

<b>1834.</b>	or in banking operations, or in the purchase or sale of any stock or funded debt, created or to be created under any law of the United States, or any particular State; but it shall, nevertheless,
Investments.	be lawful for the said corporation to purchase and hold any such stock or funded debt, for the purpose of investing therein any part of their funds or moneys, and also to sell and transfer the same, and again to renew such investment, when and as often as a due regard to the interests of the said corporation shall require; and also to make loans of the funds, on bond and mortgage, and the same to call in and re-loan, as occasion may render expedient.
Location of business office.	SEC. 12. The operations and business of the said corporation shall be carried on and conducted in the village of Bronson, in the county of Kalamazoo, and not elsewhere.
General franchises.	SEC. 13. The corporation hereby constituted may have and use a common seal, may sue and be sued, plead and be impleaded by said corporate name; and the president and directors of said corporation may from time to time adopt such by-laws and regulations for the transaction of the business of said company as they may deem expedient, such by laws and regulations not to be inconsistent with the constitution and laws of the United States or of this Territory.
	Approved March 7, 1834.

AN ACT to incorporate the village of St. Joseph.

Boundaries.	SECTION 1. <i>Be it enacted by the Legislative Council of the Territory of Michigan,</i> That the territory within the following limits and boundaries in the county of Berrien, to-wit: Embracing or including all that part of the township of St. Joseph comprised within the limits of fractional section number twenty-three, township four, south of range nineteen west, in the said county, be and the same is hereby erected a town corporate, and the authorities thereof shall hereafter be known by the name of "The President, Trustees and Freemen of the village of St. Joseph," and by that name they and their successors forever shall and may have perpetual succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, in all suits in whatsoever nature; and also of purchasing and holding or conveying estate real or personal, and they may have a common seal, and may change or alter the same at pleasure.
Name of corporation.	
Franchises.	
Annual meeting of electors.	SEC. 2. That for the better government of said village, there shall be a meeting of the inhabitants of said village, holden annually in May, at such time and place as by the by-laws of said village shall be directed, for the purpose of choosing officers of said village, and that the officers chosen at such meeting shall continue in office for the term of one year, and until others are chosen and qualified in their stead.
Election of officers.	SEC. 3. That said village, in legal meeting assembled, shall annually choose a president and five trustees, a marshal and treasurer; and it shall be the duty of said president and trustees to appoint a

clerk, all which officers, to-wit: a president, five trustees, a marshal and treasurer shall be chosen by ballot, and on each ballot which shall be given in shall be written the name of the person for whom the same is given, and such ballot shall, by the person giving the same, in the presence of the president and trustees, or such of them as are present at said meeting, be put into a box for that purpose by said village to be provided, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of the same day, at the expiration of which time the president, or in his absence, any one of the trustees present, in the presence of the meeting, shall open the box, sort and count the ballots: and the person who shall have a plurality of the votes given in, shall by the marshal, or in his absence by any one of the trustees present, be declared to be elected; and no ballot shall be received after the box shall have been opened.

1834.

Mode of election.

SEC. 4. That said village, in legal meeting assembled, shall have power to levy taxes on polls and on real and personal estates within the limits of such village, for such purposes as a majority of the electors of said village shall think proper: *Provided*, The taxes levied in any one year shall not exceed two per centum on the said estates.

Citizens' meeting may levy taxes.

Proviso—limit of taxation.

SEC. 5. That the marshal shall be collector of such taxes, and, as in cases of fines, is hereby authorized and required to collect and pay over to the treasurer all such sums of money as shall be levied for the use of said village, within three months from the time of his receiving a warrant from the president therefor, and the treasurer's receipt shall be his voucher upon his settlement with the president and trustees, which shall be when thereunto by them required, after the expiration of the three months as above; the marshal shall give ten days' notice before he makes distress for the collection of any tax; and if the tax on any lot on which no personal property can be found shall remain unpaid two months after the expiration of three months aforesaid, the said marshal shall give notice by advertisement, in five of the most public places in said village, of the amount of such tax and the number (or description) of such lot or lots on which it is due; and if such tax shall not be paid within two months after the date of such advertisement, the marshal may proceed to sell so much of the said lot or lots as will discharge the same; the marshal and treasurer, before they enter upon the duties of their offices, shall give bond with sureties to the president and trustees and their successors in office (which bond with sureties, shall be approved of by the president and trustees), conditioned for the faithful performance of the duties of their offices; the treasurer shall pay over all moneys by him received for the use of said village to the order of the president and trustees, and shall when required, submit his books and vouchers for their inspection: *Provided always*, That if any lands shall be sold as herein provided, the owner or owners thereof may redeem the said lands at any time within two years, for payment of the taxes so assessed, with the interest thereon at the rate of twenty per centum per annum.

Collection and return of taxes.

Distress and sale.

Marshal and treasurer to give bonds.

Proviso—redemption of lands sold for taxes.

SEC. 6. That the president and trustees by a vote of the major-

**1834.** ity of the freemen of said village in legal meeting assembled, are hereby empowered to lay out new highways, streets, alleys, and public walks for the use of said village, and to alter those already laid out in said village, and to exchange highways for highways, or to sell highways for the purpose of purchasing other highways, taking in all respects the same measures as are or may be directed by the laws of this Territory as near as may be; and the party aggrieved by laying out such streets or highways may have the same remedy by application to the circuit court of said county or otherwise, as is or may be provided in cases of other highways; and whenever such highways so laid out by said president and trustees may become unnecessary for public use, they may be discontinued by said president and trustees, by vote as aforesaid: *Provided*, That the property of no person or persons shall be taken in virtue of this section, until full compensation shall have been duly made or tendered to the owner or owners thereof.

**Powers of president and trustees relative to streets, etc.**

**Proviso—property to be paid for.**

**To make by-laws respecting markets, etc.**

**SEC. 7.** That the president and trustees, or a majority of them, shall have power to make by-laws relative to markets and commerce within the limits of said village; relative to streets and highways of said village; relative to nuisances within said village limits; relative to wharves, bridges, ferries, mill-races, canals, and streams of water within said limits; relative to trees planted for shade, ornament, convenience, use, public or private; relative to the fruit of such trees; relative to the assize of bread, the weight and price; relative to trespass committed in gardens; relative to walks and buildings, public or private; relative to the shooting of guns and other fire-arms; relative to the sweeping of chimneys, and preserving said village from injury by fire; relative to the forms of oaths or affirmations to be taken by the treasurer; relative to warning meetings of said village, and of said president and trustees, and the times and places when and where they shall be holden; relative to the mode of taxation as to taxes to be levied in said village; relative to the penalties to be incurred by those who, being chosen to any office, shall, not being excused by said village, refuse to serve; relative to the burial of the dead; relative to public lights and lamps; relative to the procuring fire buckets and engines; relative to restraining horses, cattle, sheep, swine, and geese from going at large in said village; to inflict penalties for breaches of said by-laws: *Provided, however*, That such penalties shall in no case exceed the sum of fifteen dollars for one offense; and said penalties shall be payable to the treasurer, or to such other person as the by-laws shall direct, and for which execution may be issued under the authority and direction of the president and trustees, or a majority of them, tested by the president's name and seal of the village, and signed by the clerk of the said village, returnable in sixty days, the form of which in all other respects shall conform as near as may be to an execution authorized by law to be issued by a justice of the peace: *Provided, however*, That no by-law of said village shall be repugnant to the constitution or laws of the United States or of this Territory: *And provided also*, That all the by-laws made by said presi-

**Proviso—limit of penalties.**

**Proviso—by-laws to accord with U. S. laws, etc.**

dent and trustees shall be published by advertisements, set up in three of the most public places in said village limits, or printed in some public newspaper published therein, at least three weeks successively before the same shall be of any validity.

1834.

Proviso—by-laws to be published.

SEC. 8. That the marshal shall, within the limits of said village, and on the waters of the same, have the same powers, authority, and privileges, and be liable to the same suits and penalties for neglect of duties in any case whatever, to all intents and purposes, as constables by law have and are, and shall execute all lawful precepts to him directed, whether issued by virtue of the by-laws, or by the laws of the territory within the said described limits.

Marshal to have powers of constables.

SEC. 9. That all grants or leases of real estate belonging to said village, signed by the president of said village, and sealed with the village seal, and approved by the trustees of said village, shall be good and effectual in law, to convey the estate intended to be conveyed by such grant or lease: *Provided*, The same is recorded in the records of said village; and also in the case of deeds or other conveyances in the office of the register of said county.

Conveyance of village estate.

Proviso—conveyances to be recorded.

SEC. 10. That the votes or choice of the major part of the free-men present at any legal meeting shall be considered as the vote or choice of said village; and the said village shall have power, in legal meeting assembled, to choose all other officers not enumerated in this act that shall be necessary to carry the by-laws of said village into execution.

Majority of votes to elect.

SEC. 11. That the president, trustees, clerk, and marshal of said village, and inspectors of produce brought into said village for sale or exportation, shall be sworn or affirmed to a faithful discharge of their duty; and the form of the oath to be taken by the president and trustees shall be as follows, viz.: You — —, being elected president (or trustees as the case may be), of the village of St. Joseph, do swear (or affirm, as the case may be) that you will uprightly and faithfully discharge the duties of that office during your continuance therein,—so help you God: and that the oath of the clerk shall be as follows, viz.: You, — —, being chosen clerk of the village of St. Joseph, do swear (or affirm, as the case may be) that you will truly and faithfully attend and execute the office of clerk according to your best skill, and make true entries and records of all the votes and proceedings of said village, and such other matters as by law or by the by-laws of said village are to be recorded in your office, and that you will deliver true copies of the records in your hands when they shall be required of you, taking your lawful fees,—so help you God: and the form of the oath or affirmation to be taken by the marshal shall be the same, *mutatis mutandis*, as is prescribed by law to be taken by constables; and all other officers other than those last above named shall take an oath or affirmation faithfully to discharge the duties of their respective offices, and all the officers of said village by this act authorized shall severally take their appropriate oaths or affirmation within five days after they may respectively receive a notice of their appointment, which oath or affirmation may be administered

Oath of officers.

Of president and trustees.

Of clerk.

Of marshal.

Of other officers.

- 1834.** by any judge or justice of the peace of the Territory to the president, and by him to the other officers; and the clerk shall make a true record of the administering of such oaths or affirmations, and by whom administered. before the person to whom the same has been administered shall be able to execute the office to which he was chosen; and in the absence of all other persons competent by this act to administer said oaths or affirmations, the clerk shall administer the same.
- Removal or resignation.** SEC. 12. That whenever the president or any other officer of said village shall resign or be removed by death or otherwise, another shall be chosen and sworn or affirmed in his stead; and that the president of said village, or in his absence, the senior trustee present at any meeting of such village or of said president and trustees, shall *ex-officio* be moderator thereof; and the meeting of said village may from time to time, be adjourned by the major part of the freemen present; and the said village may, at any time hold special meetings, whenever in the opinion of the president and trustees or a majority of them, the circumstances of the village require it.
- Service of process against village.** SEC. 13. That whenever any action or suit shall be commenced against said village, process against said village may be served by the leaving a copy of such process, attested by the proper officer, with the clerk of said village, or at his usual place of abode therein, whose duty it shall be to inform forthwith the president and trustees thereof; and it shall be the duty of the clerk to make and keep a just and perfect record of all and every law and ordinance made and established by said village, and all the corporate proceedings thereof; and the record so made by the clerk shall, at all times, be open to the inspection of any freeman of said village; and the president and trustees of said village are hereby authorized to fix and establish such fees to the clerk, marshal, and other officers of said village, as to them shall seem necessary and proper: *Provided*, That no compensation shall be received by the president and trustees, unless by a vote of a majority of the freemen in regular meeting assembled.
- Ordinances to be of record.** SEC. 14. That the said president and trustees shall have the sole right of licensing and regulating groceries and ale-houses, and of licensing and regulating any shows or other public exhibitions within said village, which said licenses shall be paid into the village treasury; and to erect and keep in repair drains and sewers, and to make regulations for the preservation of the same; to regulate and establish the size of bricks; to provide for regulating the measuring of boards, plank, and scantling, timber, and lumber of every kind; to regulate the measuring of firewood, and the weighing of hay; and to pass all laws necessary to give effect and operation to their powers.
- Fees of officers.** SEC. 15. That the freemen of said village, who are or may be by law qualified to vote for delegate to congress, shall meet at the usual place of holding township meetings in said village, on the first Monday in May next, and then and there proceed to elect the officers provided by this law, who shall continue in office until the first Monday in May, in the year of our Lord one thousand eight
- Proviso—pay of president and trustees.**
- Council may grant licenses.**
- May erect sewers, etc.**
- Regulate the sale of wood, hay, etc.**
- Time of annual meeting.**

hundred and thirty-five, and until others are chosen in their stead, and qualified. 1834.

SEC. 16. That the said village shall be allowed the use of the common jail of the county of Berrien for the imprisonment of any person liable to imprisonment under the ordinances of said village, and all persons committed to said jail shall be under the charge of the sheriff as in other cases. Village may use the jail of the county.

SEC. 17. That this act shall take effect and be in force from and after its passage. Act to take effect.

SEC. 18. That this act may at any time be altered, amended, or repealed by the legislature. Legislature may amend, etc.

Approved March 7, 1834.

#### AN ACT concerning the Bank of River Raisin.

SECTION 1. *Be it enacted by the Legislative Council of the Territory of Michigan,* That the statement under oath or affirmation of the condition of the Bank, which the directors are required to make by the sixth section of the act entitled "An act to incorporate the stockholders of the Bank of River Raisin," shall hereafter be made by the president and cashier of said bank, and not by the said directors; loans or discounts may be made to the directors of said corporation, or upon paper on which such directors, or any of them may be responsible, to any amount not exceeding one-fourth of the amount of the bills which said bank is entitled to issue, until the amount of the capital stock actually paid in shall be equal to the sum of fifty thousand dollars: and thereafter the said loans, discounts, or endorsements shall not exceed the one-fourth of the amount of its bills in circulation: *Provided,* That the whole amount of the loans, discounts, or endorsements of said directors of said bank at any one time shall not exceed fifty thousand dollars; and so much of the sixth and eighth sections of the said act as comes within the purview of this act, be and the same is hereby repealed. Statement—how to be made.

Approved March 7, 1834.

#### AN ACT to amend the act entitled "An act relative to the Privileges and duties of Townships.

SECTION 1. *Be it enacted by the Legislative Council of the Territory of Michigan,* That if any township officer, after he shall have been elected and qualified, shall neglect or refuse to perform any of the duties required of him by law, he shall, for every such neglect or refusal, forfeit and pay to the people of the county such penalty as is prescribed by law; and if no penalty shall have been imposed, he shall forfeit and pay a sum not exceeding fifty dollars, to be recovered in the same manner as is provided for the recovery of other forfeitures in and by the thirteenth section of the act entitled "An act relative to the duties and privileges of townships," Neglect or refusal of officers to perform duties.