

visions of this section, *Provided*, That no award shall be greater than the amount so claimed in the sworn notice so filed by any person with said city clerk; And *provided further*, That the damages and compensation so to be awarded shall be the damages and compensation which shall be apparent at the end of said six (6) months after the final completion of the work of said change of grade of such street.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1885.

CHAPTER 6.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AND CONSOLIDATE THE CHARTER OF THE CITY OF MINNEAPOLIS," APPROVED MARCH EIGHTH (8TH), A. D. ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881).

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section five (5) of chapter four (4) of an act entitled "An act to amend and consolidate the charter of the city of Minneapolis," approved March eighth (8th), A. D. one thousand eight hundred and eighty-one (1881), be, and the same is hereby, amended by adding thereto the words: "Forty-third—to license, prohibit, regulate and control the carrying of concealed weapons and provide for the confiscation of the same."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 9, 1885.

CHAPTER 7.

AN ACT TO AMEND THE CHARTER OF THE CITY OF ST. PAUL AND THE ACTS AMENDATORY THEREOF.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That sections one (1), two (2), eighteen (18), fifty-seven (57) and fifty-eight (58), of chapter one (1), title seven (7), of an act entitled "An act to reduce the law incorporating the city of St. Paul, county of Ramsey and state of Minnesota, and the several

acts amendatory thereof, and certain other acts relating to said city, into one act, and to amend the same;" approved March fifth (5th), one thousand eight hundred and seventy-four (1874), be, and the same is hereby, amended so as to read as follows, viz.:

Section 1. The municipal corporation of the city of St. Paul is hereby authorized and empowered to condemn land for public parks, for the opening, widening, extending, altering and straightening of any street, lane, alley or highway, and for the construction of slopes for cuts and fills in any street, lane, alley or highway now ordered to be or such as shall hereafter be ordered to be opened, extended, altered, straightened or graded, and for changes of grade in any street, lane, alley or highway in said city, and to levy assessments for the same, and for such other local improvements as may be ordered by said municipal corporation, upon the property fronting upon such improvement, or upon the property to be benefited by such improvement, without regard to cash valuation. The provisions of this section shall apply to any and all improvements heretofore ordered as well as those that shall be hereafter ordered.

Sec. 2. Such assessment may be made by the said city of St. Paul, for grading, filling, leveling, paving, curbing, walling, bridging, graveling, macadamizing, planking, opening, extending, widening, contracting, altering and straightening any street, lane, alley or highway, and for a change of grade in any of the same, and also for the condemnation of land for public parks, and for the construction of slopes for cuts and fills, in any street, lane, alley or highway which has heretofore been or which shall hereafter be ordered to be opened, extended, widened, altered or straightened, and for a change of grade in any of the same, and also for keeping the same in repair; also for filling, grading, protecting, improving and ornamenting any public park, square or grounds now or hereafter laid out; also for planting and protecting shade and ornamental trees; also for constructing, laying, relaying and repairing cross and side walks, area walls, gutters, sewers and private drains; and also for the abatement of any and all public nuisances within the limits of said city.

Sec. 18. As soon as the money is collected, and ready in the hands of the treasurer to be paid over to parties entitled to damages for property condemned, ten (10) days' notice thereof by one (1) publication shall be given by the city treasurer in the official paper of the city, and the city may then, and not before, except as hereinafter provided, enter upon, take possession of, and appropriate the property condemned. And whenever the damages awarded to the owner of any property condemned by said city for public use shall have been paid to such owner or his agent, or when sufficient money for that purpose shall be in the hands of the city treasurer, ready to be paid over to such owner, and ten (10) days' notice thereof shall have been given in the official paper of the city, the city may enter upon and appropriate such property to the use for which the same was condemned; *Provided, however,* That the city shall not be hindered, delayed or prevented by the prosecution of an appeal by any person as hereinbefore provided for in section sixteen (16) of this title, from entering upon and appropriating such property to the use for which the same was condemned, if the city shall, after such appeal has been taken, by its mayor, execute and file with the clerk of the district court of Ramsey county a

bond, to be approved by said clerk, payable to the appellant, conditioned that the city shall, in case the assessment against the property appealed from be annulled and set aside by said court, pay whatever sum shall finally be awarded by the board of public works, as damages for such property so condemned and appropriated, less such sum as shall be assessed thereon as benefits. This provision shall apply as well to all proceedings for condemnation now pending, in whatever stage such proceedings may now be, as to those hereafter to be initiated. The mayor of the city is hereby authorized and empowered to execute the bond herein provided.

Sec. 57. For the additional duties imposed on the city treasurer by this chapter, he shall receive a fee on all collections made by him upon warrants for special assessments, as follows, viz.: Upon the first \$200,000 actually collected by him in any one year, commencing January first (1st), two (2) *per centum*; upon all moneys in excess of \$200,000, collected by him in any one year commencing January first (1st), one (1) *per centum*.

Sec. 58. All judgments rendered under this chapter upon said assessments shall bear interest at the rate of eighteen (18) per cent per annum from the date thereof until paid.

SEC. 2. That section forty-seven (47) of chapter seven (7), title one (1), of an act entitled "An act to reduce the law incorporating the city of St. Paul, in the county of Ramsey and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city into one act and to amend the same," approved March fifth (5th), one thousand eight hundred and seventy-four (1874), as amended by section four (4) of chapter twenty-six (26) of special laws of one thousand eight hundred and seventy-eight (1878), is hereby amended by striking out all of said section down to and including the word "taxes," in the fourth (4th) line in said section, and inserting in lieu thereof the following words, viz.: "If at any sale any piece or parcel of land shall be sold to a purchaser, or the piece or parcel be struck off to the city, the same may be redeemed at any time within three (3) years from the date of the sale, by any person having any interest therein; and that said section be further amended, by striking out the figures twenty-four (24), where they occur in said section and inserting in lieu thereof the figures eighteen (18); and that said section be further amended by adding thereto the following words: "The city treasurer shall, at least three (3) months before the expiration of the time limited for redeeming any lot or parcel of land aforesaid, cause to be published in the official paper of said city, once a week for twelve (12) successive weeks, a list of all unredeemed lots or parcels of land, specifying each tract or parcel, the name of the person to whom assessed, if to any, and the amount of the assessment, charges and interest calculated to the last day of redemption, due on each lot or parcel, together with notice that unless such lots or parcels of land be redeemed on or before the day limited therefor, specifying the same, they will be conveyed to the purchaser. *Provided, however,* That before the holder of such certificate shall be entitled to a deed for said property he shall pay into the city treasury the cost of such notice of the expiration of the time of redemption."

SEC. 3. The common council of the city of St. Paul shall have full power to construct any bridge or bridges, and also the needful

approaches thereto in any street or streets, or highway or highways, of said city over railway tracks or other places, whether such bridge or bridges, or approaches thereto conform to the established grade of the street or highway wherein they may be constructed or otherwise. The said bridge or bridges with the approaches thereto, shall be and become part of the street or highway wherein they may be constructed aforesaid, and any part or parts of any established grade of such street or highway, or of any street or highway crossing, the same may be so altered or changed by said common council, as to conform to the passage way over the said bridge or bridges, or to form the approaches or any part thereof of such bridge or bridges, or to facilitate access to, or transmit over the said bridge or bridges, or approaches thereto. *Provided*, in case such bridge or bridges, or approaches thereto, shall not conform to such established grade of such street or highway wherein they may be constructed, a vote of at least three fourths (¾) of the members elect of said common council shall be necessary to authorize the same, or to change any part or parts of such established grade of such street, or highway, or other streets or highways, crossing the same as aforesaid.

SEC. 4. In case such bridge or bridges, or approaches thereto, shall not conform to such established grade, or in case of any change of grade as aforesaid, any owner of land abutting upon that part of such street or highway where such bridge or bridges, or approaches, or change of grade shall be ordered by said common council damaged thereby, shall be entitled to compensation from said city to be assessed as herein provided.

SEC. 5. To entitle such person so damaged to compensation, he shall file with the city clerk within six (6) months from the passage of the resolution or order of the said common council directing the work to be done, or change of grade to be made aforesaid, a written claim of damages specifying the grounds thereof, and the said common council shall refer the said claim to the board of public works, who shall thereon assess the amount of compensation to be awarded such claimant and report the same to said common council. In making said assessment the said board of public works, by its clerk, shall give notice by publication at least three (3) times in the official newspaper of said city, of the time and place of their meeting for the purpose of making said assessment. Said notice shall specify briefly the object of said assessment and the property to which it relates, and the first (1st) publication thereof shall be at least ten (10) days before the time of said meeting. At said meeting all persons interested may appear and be heard by themselves, or their attorneys, and the board of public works may view the premises and also hear proof in reference to said matter. Said assessment shall not be final until confirmed by the board of public works. Notice of the time and place for such confirmation shall also be given by publication by the board of public works, through its clerk, in the official newspaper of said city at least two (2) times—the first publication whereof shall be at least ten (10) days prior to the time set for such confirmation. The amount so awarded shall be paid to the party entitled thereto out of the general fund of said city or such other fund as may be provided for that purpose. No claim of damage aforesaid or proceeding to assess the same aforesaid shall delay or suspend the prosecution of said work.

SEC. 6. In ordering the construction of such bridge or bridges, or such change or grade, no petition of property owners or other petitions or preliminary notice, or reference to the board of public works or other preliminary proceedings shall be necessary to enable or authorize the common council to act in said matter; and title three (3) of chapter seven (7) of said charter of said city, relative to street grades, and the amendments thereto heretofore passed; also sections four (4) and nine (9) of chapter twenty-three (23) of the special laws of this state passed in one thousand eight hundred and seventy-seven (1877), and also section eleven (11) of chapter ninety-three (93) of the special laws of this state passed in one thousand eight hundred and eighty-one (1881), shall have no application to or affect the provisions of this act.

SEC. 7. That section one (1) of "An act amending parts of the charter of the city of Saint Paul, and acts amendatory thereof," approved March seventh (7th), one thousand eight hundred and eighty-one (1881), as amended by section ten (10) of "An act amending part of the charter of the city of Saint Paul, and acts amendatory thereof," approved March second (2d), one thousand eight hundred and eighty-three (1883), is further amended by inserting between the words "year" and "general," in said section, the following words, to-wit: "*Provided, however,* That the board of public works may, whenever in their opinion the public interest will be subserved thereby, cause proposals for bids to be published in the official paper of said city, in the manner hereinbefore prescribed, and let (award) a separate contract for the construction, repair, and relaying of wood sidewalks; and also one or more contracts for the construction, repair and relaying of stone, brick, cement, asphalt, composition or other permanent material.

SEC. 8. On the first (1st) Tuesday of January, in each year, the board of education, the board of water commissioners, the board of control, the work house board, the board of public works, the board of fire commissioners, the city treasurer, the city comptroller, the city attorney, the chief of police, the clerk of the municipal court, and the city clerk, shall, in addition to the reports now required by law, and in addition to any reports that may be from time to time ordered by the common council, make full and detailed reports, to the mayor and common council of said city, of all the operations, transactions, receipts, disbursements and accounts of their respective boards and offices, for the year next preceding the first (1st) day of November of the year in which said reports are required to be made by this act; such reports shall respectively show, among other things, all moneys received and from what sources received, all moneys paid out and on what account paid out, and the number and description of the warrant upon which the same was drawn and paid, and a reference to the law, order, contract or authority requiring the same to be paid. And the common council of said city is hereby authorized and empowered to cause to be printed such a number of said reports annually as the public interest may require, not exceeding three thousand (3000) copies of any report.

SEC. 9. Any officer and all members of any board designated in the preceding section who shall fail to make the report in said section required, in the time and manner in said section provided, or to make any report which is now or may hereafter be required of him by

law or by an order of the common council of said city, shall be guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred (100) dollars, nor more than five hundred (500) dollars, or by imprisonment in the county jail for not less than thirty (30) days, nor more than ninety (90) days, or by such fine and imprisonment.

SEC. 10. Upon the failure of any officer or board designated in section eight (8) of this act, to make an annual report or any other report to the mayor and common council of the city of St. Paul, as provided by law or the order of said council, said council shall have the power, and it shall be its duty, to suspend such officer or board from all power or authority to further discharge its duties, and by ordinance to prohibit such officer or board from receiving any salary or compensation until such order of suspension is revoked, and no such officer or board shall receive any compensation or salary, pending the order of suspension. The common council of said city is authorized and empowered to seize all books, vouchers, accounts, papers and property, of every description, in, or pertaining to the office or the officer or board, failing to make reports as required by law, and to appoint an auditor or board of auditors to make such report from the books, papers and vouchers found. If, upon such report being made, it shall appear to the council that such officer or board of officers has been guilty of any corrupt or fraudulent conduct in office, said council shall have power to declare the office of such officer or board of officers vacant, and to fill the same until successors are duly elected, or appointed and qualified as provided by law.

SEC. 11. Any officer and all boards required by law or this act to make reports, who are now in office and who hitherto have failed to make reports as provided by law, shall make all such reports on or before the fifteenth (15th) day of May, A. D. one thousand eight hundred and eighty-five (1885), which reports shall include all moneys received and disbursed and all transactions of the office or board from the time of the making of the last report to January first (1st), one thousand eight hundred and eighty-five (1885), and any officer or member of any board of officers who fails to comply with this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as provided in this act, and any party guilty under this act may be indicted, convicted and sentenced at any time within six years from the time the offense was committed, whether his term of office has or has not expired.

SEC. 12. The city of St. Paul, under its corporate seal, by its mayor and city clerk, shall have full power and authority to issue certificates of indebtedness to the amount of forty-four thousand (44,000) dollars, or so much thereof as may be necessary to reimburse the Merchants National Bank and others for money advanced the city of St. Paul, with the approval of the common council and chamber of commerce of said city. Said certificates shall be countersigned by the comptroller and payable in eighteen (18) months after their date, with interest at a rate not to exceed seven (7) per cent per annum. And the principal and interest of said certificates shall be placed in the next tax levy succeeding the passage of this act.

SEC. 13. The common council of the city of St. Paul, in addition to its present power, shall have authority:—

First—To levy a tax, not to exceed one-sixth ($\frac{1}{6}$) of one (1) mill in any one (1) year, to create a fund applicable to the improvement of the public parks of said city, and the construction of fences, and the grading and paving of streets around said parks.

Second—By a three-fourths ($\frac{3}{4}$) vote, to appropriate not to exceed fifteen hundred (1500) dollars in any one year, for the payment of music in such of the public parks of the city as said common council may determine.

Third—To license and regulate commission merchants and all other persons who deal in or sell on commission any fresh or butchers meats, poultry or game.

Fourth—To license, tax, regulate, suppress and prohibit hawkers and peddlers, and to revoke such license at pleasure.

SEC. 14. That section nine (9) of an act amending parts of the charter of the city of Saint Paul, and acts amendatory thereof, approved March second (2d), one thousand eight hundred and eighty-three (1883) is hereby amended by adding thereto, at the end thereof, the following, to-wit: "*Provided, however,* That said petition shall have attached thereto a majority of the owners or occupants of a majority of the amount of the frontage and the assessed value of lots or parcels of land and the buildings and improvements thereon fronting on such street, avenue or public square, verified by one of said petitioners."

SEC. 15. That section two (2) of an act to amend the charter of the city of Saint Paul, and the several acts amendatory thereof, approved November twelfth (12th) one thousand eight hundred and eighty-one (1881), is hereby amended by adding thereto, at the end thereof, the following, to-wit: "*Provided, however,* That if any lot, parcel of land, building, or other improvement shall have a frontage upon two or more streets, avenues or public squares, the board of public works may divide the assessed value of such lot, parcel of land, building or other improvement, in such manner as to make the same bear only its just and equitable proportion of the assessment of the expense of sprinkling such streets, avenues or public squares."

SEC. 16. That section twenty-eight (28) of an act entitled "An act to reduce the law incorporating the city of Saint Paul, in the county of Ramsey and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city into one act, and to amend the same," approved March fifth (5th), one thousand eight hundred and seventy-four (1874), as amended by section nine (9) of an act entitled "An act to amend an act entitled an act to reduce the law incorporating the city of Saint Paul, in the county of Ramsey and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city into one act and to amend the same," approved March fourth (4th), one thousand eight hundred and seventy-five (1875), is hereby further amended by inserting between the words "Unreliable" and "And," in the fourteenth (14th) line thereof, the following, to-wit: "And that said board, in determining the reliability of a bid, shall consider the question of the responsibility of the bidder and his ability to perform his contract, without any reference to the financial responsibility of the sureties on the bond."

SEC. 17. That section twelve (12), of an act amending parts of the charter of the city of Saint Paul and acts amendatory thereof, ap-

proved March seventh (7th), one thousand eight hundred and eighty-one (1881.) is hereby amended by adding the following words to said section: "And it is hereby made the duty of the county auditor, on the first (1st) weekday of each and every month, or as soon thereafter as the same may be demanded, draw his warrant upon the county treasurer in favor of the city treasurer for all money in the county treasury belonging to the city of Saint Paul and the board of education of the city of Saint Paul, as near as the same can be ascertained from the books of the county treasurer."

SEC. 18. That section four (4), of chapter two (2), of the special laws of one thousand eight hundred and eighty-three (1883), being an act amending parts of the charter of the city of Saint Paul, and acts amendatory thereof, approved March second (2d), one thousand eight hundred and eighty-three (1883), is hereby amended so as to read as follows:

Sec. 4. The police department of the city of Saint Paul shall consist of the mayor, who shall be the chief executive officer and head of the department, a chief of police, one captain, two lieutenants, four sergeants, one chief of detectives, two detectives and as many policemen, patrolmen and police officers as may be authorized by the common council of said city, with the approval of the mayor. The mayor shall appoint the chief of police, the captain, the detectives, the sergeants and all policemen, patrolmen and police officers, at any time appertaining to the police department of said city, and by whatever name designated, with the advice and consent of the common council; but no person shall be eligible to the appointment as captain, sergeant, detective, policeman, patrolman or other police officer who is not a citizen of the United States, or under the age of thirty-five (35) years, able to read and write the English language, a resident of the city of Saint Paul for at least two (2) years preceding his appointment, and who is not of good health and physique, the standard of admission into the army of the United States, as established by examination to govern in this particular; and any officer or member of the police department who may be appointed by the mayor, may be by him removed from office whenever in his opinion the welfare of the city demands such removal. *Provided*, That such removal shall not take effect until notice thereof is given to the common council, and the action of the mayor is concurred in by a majority vote of the entire number of the members elect of said council, and such removal may be made without charges having been made by the mayor of said city by two-thirds ($\frac{2}{3}$) vote of all the members elect of said common council; and *Provided, also*, That the mayor may remove any officer or member of said police department any time within six months from the date when such officer or member shall be appointed, as in this section; *Provided*, In case of riots such other policemen as he may deem necessary for the preservation of the public peace; and, at the request of any corporation, firm or persons, may appoint and commission one or more special policemen, to do duty for said corporation, firm or persons, which special policemen shall have all the authority now conferred by law upon policemen. *Provided, however*, That such special policemen shall receive no compensation from the city of Saint Paul. The detective force of the city of Saint Paul shall be under the charge and control of the chief of police, who shall have authority to suspend any or

either of them from duty whenever, in his opinion, the good of the service requires it, and while so suspended they shall receive no compensation for services. All officers and members of the police force, appointed as in this section provided, severally hold their offices until vacated by death, resignation, or until they shall be removed, as provided above. All officers, policemen and patrolmen shall perform all the duties and be subject to all the rules and regulations which now are, or may hereafter be prescribed by the common council.

SEC. 19. No action shall be maintained against the city of St. Paul, on account of any injuries received by means of any defect in the condition of any bridge, street, sidewalk or thoroughfare, unless such action shall be commenced within one (1) year from the happening of the injury, or unless notice shall have first been given in writing to the mayor of said city, or the city clerk thereof, within thirty (30) days of the occurrence of such injury or damage, stating the place where, and the time when such injury was received, and that the person injured, will claim damages of the city for such injury, but the notice shall not be required when the person injured shall in consequence thereof be bereft of reason. Nor shall any such action be maintained for any defect in any street, until the same shall have been graded, nor for any insufficiency of the ground where sidewalks are usually constructed when no sidewalk is built.

SEC. 20. The time specified for the publication of any notice required to be published in the official paper of said city, under the city charter or of any of the provisions of the amendments thereto, shall commence with its first (1st) publication.

SEC. 21. That section five (5) of chapter three (3) of an act entitled "An act to reduce the law incorporating the city of St. Paul in the county of Ramsey, and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city into one act, and to amend the same," approved March fifth (5th) one thousand eight hundred and seventy-four (1874), is hereby amended so as to read as follows, to-wit:

Sec. 5. The law department of the city of St. Paul, shall consist of a corporation attorney and such legal assistants as the corporation attorney shall appoint, and the committee on ways and means of the common council of said city shall approve. The corporation attorney shall be the legal head, and have the control, supervision and direction of the law department of the city government, and of all the several heads and departments thereof; shall be elected by the common council of the city on the first (1st) Tuesday of March anno domini one thousand eight hundred and eighty-five (1885), and shall hold his office for the term of two (2) years thereafter, and shall receive a salary of five thousand dollars (\$5,000) per annum. He shall be the legal advisor of the mayor, the common council, and of the committees thereof, the board of public works, the board of education and the board of health; and he shall render and perform all the legal services incident to his office, and, when required shall furnish opinions upon such legal questions as may be submitted to him by the mayor, the common council, or any of its committees, or by either of the above named boards. He shall, in person, or by one of his assistants, to be by him designated for that purpose, attend the stated and special meet-

ings of the common council, the board of public works, the board of education and the board of health, and shall also render and perform such other duties as may be prescribed by the common council, by ordinance. The law department of the city shall be allowed such clerical force, as shall be required for the prompt and efficient dispatch of the business of that department. The corporation attorney and the first assistant, shall be required to give their whole time and attention to the discharge of the duties of their respective offices, and shall have their offices at the city hall, or such other place as the common council shall designate and provide for. The assistant corporation attorneys, shall hold office during the pleasure of the corporation attorney, who shall appoint them, and shall receive such salary as shall be fixed upon and approved by the committee on ways and means of the common council and the corporation attorney. The board of public works, the board of education and the board of health, and each of them, are hereby prohibited from retaining, feeing or employing an attorney for their respective boards, and it is hereby made the duty of said boards, and of each of them, whenever the advice, opinion or services of an attorney is required by either of said boards, either at the meetings of their respective boards, or at any other time, or upon any other occasion, to call upon the corporation attorney, whose duty it shall be either by himself in person, or by one of his assistants to be by him designated for that purpose, to give such advice, furnish such opinions, or render such services, as may be required by such boards or by either of them. The corporation attorney shall be allowed a sum not exceeding eighteen hundred dollars (1,800) per annum for clerk hire for the law department. The salary of such assistants as shall be appointed by the corporation attorney with the approval of the committee on ways and means of the common council, shall be such sum per annum for each of such assistants, as shall be fixed upon and approved by said committee on ways and means and said corporation attorney. The salaries of the corporation attorney and his assistants and clerks shall be paid monthly.

SEC. 22. That section thirty-nine (39), chapter seven (7), title one (1) of an act entitled "An act to reduce the law incorporating the city of St. Paul, in the county of Ramsey and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city, into one act, and to amend the same," approved March fifth (5th), one thousand eight hundred and seventy-four (1874), as amended by section twelve (12) of an act entitled "An act to reduce the law incorporating the city of St. Paul, in the county of Ramsey and state of Minnesota, and the several acts amendatory thereof, and certain other acts relating to said city, into one act, and to amend the same," approved March fourth (4th), one thousand eight hundred and seventy-five (1875), is hereby further amended, by adding thereto at the end thereof the following, to-wit; "Upon the trial in the district court of an appeal from any assessment charged in any special assessment warrant, whether made by reason of the appropriation or condemnation of land, or for any other improvement whatsoever, under the provision of this chapter, the testimony of members of the board of public works shall not be competent to prove the question of damages arising or benefits derived from such improvement, but said court shall, on such trial upon questions of damages and benefits, give

to the official acts of said board in making said assessments, same weight at least as it would and should give to the testimony of an equal number of disinterested and specially qualified expert witnesses. Upon questions of fraud in fact, or a demonstrable mistake of fact, on the part of the board in making such assessments, the testimony of the members of said board shall also be competent, and shall be received by said court, on such trial, upon all questions relating to the situation and topography of lots, blocks and parcels or tracts of land and the improvements thereon, and also to show the reason for and the way and the manner of making such assessments, and upon all questions relating to or in any way or manner affecting such assessment, except said question of damages and benefits.

SEC. 23. The common council may, by a two-thirds ($\frac{2}{3}$) vote of all the members elect of said council, whenever in their judgment the public interest and convenience will be subserved thereby, reform the ward boundaries of the city, and the boundaries of the aldermanic districts of said city; *Provided, however,* That the number of wards in the city shall not be increased by such reformation, unless the legislature of the state, previous to the first (1st) day of April one thousand eight hundred and eighty-five (1885), shall make a re-arrangement of the wards of said city.

SEC. 24. The mayor, together with the building inspector and the president of the board of fire commissioners, by and with the consent of the common council, is hereby authorized to appoint some competent person as fire warden, said fire warden shall hold his office for two (2) years and until his successor shall have been appointed and qualified, and shall receive such compensation as the common council may from time to time determine, not to exceed twelve hundred (1,200) dollars per annum, and he shall perform such duties as may be required by ordinance or otherwise of the common council of said city, and shall be subject to the directions and control of the building inspector until otherwise ordered by the common council.

SEC. 25. The common council of the city of St. Paul is hereby authorized to purchase the index, transfer and plat books now in the office of the city treasurer and owned by said city treasurer, at a price or sum not to exceed two thousand (2,000) dollars, and when so purchased the same shall be a part of the public records of the city treasurer's office, and shall be kept by the city treasurer as part of the public records of his office.

SEC. 26. The salary of the health officer of said city shall be three thousand (3,000) dollars per annum, to commence on the first (1st) day of November, one thousand eight hundred and eighty-four (1884), and whose term of office after the next election shall be four (4) years. The salary of the chief of police shall be twenty-two hundred (2,200) dollars per annum. The salary of the captain of police shall be seventeen hundred (1,700) dollars per annum. The salary of the lieutenants of police shall be twelve hundred (1,200) dollars each per annum. The salary of the sergeants of police shall be one thousand (1,000) dollars each per annum. The salary of the chief of detectives shall be fifteen hundred (1,500) dollars per annum, and the salary of the detectives shall be twelve hundred (1,200) dollars each per annum. The salary of the city comptroller, commencing with the year one thousand eight hundred and eighty-five (1885), shall be thirty-five hundred

(3,500) dollars per annum. The salary of the city comptroller's clerk shall be twelve hundred (1,200) dollars per annum, and the comptroller shall have such additional clerks for a period of six (6) months, commencing January first (1st) one thousand eight hundred and eighty-five (1885), as the committee on ways and means of the common council may approve. And there shall be allowed and paid to the city clerk the sum of one thousand (1,000) dollars per annum for an assistant.

SEC. 27. Section three (3) of chapter ninety-three (93) of special laws of one thousand eight hundred and eighty-one (1881) is hereby amended to read as follows:

Sec. 28. That the board of public works shall, so soon as the vacancies occurring from the expiration of the terms expiring in March one thousand eight hundred and eighty-five (1885), shall be filled and the new board organized meet as soon as practicable and select a competent and scientific person as civil engineer of said board; said person to be *ex-officio* city engineer. Such engineer shall be elected by a *viva voce* vote of two-thirds ($\frac{2}{3}$) of all the members of such board, and his term of office shall be for one (1) year. Such engineer shall perform all the civil engineering officially required by said board, and neither said engineer nor his deputies or clerks shall perform any other service, except connected with their official duties, while in office. Such board shall, whenever the office of said engineer becomes vacant, meet and in like manner elect such engineer.

SEC. 29. Each alderman of the city of Saint Paul shall receive compensation at the rate of one hundred dollars (\$100) per annum, which shall be in full of all services of every kind and nature as such, including any other office or employment, to which he may be elected or appointed by the common council; *Provided, however,* That nothing herein contained shall prohibit any alderman who may serve upon the board of equalization and abatement of Ramsey county from receiving such compensation for that service as may be provided by law; and the city comptroller is forbidden to audit, and the city treasurer to pay any sum of money to any person who may hold the office of alderman for any service, except as above provided. *Provided,* That this section shall not apply to any alderman now in office during his present term.

SEC. 30. The county auditor of Ramsey county is hereby authorized and instructed to draw his warrant upon the treasurer of Ramsey county, in favor of the board of education of the city of Saint Paul for any money now in the treasury of Ramsey county, or that may be hereafter collected, belonging to said board of education, and known as the collections from the Dakota county delinquent taxes.

SEC. 31. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SEC. 32. This act shall take effect and be in force from and after its passage.

Approved March 2, 1885.