

LAW OF MINNESOTA.

in mentioned shall be repealed and annulled, and the said office of commissioners required and created in said act is hereby abolished.

J. S. NORRIS,

*Speaker of the House of Representatives.*

WM. P. MURRAY,

*President of the Council.*

APPROVED—March third, one thousand eight hundred and fifty-five.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER,

*Secretary of Minnesota Territory.*



CHAPTER 16.

*An Act to amend an act entitled an act to Incorporate the City of Stillwater in the County of Washington.*

SECTION 1. When and where the citizens may elect their city officers, the powers of such officers when elected, and in what cases commissioners may be appointed.

*Be it enacted by the Legislative Assembly of the Territory of Minnesota:*

SECTION 1. That section two of said act be and the same is hereby amended as follows:

That for the good order and government of said city, it shall be lawful for the male inhabitants thereof having the qualifications of electors of members of the Legislative Assembly of the Territory of Minnesota, and who shall have been bona fide residents within the city of Stillwater for one year, to meet at the court house in said city on the first Monday of April next, and at every subsequent election on the first Monday of January, in each year, at such place or places as the city council may direct, and then and there elect one Mayor, one Recorder, three Councilmen, and one city Justice of the Peace, being residents of said city and having qualifications of voters as aforesaid.

When an will be elected in j

The Mayor, Recorder and Councilmen so elected and qualified, shall constitute the City Council of said city, any three of whom shall constitute a quorum for the transaction of business pertaining to their duties.

*And be it further enacted,* That section eleven of said act be amended as follows:

That for the purpose of more effectually enabling the said city council to carry into effect the provisions of this act they are hereby authorized and empowered to assess a tax for corporation purposes on property within the limits of said corporation made taxable by the laws of this Territory, so that said tax shall not exceed in any one year three mills on the dollar in value of valuation as the same may be found on the books of the county

Assessment of a tax for Corporation purposes.

Additional tax  
for the estab-  
lishment of  
fire companies.

commissioners of the county of Washington. At the time of assessing said tax the city council shall have power to levy an additional tax as above specified, sufficient to establish and organize a Hook and Ladder Company and purchase hooks, ladders, buckets, axes and all other tools and apparatus that may be deemed necessary for the effective operations of said company, and if authorized so to do by a majority of all the freeholders in said city, at a meeting called for that purpose, to levy an additional tax as above specified sufficient to organize and establish a fire company and purchase an engine, hose and other necessary apparatus for the extinguishment of fires in said city, public notice of which meeting and the object thereof shall be given by publication thereof for three successive weeks in any of the papers published in said city. That whenever two-thirds of the freeholders upon any of the streets or alleys of said city shall petition in writing the city council to open and improve said street or streets, alley or alleys particularly describing and setting forth in said petition the length and width desired by said petitioners and all such other facts or matters as said city council may, or shall direct to be stated and set forth in order that a perfect explanation as to the objects of said petitioners may be obtained from said petition, then said city council shall appoint five disinterested free holders and residents of said city as commissioners to view and examine said premises, and shall hear such testimony as shall be offered by any party interested, which testimony shall be reduced to writing by one of the said commissioners and either of said commissioners are hereby authorized to administer the necessary oaths or affirmation to witnesses, and after viewing said premises and hearing and taking such testimony said commissioners shall make a report of their proceedings, which shall be signed by them respectively, and which shall particularly state whether in their judgment it is necessary to take the premises in question for the public use, and make the improvements petitioned for, which said report, testimony and certificates of appointments shall be returned and filed in the office of the Recorder of said city, within twenty days after notice to said commissioners of their appointment.

Of petitions of  
freeholders.

Report of Com-  
missioners.

Should said commissioners report in favor of opening and improving said street or streets, alley or alleys as petitioned to be done, then said city council shall direct a survey of said street or streets, alley or alleys (if not already done) together with an estimate of the costs of such improvements to be made, a statement thereof to be filed in the office of the Recorder within twenty days thereafter, unless longer time shall be required.

Appropriation of  
private prop-  
erty for city  
purposes.

Should it become necessary in opening and improving such street or streets, alley or alleys, to appropriate private property of any freeholders upon said street or alley, said city council shall direct the aforesaid commissioners and they are hereby authorized to ascertain and determine the amount of damages if any to be paid to the owner or owners of such property and to include the same in their return to the city council.

Grievances  
of  
owners.

In case any owner or owners shall feel himself or herself to be aggrieved by such report of said commissioners, he, she or they may appeal from said report to the district court of the county of Washington, within thirty days after the making and filing of said report with the Recorder as hereinbefore provided by giving notice in writing, of such appeal to said Recorder. After such appeal to the district court said court shall, at its next general session have and determine the sum in the same manner as other appealed actions now are; but no such appeal shall in any wise be or cause to be a stay of proceedings on the part of the city council in opening and improving said street or streets, alley or alleys. After filing of the report of said commissioners said city council may, if in their opinion such opening and

improvements are required, advertise for bids for the opening and improving of said street or streets, alley or alleys as petitioned to be done for three successive weeks in any paper published in said city, and in such a manner as said city council may direct. To contract for the opening and improving of said street or streets, alley or alleys, to be given to the lowest responsible bidders. After the acceptances of such bids and after the execution in writing of the contract for the faithful performance of said opening and improving of said street or streets, alley or alleys, said city council shall assess a tax upon all the property situated upon said street or streets, alley or alleys, sufficient to cover their whole costs and expenses of surveying and estimating, and of viewing and reporting thereon as herein before provided, and including such amount or amounts as may be awarded to the owner or owners of all such real estate as may be damaged thereby, which tax shall not exceed in any one year five per cent upon the valuation of said property as appears upon the county records of Washington county at the time of making said assessment. Said tax to be collected as hereinbefore provided for the collection of city taxes.

Contracts given  
to the lowest  
responsible  
bidder.

*And it is further enacted,* That the twelfth section of said act be amended by striking out the word "president" in the sixth line of said section and inserting the word "mayor" in lieu thereof.

*And be it further enacted,* That the fourteenth section of said act be amended by striking out the word "recorder" in the fifth line of said section and inserting the words "justice of the peace" in lieu thereof.

J. S. NORRIS,

*Speaker of the House of Representatives.*

WM. P. MURRAY,

*President of the Council.*

APPROVED—March third, one thousand eight hundred and fifty-five.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original act on file in this office.

J. TRAVIS ROSSER,

*Secretary of the Territory of Minnesota.*