

proceeded with, order the petition to be filed of record with the city clerk, who shall give notice by publication in the official paper of the city for four (4) weeks, at least once a week, to the effect that such petition has been filed, as aforesaid, and stating in brief its object, and that said petition will be heard and considered by the common council, or a committee appointed by them, on a certain day and place therein specified, not less than ten (10) days from the expiration of such publication. The common council or such committee as may be appointed by them for the purpose at the time and place appointed, shall investigate and consider the said matter, and shall hear the testimony and evidence on the part of the parties interested. The common council thereupon, after hearing the same, or upon the report of such committee in favor of granting such petition, may, by a resolution passed by a three-fourths ( $\frac{3}{4}$ ) vote of all the members elect, declare such public grounds, streets, alleys or highways, county, territorial or state roads, vacated, which said resolution, after the same shall go into effect, shall be published as in the case of ordinances; and thereupon, a transcript of such resolution, duly certified by the city clerk, shall be filed for record and duly recorded in the office of the register of deeds of the county of Ramsey, and no such vacation or discontinuance shall be effectual until such transcript shall be so filed for record, except in the case where a plat commission shall have approved and the common council shall have accepted the plat embracing the premises proposed to be vacated, and in and by which plat an equivalent amount of land shall have been dedicated to public use. No such vacation shall be valued until the value of the premises so vacated shall have been deposited in the city treasury, which value shall be fixed by resolution of the common council by three-fourths ( $\frac{3}{4}$ ) votes of all the members elect, and shall in no case be less than a proportionate average value of the abutting property, according to the last previous assessment for taxation."

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved March 20, 1889.

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## CHAPTER 28.

[H. F. No. 608.]

AN ACT AMENDING A PART OF THE CHARTER OF THE TOWN OF TAYLOR'S FALLS, CHISAGO COUNTY, AND ACTS AMENDATORY THERETO.

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

SECTION 1. That section thirty-five (35) of chapter five (5) of the charter of the town of Taylor's Falls, Chisago County, be and the same is hereby amended so as to read as follows:

Section 35. It shall be the duty of the town attorney, between the

fifteenth (15th) day of September and the first (1st) day of November of each year, to make report to the district court of Chisago county at any general term thereof, of all assessment warrants then unpaid in the hands of the county treasurer, asking for judgment against the several lots and parcels of land described in such lists of warrants for the amount of assessments, damages and costs respectively due thereon. The town attorney shall give one week's notice by publication thereof in the official newspaper of said town, or posting, of his intended application for judgment, which notice shall briefly specify the nature of the respective warrants upon which such application is to be made, and request all persons interested to attend at said term. The advertisement so published shall be deemed and taken to be sufficient and legal notice of the aforesaid intended application by the town attorney to such court for judgment and shall be held as sufficient demand and refusal to pay said assessments.

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

Approved March 7th, 1889,

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## CHAPTER 29.

[H. F. Fo. 183.]

AN ACT TO AMEND SECTION NINE (9) OF SUB-CHAPTER THREE (3) OF CHAPTER FIVE (5) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR (1874), ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF CANNON FALLS.

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

SECTION 1. The common council of said village by a vote of not less than two-thirds ( $\frac{2}{3}$ ) of the members present and constituting a quorum at any stated or special meeting, such vote to embrace a majority of all the members elect shall have power to lay out, open, alter and vacate public square, streets, grounds, highways and alleys, and to widen and straighten the same. *Provided*, that whenever it shall be required to take private property for the purpose aforesaid they shall proceed in the manner hereinafter provided.

1st. The common council upon ordering any improvement above mentioned to be made shall appoint three (3) commissioners who shall be disinterested freeholders and qualified voters of said village to view the premises and assess the damages which may be occasioned by the taking of private property or otherwise in making said improvement. Said commissioners shall be notified as soon as practicable by the village recorder of said village to attend at his office at a time to be fixed by him for the purpose of qualifying and entering upon their duties, and in case any such commissioner upon be-