

March 2, 1865.

CHAPTER XXIII.

An Act [to amend an act entitled "An Act] to incorporate the Borough of St. Peter," approved March 2, 1865.

- SECTION 1.** Amends Incorporation Act of Borough of St. Peter so as to change the established boundaries.
2. Amends section 19 of said act so as to confer additional powers on Borough Council.
 3. Amends section 21 by giving Council power to levy taxes.
 4. By amendment of section 22 gives Council power to improve, keep in repair, &c., all streets, roads, &c.
 5. Adds two additional sections to former act.
 6. When act to take effect.

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

SECTION 1. That section 2 of chapter 12 of special laws of 1865, entitled "An act to incorporate the Borough of Saint Peter," and approved March 2, 1865, be and the same is amended so as to read as follows:

Boundaries.

Section 2. The boundaries of said borough shall be as follows: Commencing at a point in the main channel of the Minnesota river where the same is intersected by the north line of section number fifteen (15) in township number one hundred and ten (110), north of range number twenty-six (26) west, in the county of Nicollet, and State of Minnesota; thence westerly along the north line of sections numbers fifteen, sixteen and seventeen in the same township and range, to the quarter post upon said north line of said section number seventeen (17), thence southwardly along the centre line of said section number sevenfeen, and of section number twenty in the same township and range, to the quarter post upon the south line of said section number twenty, thence eastwardly along the south line of said section number twenty and of section number twenty-one in the same township and range to the middle of the Minne-

sota river; thence down said river along the main channel thereof, to the place of beginning.

[Sec. 2.] Section 19 of said act is amended so as to read as follows: The borough council shall have power by ordinance to levy and collect a special tax on the owners or holders of any lots in any alley, street or public grounds, for the purpose of curbing and paving the sidewalks, or lighting such street or alley, or for the purpose of paving, grading, repairing or otherwise improving said street or public grounds: *Provided*, That the resident owners of (one half) of the real estate measured by superficial feet, owned in any block, including any portion greater than such block in length, or the whole of any street, avenue, alley or lane fronting upon, including or surrounding any public square or levee, shall petition in writing signed by them to the council for such improvement, by a tax upon all the real estate in said blocks or parts thereof fronting on such proposed improvements, describing in said petition the style and extent of the improvements desired. Then and in such case the council shall forthwith cause notice in be given by publishing the same for three successive weeks in a newspaper printed and published in said borough, once in each week, to the owners of all the real estate affected by said proposed improvement, who are not signers of said petition, and describing the lot or lots, or parcel owned by each, that such petition has been made with a brief statement of the proposed improvement, and requiring said men signing, owners of said lots or parts of lots, to appear—on a day in said notice to be mentioned—before the borough council and show cause why said petition be not granted, and that in case of their default such improvements will be made as prayed for; and if upon such hearing no good cause be shown why such improvement should not be made, the council shall forthwith proceed to contract by public letting for the making such improvement, and levy therefor an ad valorem tax upon all the real estate situated in said block, lots or parts thereof, which tax, together with all the costs and charges of assessment and collection thereof, and the interest thereon shall be a lien upon the real estate so assessed. The assessment of said

Powers of Council.

Further powers.

tax shall be by publication in a newspaper printed and published in said borough for three weeks, at least once in each week, of a notice containing an accurate description of each parcel or tract of real estate assessed, with a statement of the amount of said tax upon each thereof, and the purposes for which the assessment is made; and the clerk of said borough shall cause a copy of such newspaper containing said notice to be mailed, postage paid, to the address of each of the owners non-resident in said borough, of any fraction, parcel or tract of the real estate so assessed, if by due diligence such address can be obtained. Such assessment shall be complete on the day of the third publication thereof, but the owner of any lot, piece or parcel thereof may contest the correctness of the amount so assessed against him at any time within three weeks thereafter, before the council. And if such tax, with the costs and interest, shall remain unpaid for one year after the completion of the assessment as aforesaid, the council by ordinance may direct that the lots, parts or parcels thereof, upon which the said tax is delinquent, be sold for the non-payment thereof by the clerk of said borough, who shall cause a notice of such sale to be published in a newspaper printed and published in said borough, containing a description of the lands, lots, or blocks, or parts thereof, with the amount of the delinquent tax thereon, which notice shall be published for six weeks, at least once in each week as aforesaid. And upon such sale the clerk shall make, execute and deliver under his hand and the seal of said borough, a deed in fee simple of the premises, lots or parcels thereof, sold as aforesaid to the purchaser thereof, which deed shall vest in the grantee therein named, his heirs or assigns, the absolute title in full to the premises so sold: *Provided*, That if the tax assessed as aforesaid upon any lot, block or part thereof be not paid within thirty days after the completion of the assessment, the same shall bear interest at the rate of one per cent. per month.

Further powers.

SEC. 3. Section 20 of said act be and the same is hereby amended so as to read as follows:

The borough council shall have power to levy and collect taxes upon all real and personal property

within the limits of said borough, for the purpose of general revenue, not exceeding one-half of one per cent. upon the assessed value thereof, in each year in any manner. The borough council shall also have the power to impose, levy and collect a poll tax not exceeding one dollar, on all able bodied male persons over the age of twenty-one and under the age of fifty years: *Provided*, Nothing in this section shall be construed to conflict with the provisions of section 19 of this act.

SEC. 4. That section 22 of said act is amended so as to read as follows:

Sec. 22. The borough council shall have the power to open, widen, extend, grade, pave, or otherwise improve and keep in repair the streets, alleys, and public grounds of the borough, and the assessment and collection of all taxes upon persons or property therein for the construction or repair of highways and public grounds in said borough, and all taxes collected, and funds appropriated therefor, shall be under the exclusive management and control of said corporation; and all moneys levied and collected for any purpose shall be appropriated and expended as the necessities of the case may require, by said corporation. Further powers.

SEC. 5. The following sections are hereby added to said act:

Sec. 27. All acts and parts of acts inconsistent with this act are hereby repealed. Repeals inconsistent acts.

Sec. 28. This act is hereby declared to be a public act. To be public act.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 2, 1866.