

all sewer, water and gas connections that may be deemed expedient or necessary.

SEC. 2. That the cost of this work shall be assessed upon the property benefited, in the same manner as any other local improvement.

SEC. 3. This act shall take effect from and after its passage.

Approved February 26, 1887.

CHAPTER 48.

[H. F. No. 482.]

AN ACT TO AMEND THE CHARTER OF THE CITY OF ST. PAUL AND THE ACTS AMENDATORY THEREOF.

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

SECTION 1. The city comptroller of the city of St. Paul shall report annually to the common council, on or before the first (1st) day of October, an estimate of the expenses of the city, and likewise the revenue necessary to be raised for the current year.

SEC. 2. The fiscal year of the city of St. Paul, board of education and all other boards or departments of said city, shall commence on the first (1st) day of January of each year, and the reports provided for and authorized by section eight (8) of an act to amend the charter of the city of St. Paul and acts amendatory thereof, approved the second (2nd) day of March, one thousand eight hundred and eighty-five (1885), from and after the passage of this act, shall be made to the mayor and common council on or before the first Tuesday in April in each and every year after the close of the fiscal year next preceding.

SEC. 3. The common council of the city of St. Paul, in addition to its present power, shall have authority:

First—To control and regulate the construction of buildings, chimneys and stacks, the emission of dense smoke, and to prevent and prohibit the erection or maintenance of any insecure or unsafe building, stack, wall or chimney, or the emission of dense smoke in said city, and to declare them to be nuisances, and to provide for their summary abatement; and in addition thereto, by ordinance may authorize the imposition of such fine and imprisonment as it may deem proper, not to exceed, however, a fine of one hundred dollars (100), or ninety (90) days imprisonment in each case.

Second—To provide for the killing of dangerous or vicious dogs within said city, and to punish by fine or imprisonment the owner or keeper of any such dog who refuses to deliver up the same to be killed.

Third—To restrain, regulate and license porters, runners, agents and solicitors for steamboats, vessels, railway cars, public houses or other establishments, as well as ticket brokers, ticket agents, and emigration and steamship agents.

Fourth—To restrain, regulate and license intelligence and employment offices and agents, and shall have the power to compel such persons or agents to give bond with such sureties as the said common council may provide, in a sum not exceeding five thousand dollars (\$5,000), conditioned for the payment of any and all damages which any person may sustain by reason of the improper or wrongful acts of such intelligence or employment agents in such capacity or by reason of any false information given by such agent, and any person injured by any of such improper or wrongful acts or false information, may sustain an action on such bond against such agent and said sureties, in any court having jurisdiction thereof.

Fifth—To restrain, control and regulate the cutting of ice in the Mississippi river, Lake Como and Lake Phalen, and to prevent the sale, within the city limits, of any ice cut from the aforesaid places or either of them.

Sixth—To appropriate not exceeding twenty thousand dollars (\$20,000) in any one (1) year from the city treasury for such purposes as it may deem proper to advance the interests of the city, and to authorize the issue of certificates of indebtedness therefor if there shall be no money in the treasury applicable to the payment of said appropriation at the time it is made; *Provided, however*, such order or appropriation shall be passed by the votes of at least three-fourths ($\frac{3}{4}$) of the aldermen elect, such vote to be entered by ayes and noes on the records of said common council.

SEC. 4. Fines, penalties and punishments imposed by the common council for the breach of any ordinances, by-law or regulation of said city, may extend to fine not exceeding one hundred dollars (\$100) and imprisonment in the workhouse not exceeding ninety (90) days, or both, and to be fed on bread and water at the discretion of the judge of the municipal court, and offenders against any ordinance, by-law or regulation as aforesaid, may be required to give security to keep the peace not exceeding six (6) months, and in a sum not exceeding five hundred dollars (\$500).

SEC. 5. In all cases of a prosecution in the municipal court of the city of St. Paul for a breach or violation of an ordinance, by-law or regulation of said city, or its charter, or for an assault and battery, or breach of the peace, or affray, or other offence not indictable, committed within the limits of said city, in case of conviction therefor no stay of proceedings for the purpose of an appeal or otherwise shall be granted either by said municipal court, or the supreme or any other court of the state of Minnesota unless the fine and costs imposed upon such conviction are first paid; *Provided, however*, that when any fine is paid under such conviction and the judgment is reversed, the fine so paid shall be refunded by the city of St. Paul.

SEC. 6. That section twenty-one (21) of chapter seven (7) of the special laws of Minnesota for one thousand eight hundred and eighty-

five [1885], being an act entitled "An act to amend the charter of the city of St. Paul and the acts amendatory thereof," approved March second [2nd], one thousand eight hundred and eighty-five [1885], be and the same is hereby amended by inserting in the sixteenth [16] line of said section, after the words "one thousand eight hundred and eighty-five [1885]," the words "and on the second [2nd] Tuesday of March every two [2] years thereafter."

SEC. 7. It shall be the duty of the superintendent of the St. Paul workhouse to provide and keep a book in which shall be entered a record of all infractions of the published rules and discipline of the said workhouse, with the name of the convict offending, and the date and character of each offense, which record shall be submitted to the directors of said workhouse at each regular meeting of the said directors; and every convict who shall have been sentenced for a term of one (1) or more years, who shall, at the end of the first (1st) month of his imprisonment, have no infraction of the discipline of the prison recorded against him, shall, for the first (1st) month, be entitled to a diminution of two (2) days from the term of his sentence; and if, at the end of the second (2d) month, no infraction of the rules is recorded against him, four (4) additional days of diminution from the sentence; and if he shall continue to have no such record against him for the third (3d) month, his time of sentence shall be shortened six (6) additional days; and if he shall so continue for the subsequent months, he shall be entitled to six (6) days diminution of time from his sentence for each month he shall so continue his good behavior; and if any convict shall so pass the whole term of his service, or the remainder of his sentence after the passage of this act, (providing he shall have the term of one (1) year yet to serve), he shall be entitled to a certificate thereof from the superintendent, and upon the presentation thereof to the managers, he shall be entitled to a restoration of his rights of citizenship, which may have been forfeited by his conviction; and it shall be the duty of the superintendent to discharge such convict from the workhouse when he shall have served out the time of his sentence, less the number of days he may have been entitled to have deducted therefrom, in the same manner and as if no deduction had been made; *provided*, That if such convict shall be guilty of a violation of any of the printed and published rules of the workhouse, after he shall, as provided in this act, have become entitled to a diminution of his time of service to which he has been sentenced; the directors shall have the power to deprive, at their discretion, such convict of a portion, or all (according to the flagrancy of the violation of discipline), of the diminution of the term of sentence to which he had been previously entitled by this act.

SEC. 8. The owner or owners of lots or parcels of land fronting upon any street or alley within the limits of the city of Saint Paul, shall, within twenty-four hours after the fall of any snow, or the formation of any ice by reason of any snow or rain, clear the sidewalk in front of said premises of all accumulation of snow or ice.

SEC. 9. In case of the neglect or refusal of the owner or owners of any lots or parcels of land to comply with the above section, it shall

be the duty of the city engineer to do said work, and to keep an accurate account of the cost thereof, and said engineer shall, on or before the first day of June next succeeding the time when the work was done, return a sworn statement of the cost of the work in front of each separate piece of property, to the county auditor of Ramsey county, as delinquent taxes for collection; which amount shall be a lien upon such lot or parcel of land.

SEC. 10. It shall be the duty of the county auditor to extend on his rolls for collection, the amounts returned by the city engineer against the said property in said statement aforesaid, and if not paid within the time prescribed by law, then the same shall become a lien upon said real estate, and said real estate shall be subject to the penalties and charges as property delinquent for taxes for county and state purposes.

SEC. 11. All moneys collected or paid into the treasury of Ramsey county on account of the said assessment or tax, shall be paid over from time to time to the city of Saint Paul for the use of the general fund of said city.

SEC. 12. The police department of the city of Saint Paul shall consist of the mayor, who shall be the chief executive officer, and head of the department; a chief of police, four (4) captains, five (5) lieutenants, eight (8) sergeants, one (1) chief of detectives, four (4) detectives, and as many policemen, patrolmen, and police officers as may be authorized by the common council of said city, with the approval of the mayor.

The mayor shall appoint the chief of police, the captains, the detectives, the sergeants, and all policemen, patrolmen and police officers, at any time appertaining to the police department of said city, and by whatever name designated, with the advice and consent of the common council; but no person shall be eligible to the appointment as policeman, patrolman, or other police officer, who is not a citizen of the United States, or under the age of thirty-five (35) years, able to read and write the English language, a resident of the city of St. Paul for at least two (2) years preceding his appointment, and who is not of good health and physique, the standard of admission into the army of the United States, as established by examination, to govern in this particular; and any officer or member of the police department who may be appointed by the mayor, may be removed by him from office whenever, in his opinion, the welfare of the city demands such removal. *Provided*, That such removal shall not take effect until notice thereof is given to the common council, and the action of the mayor is concurred in by a majority vote of the entire number of the members elect of said council, and such removal may be made without charges having been made by the mayor of said city, by two-thirds ($\frac{2}{3}$) vote of all members elect of said common council; and *provided, also*, that the mayor may remove any officer or member of said police department any time within six (6) months from the date when such officer or member shall be appointed as in this section.

Provided, in case of riots, such other policemen as he may deem necessary for the preservation of the public peace, and at the request

of any corporation, firm or persons, may appoint and commission one (1) or more special policemen to do duty for said corporation, firm or persons, which special policeman shall have all the authority now conferred by law upon policemen.

Provided, however, that such special policemen shall receive no compensation from the city of Saint Paul.

The detective force of the city of Saint Paul shall be under the charge and control of the chief of police, who shall have authority to suspend any or either of them from duty, whenever, in his opinion, the good of the service requires it, and while so suspended, they shall receive no compensation for services.

All officers and members of the police force appointed as in this section provided, severally hold their offices until vacated by death, resignation, or until they shall be removed as provided above. All officers, policemen, and patrolmen shall perform all the duties and be subject to, all the rules and regulations which are now, or may hereafter be prescribed by the common council.

SEC. 13. No person or persons shall carry on a business of plumbing, or engage in conducting plumbing or house-drainage until he or they shall first obtain a license as such plumber from the inspector of buildings, and no person shall receive such license who shall not furnish said building inspector with satisfactory evidence of his responsibility and skill to ply his trade in accordance with the rules and regulations of the common council, the board of water commissioners, the board of health and the inspector of buildings and the ordinances of said city; and who shall also have a place of business and reside within the limits of said city. And it shall be the further duty of every person or persons making an application for a license to carry on the business of plumbing, to accompany his or their application with a bond signed by two (2) or more sureties, in the sum of five hundred (500) dollars, to be approved by the inspector of buildings, conditioned that he or they will indemnify and save harmless the city of St. Paul from all accident and damage caused by negligence in either the execution or protection of his work, or for unfaithful or inadequate work done under and by virtue of his license; and that said license, as such, will also conform to all the conditions and requirements of the city for his or their government, or in default thereof will submit to such penalties as are or may be prescribed by the common council, board of water commissioners, board of health, or inspector of buildings.

The inspector of buildings shall have authority and power, whenever, in his opinion, any plumber in doing any plumbing or house drainage, violates any rule or regulation of the board of health, board of water commissioners, common council or inspector of buildings, to suspend said license; and it shall be the duty of the inspector of buildings to report his action in the premises to the mayor of the city, who, together with the city engineer, health officer and inspector of buildings, shall constitute a board before whom the subject matter of suspension of any and all plumbers licenses shall be inquired into, giving an opportunity to the holder of any suspended plumbers license

to appear before said board and make such statement or produce any proof which he may desire to introduce to aid him in his defense; after which said board shall render such decision in the case as they may deem just, and if, in the opinion of said board, the charges are well founded, they may revoke said license, or may impose a fine of not more than one hundred (100) dollars, upon payment of which to the building inspector, said license shall be restored. All fines received under the provisions of this section shall be paid into the city treasury.

The inspector of buildings is hereby authorized and directed to adopt and promulgate suitable rules and regulations for the construction of house-drainage and cess-pools, and to provide for the registration of master plumbers and persons engaged in the plumbing business of the city; *Provided*, That no cess-pool shall be permitted to drain into any sewer. *And provided further*: That nothing in this section shall be construed to apply to cess-pools in existence within the city limits at the present time, or their connections with or drainage into, any sewer.

Said inspector shall also establish a system of inspection and supervision over all house-drainage and cess-pools, and ventilation of the same, and appoint such inspectors as in his judgment may be necessary, at such compensation as may be approved by the common council. And any person who shall refuse or neglect to comply with all the requirements of said rules and regulations when promulgated, shall be guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine of not more than one hundred (100) dollars, or undergo an imprisonment not exceeding one (1) year, or both, in the discretion of the court.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved Feb. 22. 1887.

CHAPTER 49.

[H. F. No. 605.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF WINONA," APPROVED MARCH 9, 1885, BEING CHAPTER 115 OF THE SPECIAL LAWS OF THAT YEAR.

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

SECTION 1. That section two (2) of chapter one hundred and fifteen (115) of the special laws of one thousand eight hundred and eighty-five (1885) be amended by inserting the words "from the evidence," immediately after the word "appears," in the eleventh line of said section.