

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

Approved March 10, 1873.

CHAPTER XLIX.

AN ACT ENTITLED A SUPPLEMENT TO THE SEVERAL ACTS PROVIDING FOR THE OPENING OF SUMMIT AVENUE TO MISSISSIPPI AVENUE.

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

SECTION 1. That all that portion of the first section of the act entitled "An act to establish Summit avenue, in Ramsey county," approved March sixth, one thousand eight hundred and seventy-one, following after the words "section four," be and the same is hereby stricken out, and the following inserted in its place and stead, viz. : And thence, by the most direct and feasible route, along the eastern bluff of the Mississippi river, till it connects in section thirty-one, town twenty-nine, and range twenty-three, with the road originally laid out by B. B. Meeker, and known as Mississippi avenue.

SEC. 2. That as soon as the damages and benefits arising from the opening of said Summit avenue, as aforesaid, shall have been assessed and determined, as provided in the act approved February twenty-sixth, one thousand eight hundred and seventy-two, entitled "an act to amend an act entitled an act to establish Summit avenue, in Ramsey county," approved March sixth, one thousand eight hundred and seventy-one, it shall be the duty of the county commissioners of the counties in which said avenue shall be so established, as aforesaid, and they are hereby required to forthwith proceed to the opening and grading of the same to its full width, from the limits of the city of St. Paul to where it connects as aforesaid with said Mississippi avenue; and also to build such bridges and culverts as may be necessary to put said avenue in a suitable condition for public use. And should there not be sufficient funds appropriated by the county commissioners for that purpose, and to defray all necessary expenses connected with the opening and improving of said avenue, as aforesaid, the said county commissioners are hereby authorized and directed to raise the deficiency by assessing the same upon the property fronting on said avenue, between the points afore-

said, in proportion to the benefit which in their judgment the owners of the property receive from such improvement, and the sum so as aforesaid assessed, shall be a lien on said property, and the payment thereof shall be enforced by the same officers and in the same manner as taxes for county and other purposes are collected. The contract for the grading of said avenue, as aforesaid, and the construction of the bridges and culverts shall be awarded to the lowest bidder, after due notice for bids by publication for ten days in at least one daily paper published in the city of St. Paul.

SEC. 3. Should either or any of the commissioners named in said act approved February twenty-sixth, one thousand eight hundred and seventy-two, die, or refuse to act, it shall be the duty of the district court for Ramsey county, upon petition filed, to appoint another or other persons to act in his or their place and stead, and so, in like manner, whenever a vacancy from any cause shall occur, and the act of a majority of the commissioners shall be good and valid to all intents and purposes, and all objections to the proceedings to establish and open said avenue as aforesaid shall be confined to questions of benefits and damages.

SEC. 4. This act shall be in force from and after its passage.

Approved March 6, 1873.

CHAPTER L.

AN ACT TO AMEND THE ACT ENTITLED "AN ACT TO INCORPORATE THE BALDWIN SCHOOL IN THE CITY OF SAINT PAUL," APPROVED FEBRUARY TWENTY-SIX, ONE THOUSAND EIGHT HUNDRED AND FIFTY-THREE, AND AN ACT AMENDATORY THEREOF, BEING CHAPTER EIGHTY-SIX OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-FOUR.

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

SECTION 1. That section first of the act to incorporate the Baldwin school, approved February twenty-fifth, one thousand eight hundred fifty-three, be amended by striking out the words "at Saint Paul," wherever they occur therein.

SEC. 2. That section second of the act amendatory of the Baldwin school, approved March third, one thousand eight hundred and