered is whether he has any idea in mind that would make Little Rock improved for the soldier's comfort. We answered: "Rebuild the City." Most of them however, suggested that some place be opened up on Sunday so that a man could go in Saturday night or Sunday morning and have something besides locked doors staring him in the face. They also suggested that a place be opened up where a soldier could go and clean himself up personally, sit down and visit a moment with

rack building and drill was not all a soldier had to undergo. Many are the long and tedious marches in store for him. He must climb steep hills, wade through creeks and mud and perhaps at the end take part in a battle. Sometimes it appears that we have merely started at it, but at that we have advanced a great deal during the past month and since entering the service have learned more about the military than one can imagine. Yet it seems to me that a soldier ought to have a year at the game before he is sent to the front, for to be a good soldier requires as much gray matter and studying as any other vocation. Still, it all depends on how badly our Allies need men, so we must apply ourselves every minute if we wish to make good as fighters.

Trenches, similar to those used in Europe, have been constructed and are being constructed about the camp at places designated by the "higher ups." A night prowler wandering along in a valley northwest of Camp Pike is liable to learn something of modern fighting methods in an entirely unexpected manner. He might walk into a barb wire entanglement from which he might not get out, and then again he might suddenly find himself at the bottom of a trench imbedded in mud and water. Some of these trenches you can not see, until you are right upon them because they are camouflaged with sage brush, briars, leaves and other vegetation in such a way that they are invisible a few feet away and are resplendent with listening posts and communicating trenches.

I don't believe a jack rabbit could get through the barb wire entanglements, much less a man with a rifle with hand grenades coming his way. Trench education including barb wire entanglement construction, has become necessary education for the modern soldier and he gets new tips on it all every day.

Thursday our company were put to work clearing a forest for a new series of trenches. If they picked out this bunch to do a bit at the "clearing" game in the woods and expected there would be a grumble at the hardness of the job, they had another guess coming. A goodly sprinkling of this company come from Northern Minnesota and handling an ax is second nature to them. A wonderful amount of work was done in one day by these "lumberjacks," and I guess if one company could have possibly been out on two days' fatigue at this work, we sure would have gotten a second day of it. The only thing that impeded the progress was the fact that there were a large number of hickory nut trees in the woods and every once in a while a squad would have to be deployed as skirmishers to bring the nut hunters back to work. You would be kind of struck with

(Continued on page five)

owers proceeded to make more town of that name it re...

## Home Guard Co. Organized

Sauk Centre men are intensely interested in the organization of a Home Guard company in this city. Nearly 100 of the representative citizens gathered at the Commercial Club rooms Friday evening to have the proposition more fully explained to them.

Wm. M. Parker was elected chairman of the meeting as he had taken the initiative in the movement and was the best qualified present to explain the movement, its necessity, and what the state expected of the members.

Seventy-eight men had signified their desire to become affiliated with the Home Guard in some capacity, and at this writing the list has swelled beyond the 80 mark. Under the regulations 76 men and three officers constitute a full company.

A motion was made and carried that the Sauk Centre branch of the Home Guard be organized. The next matter was the selection of the officers for the new company. Those in the audience having had previous military training were asked to stand up about a dozen complying. Upon motion the chair appointed a committee consisting of D. B. Caughren, G. Hillerud and W. A. Moore, to make nominations for the three elective officers. After giving careful consideration to the matter the committee made the following recommendations which were

unanimously adopted:

Captain—Wm. M. Parker.

1st Lieut.—J. E. Cardinal.

2d Lieut.—Earl Springer.

The Junior High school auditorium was tendered for drill purposes and it was decided to have drills on Thursday evenings of each week, commencing promptly at eight o'clock. The first drill will be held this Thursday evening, and if there are those who have not yet signed the membership petition if they will present themselves tonight they can do so. As soon as possible one of the officers from the state adjutant general's department will come up, administer the oath to the officers and members, and muster the company into active service.

It will be impossible for the state to supply equipment at once. In the meantime, however, the men will be given, badly needed drill formations. The Herald predicts that no bunch of rookies ever lined up before a sergeant in the regular army will have anything on the awkward squad which will confront the local officers in the beginning.

Next week's Herald will publish in detail the requirements of the Home Guard as well as a complete roster of the members.

### TOWN TEAM WINS.

The basket ball game Friday night between past stars of the Sauk Centre high school and the present school team resulted in the looked-for victory for the old-time. The score was 36-19, or such a matter. At least that was the way the reporter gave it to the Herald, adding that he probably was giving the high school team a point or two. The high school team got a badly needed practice and the athletic treasury was enriched by a few dollars. The teams lined up as follows: All Stars—Pangburn, rf; Cooper, lf; Hanson, c; Henemann, rg; Lee, lg; Fish, sub. High School—Diebel, rf; Gamradt, lf; F. O'Gara, c; D. O'Gara, rg; Irish, lg; Caughren, sub. The next game of the season will be played on the local floor Friday evening with the Melrose high school team.

### ANNUAL FIRE DEPT. MEETING.

The annual meeting of the Sauk Centre Volunteer Fire department will be held at the Commercial Club rooms Tuesday evening, Jan. 8, 1918, at 8 o'clock. The election of the chief and other officers for the coming year will be the important work of the evening. The Herald understands there is a contest on for head of the department between J. B. Mondloch and Jos. W. Kusba, the present chief.

### MARKET REPORT.

Corrected Thursday morning, Jan. 3.  
(Subject to Market Fluctuation.)

War flour, per cwt	\$5.65
Wheat, No. 1, per bu	2.06
Wheat, No. 2, per bu	2.03
Rye, per bu	1.12
Oats, per bu	.72
Flax, per bu	3.40
Barley, per bu	1.31
Eggs, per doz	.40
Butter, dairy, per lb	.40 @ .47
Butterfat, per lb	.48 @ .50
Chickens, live, per lb	.12 @ .14
Chickens, dressed, per lb	.15 @ .17
Veal, live, per lb	.10 @ .13
Hogs, dressed, per cwt	\$17.00 @ \$19
Cattle, per cwt	\$6.00 @ \$7.00
Hides, per lb	.13

### ROY JOHNSON DEAD.

Roy Johnson, grandson of the late Mrs. Jacob Dietrich and a former Sauk Centre boy, died at a Minneapolis hospital of typhoid pneumonia on December 13, 1917. Mr. Johnson was a railroad man and made his home in Minneapolis. He is survived by a wife and two children. Those who knew him while he lived in Sauk Centre were grieved to learn of Mr. Johnson's death and of the sorrow brought to his family.

O. Vogel of ... of 70 years and seven months. Her death was due the last month or so. Buried Friday morning, with services at St. Paul's Catholic Rev. Arzt officiating. A more ed account will be published next issue of the Herald.

Mrs. Johanna Waujenk Zehrer on Thursday night, Dec. 27, the home of her son, Herman at the age of 72 years and months. Her death was due each trouble coupled with the ness brought on by her age. Zehrer was buried Saturday from St. Paul's Catholic church. Rev. A. Arzt officiating at Mass. Interment was made Paul's cemetery.

Mrs. Zehrer was born in H Germany, in March, 1845. At of 19 she was married to C Klonne of the same city; when lived until 1882. At that time moved to America and settled farm near Meire Grove. Mr. lived about four years after his al in this country. Eleven c were born to this union, nine of are living. Mrs. Joe Zehrer Mary Klonne, Oscar Klonne, ar man Klonne of Sauk Centre an rence Klonne of Meier Grov those of the children who live community. In 1887 the decea married to Conrad Zehrer o Centre. One son, Leo Zehr born to them. Mrs. Zehr well known over all Stearns and more especially in the vic Sauk Centre. Her death mourned not only by her im family, but also by her nur friends who have come to k during her long residence he

### LEAVE FOR EXTENSIVE

Dr. and Mrs. E. J. Lewis le nesday noon for an extended which they expect to be abse Sauk Centre for about three. Their first stop will be in S where they will be guests of Mrs. Sinclair Lewis for a shor From the Capitol city they ex go to St. Louis to visit with Mr is' brother; then to Fort Smoth and San Antonio, Tex. They I see some of Sauk Centre boys service at the later place as ber are quartered at Kelly A field. Leaving San Antonio, t go on to the gulf and west to nia. After visiting with frie different points in Californi will make their way homewar way of Denver. Mrs. Geor has been named to have charg Red Cross knitting during M is' absence, and the Herald I requested to ask that all finis ted articles be left with Rein who will also supply those desiring to knit.

# CENTRE

SAUK CENTRE, MINNESOTA, THURSDAY

## Russian Peace Unfortunate People With Greedy Teutonic Fighting May Be

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Defies Germans. "Just you try it," says the Izethia at the close of the article. This is the line of argument taken up by the Russian peace factions. The correspondent of the Daily News adds that probably the question will be taken up at a general meeting to consider the report of the Russian peace delegates.

The Bolsheviki heads, he adds, are much disturbed over this action and declare no acceptance will be made of their party to any terms similar to those presented by Germany. "And long as the Bolsheviki continue to govern in the matter of peace negotiations, I prophecy that the Russian signatures to such peace will not be Bolsheviki."

The correspondent says a considerable number of Red Guards are being sent to the front and other preparations for defense made.

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Section 38. City Engineer. The city engineer shall be the head of the department of public works, and shall have charge of the designing, construction and maintenance of all public works, and shall perform such further duties as the council may direct.

Section 39. City Auditor. The city auditor shall be the head of the department of finance, and shall have charge of the auditing of all public accounts, and shall perform such further duties as the council may direct.

Section 40. City Clerk. The city clerk shall be the head of the department of records and communications, and shall have charge of the keeping of all public records, and shall perform such further duties as the council may direct.

Section 41. City Treasurer. The city treasurer shall be the head of the department of finance, and shall have charge of the receipt and disbursement of all public moneys, and shall perform such further duties as the council may direct.

Section 42. City Board of Health. The city board of health shall be composed of five members, and shall have charge of the regulation and supervision of all public health matters, and shall perform such further duties as the council may direct.

Section 43. City Board of Education. The city board of education shall be composed of five members, and shall have charge of the regulation and supervision of all public schools, and shall perform such further duties as the council may direct.

items: Sums derived from (a) Taxation, (b) Fees, (c) Fines, (d) Interest, (e) Miscellaneous, not included in the foregoing; (f) Sales and Rentals; (g) Operation of Public Utilities; (h) Special Benefit Assessments; and (i) Sales of Bonds and Other Obligations. Such estimates shall be in typewriting and shall be submitted to the council at a meeting not later than the first Monday in September, and shall be made public.

Section 50. Making of Budget. The council shall meet to consider the budget and to hear from the authorities asking for appropriations and from interested citizens one week after the estimates were submitted and made public. There shall be prepared and presented to the council a proposed budget resolution and the council shall hold meetings thereafter for its consideration until ample time has been granted for full discussion and consideration thereof.

The annual budget finally agreed upon shall be a resolution setting forth in detail the complete financial project for the City for the next fiscal year. It shall indicate the sums to be raised and from what sources, and the sums to be spent and for what purposes, according to the plan provided in Section 49. The total amount of the budget shall not be less than the total amount of the previous year.

SAUK CENTRE BRANCH NOW HAS NEARLY 900 ACTIVE MEMBERS.

DONATIONS WERE LIBERAL FUNDS NOW ON HAND TO CARRY ON THE RELIEF WORK PLANNED.

The names published below are those of the new members of the Red Cross, and have a startling list, it may be said, also the amount and names, as far as possible, of those who contributed otherwise. While Sauk Centre does not have an startling list, it must be remembered that over 600 of the city are already members and that new memberships were not solicited, although a few voluntarily renewed their subscription. The total number of memberships amount to 286 while the donations reach the aggregate amount of \$88.06. There are still a number of members to be reported for any other their names will be published at that sums from time.

- Mrs. James Winter, Laurel Connelly, Hazel Connelly, Frank Connelly, H. N. Carpenter, Mrs. Conkey, Mrs. R. McCullom, Mrs. C. Kelsey, Irene Moynihan, Ceo Moynihan, Louise Moynihan, Walter Moynihan, Margaret Moynihan, Nick Jung, Jos. A. Pauly, L. P. Orvath, Oscar Carlson, I. L. Fisher, S. A. Ruskjer, Mrs. Frank Perry, Mrs. Sarah Dougherty, Mrs. Mary Richards, W. Benner, Oscar Holman, Francis Russell, Home School; Doris Pearlman, Home School; Ella Larson, Home School; Esther Provost, Home School; Ida Aman, Home School; M. Bryant, Mrs. Jas. Hall, Mrs. Nicky, Dr. Sommerville, Mrs. W. Bishop, Mrs. C. M. Bryant, Mrs. D. Scott, Roy Scott, Tillie Aigner, Mrs. C. Allen, Howard Allen, Chas. Allen, Mrs. Mike Allen, Ole Arnested, Mrs. Wm. Austin, Helen S. Acomb, Mrs. M. D. Aygarn, (renewal), Mr. J. J.

### Returned from French Battlefields, Is Coming

Dr. Frederick A. Perry, of Adrian, Mich., recently returned from an extensive tour of the European battlefields is delivering a series of lectures under the direction of the American Red Cross.

The Sauk Centre branch of the Red Cross has received word that Dr. Perry will be one of the few cities in the state to be addressed by Dr. Perry. He will speak at the Junior High School auditorium Thursday evening, Jan. 9, 1918, promptly at 8 o'clock.

The gentleman comes very highly recommended and his message will no doubt be interesting and instructive. It is hoped that he will be given a house. No admission fee will be charged, but a free will collection will be taken to cover the incidental expenses. The balance will be turned into the local Red Cross treasury.

### Schools Inaugurates a New System of Serving Hot Lunches to Children

With the opening of school the coming week the supplementary breakfasts for pupils who are underweight will be started. This plan has been tried with success in the larger schools and it is hoped that there will be a marked improvement in the physical condition of these students. A number of the children coming a long distance are so chilly that they are unable to apply themselves to their studies for some time. It is planned to give those who need it a bowl of hot cereal with cream just before school each morning. A fine electric range has been installed with a fireless cooker and Mrs. A. F. Moynihan, the school nurse, will have charge of the service.

DEATHS OF A WEEK.

Vertical stamp: RECEIVED JAN 10 1918

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Following recommendations which were unanimously adopted:

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Hides, per lb	.13

### AUTUMN FIRE DEPT. MEETING.

The annual meeting of the Sauk Centre Volunteer Fire department will be held at the Commercial Club rooms Friday evening, Jan. 8, 1918, at 8 o'clock. The election of the chief and other officers for the coming year will be the important work of the meeting. The Herald understands there is a contest on for head of the department between J. B. Mondloch and Jos. W. Kusba, the present chief

### ROY JOHNSON DEAD.

Roy Johnson, grandson of the late Mrs. Jacob Dietrich and a former Sauk Centre boy, died at a Minneapolis hospital of typhoid pneumonia on December 13, 1917. Mr. Johnson was a railroad man and made his home in Minneapolis. He is survived by a wife and two children. Those who knew him while he lived in Sauk Centre will be grieved to learn of Mr. Johnson's death and of the sorrow brought to his family.

Mrs. Vogel of 70 years and seven months had been ailing for some time, but was not seriously ill until the last month or so. Burial to be made Friday morning, with funeral services at St. Paul's Catholic church. Rev. Arzt officiating. A more extended account will be published in the next issue of the Herald.

Mrs. Johanna Waujenk Zehrér died on Thursday night, Dec. 27, 1917, at the home of her son, Herman Klönne, at the age of 72 years and eight months. Her death was due to stomach trouble coupled with the feebleness brought on by her age. Mrs. Zehrér was buried Saturday morning from St. Paul's Catholic church, the Rev. A. Arzt officiating at Requiem Mass. Interment was made at St. Paul's cemetery.

Mrs. Zehrér was born in Hanover, Germany, in March, 1845. At the age of 19 she was married to Clemens Klönne of the same city, where they lived until 1882. At that time they moved to America and settled on a farm near Meire Grove. Mr. Klönne lived about four years after his arrival in this country. Eleven children were born to this union, nine of whom are living. Mrs. Joe Zehrér, Miss Mary Klönne, Oscar Klönne, and Herman Klönne of Sauk Centre and Lawrence Klönne of Meire Grove are those of the children who live in this community. In 1887 the deceased was married to Conrad Zehrér of Sauk Centre. One son, Leo Zehrér was born to them. Mrs. Zehrér was well known over all Stearns county and more especially in the vicinity of Sauk Centre. Her death will be mourned not only by her immediate family, but also by her numberless friends who have come to know her during her long residence here.

### LEAVE FOR EXTENSIVE TRIP

Dr. and Mrs. E. J. Lewis left Wednesday noon for an extended trip on which they expect to be absent from Sauk Centre for about three months. Their first stop will be in St. Paul where they will be guests of Mr. and Mrs. Sinclair Lewis for a short time. From the Capitol city they expect to go to St. Louis to visit with Mrs. Lewis' brother; then to Fort Smith, Ark., and San Antonio, Tex. They hope to see some of Sauk Centre boys in the service at the later place as a number are quartered at Kelly Aviation field. Leaving San Antonio, they will go on to the gulf and west to California. After visiting with friends at different points in California they will make their way homeward by the way of Denver. Mrs. George Rein has been named to have charge of the Red Cross knitting during Mrs. Lewis' absence, and the Herald has been requested to ask that all finished knitted articles be left with Mrs. Rein who will also supply yarn to those desiring to knit.

Alphonse Itenfield, W. J. D. 409  
Mrs. P. H. Bronky, W. Bryan  
Bouton, Edna Brown, Geo. R.  
mann, Mrs. Susie Bunker, Emma  
Borgmann, Mrs. Bryngleson, J. H. S.  
Bruce, Mathilda Bock, John Boutell,  
Frank M. Brown, A. J. Bohne, Mrs.  
Henry W. Botz, Ed Brecken, Milo  
Cowlthorpe, Clara Carr, Elbridge Cass  
Oliver Cass, J. E. Cardinal, Mrs. J. E.  
Cardinal, Mrs. Cooley, Paul Caughren,  
Mrs. Jno. Cooper, Paul Donart, August  
Dahlem, Pauline Dahlem, Mrs.  
Albert Dahlem, Barney Daniels, W. J.  
Dewhirst, B. F. DuBois, Agnes Doege  
Emma Doege, Mayme Dahlem, O. W.  
Dowswell, Wm. Demokopoulos, Paul  
Dooley, Theo. Dock, Dr. J. A. DuBois,  
Fred Dickson, Leo Doege, Mrs. W.  
Elliott, Geo. Emblom, Jennie Engle,  
Geo. Egan, Bruce Elliott, Alice  
Flahaven, Lavine Flahaven, Benton  
Frederick, Albert Farskee, Mrs. Wm.  
Fox, Mrs. T. F. Flahaven, Paul Forsberg,  
Mildred Forsberg, H. W. Flynn,  
Victor Flynn, Fred Deters, Mrs. Lewis  
Gilbertson, L. O. Gray, Mrs. J. P.  
Galbraith, Leslie Gray, May Galvin,  
Matt Galvin, Bernon Grey, Mrs. T. W.  
Gallagher, P. E. Gray, S. P. Hansen,  
Jr., Otto P. Haren, (renewal) S. T.  
Halligan, John Hickman, Chas.  
Houghton, Mrs. Eliza Hardesty, Ed  
Hansen, Lafayette Heuzel, Alice Halverson,  
Jos. Heraly, Mrs. John Houghton,  
Ella B. Holtz, Gunther Hüllerud,  
Jacob Hartung, Pauline Hansen, Ben  
Hultgren, Guyda N. Hilsdale, W. O.  
P. Hilsdale, Sigurd Holme, Mabel  
Hansen, Florence Hennemann, Olle  
Hansen, Mrs. Hildebrand, Malcolm  
Hanson, L. Hedin, Wm. Hodson, Mrs.  
Louis Huber, Walter Jung, V. A.  
Jacobson, Hugo Klar, T. H. Kinsella,  
D. F. Keenan, Ed Knutson, Mrs. R. R.  
Kells, Jas. Kinsella, Leonard Larson,  
Mrs. Del Keenan, Mrs. Dan Kane,  
Everett Lux, C. E. Lucas, Jas. L.  
Lyng, Donald Lewis, Lulu Lamb, Elsie  
Lingo, John Larson, F. Lee, Mrs. Nellie  
Larson, Walter E. Larson, Mrs.  
Arthur Loyd, Fred Littel, Mrs. Theo.  
Meyer, Frank Mallet, Jas. McGibbon,  
Mrs. J. A. Myhre, W. McNeice, Mrs.  
E. E. Martin, Jos. Miller, C. D. Marshall,  
Mrs. Hattie Marshall, Mrs. Chas. Marshall,  
Oliver Mallen, F. M. Madsen, Allen Meigs,  
Ed Northrup, Viva Nesbitt Peter Orvaar,  
Earl Osborne, Mrs. Marcus Olson, Chas.  
Perkinson, Hazel Pangburn, Earl Peart,  
Lloyd Preston, W. F. Perry, Vera Peart,  
Peter Dusek, Dave Pangburn, Fenton Parker,  
H. Paulson, Earl Pangburn, Wm. Peglow,  
Frank Peschek, Halycon Page, Mr. Robed, Wm.  
Rezenchek, C. S. Sutton, Teckla Rydholm,  
Jack Robinson, Lillian P. Rowe, Ina Robinson,  
Henry Rydholm, Losie Rose, James Rogers,  
Nick Rice, Mrs. Mary Rust, Mrs. Wm. Rezenchek,  
Mrs. L. Sweeney, Home Syppe, Geo. Sukke,  
Norbert Scutenover, Wm. Strietz, Thos. Smith,  
Gilbert Stegner, Chas. Smith, M. Sholder, J. B. Segers,  
Alys Steinbauer, Sam Stocking, Louise Logge,  
Glen, Sullivan, Wm. Stein, Myron Smith,  
Milton Smith, Mrs. Ross Shaw, Dorothy Stephens, H.

(Continued on page five)

THURSDAY, JANUARY 3, 1918.

Official Publication  
*revised*  
**Proposed Charter**  
OF THE  
**City of Sauk Centre**

CHAPTER I.

Name, Boundaries, Powers, Rights, and Liabilities.

Section 1. Name and Boundaries. The municipal corporation in the County of Stearns and State of Minnesota known as the "City of Sauk Centre" shall continue to be a municipal corporation under the same name and with boundaries as now established by law as follows:

"Commencing at the northeast corner of the southwest quarter (SW $\frac{1}{4}$ ) of section number three (3), in township number one hundred and twenty-six (126), of range number thirty-four (34); thence west to the northwest corner of the southwest quarter (SW $\frac{1}{4}$ ) of section number four, (4), in said township and range; thence south to the southwest corner of the northwest quarter (NW $\frac{1}{4}$ ) of section number sixteen (16); thence east to the southeast corner of the northwest quarter (NW $\frac{1}{4}$ ) of section number fifteen (15); thence north to the place of beginning, all being in township number one hundred and twenty-six (126), of range number thirty-four (34)." Chapter 4, Sec. 2, Sp. L. 1889.)

Section 2. Rights and Liabilities. The City of Sauk Centre shall have perpetual succession and shall remain vested with and continue to have, hold and enjoy all property, property rights, rights of action, and rights of every kind now belonging or pertaining to the city and shall be subject to all the liabilities that exist against the City.

Section 3. Powers of the City. The City of Sauk Centre shall sue and be sued, shall have and use its present seal and may alter its seal at pleasure; shall be capable of contracting and being contracted with; may take by purchase, condemnation or otherwise, and hold, lease, sell and convey all such real and personal property as its purposes may require, or the transaction of its business may render convenient, within or without the limits of the city, as now provided by law (Sp. L. 1889, Chap. 4, Sec. 1, p. 80); may acquire, construct, own, lease, and operate public utilities, and render public service of every kind; may grant franchises or licenses for the construction, operation and maintenance of public utilities in, over, upon, and under the streets and public places in the city, and shall have power to fix and regulate the fares, tolls, or charges which may be collected, order the extensions which shall be made, and regulate the services which shall be rendered by any owner or operator of a public utility franchise or license; may assess, levy, and collect taxes, for general or special purposes, on all subjects or objects which the City may lawfully tax; may borrow money on the faith and credit of the City or on public utility or other property owned by the City,

office vacant. If a vacancy occurs in an elective office, other than by recall or resignation after a recall petition is filed, the council shall forthwith appoint an eligible person to fill the same until the next general municipal election, when the office shall be filled for the unexpired term.

Section 9. Salaries. The Mayor, the city treasurer and aldermen shall serve without compensation.

CHAPTER III.

Elections.

Section 10. Time of Election. A municipal election shall be held on the first Tuesday of April, 1918, and on the first Tuesday of April annually thereafter at such place, or places, as the council shall designate, which shall be known as the general municipal election. At least fifteen days previous notice shall be given by the city clerk of the time and place of holding such election and of the officers to be elected, by posting a notice thereof in three public places in the city and by insertion in a newspaper published in the city.

Section 11. How Conducted. The general laws of the State of Minnesota relating to elections and corrupt practices shall, in so far as applicable, govern all general and special municipal elections, except as otherwise provided in this charter. The council shall make suitable provision for the holding of elections.

Section 12. Nominations. Candidates to be voted for at all municipal elections shall be nominated by petition, filed with the city clerk at least ten days before the election. Such petition shall be signed by not less than ten qualified voters. Each person so nominated by petition shall file his acceptance with the city clerk not later than ten days before the date of the election, and may file a declaration of principles at the same time in not more than two hundred words. In the absence of such acceptance, the name of the candidate shall not appear on the ballot.

Section 13. Special Elections. The council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election in the same manner as herein provided for other municipal elections.

Recall Elections.

Section 14. Recall Petitions. The holder of any elective office under this charter, except judges of the municipal court, may be removed at any time by the electors qualified to vote for a successor of such incumbent in the following manner: Before any recall petition may be circulated a preliminary petition shall be filed with the city clerk demanding a recall election, stating the name and official position of the person to be recalled and the grounds for such removal, in not more than two hundred words. When such preliminary petition shall have been signed by not less than fifty qualified voters of the City at the office of the city clerk, it shall be published in the official paper. Within five days after the filing of a preliminary petition the city clerk shall provide proper recall petition blanks, each sheet having printed at the top in plain, legible type a copy of the preliminary recall petition, and space for twenty-five names and addresses.

After such blanks have been signed and filled out by electors equal in number to at least thirty per cent of

THURSDAY, JANUARY 3, 1918.

counted in determining the time to be taken on any recall petition, no upon.

CHATEPR I

Council and Legis

Section 18. Presiding Officer. The council shall hold its first regular meeting, which shall be held on the second Tuesday in April each year, and shall elect one of its members president at its meetings. He shall be accorded the same power as mayor, in the absence of the mayor, or in case of his inability to act, and may also elect a vice president at its meetings. He shall preside in the absence of the mayor.

Section 19. Council Meetings. The council shall be held in a place designated by it and publicly announced. The council shall keep a journal of its proceedings, and all proceedings of the council shall be published in a public record, and all proceedings of the council shall be published in a public record, and all proceedings of the council shall be published in a public record. The council shall keep a journal of its proceedings, and all proceedings of the council shall be published in a public record, and all proceedings of the council shall be published in a public record.

Section 20. Ordinances and Resolutions. The council shall have power to pass ordinances and resolutions, and to appropriate money for the same. The council shall have power to pass ordinances and resolutions, and to appropriate money for the same. The council shall have power to pass ordinances and resolutions, and to appropriate money for the same.

Section 21. The enacting clause of every ordinance shall be in the words: "the City of Sauk Centre do hereby ordain."

Section 22. Filing and Reading of Ordinances. Every ordinance shall have two public readings, and at the first reading shall be read in full. The council shall have power to pass ordinances and resolutions, and to appropriate money for the same. The council shall have power to pass ordinances and resolutions, and to appropriate money for the same.

by the use of the money of the City for all lawful purposes; may provide for, construct, regulate, and maintain public works and local improvements; may levy and collect assessments for local improvements; may license and regulate persons, corporations and associations engaged in any business, occupation, trade or profession; may define, prohibit, abate, suppress, all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City, and all nuisances and causes thereof; may regulate the construction, height and materials used in all buildings, and the maintenance and occupancy thereof; may regulate and control the use for whatever purposes of the streets and other public places; may make and enforce local police, sanitary, and other regulations; may pass ordinances for maintaining and promoting peace, good government, and welfare of the City, and for the performance of all the functions thereof; shall have all the powers possessed by municipal corporations at common law; shall have, retain and may exercise all powers, functions, rights, and privileges, heretofore possessed by it; may exercise such powers beyond its corporate limits as may be necessary for the effective exercise of any powers granted herein as now authorized by law; and in addition thereto, the City of Sauk Centre shall have and exercise all powers, functions, rights, and privileges exercised by, or which are incidental to, or inherent in, municipal corporations and are not denied to it by the constitution or general laws of the State of Minnesota. The enumeration of powers herein shall not be construed to limit or restrict the powers granted in general terms, nor shall any specific power granted in this charter be construed to limit or restrict the powers granted in this section. In addition to the powers herein and hereafter granted, the City of Sauk Centre shall have full power to deal with all matters of municipal concern and have complete self-government in harmony with and subject to the constitution and laws of the State of Minnesota.

Section 4. Powers, How Exercised. All powers of the City, unless otherwise provided by this charter, shall be exercised by the City Council or under its direction.

## CHAPTER II.

### Elective Officers.

Section 5. Elective Officers. There shall be elected at large in the City of Sauk Centre, a mayor, a city treasurer and five aldermen; and these shall be known as the elective officers of the City. There shall also be elected a municipal judge and a special municipal judge, as provided by law.

Section 6. Election and Term of Office. The term of office of the mayor, the city treasurer and the aldermen shall each be two years, except that at the first municipal election after the adoption of this charter one alderman shall be elected for one year and two aldermen for two years, and the candidates for aldermen at that election shall be designated as "one year" and "two year" candidates.

Section 7. Eligibility. No person shall be eligible to any elective office unless he be a citizen of the United States and of the State of Minnesota and a resident of Sauk Centre.

Section 8. Vacancies. An elective office shall be deemed vacant in case of failure of the person elected to qualify within ten days after official notice of his election, or by reason of death, resignation, removal from office, removal from the city, continuous absence from the city for more than three months, conviction of a felony, or violation of any of the duties of office, which by the provision of this charter, render the of-

governor at the last preceding general election they shall be filed with the city clerk. At the time of such filing each person circulating a petition blank shall sign his name on the back of it and make oath that each signature is the genuine signature of the person whose name it purports to be; and that each signer declared that he understood and favored the petition, that he had not signed it previously, and that he is a legal voter and resides at the address given. Neither the circulator of a recall petition, nor the signers shall accept or offer any reward, pecuniary or otherwise, for services rendered in connection with the circulation thereof. Any violation of the provisions of this section shall constitute a misdemeanor.

Section 15. Filing of Petition. Within five days after the date of the filing of the signed recall petition the city clerk shall certify the total number of votes cast for all candidates for governor at the last preceding general election and the number of signers to such petition. If the petition be insufficient in any respect, it may be withdrawn by the persons filing it and amended as many times as desired within thirty days of the original filing, provided that no alteration shall be made in the statement of the grounds for demanding the recall.

If the petition or the amended petition be sufficient, the city clerk shall transmit it to the council without delay and the council shall order the same filed and the city clerk shall deliver a copy thereof at the public office of the person sought to be recalled.

Section 16. Objections to Petition. Within five days after the delivery of a copy of the recall petition, the incumbent whose removal is requested shall file in writing with the city clerk his objections, if any, to the sufficiency of such petition, and he cannot thereafter contest its sufficiency upon any objections not so filed. Such objections shall be specific and shall set forth the reasons for each objection, and no general objection to the qualification of the signers shall be sufficient. If the results of the election be adverse to the incumbent, all defects in the petition shall be cured thereby.

Section 17. Recall Election Procedure. Within ten days after the filing of said petition by the council, the council shall fix a date for holding said special election, not less than twenty-one days nor more than thirty days from the date of filing, provided that the council may order such recall election to be held in connection with any other election occurring within ninety days. In the published call for the election there shall be printed the statement of the grounds for the recall, and in said call, in not more than six hundred words, the officer to be recalled may justify his course in office, the expense of such publication shall be paid by the city.

Except as herein otherwise provided, nominations shall be made and such special election shall be conducted, returned and the results thereof declared in all respects as are general municipal elections. The person sought to be removed may be a candidate to succeed himself, and unless he request otherwise in writing within five days after the call for the election has been published, the city clerk shall place his name on the official ballot without nomination.

If the incumbent is a candidate to succeed himself, his name shall be placed upon the ballot with the designation "Present Incumbent" added.

If a person other than the incumbent shall be elected, the incumbent shall thereby be removed from office; otherwise he shall continue in office. The successor of any officer so removed shall hold office during the unexpired term of his predecessor.

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

If the city clerk or the council shall fail or refuse to act in such recall proceedings, compliance may be enforced by proceedings in the District Court of Stearns County at the suit of any citizen of the City, and time consumed in any such court proceedings shall not be

Every ordinance and resolution passed by the council shall be presented to the mayor. If he approves, he shall sign it within ten days of the receipt thereof. If he disapproves of any ordinance or resolution, he shall return it to the council within ten days, with his objections. If he fails to act within that time, the ordinance shall be effective without his signature. Every ordinance or resolution vetoed by the mayor shall be voted upon at the next meeting of the council. If it is repassed by the council at its next meeting, it shall be effective without the return of such ordinance or resolution to the Mayor by a four-fifths vote. Every ordinance or resolution shall be signed by the Mayor, except as otherwise provided, and be attested by the city clerk, and published at least once in the official paper of the City within twenty days after its passage by the council. It shall be recorded in a book kept for that purpose, and the record shall be attested by the city clerk. Resolutions that resolutions not involving the expenditure of money shall not be published, unless so ordered by the council.

Section 24. When Ordinances and Resolutions Take Effect. Ordinances and resolutions, except those providing for local improvements and assessments, and emergency ordinances, shall take effect upon their passage. All other ordinances and resolutions of the council shall take effect thirty days after their last publication, unless a later date is therein, in which event they shall take effect at that later date. Ordinances adopted by the council shall take effect at the time fixed therein, if no such time is designated therein, then at the adoption thereof.

Section 25. Amendment and Repeal of Ordinances. Amendments and repeals of ordinances, resolutions, or resolutions, shall be by ordinance. An amendment shall set forth the entire ordinance or resolution to be amended.

## CHAPTER V.

### Initiative and Referendum.

Section 26. Initiative Petition. Any ordinance may be submitted to the council by a petition signed by electors of the City equal in number to ten per cent of the entire number of votes cast for all candidates for the office of governor at the last preceding general election and filed with the city clerk. At the time of filing each person circulating a petition shall sign his name on the back of it and make oath that each signature is the genuine signature of the person whose name it purports to be, and that each signer declared that he understood and favored the petition, that he had not signed it previously, and that he is a legal voter and resides at the address given.

It shall be the duty of the city clerk to deliver the petition to the council at its first meeting after the filing thereof. The council shall thereupon vote upon the petition within thirty days. Said action shall be taken in one of the three following forms: (1) the ordinance for which petition is made, (2) enactment of an amended ordinance, or (3) rejection of the ordinance.

If the proposed ordinance is not enacted within the exact terms set forth in the petition, a second petition may be filed within thirty days from the date of the action in amending or rejecting the ordinance. A second petition, prepared in the same manner as was the first petition, shall be filed, and voters equal in number to twenty per cent of the total number of votes cast in the city for the office of governor at the last preceding general election, is presented, the co-

JANUARY 3, 1918.

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THURSDAY, JANUARY 3, 1918.

SAUK CENTRE HERALD.

counted in determining the time within which action shall be taken on any recall petition, nor any proceeding thereupon.

#### CHATEPR IV.

##### Council and Legislation.

Section 18. Presiding Officer of the Council. At its first regular meeting, which shall be held on the second Tuesday in April each year, the council shall elect one of its members president, who shall preside at its meetings. He shall be acting mayor, with full power as mayor, in the absence of that officer from the city, or in case of his inability to serve. The council may also elect a vice president at the same time, who shall preside in the absence of the president.

Section 19. Council Meetings. All meetings of the council shall be held in a place previously designated by it and publicly announced. The council shall keep a journal of its proceedings, which shall be a public record, and all proceedings involving the expenditure of money shall be published. It shall hold at least one regular meeting each month, and may hold other meetings as provided by its rules. At any meeting of the council, four members shall constitute a quorum, but a less number may adjourn from time to time. The council shall provide by ordinance a means by which a minority may compel attendance of absent members.

Section 20. Ordinances and Resolutions. 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 the granting of licenses, the fixing of salaries, and the exercise of the powers conferred by CHAPTER VIII may be by resolution. Every ordinance and resolution shall be presented in writing, and read in full at a council meeting before a vote is taken thereon, except that the reading of a resolution may be dispensed with by unanimous consent. Provided that bills incurred under any ordinance or resolution may be ordered paid and all administrative business may be transacted by an ordinary motion. Upon every vote the ayes and nays shall be recorded. A majority vote of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided.

Section 21. The enacting clause of all ordinances shall be in the words: "the City of Sauk Centre does ordain."

Section 22. Filing and Reading Ordinances. Every ordinance, other than emergency ordinances, shall have two public readings, and at least three days shall elapse between the first and second readings thereof. Every ordinance appropriating money in excess of one thousand dollars, and every ordinance and resolution authorizing the making of any contract involving a liability on the part of the City in excess of one thousand dollars shall remain on file in the office of the city clerk at least one week before its introduction, 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 or declared in a preamble thereto, separately voted upon, and receiving the affirmative vote of at least four members of the council. No grant of any franchise shall be construed to be an emergency ordinance or resolution. An emergency ordinance or resolution may be enacted without previous filing.

Section 23. Signing and Publication of Ordinances.

the proposed ordinance, without alteration, to be submitted to the vote of the voters at the next municipal election. If a majority of the voters voting upon the proposed ordinance shall vote in favor thereof, it shall thereupon become a valid and binding ordinance of the City.

If the second petition is signed by voters equal in number to thirty per cent of the entire vote cast in the city for all candidates for the office of governor at the last preceding general election, the council shall call a special municipal election to be held within thirty days after the presentation of the said petition; at such election the proposed ordinance, without alteration, shall be submitted to the vote of the electors. If a majority of the voters voting upon the proposed ordinance shall vote in favor thereof, it shall thereupon become a 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; but there shall not be more than one special election in any period of six months for such purpose. A special election shall not be held if a general election is to be held within three months after the filing of any such second petition, but the proposed ordinance shall be submitted to the vote of the voters in the same manner and with the same force and effect as in special elections.

Section 27. Amendment or Repeal of Initiative Ordinances. The council may submit a proposed ordinance for the repeal of any initiative ordinance or for amendment thereto, to be voted upon at any succeeding municipal election; and should such proposed ordinance receive a majority of the votes cast thereon, such initiative ordinance shall thereby be repealed or amended accordingly.

Section 28. Referendum. If prior to the date when an ordinance takes effect a petition signed by electors of the City equal in number to twenty-five per cent of the entire vote cast in the City for all candidates for the office of governor at the last preceding general election, protesting against the enactment of such ordinance, be presented to the council, the said ordinance shall thereby be suspended from going into operation, but the council may order a special municipal election to be held thereon within not less than twenty nor more than thirty days from the presentation of the said petition. If a majority of the votes are opposed thereto, the said ordinance shall thereby be repealed and shall not become effective. Petitions demanding a referendum upon ordinances shall be prepared in all respects and shall conform to all requirements, except as to the percentage of signers, of initiative petitions, as set forth in Section 26. Ordinances providing for local improvements and assessments, and emergency ordinances, shall not be subject to the referendum.

Section 29. Publication of Initiative Ordinances and Referendum Petitions. Whenever any ordinance, referendum petition or other proposal is required by the terms of this charter to be submitted to the voters of the City at any election, the city clerk shall cause such ordinance, petition or proposal to be published twice in the official newspaper of the City, such publications to be not less than five, nor more than fifteen days before the election thereon.

#### CHAPTER VI.

##### Administration of City Affairs.

Section 30. Administrative Departments. The executive and administrative powers, authority and duties not otherwise provided for in this charter shall be distributed among the following departments:

juries, and from military duty during continuance of such membership, and shall elect their officers, and make their own by-laws, subject, however, to the approval of the common council. (L. 1889, Chap. VII, Sec. 3, p. 101.)

Section 35. Street Commissioner. The street commissioner shall be the head of his department. Subject to the orders of the council, shall have charge of the laying out, grading, paving, sprinkling, and cleaning of all the streets and alleys, the construction of curbs and gutters, sidewalks, bridges, water pipes and other structures in or under the streets, and shall perform such further duties as the council may direct.

Section 36. City Assessor. The city assessor shall make a fair and equitable valuation of all the property of the City in accordance with the provisions of the state law.

Section 37. City Attorney. The city attorney shall be the legal adviser of the council and all departments and boards of the City. He shall give his opinion upon any question of law, pertaining to the City, and submitted in writing by the council or any board or official of the City.

Section 38. City Clerk. The city clerk shall be the head of his department, which is hereby charged with the keeping of the books and records of the City. He shall attend all meetings of the city council and keep an accurate journal of its proceedings, and keep all ordinances and resolutions. He shall keep the corporate seal, and have power to administer oaths, take acknowledgments of deeds and other writings, shall draw and countersign all orders on the city in pursuance of any order or resolution of the council, and keep a full and accurate account thereof. He shall keep the books provided for that purpose. He shall keep a correct and adequate system of books showing the financial condition in detail at all times, the receipts of the City, and all its outstanding obligations. He shall recommend and the council shall regulate the system of bookkeeping, the forms to be used and the methods of transacting business by the City. He shall prepare and submit estimates of the cost of all work to be done by the City, and plans and specifications of all purchases to the council.

Section 39. Responsibility for Purchases. The heads of departments shall make all purchases for the City under orders of the council. The heads of departments shall confer with the council in drawing up plans and specifications. Each head of a department shall inspect all purchases at the time of delivery to see that the same are complied with as to quantity, quality, price and all other stipulations, before acceptance and receipting for the same. Each department shall keep such records and make such reports as the city clerk may prescribe.

Section 40. Appointments and Removals. The head of a department shall appoint such subordinates within his department and employ such help as may be authorized by ordinance. He may remove any subordinate or employee.

Section 41. Salaries. The council shall determine the compensation of all officers and employees of the City not elected by the people. The names of witnesses summoned by the City shall be kept by the council.

Section 42. Administrative Organization. The organization of the departments, the distribution of their powers and duties may be altered by ordinance. New departments may be created by ordinance if the City's needs may require, but no function shall be assigned to any department by provisions of the charter.

Every ordinance and resolution passed by the council shall be presented to the mayor. If he approves, he shall sign it within ten days of the receipt thereof. If he disapproves of any ordinance or resolution, he shall return it to the council within ten days, with his objections. If he fails to act within that time, it shall be effective without his signature. Every ordinance or resolution vetoed by the mayor shall be void, unless repassed by the council at its next meeting occurring after the return of such ordinance or resolution by the Mayor by a four-fifths vote. Every ordinance and resolution shall be signed by the Mayor, except as above provided, and be attested by the city clerk, and shall be published at least once in the official paper of the City within twenty days after its passage by the council and shall be recorded in a book kept for that purpose, which record shall be attested by the city clerk. Provided that resolutions not involving the expenditure of money shall not be published, unless so ordered by the council.

Section 24. When Ordinances and Resolutions Take Effect. Ordinances and resolutions making the annual tax levy, determining the annual budget, providing for local improvements and assessments, and emergency ordinances, shall take effect immediately upon their passage. All other ordinances enacted by the council shall take effect thirty days after the date of their last publication, unless a later date is fixed therein, in which event they shall take effect at such later date. Ordinances adopted by the electors of the City shall take effect at the time fixed therein, or, if no such time is designated therein, thirty days after the adoption thereof.

Section 25. Amendment and Repeal of Ordinances. Amendments and repeals of ordinances, or parts thereof, shall be by ordinance. An amending ordinance shall set forth the entire ordinance or section amended.

## CHAPTER V.

### Initiative and Referendum.

Section 26. Initiative. Petition. Any proposed ordinance may be submitted to the council by petition signed by electors of the City equal in numbers to ten per cent of the entire number of votes cast in the city for all candidates for the office of governor at the last preceding general election and filed with the city clerk. At the time of filing each person circulating such petition shall sign his name on the back of it and make oath that each signature is the genuine signature of the person whose name it purports to be; and that each signer declared that he understood and favored the petition, that he had not signed it previously, and that he is a legal voter and resides at the address given.

It shall be the duty of the city clerk to present the petition to the council at its first meeting after the filing thereof. The council shall thereupon act on the petition within thirty days. Said action shall be in one of the three following forms: (1) enactment of the ordinance for which petition is made without alteration, (2) enactment of an amended form of the ordinance for which petition is made, (3) rejection of the proposed ordinance.

If the proposed ordinance is not enacted in the exact terms set forth in the petition and if within thirty days from the date of the action of the council in amending or rejecting the ordinance for which petition is made, a second petition, prepared in the same manner as was the first petition, and signed by voters equal in number to twenty per cent of the entire number of votes cast in the city for all the candidates for the office of governor at the last preceding general election, is presented, the council shall order

1. The Department of the Mayor.
2. The Department of the City Treasurer.
3. The Department of the Street Commissioner.
4. The Department of the City Assessor.
5. The Department of the City Attorney.
6. The Department of the City Clerk.

Section 31. The Mayor. The mayor shall have control and direction of the police and fire officers of the City. He shall appoint the Chief of Police, the Fire Warden, and such other subordinate officers and employees in his department as may be authorized by ordinance. He shall be chief executive officer of the City and see that the laws, the provisions of this charter and the ordinances are duly observed and enforced. He shall have general oversight of the administration, make recommendations and transmit information to the council concerning the affairs of the City and the safety and well-being of the people. Whenever a signed statement is filed in the office of the mayor, complaining of the conduct of any head of a department, appointed officer, or employee in the service of the City, he shall notify the proper responsible authority of such complaint, and if any wrong doing, inefficiency or abuse is found to exist, after investigation and if it is not properly corrected after notice has been given, he shall lay the matter before the council. The council shall thereupon inquire into the matter complained of, or cause an investigation to be made. A public hearing shall be granted, if requested by petition signed by twenty-five qualified voters of the City. If the complaint is found just and reasonable, the council shall adopt proper measures to grant the relief sought, if possible, and may, in the interest of the public service, discipline the person at fault, or, by a five-sixth vote, remove him from office or employment.

Section 32. Heads of Departments Appointed. At its first regular meeting on the second Tuesday in April, and on the same day every second year thereafter, the council shall elect a city assessor, a street commissioner, a city attorney and a city clerk, and a commissioner of public health, to hold office for two years, or until their successors are elected and qualified.

Section 33. City Treasurer. The city treasurer shall be the receiver of all moneys belonging to the City and be responsible for its safekeeping, and shall receipt therefor to the city clerk. He shall furnish good and sufficient bonds in a sum to be determined by the council, conditioned for the faithful performance of his official duties. All such bonds shall be either surety bonds, approved by the council and the mayor, or shall be furnished by surety companies authorized to do business in this state, or personal bonds of good standing, so approved. No money shall be paid by the city treasurer except on written order of the city clerk, accompanied by a proper voucher. He shall make a full report of the finances of the City annually and submit it to the council on the last day of March, and submit such further reports as the council may prescribe.

Section 34. Volunteer Fire Companies. That part of the existing charter of this City relating to the organization of the volunteer fire companies is hereby continued in effect in the following language: "The common council shall have power to purchase fire engines and all other apparatus which may be required for the extinguishment of fires, and to authorize the formation of fire engine, hook and ladder, and hose companies, and to provide for the support and regulation of the same, and to order such companies to be disbanded, their public meetings prohibited and their apparatus to be given up. Every member of each company which may be authorized to be formed, shall be exempt from highway work and poll tax, from serving on

shall be transferred to another or otherwise except by unanimous vote of the council.

Section 43. Investigations and Surveys. The council may employ technical experts of recognized ability and attainments when needed. Such experts need not be residents of the city or citizens of the state. Committees of citizens, serving without pay, may be appointed to conduct investigations and make surveys of public affairs and transmit their recommendations and reports to the council or any department or board.

Section 44. City Manager. The council may by ordinance, passed by four-fifths vote, provide for a city manager, and regulate his powers and duties. The city manager must be a competent person but need not be a resident or citizen of the state when engaged. He shall be given full control and management of the administrative departments of the City and be responsible to the council and subject to its order and direction. He may be removed at any time by a majority vote of the council and written notice stating the cause.

## CHAPTER VII.

### Finance and Taxation.

Section 45. Council to Control Finances. The council shall have full authority over the financial affairs of the City, and shall provide for the collection of all revenues and other assets, the auditing and settlement of all accounts, the safekeeping and disbursement of money, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses.

Section 46. Fiscal Year. The fiscal year of the City shall end each year on the thirty-first day of March.

Section 47. Assessment for Taxation. Except as herein otherwise provided, the general laws of the state relating to taxation shall apply in this City. The council shall regulate by ordinance the method of making assessments and require fair valuations to be made.

Section 48. Board of Equalization. The council shall constitute a board of equalization and meet in the council room on the fourth Monday in July to equalize the assessments according to law.

### Annual Budget

Section 49. Annual Estimates. The city clerk shall on or before the second Monday in August confer with the heads of departments, the Municipal Judge, and such boards or other official bodies as may be authorized to expend public funds, and prepare the estimates for the annual budget. The estimates shall be arranged for each department or division of the City under (1) Ordinary Expenses (for operation, maintenance and repairs); and (2) Capital Outlays (for new construction, new equipment and all improvements of a lasting character). Ordinary expenses shall be subdivided into: (a) Salaries, with a list of all salaried offices and persons holding each; (b) Wages; (c) Printing, Advertising, Telephone, Telegraph, Express, and other like items; (d) Supplies and Repairs, with sufficient detail to be readily understood. All increases and decreases shall be clearly shown. In parallel columns shall be shown the amounts granted and the amounts expended for the past two completed fiscal years and for the current year.

The city clerk shall add thereto a statement of the items which have accrued for the past three fiscal years, the amount collected, the uncollected balance and estimate of the amounts for the next fiscal year, and specify the following:

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The as may that all debts shall bonds shall the maximum or improvement ascertain such bonds for more bonds an authoriz shall no faith an of all h section.

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alteration, to be submitted at the next municipal election. Voting upon the proposed ordinance, if it shall be binding ordinance of the

signed by voters equal to the entire vote cast in the office of governor at the next election, the council shall not be held within the term of the said petition; ordinance, without alteration of the vote of the electors. Voting upon the proposed ordinance, it shall thereupon be the City.

ordinances may be repealed or amended in accordance with the provisions here shall not be held within any period of six months. A petition shall not be held within three months of the second petition, but be submitted to the vote of the electors and with the same force.

Repeal of Initiative Ordinance. A proposed ordinance or for repeal of any succeeding such proposed ordinance upon at any succeeding such proposed ordinance cast thereon, such initiative ordinance shall be repealed or amended.

If prior to the date of a petition signed by twenty-five percent of the City for all candidates at the last preceding general election, the said ordinance shall not go into operation, the ordinance shall be repealed or amended. If less than twenty percent of the votes are opposed to the ordinance, the ordinance shall thereby be repealed.

Petitions demanding repeal of any ordinance, shall be prepared in accordance with the requirements of the ordinance. Ordinance provisions shall be published twice in the City, such publications shall be published more than fifteen days before the referendum.

Initiative Ordinances and any ordinance, shall be published twice in the City, such publications shall be published more than fifteen days before the referendum.

City Affairs.

Departments. The powers, authority and duties of the departments shall be defined by provisions of this charter.

juries, and from military duty during continuance of such membership, and shall elect their own officers, and make their own by-laws, subject, however, to the approval of the common council." (Sp. L. 1889, Chap. VII, Sec. 3, p. 101.)

Section 35. Street Commissioner. The street Commissioner shall be the head of his department and, subject to the orders of the council, shall have charge of the laying out, grading, paving, sprinkling, and cleaning of all the streets and alleys, the construction and repair of curbs and gutters, sidewalks, bridges, sewers, water pipes and other structures in or under the streets, and shall perform such further duties as the council may direct.

Section 36. City Assessor. The city assessor shall make a fair and equitable valuation of all the taxable property of the City in accordance with the requirements of the state law.

Section 37. City Attorney. The city attorney shall be the legal adviser of the council and all the departments and boards of the City. He shall give his opinion upon any question of law, pertaining to the City, and submitted in writing by the council or any board or official of the City.

Section 38. City Clerk. The city clerk shall be the head of his department, which is hereby charged with the keeping of the books and records of the City. He shall attend all meetings of the city council and keep an accurate journal of its proceedings, and countersign all ordinances and resolutions. He shall keep the corporate seal, and have power to administer oaths and take acknowledgments of deeds and other writings. He shall draw and countersign all orders on the treasurer in pursuance of any order or resolution of the council, and keep a full and accurate account thereof in the books provided for that purpose. He shall keep a correct and adequate system of books showing the financial condition in detail at all times, the property the City owns, and all its outstanding obligations. He shall recommend and the council shall regulate by ordinance the system of bookkeeping, the forms and blanks to be used and the methods of transacting business by the City. He shall prepare and submit estimates of the cost of all work to be done by the City and plans and specifications of all purchases to be made.

Section 39. Responsibility for Purchases. The heads of departments shall make all purchases of supplies for the City under orders of the council. The heads of departments shall confer with and advise with the council in drawing up plans and specifications. Each head of a department shall inspect all articles purchased at the time of delivery to see that specifications are complied with as to quantity, quality, grade, price and all other stipulations, before accepting delivery and receipting for the same. Each department shall keep such records and make such reports of purchases as the city clerk may prescribe.

Section 40. Appointments and Removals. Each head of a department shall appoint such subordinates within his department and employ such help as may be authorized by ordinance. He may remove any such subordinate or employee.

Section 41. Salaries. The council shall fix by ordinance the compensation of all officers and employees of the City not elected by the people. The fees of witnesses summoned by the City shall be fixed by the council.

Section 42. Administrative Organization. The organization of the departments, the distribution and increase of their powers and duties may be altered and new departments may be created by ordinance as the City's needs may require, but no function or office shall be created by provisions of this charter.

Items: Sums derived from (a) Taxation, (b) Fees, (c) Fines, (d) Interest, (e) Miscellaneous, not included in the foregoing; (f) Sales and Rentals; (g) Operation of Public Utilities; (h) Special Benefit Assessments; and (i) Sales of Bonds and Other Obligations. Such estimates shall be in typewriting and shall be submitted to the council at a meeting not later than the first Monday in September, and shall be made public.

Section 50. Making of Budget. The council shall meet to consider the budget and to hear from the authorities asking for appropriations and from interested citizens one week after the estimates were submitted and made public. There shall be prepared and presented to the council a proposed budget resolution and the council shall hold meetings thereafter for its consideration until ample time has been granted for full discussion and consideration thereof.

The annual budget finally agreed upon shall be a resolution setting forth in detail the complete financial project for the City for the next fiscal year. It shall indicate the sums to be raised and from what sources and the sums to be spent and for what purposes, according to the plan indicated in Section 49. The total sum appropriated shall always be less than the total estimated revenues by a safe margin. The council shall adopt the budget resolution not later than the first day of October, and levy taxes accordingly.

Section 51. Enforcement of the Budget. It shall be the duty of the city clerk to enforce strictly the provisions of the budget. He shall not approve any warrant upon the city treasurer for any expenditure unless an appropriation has been made in the budget, nor for any expenditure covered by the budget unless there is a sufficient unexpended balance left after deducting the total past expenditures and the sum of all outstanding warrants. The heads of the departments shall not place any orders or make any purchases except for the purposes and amounts authorized in the budget. Any obligation incurred by any person in the employ of the City for any purpose not authorized or for any amount in excess of the amount duly authorized shall be a personal obligation upon the person incurring the expenditure.

Section 52. Alterations in the Budget. After the budget shall have been duly adopted, the council shall not have power to increase the amounts fixed therein, whether by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts shall exceed such estimates, and in that event not beyond such actual receipts. The sums fixed in the budget shall be and become appropriated after the beginning of the next fiscal year for the several purposes named and no other. The council may at any time, by a resolution passed by a four-fifths vote, reduce salaries or the sums appropriated for any other purpose and may authorize the transfer of sums from unexpended balances to other purposes.

#### Tax Levy and Bond Issue.

Section 53. Levy and Collection of Taxes. On or before the first of October, immediately after the adoption of the annual budget, the council shall levy by resolution the taxes necessary to meet the requirements of the budget for the next fiscal year, subject to the limitations of this charter. The city clerk shall transmit not later than the tenth of October, to the county auditor a statement of all the taxes levied, and such taxes shall be collected and payment thereof be enforced with and in like manner as state and county taxes. No tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purposes for which the same is levied, but in that case the surplus shall go into the fund to which such tax belongs.

the Mayor.  
the City Treasurer.  
the Street Commissioner.  
the City Assessor.  
the City Attorney.  
the City Clerk.

The mayor shall have the police and fire departments under his control. He shall appoint the Chief of Police and the Chief of Fire, and such other subordinate officers as may be authorized by ordinance. The chief executive officer of the city shall be the Mayor, and he shall be given full control and management of the administrative departments of the City and be responsible to the council and subject to its order and direction. He may be removed at any time by a majority vote of the council and written notice stating the cause.

At the second Tuesday in every second year there shall be a city assessor, a street clerk, and a city clerk, and a committee for two years, or more, and qualified.

The city treasurer shall be a person of good moral character, and shall receive a salary to be determined by the council. He shall be either a resident of the City or a resident of the State of California. He shall be a member of the City and shall receive a salary to be determined by the council. He shall be a member of the City and shall receive a salary to be determined by the council.

Fire Companies. That of this City relating to fire companies shall be as follows: The council shall have power to purchase apparatus which shall be used for the extinguishment of fires. The council shall have power to purchase apparatus which shall be used for the extinguishment of fires. The council shall have power to purchase apparatus which shall be used for the extinguishment of fires.

shall be transferred to another or otherwise except by unanimous vote of the council.

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## CHAPTER VII.

### Finance and Taxation.

Section 45. Council to Control Finances. The council shall have full authority over the financial affairs of the City, and shall provide for the collection of all revenues and other assets, the auditing and settlement of all accounts, the safekeeping and disbursement of money, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses.

Section 46. Fiscal Year. The fiscal year of the City shall end each year on the thirty-first day of March.

Section 47. Assessment for Taxation. Except as herein otherwise provided, the general laws of the state relating to taxation shall apply in this City. The council shall regulate by ordinance the method of making assessments and require fair valuations to be made.

Section 48. Board of Equalization. The council shall constitute a board of equalization and meet in the council room on the fourth Monday in July to equalize the assessments according to law.

### Annual Budget

Section 49. Annual Estimates. The city clerk shall on or before the second Monday in August confer with the heads of departments, the Municipal Judge, and such boards or other official bodies as may be authorized to expend public funds, and prepare the estimates for the annual budget. The estimates shall be arranged for each department or division of the City under (1) Ordinary Expenses (for operation, maintenance and repairs); and (2) Capital Outlays (for new construction, new equipment and all improvements of a lasting character). Ordinary expenses shall be subdivided into: (a) Salaries, with a list of all salaried offices and positions, with the salary allowance and number of persons holding each; (b) Wages; (c) Printing, Advertising, Telephone, Telegraph, Express, and other like items; (d) Supplies and Repairs, with sufficient detail to be readily understood. All increases and decreases shall be clearly shown. In parallel columns shall be set forth the amounts granted and the amounts expended for similar heads for the past two completed fiscal years and for the current year.

The city clerk shall add thereto a statement of the revenues which have accrued for the past three fiscal years, the amount collected, the uncollected balance and estimate of the revenues for the next fiscal year. The council shall specify the following:

Section 54. Maximum Tax Rate. The annual tax rate to defray the ordinary expenses for operation and maintenance and fixed charges of the various branches of the City government shall never exceed twenty-five mills. It shall be the duty of the city clerk to compute the rate of taxation required by the annual budget, subject to the foregoing limitations, and report the same to the council.

Section 55. Issuance of Bonds. The council may, subject to the restrictions hereinafter provided, issue bonds, on the faith and credit of the City, on either of two plans: Plan (a), Bonds whose redemption is provided for at maturity by means of an adequate sinking fund; Plan (b), Serial Bonds, a fixed installment of which falls due annually and whose redemption is guaranteed by an annual tax levy especially provided for that purpose at the time of issue.

The council may adopt either Plan (a) or Plan (b), as may be most advantageous or practicable, except that all issues of bonds to refund outstanding bonds or debts shall be serial bonds issued under Plan (b). No bonds shall be issued to run for a longer term than the maximum estimated life expectancy of the property or improvement for which such loans are authorized, as ascertained and set forth in the ordinance authorizing such bonds. In no case shall bonds be issued to run for more than thirty years. The purposes for which bonds are issued shall be set forth in the ordinance authorizing them, and the proceeds from such bonds shall not be diverted to any other purpose. The full faith and credit of the City is pledged for the payment of all bonds, and interest thereon, issued under this section.

Section 56. Public Utility Bonds and Certificates of Indebtedness. In addition to the bonds authorized in Section 55, the council may issue interest-bearing certificates of indebtedness for the purpose of acquiring, constructing, extending, improving, or maintaining public utility plants by pledging such public utility property as security therefor. Such certificates of indebtedness shall be a lien or charge against such public utility for which they were issued and shall be payable, together with the interest thereon, out of the specified portion of the revenues or earnings derived from such public utility.

Section 57. Limitation on Bond Issues. The council shall determine at the time of framing the annual budget what portion of the revenue required for capital outlays, as defined in Section 49, for the next fiscal year may properly be raised from the sale of bonds or certificates of indebtedness. The remainder of the sum required for capital outlays shall be raised by taxation. No part of the revenue for the payment of the ordinary expenses, as defined in Section 49, shall be derived from the sale of bonds.

The council may then authorize the issuance of bonds to provide the sum required by the annual budget, subject to the following restrictions:

First. The council may, by a four-fifths majority vote, issue bonds for a sum not to exceed the proceeds of a two mill tax upon the assessed value of the taxable property of the City for that year.

Second. The council, by a unanimous vote and subject to the referendum provided in Section 23, may issue in any one year additional bonds for an amount not to exceed the proceeds of a four mill tax.

Third. All issues of bonds, and issues of certificates of indebtedness in any fiscal year in excess of a sum equal to the proceeds of a six mill tax, require the

# PROPOSED CHARTER

OF THE

## City of Sauk Centre

(Continued from Page 3.)

approval of a majority of the voters voting thereon at a general or a special election.

### Custody and Disbursement of Funds.

Section 58. Tax Settlements with County Treasurer. The city treasurer shall see to it that all moneys in the county treasury belonging to the City are promptly turned over to the City according to the existing law, which is retained as, and hereby made, a part of this charter, in the following words:

"The county treasurer of said county shall pay such taxes over as fast as collected, to the treasurer of said city," (Sp. L. 1889, Chap. 4, Sec. 5., p. 97.)  
The city treasurer shall secure at the end of each month at least ninety per cent of all funds in the possession of the county treasurer belonging to the City and a full settlement quarterly, as provided by the general statutes.

Section 59. Disbursements, How Made. All disbursements, except the principal and interest on bonds and certificates of indebtedness, and except orders of the library board and orders of the water, light and power commission, shall be made only upon the order of the mayor and city clerk, duly authorized by a resolution of the council, and every such resolution and order shall specify the purpose for which the disbursement is made, and indicate that it is to be paid out of the proper fund. 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. No claim against the City shall be allowed unless accompanied by an itemized bill and voucher, pay roll, or time sheet signed by the responsible officer who has personal knowledge of the facts in the case and vouches for the correctness and reasonableness of the claim.

Section 60. Funds to be Kept. There shall be maintained in the city treasury the following funds for the support of which the council may levy an annual tax:

1. A sinking fund for the purchase, or payment when due, of any bonds or any other debt of the City, and to pay the interest on all bonds and other obligations of the City. The council shall levy an annual tax sufficient to meet all obligations against this fund when due, unless otherwise provided for.

2. 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. All claims against this fund shall be paid only on orders of the library board, signed by the president and secretary.

3. A public utility fund or funds for the acquisition, construction, extension, 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 funds and accounts shall be kept for each such utility operated separately, and in case two or more utilities are operated together the funds and accounts shall be kept separately as far as practicable. All claims against this fund shall be paid only on orders of the water, light and power commission, and signed by the president

other devices consistent with law, this charter and ordinances in accord with it. He shall submit to the council a statement each month showing the amount of money in the custody of the city treasurer, the status of all funds, the amount spent or chargeable against each of the annual budget allowances and the balances left in each, and such other information about the finances of the City as the council may require. Once each year, on or before the last day of March, the city clerk shall submit a report to the council covering the entire financial operations of the City for the past year. This report shall show the actual total receipts and actual total expenditures, omitting duplications, and stating the cash balance at the beginning of the last fiscal year and at the close; the total outlays for operation and maintenance, and the total capital outlays; the condition of each of the funds; the total receipts by sources and the total expenditures by general purposes; the total outstanding bonds and debt of the City, when due, the amount of new bonds issued, the amount redeemed, the interest rate of each; the condition of all the annual budget allowances; and an inventory of all the property owned by the City; and such further information as the council and other City officials and the tax-payers should know.

### CHAPTER VIII.

#### Local Improvements and Special Assessments.

Section 63. Contract or Day Labor. The City of Sauk Centre, acting through the council, shall have power to lay and construct, extend, relay and repair, directly by day labor, or by contract, pavements, curb and gutter, sidewalks, sewers, water mains, electric conduits and any and all other local improvements in, or under the streets, alleys, and public places in the City. The City shall also have power, under the conditions herein 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 benefitted thereby. The amount assessed to the property specially benefitted, to pay for such local improvements authorized by this section, shall not exceed the amount of benefits received by such property.

Section 64. White Way. The council may, by a majority vote, order the construction, extension, or repair of any sidewalk, sewer, or the installation upon the streets of the City 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 benefitted thereby.

Section 65. Property Owners Petition. The council may, upon petition of not less than fifty per cent of the owners of the real estate to be assessed therefor, or upon the petition of the owners of not less than fifty per cent of the real estate to be assessed therefor, as shown by the records in the office of the Register of Deeds of Stearns 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 benefitted by such improvement.

Section 66. Street Intersections. 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 67. Appeal from Assessment. Any party interested in any property assessed under this chapter may appeal from such assessment to the District Court of Stearns County, within thirty days after the publication of the notice of confirmation thereof by the council. Such appeal is hereby declared to be the exclusive way in which such assessment can be in anywise revised, modified, amended or annulled.

Section 68. Notice of Appeal. Said appeal shall be made by filing a written notice with the city clerk, stating the party appeals to the District Court from the assessment, and containing a description of the property of the appellant so assessed, and the objection of the appellant to the assessment, and by filing with the clerk of the District Court within ten days thereafter, a copy of the notice of appeal. In case of an appeal, the council shall cause a copy of the assessment roll to be made and filed with the clerk of the District Court within ten 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 case

benefitted thereby, and the names of the owners of the several parcels, as nearly as can be ascertained.

After receiving such estimates the council shall determine what property will be benefitted by such local improvement, and shall thereupon publish at least once in the official paper of the City a list of all such property, with the names of the owners so far as the same can be ascertained, or in lieu of such list, a designation of the benefitted district by giving the boundaries thereof, together with a notice of the time and place when and where all persons interested may appear and be heard by the council with respect to benefits and to the proportion of the cost of the improvement to be assessed against their property.

If the council determines to proceed with such improvement, it shall estimate and fix the cost thereof and shall assess and levy such proportion or amount of such cost upon benefitted property in proportion as it may deem the same benefitted; and for such purpose shall adopt an assessment roll in such form as it may determine, and fix the time when payments may be made. The lien of such assessment shall attach to all property assessed as of date of the adoption of the assessment roll by the council.

Section 72. Payment of Assessments. As soon as the council has adopted the assessment roll the city clerk shall divide eighty per cent of each assessment in excess of ten dollars per seven thousand square feet, except the sprinkling assessments, into four equal parts, as nearly as may be, and shall, in proper books to be kept by him, extend the same in proper columns in such manner that such eighty per cent of such assessments shall be extended over four successive years after the year in which the assessment shall have been made, leaving the balance thereof to be spread in the fifth year, as herein-after provided. Such assessments shall be paid in five annual installments, with interest to be paid annually on each installment after the first, at the rate of six per cent. The first four installments may be paid with interest to date only, at any time after the first installment is due, and the fifth after it has been determined, or the full assessment with interest to date may be so paid.

If the assessment against any parcel of land does not exceed ten dollars per seven thousand square feet, then eighty per cent of such assessment shall become due within the time fixed by the council and the remainder, if any, after the completion of the improvements, as herein provided.

After the completion of any improvement for which a special assessment has been levied, the city clerk shall forthwith make a report to the council, showing the actual cost thereof and the proportion chargeable to each parcel of land benefitted and assessed. The city clerk shall thereupon deduct from the actual cost of the improvement to each parcel of land, as shown by such report, the aggregate amount of the four installments theretofore spread against the same, comprising eighty per cent of the assessment, as above provided, and shall then spread the remainder, if any, as the fifth installment of the assessment so made against each parcel of land. In case the eighty per cent has been spread against any parcel of land as a single installment, the remainder, ascertained in like manner, if any, shall be spread as the second installment and be payable within the time fixed by the council. All assessments for street sprinkling shall be paid as the council may determine. Assessments for local improvements shall be paid to the city treasurer.

Section 73. Penalty for Delinquency. Each assessment or installment not paid within the time fixed for payment by the council shall be deemed delinquent and a ten per cent penalty shall be added.

Section 74. Certified to Auditor. In each year the council 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 the assessment with penalties added, which certified statement shall be filed with the county auditor of Stearns County, on or before the tenth of October each year. It shall be the duty of the county auditor to extend the assessments with penalties, as shown by such certified statement, upon the tax rolls of the county for taxes of the particular year in which the assessment is filed, and the same, for each year ending October fifteenth, shall be carried into the tax becoming due and 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 assessments 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 and county.

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. No claim against the City shall be allowed unless accompanied by an itemized bill and voucher, pay roll, or time sheet signed by the responsible officer who has personal knowledge of the facts in the case and vouches for the correctness and reasonableness of the claim.

Section 60. Funds to be Kept. There shall be maintained in the city treasury the following funds for the support of which the council may levy an annual tax:

1. A sinking fund for the purchase, or payment when due, of any bonds or any other debt of the City, and to pay the interest on all bonds and other obligations of the City. The council shall levy an annual tax sufficient to meet all obligations against this fund when due, unless otherwise provided for.

2. 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. All claims against this fund shall be paid only on orders of the library board, signed by the president and secretary.

3. A public utility fund or funds for the acquisition, construction, extension, 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 funds and accounts shall be kept for each such utility operated separately, and in case two or more utilities are operated together the funds and accounts shall be kept separately as far as practicable. All claims against this fund shall be paid only on orders of the water, light and power commission, and signed by the president and secretary.

4. A general fund for the support of such other funds and for the payment of such expenses of the City as the council may deem proper. Into this fund shall be paid all moneys not herein provided to be paid into any other fund, including sums derived from fees or licenses imposed on owners of vehicles.

5. A permanent improvement revolving fund, which shall not be supported by general taxation. There shall be paid into this fund moneys received on special assessments heretofore or hereafter levied by the City for local improvements. The council 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 in Chapter VIII of this charter, but in no case shall such aggregate amount exceed eighty 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 Sauk Centre, upon the surrender of such certificates to the treasurer on or after the date of payment thereof, the amount of money named therein to be paid, 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 council may determine, but none of the same shall be payable more than five years from 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 per annum. The council 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.

Section 61. All Receipts to go to City Treasurer. All receipts of money belonging to the City, or any branch thereof, excepting only those funds collected by the county treasurer, shall be paid into the city treasurer by the person authorized to receive the same at the close of each business day. Any person in the employ of the City guilty of a violation of this provision shall be liable to be reduced in rank and salary or be dismissed from his office or position, as the council may determine after a hearing.

Section 62. Accounts and Reports. The city clerk shall be the chief accounting officer of the City and every branch thereof, and shall have authority to prescribe and enforce proper accounting methods, forms, blanks, and

streets or the City, or 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 benefitted thereby.

Section 65. Property Owners Petition. The council may, upon petition of not less than fifty per cent of the owners of the real estate to be assessed therefor, or upon the petition of the owners of not less than fifty per cent of the real estate to be assessed therefor, as shown by the records in the office of the Register of Deeds of Stearns 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 benefitted by such improvement.

Section 66. Street Intersections. 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 67. Appeal from Assessment. Any party interested in any property assessed under this chapter may appeal from such assessment to the District Court of Stearns County, within thirty days after the publication of the notice of confirmation thereof by the council. Such appeal is hereby declared to be the exclusive way in which such assessment can be in anywise revised, modified, amended or annulled.

Section 68. Notice of Appeal. Said appeal shall be made by filing a written notice with the city clerk, stating the party appeals to the District Court from the assessment, and containing a description of the property of the appellant so assessed, and the objection of the appellant to the assessment, and by filing with the clerk of the District Court within ten days thereafter, a copy of the notice of appeal. In case of an appeal, the council shall cause a copy of the assessment roll to be made and filed with the clerk of the District Court within ten 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 the District Court.

Section 69. Trial of Assessment Appeal. Such appeal shall be tried by the District Court, without a jury, at a general or a special term, without pleadings other than as above stated. Upon such trial the appellant can make no other objections to the 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 council how to make such new assessment so as to avoid errors complained of. The assessment roll shall, when confirmed by the council, 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 the 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 70. Re-assessments. If an assessment shall be set aside by the District Court for any cause, jurisdictional or otherwise, the council shall proceed anew to make the same 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 council, in any subsequent assessment or re-assessment, may omit the pieces or parcels of land as to which the first 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 71. Plan of Assessments. Whenever the council shall determine to make any local improvement, the cost of which may lawfully be assessed against benefitted property, it shall determine and designate in a general way the character and extent of such improvement and the materials to be used, and thereupon it shall order a careful estimate to be made by a competent person of the cost of such improvement, together with a list of the several lots and parcels of land fronting upon and adjacent to such proposed improvement which he deems

actual cost thereof and the proportion chargeable to each parcel of land benefitted and assessed. The city clerk shall thereupon deduct from the actual cost of the improvement to each parcel of land, as shown by such report, the aggregate amount of the four installments theretofore spread against the same, comprising eighty per cent of the assessment, as above provided, and shall then spread the remainder, if any, as the fifth installment of the assessment so made against each parcel of land. In case the eighty per cent has been spread against any parcel of land as a single installment, the remainder, ascertained in like manner, if any, shall be spread as the second installment and be payable within the time fixed by the council. All assessments for street sprinkling shall be paid as the council may determine. Assessments for local improvements shall be paid to the city treasurer.

Section 73. Penalty for Delinquency. Each assessment or installment not paid within the time fixed for payment by the council shall be deemed delinquent and a ten per cent penalty shall be added.

Section 74. Certified to Auditor. In each year the council 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 the assessment with penalties added, which certified statement shall be filed with the county auditor of Stearns County, on or before the tenth of October each year. It shall be the duty of the county auditor to extend the assessments with penalties, as shown by such certified statement, upon the tax rolls of the county for taxes of the particular year in which the assessment is filed, and the same, for each year ending October fifteenth, shall be carried into the tax becoming due and 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 assessments 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 75. County Treasurer Collector for City. All assessments with penalties and interest thereon paid to the county treasurer shall belong to the City of Sauk Centre, and shall be turned over to the city treasurer in the manner provided in this charter and by law.

Section 76. Public Service Companies not Exempt. Every public utility franchise granted under this charter shall contain a provision requiring the owner or operator of such franchise to be subject to assessments for local improvements as other owners of property and to comply with all the provisions of this chapter. Every public service company in this City shall be liable to assessments for local improvements and be subject to all the provisions of this chapter as other owners of property.

## CHAPTER IX.

### Eminent Domain.

Section 77. Power to Acquire Property. The City of Sauk Centre is hereby empowered to acquire, by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, "either within or without its corporate boundaries," (Sp. L. 1889, Chap. 4, Sec. 1, p. 80) 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 the City. In addition to the power to acquire property for other public purposes, the 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 public 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 78. Proceedings in Taking Property. The necessity for the taking of any property by the City shall be determined by the council and shall be declared by resolution, which shall describe such property as nearly as may be and state the use to which it is 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 according to the laws of this state, except as otherwise provided in this chapter.

Section 79. Payment of Award. 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

services consistent with law, this charter and ordinance in accord with it. He shall submit to the council each month showing the amount of money in the hands of the city treasurer, the status of all funds, amount spent or chargeable against each of the annual allowances and the balances left in each, and such information about the finances of the City as the council may require. Once each year, on or before the first of March, the city clerk shall submit a report to the council covering the entire financial operations of the city for the past year. This report shall show the actual receipts and actual total expenditures, omitting duplicates, and stating the cash balance at the beginning of the last fiscal year and at the close; the total receipts for operation and maintenance, and the total disbursements; the condition of each of the funds; the receipts by sources and the total expenditures for each purpose; the total outstanding bonds and debt, when due, the amount of new bonds issued, the amount redeemed, the interest rate of each; the cost of all the annual budget allowances; and an inventory of the property owned by the City; and such further information as the council and other City officials and officers should know.

## CHAPTER VIII.

### Local Improvements and Special Assessments.

Section 63. Contract, or Day Labor. The City of Sauk Centre, acting through the council, shall have power to construct, extend, relay and repair, directly by contract, or by contract, pavements, curb and gutter, sewers, water mains, electric conduits and all other local improvements in, or under the streets, alleys, and public places in the City. The City shall have power, under the conditions herein 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 benefitted thereon, amount assessed to the property specially benefitted to pay for such local improvements authorized by this ordinance, shall not exceed the amount of benefits received by such property.

Section 64. White Way. The council may, by a majority vote, order the construction, extension, or repair of any sidewalk, sewer, or the installation upon the streets of the City of a system of ornamental street lighting, known as "White Way," or the sprinkling of the sidewalk, which it deems necessary for public safety, and may cause the cost of such construction or installation or sprinkling, or any portion thereof, to be assessed against the property specially benefitted thereby.

Section 65. Property Owners Petition. The council may, upon petition of not less than fifty per cent of the owners of the real estate to be assessed therefor, or upon petition of the owners of not less than fifty per cent of the real estate to be assessed therefor, as shown in the records in the office of the Register of Deeds of Sauk County, cause to be made any improvement authorized by law, or by this charter, to be made by the City, thereupon assess the cost of such improvement, and the portion thereof, against the property specially benefitted by such improvement.

Section 66. Street Intersections. The cost of grading and otherwise improving the intersections of streets, avenues, and alleys with other streets, avenues, and alleys, shall be paid by general taxation, and no special assessments for benefits for any such improvements shall be made.

Section 67. Appeal from Assessment. Any party aggrieved in any property assessed under this chapter may appeal from such assessment to the District Court of Sauk County, within thirty days after the publication of the notice of confirmation thereof by the council. This appeal is hereby declared to be the exclusive way in which an assessment can be in anywise revised, modified or annulled.

Section 68. Notice of Appeal. Said appeal shall be taken by filing a written notice with the city clerk, stating the grounds of appeal, and containing a description of the property assessed, and the objection of the appellant to the assessment; and by filing with the clerk of the District Court within ten days thereafter, a copy of the notice of appeal. In case of an appeal, the council shall suspend the collection of taxes assessed against the property of the assessment roll to be made and shall

benefitted thereby, and the names of the owners of the several parcels, as nearly as can be ascertained.

After receiving such estimates the council shall determine what property will be benefitted by such local improvement, and shall thereupon publish at least once in the official paper of the City a list of all such property, with the names of the owners so far as the same can be ascertained, or in lieu of such list, a designation of the benefitted district by giving the boundaries thereof, together with a notice of the time and place when and where all persons interested may appear and be heard by the council with respect to benefits and to the proportion of the cost of the improvement to be assessed against their property.

If the council determines to proceed with such improvement, it shall estimate and fix the cost thereof and shall assess and levy such proportion or amount of such cost upon benefitted property in proportion as it may deem the same benefitted; and for such purpose shall adopt an assessment roll in such form as it may determine, and fix the time when payments may be made. The lien of such assessment shall attach to all property assessed as of date of the adoption of the assessment roll by the council.

Section 72. Payment of Assessments. As soon as the council has adopted the assessment roll the city clerk shall divide eighty per cent of each assessment in excess of ten dollars per seven thousand square feet, except the sprinkling assessments, into four equal parts, as nearly as may be, and shall, in proper books to be kept by him, extend the same in proper columns in such manner that such eighty per cent of such assessments shall be extended over four successive years after the year in which the assessment shall have been made, leaving the balance thereof to be spread in the fifth year, as herein-after provided. Such assessments shall be paid in five annual installments, with interest to be paid annually on each installment after the first, at the rate of six per cent. The first four installments may be paid with interest to date only, at any time after the first installment is due, and the fifth after it has been determined, or the full assessment with interest to date may be so paid.

If the assessment against any parcel of land does not exceed ten dollars per seven thousand square feet, then eighty per cent of such assessment shall become due within the time fixed by the council and the remainder, if any, after the completion of the improvements, as herein provided.

After the completion of any improvement for which a special assessment has been levied, the city clerk shall forthwith make a report to the council, showing the actual cost thereof and the proportion chargeable to each parcel of land benefitted and assessed. The city clerk shall thereupon deduct from the actual cost of the improvement to each parcel of land, as shown by such report, the aggregate amount of the four installments theretofore spread against the same, comprising eighty per cent of the assessment, as above provided, and shall then spread the remainder, if any, as the fifth installment of the assessment so made against each parcel of land. In case the eighty per cent has been spread against any parcel of land as a single installment, the remainder, ascertained in like manner, if any, shall be spread as the second installment and be payable within the time fixed by the council. All assessments for street sprinkling shall be paid as the council may determine. Assessments for local improvements shall be paid to the city treasurer.

Section 73. Penalty for Delinquency. Each assessment or installment not paid within the time fixed for payment by the council shall be deemed delinquent and a ten per cent penalty shall be added.

Section 74. Certified to Auditor. In each year the council 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 the assessment with penalties added, which certified statement shall be filed with the county auditor of Stearns County, on or before the tenth of October each year. It shall be the duty of the county auditor to extend the assessments with penalties, as shown by such certified statement, upon the tax rolls of the county for taxes of the particular year in which the assessment is filed, and the same, for each year ending October fifteenth, shall be carried into the tax becoming due and 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 the assessment roll shall be available.

bound to and shall, within sixty days of such final determination, pay the amount of the award with interest thereon at the rate of six 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 80. City May Abandon Proceedings. The City, by resolution of the council, at any stage of the condemnation proceedings, or at any time within thirty days after any commissioners appointed by the court hereunder shall have filed their report with the clerk of court, or in case of an appeal to the District or Supreme Court at any time within thirty days after final determination thereof, may abandon such proceedings as to all or any parcel of the property sought to be acquired and shall pay all costs thereof.

Section 81. May Take Entire Plant. 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 council, 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 82. Public Utility—How Sold. 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 the City once a week for four weeks, before final action of the council, and be submitted to a vote of the people for ratification or rejection at a special election called for that purpose or at the next general municipal election, and ratified by at least a majority vote of the 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 3 of Section 60 shall be used only for the purchase or improvement of property of the character mentioned in such sub-division 3.

Section 83. Easements—How Acquired. Easements for slopes, fills, sewers, building lines, poles, wires, pneumatic tubes, pipes and conduits for water, gas, heat and power may be acquired by proceedings to be conducted by the council in the manner provided by Chapter 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 X.

### Franchises.

Section 84. Franchise Defined. 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 Sauk Centre, whether such privilege has been, or shall hereafter be granted by the City, or by the State of Minnesota. The terms 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 Sauk Centre, except those operating steam railroads.

Section 85. Franchise Ordinances. The council 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.

After the completion of any improvement for which a special assessment has been levied, the city clerk shall forthwith make a report to the council, showing the actual cost thereof and the proportion chargeable to each parcel of land benefited and assessed. The city clerk shall thereupon deduct from the actual cost of the improvement to each parcel of land, as shown by such report, the aggregate amount of the four installments theretofore spread against the same, comprising eighty per cent of the assessment, as above provided, and shall then spread the remainder, if any, as the fifth installment of the assessment so made against each parcel of land. In case the eighty per cent has been spread against any parcel of land as a single installment, the remainder, ascertained in like manner, if any, shall be spread as the second installment and be payable within the time fixed by the council. All assessments for street sprinkling shall be paid as the council may determine. Assessments for local improvements shall be paid to the city treasurer.

**Section 73. Penalty for Delinquency.** Each assessment or installment not paid within the time fixed for payment by the council shall be deemed delinquent and a ten per cent penalty shall be added.

**Section 74. Certified to Auditor.** In each year the council 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 the assessment with penalties added, which certified statement shall be filed with the county auditor of Stearns County, on or before the tenth of October each year. It shall be the duty of the county auditor to extend the assessments with penalties, as shown by such certified statement, upon the tax rolls of the county for taxes of the particular year in which the assessment is filed, and the same, for each year ending October fifteenth, shall be carried into the tax becoming due and 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 assessments 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 75. County Treasurer Collector for City.** All assessments with penalties and interest thereon paid to the county treasurer shall belong to the City of Sauk Centre, and shall be turned over to the city treasurer in the manner provided in this charter and by law.

**Section 76. Public Service Companies not Exempt.** Every public utility franchise granted under this charter shall contain a provision requiring the owner or operator of such franchise to be subject to assessments for local improvements as other owners of property and to comply with all the provisions of this chapter. Every public service company in this City shall be liable to assessments for local improvements and be subject to all the provisions of this chapter as other owners of property.

### CHAPTER IX.

#### Eminent Domain.

**Section 77. Power to Acquire Property.** The City of Sauk Centre is hereby empowered to acquire, by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, "either within or without its corporate boundaries," (Sp. L. 1889, Chap. 4, Sec. 1, p. 80) 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 the City. In addition to the power to acquire property for other public purposes, the 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 public 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 78. Proceedings in Taking Property.** The necessity for the taking of any property by the City shall be determined by the council and shall be declared by resolution, which shall describe such property as nearly as may be and state the use to which it is 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 according to the laws of this state, except as otherwise provided in this chapter.

**Section 79. Payment of Award.** 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

mentioned in sub-division 3 of Section 60 shall be used only for the purchase or improvement of property of the character mentioned in such sub-division 3.

**Section 83. Easements—How Acquired.** Easements for slopes, fills, sewers, building lines, poles, wires, pneumatic tubes, pipes and conduits for water, gas, heat and power may be acquired by proceedings to be conducted by the council in the manner provided by Chapter 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 X.

#### Franchises.

**Section 84. Franchise Defined.** 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 Sauk Centre, whether such privilege has been, or shall hereafter be granted by the City, or by the State of Minnesota. The terms 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 Sauk Centre, except those operating steam railroads.

**Section 85. Franchise Ordinances.** The council 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 86. Term Limited.** No perpetual franchise shall ever be granted, nor shall any franchise be granted for a longer term than twenty-five years. 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.

**Section 87. Publication of Franchise.** 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 thirty days after its last or final publication and acceptance by the grantee, subject to the vote of the people of Sauk Centre under the referendum provisions of this charter.

**Section 88. Power of Regulation Reserved.** The City of Sauk Centre shall have the right and power to regulate and control the exercise by any person, co-partnership or corporation of any franchise, whether such franchise has been, or shall hereafter be granted by the City of Sauk Centre or by the state.

**Section 89. Council to Fix Charges.** The council may regulate and control, by ordinance, 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 deem 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 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 90. Arbitration of Labor Disputes.** If any controversy, dispute or disagreement shall arise between any public service corporation, co-partnership or person, operating in the City, and its employees, which, in the opinion of the council interferes or threatens to interfere with the service which such public service corporation owes to the City, or its inhabitants, the council shall have power to compel the parties involved in the controversy 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 91. Conditions in Every Franchise.** 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 88, 89 and 90 of this charter.
2. That the council 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 charges for service any return upon the value of the franchise or grant.

(b) To require reasonable extensions 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 clerk an instrument, duly executed, reciting the fact of such sale or lease, accepting the terms of the franchise, and agreeing to perform all the conditions required by the grantee. The assignee or lessee shall also file a bond in such amount and with such conditions as the council may require, which bond shall run to the City as obligee, with sureties satisfactory to the council, 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 council may require the placing underground, or in any other safe or convenient position, or manner of wires carrying electricity, and wires for other purposes.

6. Every franchise and every extension or renewal of such franchise, shall contain a provision for its acceptance in writing by the grantee within thirty days after its passage by the council and before its submission to a vote of the people in case of a referendum. No such franchise shall be binding upon the City until its acceptance by the grantee. Such acceptance shall be construed to be an acceptance of and consent to all the terms, conditions and limitations contained in the ordinance granting the franchise, as well as of the provisions of this charter.

The violation by the owner or operator of any franchise of any of the express provisions prescribed by this section shall be cause for forfeiture of the franchise by resolution of the council.

Section 92. Further Limitations. The enumeration and specification of particular matters, which must be included in every franchise or renewal or extension of any franchise, 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 council may deem proper to protect the City's interest, nor shall anything contained in this charter limit any right or power possessed by the City over existing franchises.

CHAPTER XI.

Public Utilities.

Section 93. Commission of Three. There shall be created in the City of Sauk Centre, a water, light and power commission, consisting of three commissioners,

person to whom it is to be paid and accompanied by a proper bill and voucher.

The commission shall pay into the city treasury annually, to the credit of the sinking fund, a sum sufficient to defray the interest falling due in that year on the bonded indebtedness of the light and power, plant or other plants under its charge. They shall set aside in interest-bearing certificates sixteen hundred dollars per year, for a term of five years, for the purpose of redeeming eight thousand dollars in bonds maturing at that time. Such certificates of deposit shall be payable to the city treasurer and credited to the sinking fund. In addition, the commission shall pay over to the city treasurer, to be credited to the public utility fund, an amount equal to ten per cent of gross receipts of the light and power plant, to be invested by him in interest-bearing certificates of deposit, which sum, together with accumulated interest, is to be available only for the replacement of the plant or machinery, but not for repairs or additional machinery. Provided, however, when such sum equals seventy-five per cent of the original investment, the surplus may be available for other public utility purposes.

Section 98. City to Pay for Service. The commission shall make a reasonable charge, based on the cost of service, for lighting the streets and public buildings, and a reasonable hydrant rental for supplying the City with water. Such rentals for light, power, and water service shall be collected in the same manner as are the rentals from other patrons, unless the council and the commission agree upon some other plan.

Section 99. Surplus Funds. The surplus derived from the operation of the light and power plant, after setting aside the sums above specified for interest and replacement, may be placed to the credit of the water works or be turned into the sinking fund, or the general fund of the City, as the commission shall determine. The accounts of the commission shall be so kept as to show at all times the earnings of each of the plants under its care, and all transfers of sums ordered.

Section 100. Official Bonds. The secretary and all other employees of the commission entrusted with the collection or handling of funds shall furnish a good and sufficient bond in an amount to be fixed by the commission, with at least two sureties, acceptable to the commission. Such bonds shall be deposited with the city treasurer.

Section 101. Annual Report. The commission shall at the close of each fiscal year make a report showing the financial operations for the past year, the status of all its accounts, an inventory of all the property in its care, and the results accomplished by its management. Such report shall be published in the official paper and a copy filed with the city clerk. The commission shall furnish a condensed statement showing the financial condition of each of the utilities or plants in its charge, at least quarterly, or as often as the council may require. All such reports shall be promptly made and filed with the city clerk.

CHAPTER XII.

Miscellaneous.

Section 102. Charter A Public Act. This charter of the City of Sauk Centre shall be a public act and need not be pleaded nor proved in any case. It shall take effect thirty days from and after its adoption by the voters of the City.

Section 103. Oath of Office. Every elected or appointed officer of the City shall before assuming office

municipal court shall not be affected by this charter.

All general laws and statutes of the state applicable to cities of the fourth class, not inconsistent with the provisions of this charter, shall apply to the City of Sauk Centre, and shall be construed as supplementary to the provisions of this charter.

All acts or parts of acts giving the City authority and powers to be exercised outside of the city limits are hereby expressly retained.

Section 110. Existing Ordinances Continued. All ordinances, and all departmental and board rules and regulations, not inconsistent with the provisions of this charter, and in force when this charter takes effect, are hereby continued in full force and effect until amended or repealed.

Section 111. Pending Condemnations and Assessments. Any condemnation or assessment proceeding in progress when this charter takes effect shall be continued and completed under the laws or charter provision under which such proceedings were begun.

All assessments made by the City prior to the time when this charter goes into effect shall be collected and the lien thereof enforced in the same manner as if this charter had not been adopted.

Section 112. Vacation of Streets. The council shall have exclusive power, by ordinance passed by four-fifths majority vote, to vacate or discontinue streets and alleys within the City. A record thereof shall be made in the office of the Register of Deeds of Stearns County. Such vacation may be made on such terms and by such procedure as the council may, by ordinance, prescribe.

Section 113. City Property not Lost by Adverse Possession. 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 114. Damage Suits. 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 year from the occurrence of such injury or damage, nor unless notice shall have been given in writing to the city clerk within thirty 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 115. Recovery of Judgment for Damages. If any judgment shall be recovered in any action against the City for any injury or damage caused by any excavation, excavation, opening or defect in any street, alley or public ground caused or occasioned by the act or omission of any person or corporation, the City shall have the right to recover the amount of any such judgment from the person or corporation so responsible for such

BURDENS LIFTED.

From Sauk Centre Backs—Relief Proved by Papse of Time.

Backache is a heavy burden; Nervousness, dizziness, headache. Rheumatic pain; urinary ills; All wear one out. Often effects of kidney weakness. No use to cure the symptoms,

all times get a hogs at the low "We shall est the packer. Fa for his hogs, v brought about which the Food over the buyin Army and Navy Belgian Relief a together consti factor in the ma "The first step

Section 94. Appointment of Commissioners. The commission shall be appointed by the District Court of Stearns County. When first created one commissioner shall be appointed for one year, one for two years and one for three years, and thereafter each commissioner shall be appointed for a three year term, except that vacancies shall be filled for the unexpired term only. Each commissioner shall take the oath prescribed by law before assuming the duties of his office and shall continue in office until his successor has been appointed and qualified.

Section 95. President. The commissioner serving for the last year of the term for which he was appointed, shall serve as president of the commission during that year.

Section 96. Exclusive Power. The water, light and power commission shall have full and exclusive control of, and power over the water, light and power plant or plants, and all parts, attachments, and appurtenances thereto, and all apparatus and material used in operating such plants, including all the necessary public buildings.

The commission shall have power and authority to operate such plant or plants, to make necessary extensions, and improvements and to do any and all things necessary for the economical operation of the same. Provided, however, if such extensions, improvements, or repairs shall require the issuance of bonds, then in that event, the commission shall make application to the council for the issuance of the bonds deemed necessary, subject to the provisions of Chapter VII of this charter.

The commission shall have no power or authority to sell, lease, rent, or in any way dispose of or encumber the plant or plants under their control, or suffer or permit such property or any part of it to come under the control of any private person or corporation whatsoever.

The commission shall have power to buy materials, employ all necessary help, and make necessary extensions, improvements, changes and repairs in the plants and buildings under their charge, either directly by day labor, or by contract. They shall have authority to buy fuel, equipment and supplies and employ the help necessary to operate such plants. They shall fix the compensation of all their employees.

Section 97. Finances. The commission shall have power to fix all rates and charges for water, light, heat, or other services, provided such rates and charges are just and reasonable. They may make contracts with private persons, companies or corporations for furnishing water, light, heat, and power. They may prescribe the time and manner in which payments for all such services shall be made. They may prescribe the manner in which water and electric current shall be computed, or measured, whether by meter or flat rate, and to fix the time in which the same may be used for certain purposes. They may prescribe penalties for the violation of rules and regulations of the commission.

The commission shall employ a secretary, who shall keep an accurate record of its proceedings, and who shall keep a complete system of accounts, showing all the financial operations of the commission and the finances of each of the utilities or plants under their charge. All the papers, books, records and accounts of the commission shall be public records and be open to the inspection of the public at any time.

The commission shall prescribe the manner of, and the person by whom all water and light rentals shall be collected. All moneys received by the commission or any of its employees shall be turned over to the city treasurer forthwith and be deposited by him in the proper fund. The city treasurer shall pay no money out of the public utility fund except on an order of the commission, signed by the president and secretary, stating on its face the

official duties, appear before the city clerk, or a judge of the municipal court, and take and subscribe the oath of office prescribed by law, and file the same with the city clerk. Every officer of the City shall hold over until his successor has been elected or appointed and duly qualified.

Section 104. Official Bonds. The city clerk and the city treasurer shall each furnish, before assuming the duties of their respective offices, a good and sufficient bond in a sum to be annually fixed by the council, and sufficient to amply protect the City, for the faithful performance of their respective duties. Such official bonds shall be approved by the council and the mayor, and shall be furnished either by persons of good financial standing or by surety companies authorized to do business in this state, whose books are at all times open to inspection by any properly authorized person or any officer of the City. All such official bonds shall be approved by the city attorney as to form, and filed in the office of the city clerk, the cost of such bonds shall be paid by the City.

Section 105. City Officers Not to Accept Favors or Contracts. No officer or employee 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 employee. No officer or employee of the City, except as otherwise provided in this charter, or by law, shall solicit, accept, or receive, directly or indirectly, from any public utility corporation, or the owner of any public utility or franchise, 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 with the City in which any officer or employee of the City is, or becomes, directly or indirectly interested, personally, or as a member of a firm, or as an officer, or director of a corporation, shall be and become void; and any money which shall have been paid on such contract by the City may be recovered from any or all the persons interested therein by a joint or several action.

Section 106. Contracts—How Let. 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 five hundred dollars, unless the council, by an emergency resolution, shall provide otherwise, it shall advertise for bids in the official paper of the City. Contracts shall be let to the lowest responsible bidder who offers to furnish the article desired for the lowest sum. The council 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 council shall regulate the making of bids and letting of contracts by ordinance.

Section 107. Contracts—How Executed. All written contracts, bonds and instruments of every kind and description, to which the City shall be a party, except as herein otherwise provided, shall be executed in the name of the City by the mayor, and shall be attested by the city clerk.

Section 108. Official Publication. The council shall annually provide, by resolution, for the publication of all matters required to be published, and shall annually designate a newspaper of general circulation in the City as the official paper in which all such publications shall be made, or in lieu thereof the council may establish a municipal publication, which shall then be the official newspaper.

Section 109. Statutes not Affected by Charter. All acts now existing or hereafter enacted relating to the

Remedy is but temporary if the cause remains.

If it's the kidneys, cure the cause. Doan's Kidney Pills are for kidney ills;

Read about your neighbor's case. Here's Sauk Centre testimony. The kind that can be investigated. Mrs. H. G. Sohle, N. Main St. says: "I can certainly praise Doan's Kidney Pills, because I have used them and they brought me fine results. When I had backache, Doan's cured me of it entirely in just a few days. Before I used them, my kidneys were acting irregularly, but Doan's soon regulated them. I have never had any of that trouble since."

Price 60c, at all dealers. Don't simply ask for a kidney remedy—get Doan's Kidney Pills—the same that Mrs. Sohle had. Foster-Milburn Co., Mfgs., Buffalo, N. Y.

IS ENTITLED TO A LOW PRICE.

Federal Food Commission Will Assist Hog Raisers and Consumers in Every Manner Possible.

Joseph P. Cotton, chief of the U. S. Food Administration meat division, has recently issued the following statement relative to the prices of hogs:

"The main purposes of the Food Administration as to hogs are four: To see that the producer at all times can count on a fair price for his hogs so that it will be profitable to him, to see that the farmer increases the number of hogs bred, to limit the profit of the packer and the middleman and to eliminate speculation.

"All these purposes are necessary because we must have more hogs, so that the ultimate consumer shall at

don break in prices. These must become stable so that the farmer knows where he stands, and will be justified in increasing hogs for winter. The prices so far as will affect them will not go below a minimum of about \$15.50 per hundred weight for the average of the best droves on the Chicago market further notice.

"We have had, and shall have, the advice of a board composed of local hog growers and experts. The board advises that the best way

Grind Your  
And S

SAVE money in many ways at home by our modern miller's profit, the Feed efficiently a grain and add



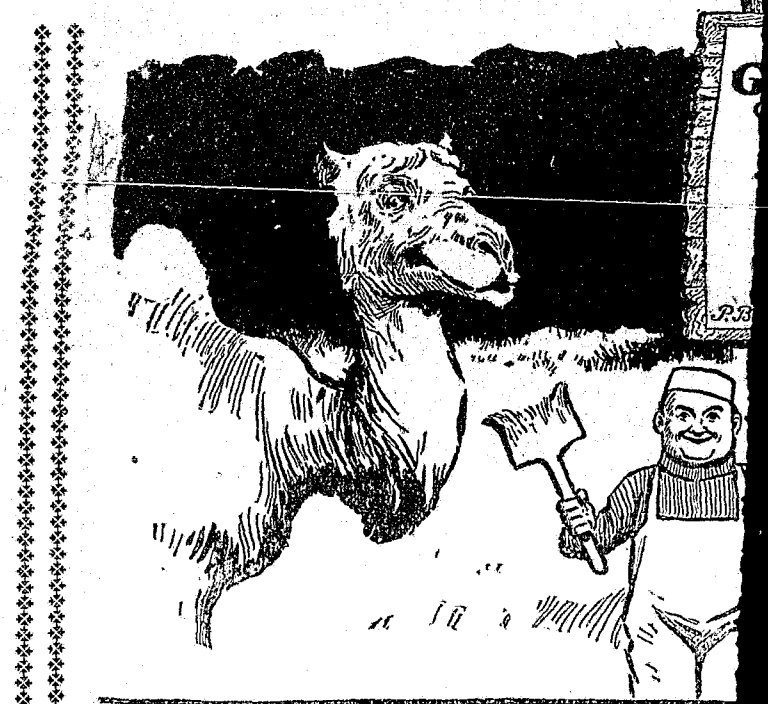
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R. R. F.

Established 1869  
Carried in stock in

C. D. M

Sauk Centre



LOOK FOR THE PROTECTION SEAL-IT IS NOT REAL GRA



l accompanied by a municipal court shall not be affected by this charter.

to the city treasury fund, a sum sufficient to pay the bonds maturing at that time and power plant or other public utility shall set aside in the amount of one hundred dollars per year for the purpose of repairs and for the purpose of bonds maturing at that time shall be payable to the sinking fund. In addition to the city treasury fund, an amount of one hundred dollars for the purpose of repairs and for the purpose of bonds maturing at that time shall be payable to the sinking fund. In addition to the city treasury fund, an amount of one hundred dollars for the purpose of repairs and for the purpose of bonds maturing at that time shall be payable to the sinking fund.

service. The commission shall be based on the cost of the original investment for other public utility service. The commission shall be based on the cost of the original investment for other public utility service.

ne surplus derived from the power plant, after payment of interest and credit of the water fund, or the general fund, shall determine. It shall be so kept as to provide for the needs of each of the plants and the sums ordered.

ne secretary and all other officers shall be entrusted with the management of the city and shall furnish a good and true account of the same to the commission acceptable to the commission.

The commission shall make a report showing the status of the property in its management. The commission shall furnish an official paper and a true account of the financial condition of the city in its charge, at the request of the council may require. The commission shall make and filed with the council.

All general laws and statutes of the state applicable to cities of the fourth class, not inconsistent with the provisions of this charter, shall apply to the City of Sauk Centre, and shall be construed as supplementary to the provisions of this charter.

All acts or parts of acts giving the City authority and powers to be exercised outside of the city limits are hereby expressly retained.

Section 110. Existing Ordinances Continued. All ordinances, and all departmental and board rules and regulations, not inconsistent with the provisions of this charter, and in force when this charter takes effect, are hereby continued in full force and effect until amended or repealed.

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Assessments made by the City prior to the time when this charter goes into effect shall be collected and the list thereof enforced in the same manner as if this charter had not been adopted.

Section 112. Vacation of Streets. The council shall have exclusive power, by ordinance passed by four-fifths majority vote, to vacate or discontinue streets and alleys within the City. A record thereof shall be made in the office of the Register of Deeds of Stearns County. Such vacation may be made on such terms and by such procedure as the council may, by ordinance, prescribe.

Section 113. City Property not Lost by Adverse Possession. 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 114. Damage Suits. 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 year from the occurrence of such injury or damage, nor unless notice shall have been given in writing to the city clerk within thirty 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 means.

Section 115. Recovery of Judgment for Damages. If any judgment shall be recovered in any action against the City for any injury or damage caused by any obstruction, excavation, opening or defect in any street or alley or public ground caused or occasioned by the act or omission of any person or corporation, the City shall have the right to recover the amount of any such judgment from the person or corporation so responsible for such

obstruction, excavation, opening or defect.

Sectin 116. Ordinances to Make Charter Effective. The council shall by ordinance make such regulations as may be necessary to carry out and make effective the provisions of this charter.

Section 117. When Elected Officials Take Office. All elective officers in office when this charter takes effect shall continue in office until the second Tuesday in April, 1918, at twelve o'clock noon, and no longer, excepting the two aldermen whose terms expire in 1919, who shall serve until the second Tuesday in April, 1919. All elective officers under this charter shall enter upon the duties of their respective offices at twelve o'clock noon on the second Tuesday in April following their election and qualification.

Secton 118. Emergency Debt Certificates. If in any year the receipts from licenses or other taxes should become insufficient for the ordinary expenses of the City by reason of a change in the laws relating to licenses, then the council may authorize the sale by the city treasurer of emergency debt certificates to run not to exceed one year and bear interest at six per cent. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget of the following year.

The foregoing draft is hereby proposed as a new charter for the City of Sauk Centre, to be submitted to the electors of the City, the same being made, framed and adopted by the board of freeholders, duly appointed by the judges of the District Court in and for the County of Stearns and State of Minnesota on July 17, 1917, pursuant to the provisions of Section 36 of Article IV of the Constitution of the State of Minnesota and the laws enacted pursuant thereto; and this draft of this proposed charter of the City of Sauk Centre is hereby submitted and returned to the Hon. A. J. DuBeau, Mayor of the City of Sauk Centre, in accordance with law.

Dated this 18th day of December, 1917.

JOHN N. MCGIBBON,  
Chairman.

MARTIN D. AYGARN,  
Secretary.

V. G. WEDGE.  
BENJ. F. DuBOIS.  
C. D. MARSHALL.  
L. W. GINGERY.  
D. B. CAUGHREN.  
S. C. BJONE.  
W. O. P. HILSDALE.  
ALFRED G SALMOND.  
GEO. R. BORGMANN.  
J. F. COOPER.  
E. P. RICHARDS.  
L. L. KELLS.  
S. P. HANSEN.

**BURDENS LIFTED.**

From Sauk Centre Backs—Relief Proved by Papspe of Time.

Basckache is a heavy burden;  
Nervousness, dizziness, headache.  
Rheumatic pain; urinary ill;  
All wear one out.  
Often effects of kidney weakness.  
No use to cure the symptoms,

all times get an adequate supply of hogs at the lowest feasible price.

"We shall establish rigid control of the packer. Fair prices to the farmer for his hogs, we believe, will be brought about by the full control which the Food Administration has over the buying of the Allies, our Army and Navy, the Red Cross, the Belgian Relief and the neutrals, which together constitute a considerable factor in the market.

"The first step is to stop the sud-

to measure the cost of production of the hog is the cost of corn. That board further advises that the ratio of corn price to hog price on the average over a series of years has been about twelve to one (or a little less.) In the past, when the ratio has gone lower than twelve to one, the stock of hogs in the country has decreased. When it was higher than twelve, the hogs have increased. The board has given its judgment that to bring the stock of hogs back to normal under pres-

Under the provisions of the charter, the election of the board of freeholders shall be held on the second Tuesday in April, 1918, at twelve o'clock noon.

Act. This charter is a public act and need not be published. It shall take effect from the date of its adoption by the voters of the City.

Every elected or appointed officer shall take the oath of office before entering upon the duties of his office.

appear before the city clerk, or a judge of court, and take and subscribe the oath of office by law, and file the same with the city clerk. The officer of the City shall hold over until his successor has been elected or appointed and duly qualified.

**Official Bonds.** The city clerk and the city treasurer shall each furnish, before assuming the duties of their respective offices, a good and sufficient bond, annually fixed by the council, and sufficient to protect the City, for the faithful performance of their respective duties. Such official bonds shall be approved by the council and the mayor, and shall be given by persons of good financial standing and companies authorized to do business in this city. The bonds are at all times open to inspection by any authorized person or any officer of the City. The bonds shall be approved by the city attorney, and filed in the office of the city clerk, and the bonds shall be paid by the City.

**City Officers Not to Accept Favors or Gifts.** No officer or employee of the City shall accept any pay, commission, money or thing of value, any benefit, profit, or advantage, directly or indirectly, or by reason of, any improvement, alteration or repair required by authority of the City, or in which the City shall be a party, except his compensation or salary as such officer or employee of the City, except as provided in this charter, or by law, shall solicit, receive, directly or indirectly, from any public utility, or the owner of any public utility or franchise, pass, frank, free ticket, free service, or other privilege, upon terms more favorable than those granted to the public generally. A violation of any of the provisions of this section shall disqualify the offender to hold office or employment of the City, and he shall be removed therefrom.

**Contract with the City in which any officer or employee of the City is, or becomes, directly or indirectly interested, personally, or as a member of a firm, or as an officer or director of a corporation, shall be and become void.** Any money which shall have been paid on such contract shall be recovered from any or all persons interested therein by a joint or several action.

**106. Contracts—How Let.** In all cases of contracts made by contract, or of the purchase of property, when the amount involved is more than \$1000, unless the council, by an emergency ordinance, shall provide otherwise, it shall advertise for bids on official paper of the City. Contracts shall be let to the most responsible bidder who offers to furnish the property for the lowest sum. The council may, in its discretion, accept any and all bids; and nothing contained in this section shall prevent the City from contracting for the purchase of property with patented processes, or from purchasing appliances. The council shall regulate the making and letting of contracts by ordinance.

**107. Contracts—How Executed.** All written contracts, bonds and instruments of every kind and character to which the City shall be a party, except as otherwise provided, shall be executed in the name of the City by the mayor, and shall be attested by the city clerk.

**108. Official Publication.** The council shall provide, by resolution, for the publication of all ordinances, resolutions and orders which are required to be published, and shall annually designate a newspaper of general circulation in the City as the official paper in which all such publications shall be published. The council may establish a separate publication, which shall then be the official publication.

**109. Statutes not Affected by Charter.** All laws, ordinances, resolutions or hereafter enacted relating to the

relief is but temporary if the cause remains.

If it's the kidneys, cure the cause. Doan's Kidney Pills are for kidney troubles.

Read about your neighbor's case. Here's Sauk Centre testimony. The kind that can be investigated. Mrs. H. G. Sohle, N. Main St. says: "I can certainly praise Doan's Kidney Pills, because I have used them and they brought me fine results. When I had backache, Doan's cured me of it entirely in just a few days. Before I used them, my kidneys were acting irregularly, but Doan's soon regulated them. I have never had any of that trouble since."

Price 60c, at all dealers. Don't simply ask for a kidney remedy—get Doan's Kidney Pills—the same that Mrs. Sohle had. Foster-Milburn Co., Mfgs., Buffalo, N. Y.

IS ENTITLED TO A LOW PRICE.

Federal Food Commission Will Assist Hog Raisers and Consumers in Every Manner Possible.

Joseph P. Cotton, chief of the U. S. Food Administration meat division, has recently issued the following statement relative to the prices of hogs:

"The main purposes of the Food Administration as to hogs are four: To see that the producer at all times can count on a fair price for his hogs so that it will be profitable to him, to see that the farmer increases the number of hogs bred, to limit the profit of the packer and the middleman and to eliminate speculation.

"All these purposes are necessary because we must have more hogs, so that the ultimate consumer shall at

least break in price. These prices must become stable so that the farmer knows where he stands, and will feel justified in increasing hogs for next winter. The prices so far as we can affect them will not go below a minimum of about \$15.50 per hundred weight for the average of the packers' droves on the Chicago market until further notice.

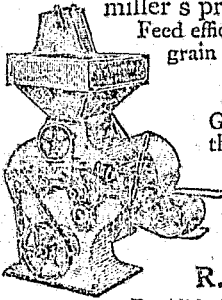
"We have had, and shall have, the advice of a board composed of practical hog growers and experts. That board advises that the best yardstick

for the conditions the farmer should be about thirteen. Therefore, as to the hogs farrowed next spring, we will try to stabilize the price so that the farmer can count on getting for each 100 pounds of hog ready for market, thirteen times the average cost per bushel of the corn fed into the hogs.

"Let there be no misunderstanding of this statement. It is not a guarantee backed by money. It is not a promise by the packers. It is a statement of the intention and policy of the Food Administration which means to do justice of the farmer."

## Grind Your Own Feed And Save Money

SAVE money in many different ways by grinding your feed at home by our modern, scientific roller process. Save the miller's profit, the long haul to mill, gasoline and time. Feed efficiently and economically. Make the best use of your grain and add to your income by grinding your feed in a



### HOWELL Roller Feed Mill

Grinds twice as fast and at half the expense with the same power required by the best buhr mill. No buhrs or stones to wear out. Will not heat the feed. Guaranteed to get the wild oats. Built on same principle as large custom mills. Will grind Graham and Rye flour.

Made in 13 sizes—any capacity—a size for any engine.

R. R. HOWELL & CO., Manufacturer

Established 1869

Minneapolis, Minn.

Carried in stock in your town and sold exclusively by

## C. D. Marshall & Co.

Sauk Centre

Minnesota

**Real GRAVELY'S Chewing Plug**

When you chew Gravely you are Better Satisfied. A Little Chew is Enough and it Lasts a Long While. The Good Gravely Taste lasts, too.

A 10c. POUCH IS PROOF OF IT.

R. B. Gravely Tobacco Co. Danville, Va. ESTABLISHED 1895

PIPE HIS EXPRESSION! HE THINKS HE IS HAPPY WITH THAT BIG CUD OF HIS—BUT YOU'VE GOT IT ALL OVER HIM. YOU CAN READ MY BILLBOARD AND CHEW GRAVELY!

LOOK FOR THE PROTECTION SEAL—IT IS NOT REAL GRAVELY WITHOUT THIS SEAL

Apply W. and