

CHAPTER 196.

AN ACT 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 Stewart avenue, under the direction and supervision of the commissioners named in a bill to authorize the county of Ramsey to issue certificates of indebtedness for the improvement of Fort street road, extending said avenue from the limits of the city of St. Paul to Fort Snelling bridge, so as to make the line of said avenue so extended conform to that part of said avenue which is now platted, and to be sixty-six (66) feet wide. Said survey and plat shall show all the land through which said Stewart avenue shall pass when so opened and extended. Said plat and survey shall be filed in the office of county auditor of said Ramsey county, on or before June first, A. D. 1882.

SEC. 2. After the filing of said plat in the office of the county auditor of said county aforesaid, and in order to have the damages and benefits arising from the opening and extending of said avenue ascertained and assessed, the county auditor of said Ramsey county shall file a petition in the district court in and for said county of Ramsey, in the name of 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 twenty days prior to such hearing, that open 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 upon 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 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 upon 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 judgment 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 November 21, 1881.

CHAPTER 197.

AN ACT FOR FUNDING CERTAIN COUNTY BRIDGE ORDERS, OF THE COUNTY MARSHALL.

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

SECTION 1. The board of county commissioners of the county of Marshall is hereby authorized, and it shall be their duty to issue the bonds of Marshall county Minnesota, to an aggregate amount not to exceed twenty-five hundred (\$2,500) dollars, for the purpose of funding certain county bridge orders, according to the written terms of said orders and the agreement heretofore made with the holders thereof before issuance by the said commissioners.

SEC. 2. Said bonds shall be dated December first (1st), A. D., one thousand eight hundred and eighty-one (1881), and in such denominations as the said commissioners shall designate; both principal and interest shall be made payable at the German American Bank, St. Paul, Minnesota; the bonds to be of the usual form with interest coupons attached.

SEC. 3. It shall be the duty of the proper authorities of said county to annually include in a general tax, (and such monies received from such tax shall be used for no other purpose.) an amount sufficient to pay the principal and interest maturing on said bonds for the year next ensuing after such levy.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved October 24, 1881.