

CHAPTER XIX.

An Act to amend an Act to incorporate the City of Rochester. February 14, 1866

- SECTION 1.** Amends the incorporation act of the city of Rochester by defining the duties of the City Attorney.
2. Gives additional powers to City Council.
 3. Provides for the cost of public improvements.
 4. Defines duties of Street Commissioner.
 5. Enables the Common Council to create road districts, collect poll tax, etc.

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

SECTION 1. That section six, chapter five, be amended so as to read as follows: Amendment of
Incorporation
Act.

“**SEC. 6.** The attorney for the city shall perform all professional duties incident to his office, and, when required shall furnish written opinions upon any subject submitted to him by the common council or its committee, and his salary shall be fixed by the common council.”

SEC. 2. That section two, chapter seven, be amended so as to read as follows:

“**SEC. 2.** The said council shall have power to annually levy a tax upon all taxable property in said city, not exceeding one thousand dollars per annum, to defray the current expenses of the city. Every qualified voter under fifty years of age in said city shall annually pay a capitation or poll tax of two days' work upon the highways, streets, alleys and bridges within the city, under the direction of the street commissioner, or in lieu thereof commute the same by paying to the street commissioner one dollar per day for the use of roads, streets and bridges.” Council may levy
tax.

SEC. 3. That section three, chapter nine, be amended so as to read as follows:

“**SEC. 3.** The cost and expense of surveying streets, alleys, sidewalks, sewers, and estimating work thereon, and repairing, cleansing and constructing streets, Public Improve-
ments—how
charged.

alleys and reservoirs shall be chargeable to and payable out of the city fund. Grading, gravelling, planting, macadamizing or paving streets and alleys to the centre thereof, shall be chargeable to and payable by the lots fronting on such street or alley within the line of improvement, so far as the work extends, and the whole expense thereof shall be assessed upon such lots in proportion to their assessed valuation.

“Sewers and drains communicating with main sewers may be built by order of the common council through any street or alley, for the purpose of draining the lots in the block fronting such street or alley, and in such case the expense thereof shall be assessed upon the lots so drained and benefited. *Provided*, That in all cases when improvements or work of any sewers are chargeable, by virtue of this section, upon lots benefited, all such improvements across streets, alleys, public grounds, shall be made and paid for out of the funds of the city, in proportion to the street, alley or public ground.”

Duties of Street Commissioner. SEC. 4. That section five, chapter nine, be amended so as to read as follows:

“SEC. 5. When the work provided for in the preceding section shall be placed under contract, the street commissioner shall give notice, by publication in the official newspaper of the city for ten days, that the expense thereof (in case of streets and alleys) will be assessed upon the lots fronting such street or alley, within the line of such improvement, in proportion to the assessed value thereof, and in case of sewers chargeable to the lots, as hereinbefore provided, that the lots in the block fronting such improvements, drained or benefited thereby, (which lots shall be designated in the notice,) will be assessed upon such lots according to their assessed value. Such assessment, when completed, shall be returned to the common council, and the common council shall fix a time for confirming the same, of which notice shall be given in the official newspaper of the city; upon the confirmation thereof a warrant for the collection thereof shall issue to the treasurer, and the same shall be levied and collected as other taxes are levied and collected.”

SEC. 5. That section sixteen, chapter twelve, be amended so as to read as follows:

"*SEC. 16.* The common council may constitute road districts and require the street commissioner to collect the capitation or poll tax. Such street commissioner shall have all the powers of road supervisors or overseers of highways of this State, and shall report to the common council when required. *Provided,* Such commissioner shall receive his compensation as supervisor or overseer out of the money collected for poll tax."

Approved February 14, 1866.

CHAPTER XX.

An Act to amend Section Thirteen of Chapter Ten of the Charter of the City of Saint Paul. February 23, 1866

- SECTION 1.** Amends Charter of Saint Paul so as to have the grade of all streets established under the direction of the City Surveyor, and profiles thereof recorded.
- 2.** When act to take effect.

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

SECTION 1. That section thirteen (13) of chapter ten (10) of the charter of the city of Saint Paul shall be amended so as to read as follows:

SECTION 13. The common council shall cause to be established, under the direction of the city surveyor, the grade of all streets, sidewalks and alleys in said city, and shall cause accurate profiles thereof to be made, one of which shall be recorded in the office of register of deeds of Ramsey county; and should the grade so established be at any time thereafter altered, all damages, costs and charges arising therefrom shall be paid by the city to the owner of any lot, or parcel of land or tenement which may be affected or injured

Amendment of city charter in reference to grading, etc.