

and known as Oakwood cemetery and Austin cemetery, being in section thirty-four (34), all in township one hundred and three (103), range eighteen (18) west.

SEC. 2. That section five (5) of chapter five (5) be amended by adding the following sub-division:

*Forty-fifth*—The common council may appropriate from the general funds of the city derived from licenses and fines a sum not exceeding five hundred (500) dollars to aid in the expenses attending the G. A. R. encampment to be held at Austin during the month of June, one thousand eight hundred and eighty-nine (1889).

SEC. 3. That section six (6) of chapter two (2) be amended so as to read as follows: Whenever a vacancy shall occur in the office of mayor or alderman by death, removal, resignation or otherwise, the common council shall have power, and it shall be their duty, to declare the office vacant by resolution entered upon the minutes. Such vacancy shall be filled by the common council, and the person appointed to fill a vacancy shall hold his office and discharge the duties thereof until the next succeeding municipal election, with the same rights as the person whose office he may be appointed to fill.

SEC. 4. That section twelve (12) of chapter seven (7) of said act be amended by adding to said section the following proviso: *provided*, that the common council shall construct and maintain (until such land is platted) a sidewalk on the east side of the public highway from the north line of block fourteen (14) in Morgan's addition to Austin, northwesterly and north to the north entrance to Oakwood cemetery, the same to be constructed and built, as soon as the finances of the city will permit, within six months from the passage of this act.

SEC. 5. That sections sixteen (16) and seventeen (17) of said chapter seven (7) of said act be and the same is repealed.

SEC. 6. That section eighteen (18) of said chapter seven (7) of said act be and the same is amended by striking out the words "ninety (90) days," where the same occur in said section and inserting in lieu thereof the words "thirty (30) days."

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 27th, 1889.

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## CHAPTER 73.

[H. F. No. 514.]

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MINNEOTA, IN LYON COUNTY.

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

SECTION 1. That section three (3) of chapter twenty-six (26) of the special laws of one thousand eight hundred and eighty-one (1881), be amended so as to read as follows: The territory constituting said

village when organized shall be known and designated as road district number one (1) of said town of Eidsvold, and such territory shall be a separate election district for all elections and shall be entitled to elect an assessor, who shall perform the duties required of assessors by the general laws of this state, within the corporate limits of said village.

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

Approved March 15, 1889.

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## CHAPTER 74.

[S. F. No. 524.]

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF ELK RIVER, THE SAME BEING CHAPTER TWELVE (12) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND EIGHTY-ONE (1881) AS AMENDED BY CHAPTER SIXTY-EIGHT (68) OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND EIGHTY-FIVE (1885).

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

SECTION 1. That section fourteen (14) of chapter sixty-eight (68) of the special laws of eighteen hundred and eighty-five (1885), be and the same is hereby amended so as to read as follows :

Section 14. That the common council of said village shall have the same power in laying out, changing and discontinuing streets and highways in said village as are possessed by township supervisors in the matter of laying out, changing and discontinuing town roads, and the same proceedings shall be had and taken by and before the common council of said village in laying out, changing and discontinuing streets, alleys and highways within said village, as are taken by and before town supervisors in laying out, changing and discontinuing town roads.

SEC. 2. That sections fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19) and twenty (20) of said chapter sixty-eight (68), of special laws of eighteen hundred and eighty-five (1885) be and the same are hereby repealed.

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

Approved April 2, 1889.