

## CHAPTER 43.

[S. F. No. 224.]

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO AMEND AN ACT INCORPORATING THE CITY OF OWATONNA, AND THE SEVERAL ACTS AMENDATORY THEREOF.

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

SECTION. 1. That chapter seven (7) of the special laws of one thousand eight hundred and seventy-five (1875) and the several acts amendatory thereof be amended as follows: That the eleventh (11) subdivision of section five (5) of article four (4) of said chapter seven (7) be amended by adding after the word "inhabitants" in the sixth (6th) line of said subdivision the words "and to construct and maintain sewers."

SEC. 2. That said section five (5) of article four (4) of said chapter seven (7) be amended by adding thereto an additional subdivision at the end thereof as follows:

*Twenty-second—(a).* To construct and maintain water works and sewers in said city, and to enlarge, extend, relay and improve the same as it shall consider the public good shall require. *(b.)* Whenever in the construction, enlargement or extension of water works or sewers it shall in the judgment of the common council be necessary to take any private property, consisting of either land, buildings, water power or private property, the common council shall have power to acquire the same by purchase, or by condemnation, in the manner provided in article six (6) of this chapter and in such cases of condemnation, as well as purchase, a full title in fee simple shall vest in said city.

*(c.)* Whenever any water mains or sewers shall be laid, relaid or extended through any street or alley of said city, or in any portion thereof, the common council shall have the power to levy and collect by a special assessment upon the property on both sides of such street or alley fronting upon such improvement a tax of an equal sum per front foot without regard to cash valuation. *Provided*, that said assessment shall not exceed the sum of one dollar (\$1) per front foot on each side, against business property, and fifty (50) cents per front foot, on each side, against residence property, for water mains. And *provided* further that said assessment shall not exceed the sum of one (1) dollar per front foot, on each side, against business property, and fifty (50) cents per front foot, on each side, against residence property, for sewers.

And *provided* further, that in case of corner lots, only the number of feet equal to the narrowest front shall be assessed, and when such lot has been so assessed, the remaining portion of said lot not exceeding eighty (80) feet in case of a business lot, and ten (10) rods in case of a residence lot shall be exempt.

The cost not provided for by such assessment, including the constructing the same across streets and alleys and against property which is by law exempt from such assessment shall be paid out of

funds provided by the city at large, or raised by general taxation. *Provided*, that this amendment shall not be construed to in any manner repeal or abrogate article five (5) of this chapter.

SEC. 3. That section three (3) of article five (5) of said chapter seven (7) shall be amended as follows: By striking out in the fourth (4th) and fifth (5th) lines thereof the words "taxable inhabitants" and inserting in lieu thereof the words "legal voters."

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

Approved February 26th, 1889.

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## CHAPTER 44.

[H. F. No. 226.]

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTEEN (116) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), BEING AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF BRAINERD, CROW WING COUNTY, MINNESOTA.

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

SECTION 1. Section three (3) of chapter one hundred and sixteen (116) of the special laws of one thousand eight hundred and eighty-five (1885), is hereby amended by striking out the words "city of Brainerd" in the second (2d) line of said section, and inserting in lieu thereof the words "county of Crow Wing."

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

Approved February 8, 1889.

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## CHAPTER 45.

[S. F. No. 220.]

AN ACT TO AMEND SECTION SEVENTEEN (17) OF CHAPTER NINETY-THREE (93) OF THE SPECIAL LAWS OF THE YEAR EIGHTEEN HUNDRED AND EIGHTY-ONE (1881), RELATING TO THE POWERS OF THE COMMON COUNCIL OF THE CITY OF SAINT PAUL IN THE MATTER OF THE PURCHASE, LEASING AND SALE OF REAL ESTATE.

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

SECTION 1. That section seventeen (17) of chapter ninety-three (93) of the special laws of the year eighteen hundred and eighty-one (1881), be and the same is hereby amended so as to read as follows:

"Section 17. The common council of the city of Saint Paul shall