

CHAPTER 401.

AN ACT to widen Fort street from the city limits of Saint Paul to Fort Snelling bridge, and also to open and extend Stewart avenue from the city limits to Fort Snelling bridge.

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

SECTION. 1. It is hereby made the duty of the county surveyor of Ramsey county to make a survey and plat of Fort Street from the city limits of Saint Paul to the Fort Snelling bridge, making said street eighty (80) feet wide, and also to survey and make a plat of Stewart avenue, extending said avenue from the limits of the city of Saint Paul to said Fort Snelling bridge, so as to make the line of said avenue conform to that part of said avenue which is now platted, said Stewart avenue to be sixty-six (66) feet wide, Said survey and plats shall show all the land through which said Fort street and Stewart avenue shall pass when so opened, extended and widened. Said plat and survey shall be filed in the office of the county auditor of said Ramsey county, on or before June first (1st), one thousand eight hundred and eighty-one (1881).

SEC. 2. After the filing of said plat in the office of the county auditor of said county as aforesaid, and in order to have the damages and benefits arising from the opening, extending and widening of said street and avenue ascertained and assessed, the county attorney of said Ramsey county shall file a petition in the district court in and for said county of Ramsey, in the name of the said county of Ramsey, praying for the appointment of commissioners to assess the benefits or damages, as the case may be, and he shall give notice to all parties interested of the time and place of such hearing, which notice shall be at least ten days prior to such hearing. That upon proof of the service of such notice being filed, the parties shall be deemed in court, and the court to have jurisdiction of the property and parties, and shall appoint three competent, disinterested persons as commissioners, and fix a time and appoint a place at which they shall meet and organize and hold their first meeting, and notice of such meeting shall be entered in the minutes of said court. That the commissioners shall be sworn and shall meet at the time and place specified in the order, and when met may proceed to hear the proofs and allegations of the parties and are authorized to administer oaths to witnesses before them, and shall keep minutes, in writing, of all their proceedings, in which they shall enter the time and place of their meetings and adjournments, the names of parties appearing before them, and whether in person or by attorney, the substance of the testimony of witnesses examined before them, and all disputed questions which shall be submitted to them, and their decision thereon.

SEC. 3. They shall then make and file with their minutes a report, which report shall have the force and effect of a verdict of jury, and after filing thereof in court judgment shall be entered therein as in cases of verdicts in civil actions and with like force and effect and subject to like proceedings upon appeal, as are now provided for in civil actions in such court.

SEC. 4. If the damages as assessed by said commissioners exceed the benefits assessed, then said excess, together with the expenses and per diem of the commissioners, surveyor and employees shall be paid by the county of Ramsey.

SEC. 5. All benefits assessed by said commissioners shall be a lien upon the lands or lots on which said benefits are assessed, and if the same are not paid to the county treasurer of Ramsey county within ninety (90) days after the filing of the report of said commissioners, then and in that case, the county attorney shall apply to the district court in and for Ramsey county, for judgment against such lands or lots, which judgments shall be enforced in the same manner as judgments for delinquent taxes are enforced by virtue of chapter eleven (11) General Statutes of one thousand eight hundred and seventy-eight (1878).

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 19, 1881.

CHAPTER 402.

AN ACT to detach certain territory from the township of Rose, and attach the same to the township of Reserve, in Ramsey county, in this State.

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

SECTION 1. That so much of the southwest quarter (SW $\frac{1}{4}$) of section thirty-two (32) as lays in the township of Rose, in Ramsey county, in this State, be detached from said township of Rose and be attached to the township of Reserve, in Ramsey county, in this State.

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

Approved March 3, 1881.