

foreclosures of mortgages, may be recorded by the register of deeds without any such certificate from the county auditor. *And provided*, that the provisions of this section shall not apply to the filing of any town or village plat for the purpose of incorporation, in so far as the land therein embraced is included in a plat already filed in the office of the register of deeds, or in so far as the description of lands therein is not changed by said plat, nor to the filing of a copy of any town or village plat, in case the original plat of such town or village, filed in the office of the register of deeds, shall have been lost or destroyed; *provided*, this act shall not apply to Ramsey and Hennepin counties.

*And provided*, that the provisions of this section shall not apply to the filing and record of any deed or deeds heretofore executed, conveying title to any railroad or railway company, to any lands in this state, not taxable prior to the year 1900.

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

Approved April 13, 1901.

Provision not to apply to sheriff's or referee's certificate. Nor to town or village plats, in certain cases. Nor to Ramsey and Hennepin counties.

Nor to deeds to railroads, to lands, not taxable prior to 1900.

H. F. No. 222.

## CHAPTER 378.

Amendment. Certain city and county officers.

*An act entitled an act to amend "An act to prohibit certain city and county officers from holding any other office during the term for which they were elected or appointed," and to except from its provisions certain appointive offices.*

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

SECTION 1. That section 1 of chapter 131 of the General Laws of the State of Minnesota for the year 1897 be and the same is hereby amended so as to read as follows:

Only to hold one office, except in certain cases.

Section 1. It shall be unlawful for any person hereafter elected to any of the following offices, that is to say, the office of councilman, assemblyman or alderman in any city or in the office of county commissioner in any county in this state to hold any other office in such city or county during the term for which he was elected or appointed, except an office elective by the people in the district wherein he shall have resided thirty days previous to such election, and also except an office to which he may be appointed by the judges of any court of record exclusively, and also except any officer appointed to the

board of public works of any city. *Provided*, that nothing in this act shall be construed to apply to city or county officer, who, by virtue of his office as such, holds, occupies or exercises the functions of any other public office.

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

Approved April 13, 1901.

### CHAPTER 379.

S. F. No. 228.

*An act to authorize and empower cities in this state which now have or hereafter may have no more than fifty thousand and not less than ten thousand inhabitants to make local improvements and to assess the cost thereof on property benefited thereby.*

Cities of not over 50,000, not less than 10,000 inhabitants.

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

SECTION 1. That all cities in the State of Minnesota which now have or hereafter may have no more than fifty thousand and not less than ten thousand inhabitants, are hereby authorized and empowered to fill, grade, curb, plank, pave, gravel and macadamize its streets, lanes, alleys and highways; to construct, lay, relay, enlarge and repair sidewalks, retaining walls, area walls, gutters, sewers and private drains; to build and place protection fences and railings along streets, alleys and highways for the safety of pedestrians; to plant, maintain and protect shade or ornamental trees along its streets, lanes, alleys and highways; to abate nuisances and to drain swamps, marshes and ponds and to fill the same, in such city; and to sprinkle its streets, lanes, alleys, highways and public grounds, and to levy assessments for the cost of all the improvements mentioned above, upon property to be benefited by such improvements, in the manner and as hereinafter designated.

Empowered to make certain improvements.

Levy assessments.

SEC. 2. The expense of any improvement mentioned in the foregoing section, except as otherwise specially provided in this act, shall be defrayed by an assessment upon the real estate benefited thereby, to be levied, enforced and collected in the manner hereinafter prescribed, except that all or any part of the expense of paving, repaving, graveling, macadamizing, filling and grading of the space occupied by street intersections may, if the city council of such city deems it expedient, be paid out of the general fund of such city.

Expense assessed upon real estate benefited. Exception.