

The census, state and national, as the case may be, next preceding any such term of said court shall be resorted to in determining the number of inhabitants in any county; and, provided further, that nothing herein contained shall be so construed as to prevent the issuance of a special venire for a grand jury as now provided by law.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved April 24, 1889.

## CHAPTER 85.

[H. F. No. 684.]

AN ACT TO AMEND SECTION FORTY-EIGHT (48), OF CHAPTER THIRTEEN (13), OF THE GENERAL STATUTES OF A. D., EIGHTEEN HUNDRED AND SEVENTY-EIGHT (1878), BEING AN ACT RELATING TO ROADS, CARTWAYS AND BRIDGES, APPROVED THE EIGHTH (8TH) DAY OF MARCH, EIGHTEEN HUNDRED AND SEVENTY-THREE (1873).

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

SECTION 1. That section forty-eight (48) of chapter thirteen (13) of the general statutes of eighteen hundred and seventy-eight (1878) be and the same is hereby amended to read as follows, to-wit:

Roads,  
cartways and  
bridges.

SEC. 48. The same powers and duties in and by this chapter conferred and imposed upon town supervisors are also conferred and imposed upon the city and village councils of the several cities and villages throughout this state; and in addition, it shall be the duty of the city and village councils to appoint some qualified elector of each road district in the city or village to be overseer of roads for such district; and the overseers of roads, city and village clerks, justices of the peace, and the constables of the several villages in this state, shall exercise the same powers and perform the same duties and be subject to the same liabilities as are in and by this chapter conferred and imposed upon the town overseers of roads, town clerks, town justices of the peace and town constables; and all the provisions of this chapter shall be applicable to the several cities and incorporated villages in this state, unless otherwise provided for in their several charters; subject however, to the reservation made in the succeeding section in regard to incorporated cities.

When act to  
take effect.

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

Approved April 24, 1889.

## CHAPTER 86.

[H. F. No. 515.]

AN ACT TO AMEND SECTION EIGHTY-THREE (83) OF CHAPTER SIXTY-SIX (66) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), AS THE SAME IS AMENDED BY CHAPTER FORTY-TWO (42) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SEVEN (1887), RELATING TO LEGAL NOTICES.

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

Legal notices,  
publication of.

SECTION 1. That section eighty-three (83) of chapter sixty-six (66) of the general statutes of one thousand eight hundred and seventy-eight (1878) as amended by chapter forty-two (42) of the general laws of one thousand eight hundred and eighty-seven (1887), be and the same is hereby amended so as to read as follows:

"Section 83. The publication of legal notices, public statements, tax lists, or official proceedings, required by law or by an order of a judge or court to be published in a newspaper once in each week for a specified number of weeks, shall be made on the day of each week in which such newspaper is published, if a weekly newspaper, and if a daily newspaper, then upon some day on which such daily newspaper is published—not Sunday—and shall always be upon the same day of the week that it was first published; and all such publications shall be made in the English language, and shall not be made or published in any newspaper unless said newspaper shall have been published and circulated in the county where said notice, statement, tax list, or official proceeding is to be published, for at least one (1) year next preceding the date of the first publication thereof.

*Provided*, That if no newspaper has been previously published in said county for one (1) year, as above required, then the same may be published in any newspaper of general circulation in said county which has been published in said county for less than one (1) year, if there be one, but if there be neither, then in any newspaper published at the capital of the state, having a general circulation in the state."