

such ceremony shall have come, by reason of election to such office, or succession to the position of such bishop, priest or minister, may make a transcript of the entry of such ceremony contained in such record and verify the same upon oath, and such transcript may be filed with the clerk of court and recorded as provided by said section 4778, and when so filed and recorded the record thereof shall be prima facie evidence of the facts therein contained.

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

Approved April 9th, 1901.

S. F. No. 514.

## CHAPTER 175.

Cities with  
10,000 popu-  
lation.

*An act to authorize all cities of this state having a population of ten thousand inhabitants or less to sprinkle its streets, lanes, alleys, avenues and public grounds, and to assess the costs thereof on abutting property.*

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

Authorized  
to sprinkle  
streets.

SECTION 1. All cities in this state having a population of less than 10,000 inhabitants are hereby authorized to and shall have power to sprinkle the streets, lanes, alleys, avenues and public grounds of such city, or any part thereof, and may make contracts therefor in accordance with this act on such terms and conditions as its city council may deem best, and shall have power to levy assessments for sprinkling its streets, lanes, alleys, avenues and public grounds as hereinafter designated.

Expense as-  
sessed upon  
abutting  
property.

SEC. 2. The expense of such improvement shall be chargeable to and assessed upon the lots and parcels of land abutting upon the streets, lanes, alleys, avenues and public grounds in which such improvements are done; such assessment to be apportioned among the several lots or parcels of land as hereinafter provided; *provided*, that the city council may by resolution determine that a portion of the cost of such improvement shall be borne by the city, such portion to be designated in such resolution, and in such case the portion so designated shall not be included in the assessment, and shall be paid for out of the general fund of such city.

Arrange-  
ments by  
council.

SEC. 3. Before any proceedings are had said city council shall each year, by ordinance or resolution, determine what territory in said city shall be sprinkled and the time and manner in which the same shall be done. If,

however, the council shall deem it impracticable to designate the exact length of time during which sprinkling shall be done during any season, such council may contract for such work without designating the beginning and ending of such sprinkling season, and in such case shall have power to order the beginning of said work on three days' notice, and shall likewise have power to order said work to cease for the season.

SEC. 4. Prior to the passage of any resolution for the letting of a contract for sprinkling, the expense of any part of which is to be assessed upon abutting lands, the city council shall designate a time not less than twenty days distant and a place at which it will meet and take action in relation to the doing of the proposed work, and shall direct that notice be given by the clerk or recorder of such city, and the time and place thereof, and that in the meantime sealed proposals for the doing of such work will be received by such clerk or recorder. Such notice shall state when such sprinkling is to be done and shall be given by publication thereof at least once in each week for two successive weeks prior to the time so designated by the council for such meeting, in the official paper of such city, at the time and place designated in such notice. and opportunity shall be given to any and all interested parties to be heard for or against such proposed work, and the recorder or clerk shall, in the presence of the city council, open and read all sealed proposals which may have been received for the doing of such work, and the furnishing of all material therefor, and the city council may then, by a majority vote of all its members, accept the most favorable proposal (such proposal to be that of the lowest responsible bidder), and by resolution authorize the doing of the proposed work, or any part thereof, by the person or persons whose proposal shall have been accepted, and direct that a written contract be made with him or them therefor[e], or may reject any or all proposals offered, and refuse to authorize the doing of such work, or may, in its discretion, from lack of quorum or other reasons, postpone the consideration and decision of the whole matter or any branch thereof to a future time, of which postponement all parties interested shall be required and deemed to take notice.

Letting of  
contracts.

SEC. 5. Upon the completion of a season's work, the city council, or a committee appointed by it for that purpose, shall determine what part of the costs of such improvement shall be borne by each lot or parcel of land, and make an assessment thereof in writing, giving a description of each lot or parcel so assessed, and the amount

Determin-  
ing propor-  
tion of cost.

so assessed against each lot or tract, and shall present the same to said city council at its next regular meeting.

SEC. 6. On receipt of said assessment the council shall direct that the same be placed on file with the clerk or recorder for the inspection of all parties interested, and shall appoint a time not less than ten days distant, and a place when and where it will meet to consider and act upon such assessment, and the clerk or recorder shall thereupon cause notice of such meeting and the time, place and purpose thereof, to be given by one publication of such notice in the official newspaper of such city at least five days prior to the time so appointed for said meeting; in such notice reference shall be made to the number of the sprinkling districts in which such assessment is made, and shall state the amount assessed for each hundred square feet of territory adjacent to the property so assessed.

Hearing on  
assessments.

At the time and place so appointed, as provided in the last preceding section, the council shall proceed to consider said assessment and hear all objections which parties interested may desire to make thereto, and may adjourn, if necessary, from time to time, and shall after due consideration make such corrections or changes in said assessment as they may deem necessary to perfect and equalize the same on the basis prescribed in this act, and shall confirm and establish the assessment so corrected and equalized; and the said assessment, as so confirmed and established, shall be final, conclusive and binding upon all parties interested, and no appeal shall lie in any case from such confirmation; and the several amounts charged in such assessment as so confirmed and established against the several lots and parcels of land therein mentioned shall be collected as hereinafter provided.

Warrant for  
collection.

SEC. 7. When any assessment shall have been confirmed it shall be the duty of the clerk or recorder to issue a warrant for the collection thereof, which shall be under the seal of said city and signed by the mayor and clerk or recorder of such city, and shall contain a printed or written copy of the assessment as confirmed, or so much thereof as describes the real estate assessed and the amount of the assessment in each case; which warrant shall be delivered by the clerk or recorder to the city treasurer for collection.

Lien on  
real estate.

SEC. 8. All assessments levied under the provisions of this act shall be a specific lien on the real estate upon which the same are imposed, from the date of the warrant issued for the collection thereof.

SEC. 9. Upon receipt of such warrant, the city treasurer shall forthwith give notice by one publication in the official newspaper of the city, that such warrant is in his hands for collection, and requiring the respective owners of all lots and parcels of land mentioned in the assessment to pay the amount so assessed to said city treasurer within thirty days from the date of the first publication of such notice.

SEC. 10. At the expiration of the time limited in the notice required by the preceding section the city treasurer shall return to the clerk or recorder a list duly certified by him of the assessments remaining unpaid, giving in such list a description of the several lots or parcels on which the assessments have not been paid and the several amounts assessed thereto.

The clerk or recorder shall thereupon transmit a certified list of such unpaid assessments, with a description of the several lots or parcels of land on which the same are made, and the names of the respective owners thereof, if known, to the county auditor of the county in which such city is located, who shall enter the several amounts of such unpaid assessments on the tax list for the next ensuing year, and levy the same upon the several lots or tracts of land upon which the same are chargeable, and the same shall thereupon be collected as other taxes are collected.

Tax levy in event of non-payment.

SEC. 11. The certified list of unpaid assessments transmitted by the clerk to the county auditor prima facie evidence that the proceedings up to date thereof were regular, valid and legal. When any notice is required to be published under the provisions hereof the publisher or printer of such newspaper, or the foreman of such publisher or printer, shall make affidavit thereof, annexed to a printed copy of such notice, specifying therein the time when and the paper in which such notice was published, and shall file the same in the office of the city clerk of such city, which affidavit shall be evidence in all cases and in all courts of the facts contained therein.

SEC. 12. In all cases when the city treasurer or the county auditor or county treasurer shall be unable to enforce collection of any such assessment by reason of any irregularity or omission in any of the proceedings, had or attempted to be taken, as herein provided, or if, for any cause, the proceedings of the city council or of any officer be found irregular or illegal, whether jurisdictional or otherwise, the city council may order a new assessment, from time to time, and as often as may be

In cases of irregular proceedings.

until the full amount determined to be assessed against the real estate abutting on or benefited by such improvement has been collected, and when any new assessment is made the same proceedings shall be had in making such assessment and enforcing collection thereof as herein provided for.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved April 9, 1901.

S. F. No. 523.

## CHAPTER 176.

*Sinking fund investments.*

*An act relating to sinking fund investments in counties, cities or other municipal corporations authorized to create such a fund for the payment of bonded indebtedness.*

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

SECTION 1. Whenever any county, city or other municipal corporation of this state is authorized to create a sinking fund for the payment of its bonded indebtedness, or any part thereof, such county, city or other municipal corporation may invest such fund in any of its own outstanding bonds, irrespective of the time of their maturity, providing the same can be purchased so as to produce at least three per cent interest per annum.

SEC. 2. Any investments heretofore made in its own bonds by any county, city or other municipal corporation conforming to the conditions of section one hereof, is hereby ratified and confirmed.

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

Approved April 9th, 1901.

H. F. No. 147.

## CHAPTER 177.

*Sale of state lands in Kandiyohi county.*

*An act to provide for the sale of certain lands owned by the state situated in Kandiyohi county.*

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

SECTION 1. The state auditor is hereby authorized and directed to sell at public auction and convey all right, title and interest of the State of Minnesota in and to the following described lands, aggregating six thousand three hundred ninety-five and twelve-hundredths (6,395.12) acres, situated in Kandiyohi county, to wit: