

follows: For incorporation. Against incorporation. The votes cast at said election shall be received and canvassed in the manner herein provided for the canvass of the votes for officers at annual elections, and if a majority of the ballots so cast are for incorporation the said corporation shall exist and continue under the provisions of this act, otherwise it shall not be lawful to organize under the provisions of this act, and the same shall be of no force and effect. Said election to be in Crook's Hall and held and conducted in the same manner as the first election for city officers under this act in section eighty four.

Deemed a public act.

SEC. 87. This act is hereby declared to be a public act, and may be read in evidence in all courts of law without proof.

When act to take effect.

SEC. 88. This act shall take effect and be in force from and after its passage.

Approved February 28, 1870.

CHAPTER XX.

March 4, 1870.

An Act to amend the Charter of the City of St. Paul.

- SECTION 1. Amendment to Section Five (5) of the Charter of the City of St. Paul, Special Laws of 1868. When Council committee to meet Boards of Equalization and County Commissioners—for what purpose—committee to report to Council—duty of Council—compensation of said committee.
2. Repeal of Section Three (3) and amendment to Section Two (2) of Chapter Five (5) of said act. What funds to be under the control of the Council—what orders upon the Treasurer to specify—not applicable to orders to pay police force and city officers.
3. Council delegated power to change the names of the streets—Clerk to file certified copy in the office of Register of Deeds.
4. Amendment to Section Four (4) of Chapter Eleven (11) of said act. Repealing punishment in certain cases.
5. Amendment to Section Eleven (11) of Chapter Three (3) of said act. Jurisdiction of City Justice—disposition of funds arising from fines imposed and collected.

6. Amendment to Subdivision Thirty-Six (36) Section Three (3) of Chapter Four (4) of said act. All prisoners sentenced to hard labor, to be under the custody of the Sheriff of Ramsey county.
7. Authorized to levy a tax upon the property to be benefited for street improvements—to appoint commissioners—for what purpose—how collected—to prescribe the manner and time of making such improvements—to enforce the present law without regard to a cash valuation.
8. When act to take effect.

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

SECTION 1. Amend section five, of chapter five, of the charter of the city of St. Paul, approved March sixth, one thousand eight hundred and sixty-eight, by adding to said section the following: The city council shall, at some regular meeting in the month of August in each year, appoint five members of said city council to meet the board of equalization and board of county commissioners of Ramsey county, at each meeting of either of said boards in each and every month until the first day of April in each year; neither the board of equalization or the board of county commissioners shall have power to act on any question touching the abatement of assessments or of taxes on any property in said city or take any action directly or indirectly on said taxes or assessments, unless a majority of said city council committee shall be present; nor shall the action of said board of equalization and council committee or the board of county commissioners and said council committee, directly or indirectly, affecting city taxes, assessments, abatements, penalties or extension, have any effect, force or validity for any purpose until their action shall be specially reported and returned in tabular form to the city council, and said city council after receiving said report and return may alter, amend, modify or reject the action of said board of equalization and council committee or said board of county commissioners and said council committee, and the action thereon by the city council shall be returned to said board of equalization or said board of county commissioners within fifteen days after it shall have been received by said city council, and unless the foregoing provisions are complied with all abatements of assessments or remission of penalties or extension of time for the payment of taxes, shall be absolutely null and void, and the same shall be collected as if no action had been taken thereon, and the action of the city council in the premises shall be final, and all parts of said section

Council to appoint committee
—for what purpose—to report to council—duty of council.

five shall be construed to conform to this amendment, and no general or special act or law of this state inconsistent with this amendment shall have any force or validity within the said city of St. Paul; and the city council shall have power to compel the attendance of said council committee at each meeting of the board of equalization and the board of county commissioners as aforesaid, and to this end may impose a fine on each member of said committee of ten dollars for each failure so to meet; and while said council committee are engaged with the board of equalization, they shall each be paid by the city the same compensation per day as is paid to each of the county commissioners; and no action shall be taken by the board of equalization or board of county commissioners in any way affecting the said assessments or taxes or penalties after the first day of April in each year, in the said county of Ramsey or city of St. Paul.

SEC. 2. That section three, of the act of March first, one thousand eight hundred and sixty-nine, entitled, an act to amend an act entitled an act to reduce the law incorporating the city of St. Paul, in the county of Ramsey, and state of Minnesota, and the several acts amendatory thereof, into one act, and to amend the same, approved March sixth, one thousand eight hundred and sixty-eight, is hereby repealed, and section two, chapter five, of the charter of the said city of St. Paul, is hereby re-enacted, as follows, to wit: Until the beginning of the next fiscal year, all funds in the city treasury, except wharfage funds, bridge receipts, and such other funds as may have been heretofore pledged or appropriated to a specific [purpose], shall be credited to the general fund, and shall be under the control of the common council, and shall be paid out as heretofore upon the order of the mayor and clerk, countersigned by the comptroller, duly authorized by a vote of the common council; and all orders drawn upon the treasurer shall specify the specific purpose for which they were drawn, and shall, until the date aforesaid, be payable generally out of any funds in the general fund belonging to the city; but no such orders shall be paid out of the wharfage fund, bridge fund, or other special fund which has been specifically pledged as aforesaid; and such specific funds shall only be drawn out upon orders drawn upon such funds by virtue of a resolution of the common council. All orders shall be payable to the order of the person in whose favor they may be drawn, and they may

What funds under control of council—what orders on treasury to specify.

be transferred by endorsement; no order on the treasury shall be drawn or issued, until there shall be funds sufficient to pay the same, together with the orders that may then be outstanding; and the comptroller is prohibited from countersigning any such order until there shall be sufficient funds in the treasury to meet such orders, together with the orders which may then be outstanding. *Provided*, That this act shall not apply to orders to pay the police force and city officers.

SEC. 3. That the city council of the city of St. Paul, shall have power to alter or change the names of streets in the city of St. Paul, and in all the additions thereto, or in additions which may hereafter be added thereto, and when any such names of streets are hereafter changed by said council, a duly certified copy of the resolution so changing said street names, under the seal of said city, and attested by the city clerk, shall, within ten days thereafter be filed by said city clerk in the office of the register of deeds of Ramsey county, and there duly recorded in the book of plats, and the register of deeds shall note such changes on the map or plat if the said map or plat is filed in his office. And all changes of street names heretofore made by the common council of said city, be and the same is hereby confirmed, and such changes as may have been heretofore made, shall be filed in the office of register of deeds, and noted on the plat or map.

Council may change names of streets—duty of clerk.

SEC. 4. That chapter eleven, of the charter of said city, approved March sixth, one thousand eight hundred and sixty-eight, be and the same is amended as follows: In section four, of said chapter, strike out after the words city prison where it first occurs in said section, the following words: "And in all cases where the said city justice is or may be authorized to commit any person for any other cause by virtue of the provisions of the charter of said city, he may commit such person or persons to the common jail of Ramsey county or the city prison."

Repealing punishment in certain cases.

SEC. 5. That section eleven, chapter three, of the charter of the city of St. Paul, be amended by striking out after the words "public peace," these words: "Nor to effect in any manner the jurisdiction or powers of the court of common pleas of the county of Ramsey, the district courts or supreme court of this state," and inserting these words: And in all the aforesaid offenses named in said sections, said city justice shall have exclusive jurisdiction, subject to the right of appeal as herein provided,

Jurisdiction of city justice—disposition of certain funds.

by either party to the district court or court of common pleas of Ramsey county or to the supreme court. And all fines, forfeitures or penalties imposed or incurred for offenses committed within the limits of the city of St. Paul, shall, when collected, be paid into the treasury of said city, whether the prosecutions were carried on in the name of the state or city.

All prisoners to be under control of sheriff.

SEC. 6. That the thirty-sixth subdivision of chapter four, of the charter of the city of St. Paul, approved March sixth, one thousand eight hundred and sixty-eight, be amended as follows: Add to said subdivision thirty-six, of section three, these words: And when prisoners upon conviction before the city justice, are sentenced to pay a fine for any offense, or to be kept at hard labor in the work house, or on the public streets or public improvements to work out any fine and costs, they shall be under the control of the sheriff of Ramsey county, who shall put said prisoners to work on any public streets, or otherwise, or on any improvements, either public or private, and when such prisoners are put to work for any company, or private person or persons, the sheriff shall charge and receive for said prisoners labor at least one dollar per day, and it shall be the duty of said sheriff to account for and pay over all moneys that may come into his possession for such labor, to the treasurer of the city of St. Paul, and take his receipt therefor within thirty days from the receipt thereof. Said sheriff shall furnish said prisoners all necessary tools and implements to work with.

To levy a tax—
for what purpose
—how collected
manner and time
of making street
improvements.

SEC. 7. That the municipal corporation of the city of St. Paul is hereby authorized to levy assessments for local improvements upon the property fronting upon said improvements, without regard to a cash valuation. That such assessments may be made for sidewalks, sewers, pavements, widening or straightening streets, or alleys, and other like improvements in said city. That said city is hereby authorized to appoint commissioners to assess the amount that any property will be benefited by such improvements, and to have the amount assessed on such property, and said assessments shall be a lien on such property until paid, and all such assessments shall be collected as state or county taxes are collected. That said city may levy assessments on each lot, block, piece, parcel or tract of land in said city, per front foot without regard to a cash valuation for any such improvements, and to have the expense or amount charged or assessed to said property, and

said assessment shall be a lien on such property, and if not paid shall be collected as state and county taxes are collected. That the said city may, by ordinance, prescribe the mode, manner and time of making such improvements, and the notice to be given to property owners, or otherwise, and the mode, manner and form thereof, and prescribe the length of time in which property owners shall make any desired improvements, and said city is hereby authorized to pass all ordinances or resolutions necessary to effectually carry out the authority herein given. *Provided*, That the manner of making assessments on property benefited by any improvements herein provided for, shall be by two or more competent disinterested freeholders of the said city, appointed by the common council, for the purpose, and said common council is hereby authorized to prescribe the duties and compensation of said commissioners in detail by resolution or ordinance. The said city may assess the expense of constructing sidewalks, upon the lots, blocks, or parts of lots or blocks for sidewalks heretofore constructed, or which may hereafter be constructed fronting thereon. That the sidewalk laws now in force, specially relating to the city of St. Paul, may be fully enforced, without regard to a cash valuation.

SEC. 8. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 4, 1870.