

description of the lots or parcels of land on which the same are chargeable, to the auditor of Winona county, to be by him entered upon the tax duplicate for the ensuing year, and assessed and levied on the lots or parcels of land on which the same are respectively chargeable, and the same shall thereupon be collected in the same manner as other taxes on real estate are collected.

SEC. 8. All work for the city, whether under the provisions of this chapter or otherwise, shall be let to the lowest responsible bidder therefor, except such incidental repairs or improvements as in the opinion of the city council cannot judiciously be let by contract; and in case notice is not already provided for by law the city council shall direct that notice be given by publication in the official newspaper or newspapers, for such length of time as the council may prescribe; that proposals or bids will be received by the city recorder for the doing of such work so to be let, and will be submitted to the city council at a time and place to be specified in the notice.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 2, 1885.

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## CHAPTER 25.

AN ACT ENTITLED "AN ACT TO AMEND SECTIONS ONE (1) AND TWO (2) OF CHAPTER SIX (6) AND SECTION NINE (9) OF CHAPTER NINE (9), ALL OF CHAPTER FORTY-SEVEN (47) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), ENTITLED 'AN ACT TO INCORPORATE THE CITY OF WASECA,'"

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

SECTION 1. That section one (1) of chapter six (6) of chapter forty-seven (47) of the special laws of one thousand eight hundred and eighty-one (1881) be amended so as to read as follows:

Section 1. The common council may order sidewalks to be constructed in front of and along any one or more lots or parcels of land in said city, at the expense of such lot or parcel of land, upon the petition of not less than six (6) legal voters and householders residing within one-half ( $\frac{1}{2}$ ) mile of some portion of the sidewalk petitioned for; which petition shall be in writing and describe the lot or parcel of land to be affected thereby. Whenever any such petition shall be received by the common council, the common council shall fix and enter upon the records a time and place when and where such petition will be acted upon, which time shall not be less than ten (10) days nor more than twenty (20) days from the date of the reception of such petition; and

shall give notice to all persons owning or claiming an interest in or lien upon such lot or parcel of land, and to all persons interested in the ordering of such sidewalk, of the reception of such petition and of the time and place when and where such petition will be acted upon, by publishing a notice thereof in the official paper of the city two (2) times, the last of which publications shall be at least two (2) days before the day of hearing; and in such notice the several lots or parcels of land shall be described with reasonable certainty. Upon such notice being given the common council shall have jurisdiction to order such sidewalk constructed at the expense of each lot or parcel of land upon which such sidewalk is ordered, and to enforce the construction thereof as hereinafter provided. The common council shall meet at the time and place so fixed, and shall hear all reasons for or against the ordering of the construction of such sidewalk, and may adjourn from time to time; and after such hearing, if the common council determine that the public convenience will be promoted by the building of such sidewalk, and that the expense is not disproportionate to the benefits conferred, the common council shall order such sidewalk to be constructed at the expense of each lot or parcel of land upon which it is to be constructed, and in such order shall determine the materials of which it shall be constructed, its width and any other necessary specifications for the building of the same, and also the time within which such sidewalk may be constructed by the owner of the lot or parcel of land affected thereby, which time shall not be less than twenty (20) days. Such order shall be published once in the official paper of the city at least ten (10) days before the time expires within which such sidewalk may be constructed by the lot owner. If such sidewalk so ordered, or any portion of the same, be not constructed by the owner within the time specified in such order, the common council shall cause the same to be built by and under the direction of the street commissioner. The street commissioner shall keep an accurate account of the cost of building the same upon and over each lot or parcel of land and shall forthwith report the same to the common council. After receiving such report the common council shall assess the cost of such sidewalk over each lot upon each lot separately, and which amount shall thereupon become a lien upon such lot or parcel of land; and at or before the time required by law for reporting to the auditor of Waseca county the taxes levied for that year, the recorder shall certify the amount of such special assessment and the lot or parcel of land affected thereby to said county auditor, and thereupon it shall be the duty of said auditor to extend such special assessment against such lot or parcel of land in the next annual tax duplicate, and the same shall be collected and paid over in the same manner as other taxes on real property; *Provided, however,* That in all cases the common council may order that a portion of the cost of such sidewalk over any one or more parcels of land shall be paid from the city treasury.

SEC. 2. That section two (2) of chapter six (6) of chapter forty-seven (47) aforesaid be amended so as to read as follows:

Sec. 2. Any sidewalk heretofore or hereafter constructed and suffered by the land owner to remain in front of or along any lot or parcel of land in said city, that shall become out of repair and be deemed dangerous by the common council, whether such sidewalk shall have

been constructed under the order of the common council or not, the common council shall cause the street commissioner to notify the owner or occupant of such lot or parcel of land to repair the same, in such manner as the common council shall direct, within four (4) days from the date of giving such notice; such notice shall be in writing, and be served by copy upon the owner or occupant; and if the lot or parcel of land be unoccupied and the owner be not a resident of the city, then such notice shall be given by publishing the same one time in the official paper of the city. The owner or occupant of such lot or parcel of land may within two days petition the common council for a rehearing upon such order by filing a petition therefor with the recorder. If such repairs are not made, and if no petition for rehearing has been filed, the common council shall, after the times herein limited, order such repairs to be made by the street commissioner; and the cost of such repairs shall be kept and returned by the street commissioner, and a special assessment of such cost shall be made by the common council, and such special assessment shall be certified by the recorder to the county auditor, and extended by the county auditor on the tax duplicates, and the amount collected and paid over, as provided in section one (1) hereof for a new sidewalk.

SEC. 3. That section nine (9) of chapter nine (9) of said chapter forty-seven (47) be amended by adding thereto the following proviso: "Provided, That such elections shall be conducted by the board of education; shall be held from seven (7) to nine (9) o'clock in the afternoon; shall be by ballot; and the clerk of the board of education shall record the name of each voter as his or her vote is deposited. Any member of the board of education may, upon challenge of any person offering to vote, administer to such person the oath required by section sixty-eight (68) of chapter one (1) of the general statutes of one thousand eight hundred and seventy-eight (1878), and examine such person as to his or her qualifications as a voter; and any person so sworn, who shall make answer falsely, shall be guilty of perjury.

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

Approved March 2, 1885.