

said original contract the sum of seventeen and three-fourths (17 $\frac{3}{4}$ ) cents per cubic yard for each and every cubic yard of material required to fully complete said contract according to the plans and specifications therefor over and above one hundred nine thousand eight hundred and seventy-five (109,875) cubic yards (being the amount of material estimated by the city engineer at the time of the making of said contract which would be required to complete the same), and such additional amount over and above one hundred nine thousand eight hundred and seventy-five (109,875) cubic yards, shall be paid for out of the general funds in the treasury of the city of St. Paul on the estimates of the same which may be allowed by said city engineer and the common council of said city; *Provided, however*, that said contract when so modified shall provide that the estimate of the city engineer as to the number of cubic yards so required and used for the complete execution of said contract (over and above said original estimate of one hundred nine thousand eight hundred and seventy-five (109,875) yards, shall be final and conclusive upon said Timothy Sweeney and the city of St. Paul.

SEC. 2. *Provided, further*, that the total amount paid to the said Timothy Sweeney by the said city of St. Paul by virtue of this act, in addition to the contract price mentioned in the said original contract, shall not exceed five thousand (5,000) dollars; *And provided further*, that neither said city engineer nor said common council nor any other officer of said city shall allow or approve or pay any portion of said sum until said city engineer shall have certified in writing that said Langford park grading has been fully completed by said Sweeney so as to leave the same in the condition required by said original contract, and any person violating any of the provisions of this act shall be deemed guilty of embezzlement, and upon conviction thereof before the district court, which is hereby given full jurisdiction in the premises, shall be punished as now provided by law in cases of embezzlement; *And provided further*, that no further assessment shall be made against any property claimed to be locally benefited by said Langford park improvement.

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

Approved April 20, 1891.

## CHAPTER 40.

[H. F. No. 662.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CONFIRM AND CONTINUE THE PRESENT MUNICIPAL COURT OF THE CITY OF ST. PAUL, IN THE COUNTY OF RAMSEY, IN THE STATE OF MINNESOTA, AND TO ENLARGE THE JURISDICTION OF SUCH COURT, TO REGULATE THE PRACTICE AND PROCEDURE THEREOF, AND TO PROVIDE AN ADDITIONAL JUDGE THEREFOR."

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

SECTION 1. That section twelve (12) of an act entitled "An act entitled an act to confirm and continue the present municipal court of the city of St. Paul, in the county of Ramsey, state of Minnesota, and

to enlarge the jurisdiction of such court, to regulate the practice and procedure thereof and to provide an additional judge therefor," approved April twenty-fourth (24th), one thousand eight hundred and eighty-nine (1889), be and the same hereby is amended by adding at the end thereof the following: "It is hereby made the duty of the clerk of the municipal court of the city of St. Paul, forthwith upon the passage of this act, to make a daily report in writing, under oath, to the city treasurer of said city, and deliver the same daily, by his own hand, to said treasurer, or to such deputy or clerk in said treasurer's office specified by said treasurer for said work, showing the name of each prisoner after the date of his first report, upon whom any fine has been imposed or penalty inflicted by said municipal court since the date of his last report, the date when said fine or penalty was imposed, the nature of the offense for which said person was convicted, the amount of money received from such person and the final disposition of said person by said court; and also the aggregate amount of money received by said clerk since the date of his last report; and also of all other moneys received by said clerk in his official capacity since the date of his last report. The first report required by this act from said clerk shall contain the items of information above prescribed for the day upon which said report is made.

It is hereby made the duty of each of the judges of said municipal court to make report to the city treasurer (all in his own handwriting, and deliver the same by his own hand) daily to such person in such treasurer's office as said treasurer may name for said purpose, a statement setting forth the name of each person against whom any fine has been imposed or penalty inflicted in said court by said judge since the date of his last report, the nature of the offense of which said person was convicted, the amount of the fine or nature of the penalty inflicted. And it is hereby made the duty of said city treasurer to forthwith procure a book and to enter, or cause to be entered, in the same, daily, a synopsis of the report made by each of said judges, specifying the judge, and also, in a different part of said book, a synopsis of said daily report made by said clerk, and said book specified in this section, and the reports made as aforesaid are hereby made public records, and the same shall be open to inspection, during business hours, by any taxpayer of said city. The first report required by this act from each of said judges shall contain the items of information above prescribed for the day upon which said report is made."

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

Approved March 20, 1891.