

## CHAPTER 44.

(S. F. No. 501.)

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO AMEND AND CODIFY THE CHARTER OF THE CITY OF HASTINGS, IN THE COUNTY OF DAKOTA, MINNESOTA, APPROVED MARCH FOURTH (4TH), ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE (1871.)

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

SECTION 1. The city council of the said city of Hastings may cause to be established, from time to time, the grade of all streets, alleys and sidewalks in said city, and when the same may be established, after the passage of this act, said city council shall cause accurate profiles thereof to be made and kept in the office of the city clerk.

SEC. 2. Whenever the city council shall deem it necessary to construct or repair any sidewalk in said city, they shall cause to be published in the official paper of the city for at least two (2) successive weeks, a notice to the owners and occupants of any lot, lots or parcel of land adjoining such sidewalk, to construct and repair the same, which said notice shall also set forth the character of the work to be done and the time within which they are required to do the same, and the said council of said city shall, within one (1) week after the first (1st) publication of such notice, cause a copy thereof to be served upon the owner of the property adjoining such sidewalk, as well as upon the occupant of the premises, if the same are not actually occupied by the owner, provided that said owner and occupant can be found within the limits of said city, said notice may be served personally by handing a copy of the same to such owner and occupant by the chief of police of said city, or if such owner or occupant cannot be so found, then by leaving a copy of the same at his last usual place of abode, and the return of said chief of police showing such service shall have the same effect and shall be received in evidence in all courts as proof of such service, the same as the return of the sheriff of the service of process. Should the owner of the property be a non-resident and his address be known to the city clerk, it shall be the duty of such officer to enclose such notice in an envelope directed to said owner, with the postage fully prepaid thereon, and deposit the same in the United States post office at Hastings, Minnesota, and the affidavit of such clerk shall be evidence in all courts of such fact, and should the address of such non-resident be unknown to the city clerk, his affidavit to that effect shall be evidence thereof; such affidavits and the return of the officer making the service herein provided, may be recorded in the office of the register of deeds of the county of Dakota and the record of the same shall also be received in evidence in all courts.

SEC. 3. If such work is not done and the said sidewalk not built or repaired in the manner and within the time prescribed and spec-

ified in the notice set forth in the preceeding section, it shall be the duty of the said council to order the same to be done and the expenses of constructing or repairing said sidewalk (as the case may be) shall be assessed against such lot, lots or parcels of land by resolution of said council, and shall become a lien upon the said property as in the case of city, county and state taxes.

SEC. 4. If the said assessment is not paid before the first (1st) day of September, it shall be the duty of the city treasurer to report such fact to the city council and it shall be the duty of the city council to cause a statement of the same to be transmitted to the auditor of the county of Dakota within twenty (20) days thereafter and the said auditor shall insert the same with other taxes in the statement of taxes transmitted to the county treasurer for collection, and payment of the said assessments shall be enforced with and in like manner as the city, county and state taxes are enforced, and in such collection and enforcement shall be treated as if they were a part of the same.

SEC. 5. The common council shall have power to fully prescribe the width of sidewalks, and may establish different widths in different localities, and determine the kind of material of which they shall be constructed.

SEC. 6. All laws inconsistent with the foregoing enactment are hereby repealed, such repeal however only modifying such portion of the charter of said city as relates to collection and making of assessments for the construction and repair of sidewalks.

Approved March 3, 1887.

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## CHAPTER 45.

[H. F. No. 664.]

AN ACT TO INCORPORATE THE CITY OF EAST GRAND FORKS IN POLK COUNTY.

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

### CHAPTER I.

SECTION 1. All that part of the county of Polk contained within the limits and boundaries hereinafter described, shall be a city by the name of "East Grand Forks," and the people now inhabiting, and those who shall hereafter inhabit, within the district of country herein described, shall be a municipal corporation by the name of the city of East Grand Forks, and shall have the general powers possessed by municipal corporations at common law, and in addition thereto shall possess the powers hereinafter specifically granted, and the authorities thereof shall have perpetual succession, shall be capable of contracting and being contracted with; of suing and being sued; pleading