

CHAPTER II.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT CONSOLIDATING THE CITIES OF ST. ANTHONY AND MINNEAPOLIS, AND INCORPORATING THE SAME INTO ONE (1) CITY BY THE NAME OF MINNEAPOLIS," APPROVED FEBRUARY 28, 1872.

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

SECTION 1. Section seven (7) of chapter two (2) of said act is hereby amended by adding at the end thereof as follows: *Provided further*, That whenever deemed necessary, the city council may divide any of the wards of the city for election purposes, constituting therein two or more election precincts, designating the place of holding elections therein and the boundaries thereof; and the aldermen residing in the election precincts so constituted, if any, shall act as judges of election therein, and the city council shall appoint such additional number of suitable persons, who shall be legal voters of said precincts, as may be necessary to constitute a full board of three judges in each precinct, who shall qualify in the same manner and have the same powers and perform the same duties as hereinbefore provided for judges of elections. And section eleven (11) of chapter two (2) of said act is hereby amended by adding thereto the following: *Provided however*, That on the first Tuesday of April, 1874, and every two years thereafter, the comptroller, and on the first Tuesday of April, 1875, and every two years thereafter, the treasurer of said city, shall be elected and hold his office for and during the term of two years. And said chapter two (2) of this act is hereby amended by adding the following section:

SEC. 2. Section two (2) of chapter three (3) of said act is hereby amended by inserting after the word "watchman" and before the word "and" in line seven thereof the words: "by and with the advice and consent of the city council." And section six (6) of chapter three (3) of said act is hereby amended by striking out all after the word "in," where it occurs in the last line, and adding in lieu thereof the words "the official paper of the city." And section nine (9) of said chapter is hereby amended by striking out after the word "who" in the third line and before the word "shall," first occurring in the fourth line the words "shall be a resident of the ward for which he is appointed, and." And section ten (10) of said chapter three (3) of said act, is hereby amended by striking out all

after the word "purposes," in the sixth line of said section, and adding in lieu thereof the following: "except that said assessor shall have from the first day of May to the fifteenth day of August to make such assessment, and for the purposes of assessment each division of said city shall be deemed a separate assessment district, and in making the assessment of valuation therein, the like rules shall govern both as respects the property to be listed and assessed, and the manner of listing and assessing the same, as are prescribed by the general laws of the state in regard to the several towns of the state, and all taxes levied and assessed upon buildings or improvements of whatever kind or description erected on leased land in said city, shall be a lien upon said buildings or improvements until the same are fully paid." The said assessors and the standing committee of the city council on taxes, shall constitute a board of equalization, and upon the completion of the assessment rolls by said assessors, the said board shall meet together, revise, amend and equalize the same, and when the same has been confirmed by the council, and then return the same, properly certified under oath, to the county auditor, in the same manner as assessors under the general laws of the state. And section twenty-seven (27) of said chapter is hereby amended by striking out the words "daily papers," where said words occur after the word "the," and before the word "of," in the third line of said section, and inserting the words "official paper," and by striking out the words "a daily newspaper of said city," in the fourth line where they occur after the word "in" and before the word "the," and inserting the words "some daily newspaper printed, published and of general circulation in said city." And said section is further amended, by adding to the end thereof the following: "and said paper so designated shall be and remain the official paper of said city, and the bond and contract aforesaid shall also be and remain in force for one year thereafter, and until said city council shall designate another paper as the official paper of said city in place thereof. But the city council may reject any and all proposals for said work, and adopt any other mode of publishing the official proceedings, ordinances, as it may seem best. *Provided*, That all proposals for doing job printing and publishing ordinances and such resolutions and advertisements as are required to be published, shall be accompanied by a bond with two sureties in the sum of twenty-five hundred dollars for the faithful performance of the said work and publication.

SEC. 3. Subdivision (8) of section three (3) of chapter four (4) of said act is hereby amended by inserting after the word "of," and before the word "cattle," in the first line of said subdivision, the words "horses, mules," and subdivision twenty-nine (29) of section three (3) of chapter four (4) of said act is hereby amended

by adding thereto the following: "and, to appoint a forester, whose duty it shall be to inspect all trees offered for sale for the purposes named, to superintend the planting and culture of the same; and to perform such other duties as the city council may prescribe." And section four (4) of chapter four (4) of said act is hereby amended by inserting after the word "force" and before the word "and" in the fifth (5th) line thereof, the words "and a copy thereof published as aforesaid, shall be *prima facie* evidence of its contents and of the regularity and legality of all proceedings relating to the adoption and approval thereof." And by inserting after the word "purpose" and before the word "No," where they occur in the seventh line thereof, the words "but no ordinance shall embrace more than one subject, which shall be expressed in its title."

SEC. 4. Section three (3) of chapter five (5) is hereby amended by adding to the end thereof the following: "And the city council [shall], on or before the first day of January, 1875, adopt such measures as shall be necessary for creating, establishing and providing for a sinking fund, and the same [safe] and proper management of the same, for the gradual and certain extinguishment of the debt of said city, and the debt of each of the divisions thereof; and the said council is hereby authorized to pass, ordain and establish such laws, ordinances, resolutions and regulations as may from time to time be expedient or necessary for carrying fully into effect the authority and power hereby granted, and said council shall also have power to levy and collect, as aforesaid, a special tax upon the taxable property of said city and each of the divisions thereof, in the year, 1874, and each year thereafter, and shall each year designate and set apart such of the specific revenues of said city derived from licenses, rents, sales of property, fines, &c., not otherwise appropriated, as the said council may deem proper for the purpose of forming and establishing a sinking fund, to be used for the objects herein named; and all funds so set apart and taxes collected, as aforesaid, shall be appropriated and applied to the sinking fund, and shall not be diverted to, or used for any other object or purpose than the extinguishment of the debt for which said fund is created, (except to temporarily invest the same in bonds of the said city, or bonds such as are invested in the permanent school fund of the state of Minnesota); and the said council is hereby authorized to transfer unexpended balances belonging to other funds, not required for the purposes for which said balances were levied and collected, to the sinking fund. *Provided*, That the proceeds arising from the sale and lease of property belonging to either of the said divisions of the city, shall be applied first to the payment of the indebtedness of the division to which said property belonged;

and the said council is hereby authorized to appoint a board of sinking fund commissioners, consisting of three persons, who shall take charge of, control and direct the investment and disbursement as provided in this section of the sinking fund, when created, subject to the approval of the city council; and, said council shall, by ordinance, define the duties of said board, determine the time of their appointment, and the length of time they shall serve. And section five (5) of chapter five (5) is hereby amended by striking out the words "such taxes over" where they occur in line seven after the word "pay" and before the word "when" and inserting the words "over such [taxes] together with penalties thereon."

SEC. 5. Section four (4) of chapter six (6) is hereby amended by striking out the proviso at the end of the section. And section five (5) of said chapter six (6) is hereby stricken out, and the following substituted therefor, to be called section five (5): "The city council of said city shall have the care, supervision and control of all highways, bridges, streets, alleys and public squares and grounds within the limits of the city, and shall have the power to build and keep in repair bridges, to lay out and open new streets, lanes and alleys in said city, whenever deemed necessary, and to widen, straighten and extend any that are now laid out or opened, or that may hereafter be laid out or opened; and to purchase and condemn private property for public squares, wharfs and markets, and to improve the same; and the said city council is hereby authorized to levy and collect the value of property thus taken, or the damages done to property thereby, by an assessment upon the properties abutting or which may be benefited by such improvement, without regard to a cash valuation, or by taxation upon the property of the whole city, or upon the property of either of the divisions or wards thereof, or upon a portion of said city, or partly by assessment as aforesaid upon the properties benefited by said improvement and partly by taxation upon the whole city, or a portion thereof, in such manner as may seem just. *Provided*, That whenever it may [be] deemed necessary to lay out, open, widen, straighten, or extend any street, lane or alley, the said council shall, by resolution, fix the location, breadth and length of the same, and cause a survey or plat thereof to be prepared for the use of the commissioners, provided for in section seven (7) of this chapter. *And provided further*, That before any such street, lane or alley shall be opened for public use, and before any private property shall be taken for the purposes aforesaid, all damages which any owner or owners of property may sustain thereby, shall first be ascertained, paid or secured as hereinafter directed. And section six (6) of chapter six (6) is hereby amended by inserting after the word "commissioner" and before the word "of" in the last line but one, the words "or some other

suitable person, to be appointed by the city council." And section seven (7) of chapter six (6) of said act is hereby stricken out and the following substituted, to be called section seven (7): "Whenever it may become necessary to take private property for the purpose contemplated in the last two sections, the city council shall appoint five (5) commissioners (any three of whom shall be competent to act), who shall be freeholders and qualified electors of the city, to view the premises and ascertain and assess the damages occasioned thereby and make assessments therefor as hereinafter provided. Said commissioners shall be notified as soon as practicable by the city clerk of said city, to attend at his office, on or before a day fixed by him, for the purpose of qualifying and entering upon their duties; and in case any such commissioner, upon being so notified, shall neglect or refuse to attend as aforesaid, he shall be guilty of a misdemeanor and upon conviction thereof shall forfeit and pay a fine not exceeding fifty (50) dollars, and by and upon information, may be prosecuted therefor before the municipal court of said city, as in case of a violation of an ordinance of said city; and the commissioners in attendance may fill all vacancies by appointment of proper persons, or the city council may, in its discretion, fill such vacancies. The commissioners shall be sworn by the city clerk, or any officer authorized to administer oaths, to discharge their duties as such commissioners in the matter with impartiality and fidelity, and make due returns of their action to the city council and shall, without unreasonable delay, cause the survey and plat, exhibiting as far as possible the lands or parcels of property proposed to be taken, or which may be damaged by the proposed improvement, to be filed with the city clerk; and shall give notice, by publication in the official paper of the city, once each week for two successive weeks, that such survey and plat is on file at the office of the city clerk as aforesaid, for the examination of all persons interested, and that upon a day designated in said notice, said commissioners will meet upon and view the premises or grounds to be taken for the [pro]posed improvement, and will receive and consider all claims for damages, hearing such allegations and evidence upon the subject as interested parties may choose to offer; and for such purpose, said commissioners may adjourn from day to day. The time so designated must be at least fifteen (15) days after the first publication of said notice. After fully examining the premises, and hearing the claimants for damages, they shall proceed to make a true and impartial appraisement of the damages, taking into consideration in said appraisement the probable advantages and benefits, as well as disadvantages, which any owner or owners will be likely to sustain by reason of the proposed improvement; and after ascertaining the whole amount of damages, they shall assess the same equitably, justly and without partiality, upon the properties that

may be or will be benefited by said improvement, or upon the whole property of the city, or any portion thereof, or partly upon both, as indicated in section five (5) of this chapter as amended; they shall make or cause to be made, a plat of the proposed improvement, indicating its location, and the location, size, boundaries and improvements of each property damaged or benefited, with the name of the owner or owners of each, if ascertainable, and shall prepare a statement showing the amount of damages allowed and the assessment made in each case, and shall give ten (10) days' notice, by publication in the official paper of the city, of a time and place where persons interested may see said plat and statement, and when they will hear any complaints or evidence that may be offered on the subject; they shall hear and consider all complaints and evidence that may be presented at the time and place appointed, and after making any corrections or modifications they may deem necessary or just, they shall make a report to the city council and file the same in the office of the city clerk, accompanied by the plat and statement aforesaid; and it shall be the duty of the city clerk, after having received the report as aforesaid, to give notice not less than five (5) days before such meeting, in the official paper of the city, that said report is on file and open for examination in his office, and that the same will be presented to the city council for consideration at a meeting thereof to be named in said notice, and that said council will hear any complaint made by any person aggrieved by the report of said commissioners. The city council shall, upon the day fixed for the consideration thereof, or at any time thereafter, have the power to revise, confirm, annul or send back said [report] to said commissioners for re-examination and further report; but whenever the council shall finally act upon, approve and confirm the report of the commissioners, such approval shall be final and conclusive; except that any person, feeling aggrieved by such assessment or report, may, by notice in writing, serve, on the mayor of said city, a copy whereof, with proof of service, together with a bond with sureties to be approved by the judge of said court conditioned for the payment of all costs which may be awarded against said appellant, shall be filed in the [office of the] clerk of the municipal court of said city or common pleas of [or] district court of Hennepin county, within twenty (20) days after the confirmation of such report or assessment, appeal from such assessment to the municipal court of said city, or the common pleas of [or] district court aforesaid; such appeal shall be tried by the court or jury, as in ordinary cases, but no pleading shall be required, and the party appealing shall specify in the notice of appeal the grounds of objections to such assessment, and shall not be entitled to have any other objections than those so specified considered; and a transcript of such report, certified by the city clerk, or the original thereof, shall be *prima facie* evidence of

the facts therein stated, and that such assessment was regular and just, and made in conformity to law, and that all proper notices were duly given and proper proceedings had; the judgment of the court therein shall be final. Such appeal shall be entered and brought on for trial and [be] governed by the same rules in other respects as appeals from justices of the peace in civil actions. And said court may, in its discretion, direct a return of said report or assessment to the [said] city council for re-submission to said commissioners, for the correction of any defect in the proceedings of said commissioners, which does not affect the substantial rights of the appellant, or may direct an amendment of any clerical errors apparent upon the face thereof. The damages awarded in such cases shall be paid, tendered or deposited and set apart in the treasury of the city, to and for the use of the parties entitled thereto, within one year from the date of the approval of the report, by the council or the said court, and the property is required [required] to be taken for the proposed improvement shall not be appropriated or disturbed until the damages awarded to the owner or owners thereof shall be paid, tendered, set apart or appropriated for the use of the proper party or his agent as aforesaid, and in case the said city shall be unable to determine, in any particular case, to whom the damages so awarded should be paid, or in case of disputed claims in relation thereto, the damages in such case may be deposited, by order of the city council, in the district court for Hennepin county, in the same manner as moneys are paid into court, until parties thereto shall substantiate their claims to the same. When any known owner of lands or property affected by any proceeding under this act or the act of which this is amendatory, shall be an infant, or labor under any legal disability, the judge of the municipal court of said city or of the district court, or court of common pleas for said county of Hennepin, shall, upon the application of the party laboring under such disability, or his next friend, or of the city attorney by affidavit showing the facts aforesaid, and that due notice as provided by this act has been given to said infant or person laboring under such disabilities, appoint some suitable person guardian for such person, which guardian [shall], upon notice of the pendency of said proceedings, appear, answer or defend the same, and stand in all respects for and in the place of the party whom he represents in the proceedings. And section eight (8) of chapter six (6) is hereby amended by striking out the first fourteen lines of said section down to the word "*Provided,*" and inserting in lieu thereof the following: "The expenses of building, repairing and maintaining bridges and approaches thereto, (excepting those crossing the main channel of the Mississippi river, and bridges leading thereto and crossing the east channel of said river,) and of lighting the streets, and cleaning sewers, public grounds, market places or parks, shall be borne by the division in which the same may lie; but

the expenses of grading and cleaning the highways, streets, alleys and gutters within said city shall be borne by the ward in which the said work is done."

SEC. 6. Section one (1), of chapter eight (8), is hereby amended by inserting after the word "ward," and before the word "where," in the third line of said section, "or such other person as the council may appoint." And section eight (8), of chapter eight (8), is hereby amended by adding at the end thereof the following: And all publications purporting to be ordinances and resolutions adopted by the city council of said city, printed in the Minneapolis Daily Tribune since the ninth (9) day of April, one thousand eight hundred and seventy-two (1872), are hereby declared to be valid and legal ordinances and resolutions of said city, and the same and each thereof are hereby legalized and confirmed as such of the dates when the same were so as aforesaid respectively published, [and the book heretofore published] and purporting upon the title page thereof to be "The City Charter, Ordinances, Standing Rules and Orders of the City Council of the city of Minneapolis Revised and compiled by A. N. Merrick, City Attorney," and printed and published at "Minneapolis" by the "Tribune Printing Company," in the year "1873," is hereby declared to be admissible in all [the] courts of this state without further proof, as *prima facie* evidence of the contents of said city charter, ordinances and resolutions therein contained, and after [of the] regularity and legality of all proceedings relating and necessary to the due and legal adoption, approval and publication of said ordinances and resolutions and each thereof, and is hereby expressly provided, that whenever any amendment or amendments, are by this act made of any section or sections, of any chapter of the act to which this act is amendatory, by an insertion in or omission from any designated line or lines thereof, or by both such insertion and omission, the number of the line or lines so designated shall be calculated from and in accordance with the lines of said section or sections as the same appear from and are printed in and shown by the publication thereof in the book last aforesaid; and the said city council may, whenever it shall deem the same necessary, direct the publication in book or pamphlet form, of the city charter of said city as amended, and of all or any of the ordinances, regulations, resolutions and by-laws of said city theretofore adopted, and said publication, when the same shall appear by apt words printed upon the title page thereof to have been published by the direction and with the approval of said city council, shall be admitted in all the courts of the state without further proof as *prima facie* evidence of the regularity and legality of all proceedings relating and necessary to the due and legal adoption, approval and publication of each and all said ordinances,

regulations, resolutions and by-laws, and the contents thereof, and of the contents of said city charter. And section sixteen (16), of chapter eight (8), is hereby amended by inserting after the word "ward," and before the word "shall," in the first line, the following: "Or in case of his inability to act, some other suitable person to be appointed by the aldermen of the ward." And section seventeen (17), of chapter eight (8), of said act is hereby amended by adding to the end thereof the following: "But shall be exempt from serving as a juror while holding said office" And section nineteen (19), of chapter eight (8), of said act is hereby amended by striking out all after the word "return," in the seventeenth (17), line, and adding in lieu thereof the following: "And said assessment list so prepared shall be handed to the city clerk, who shall issue his warrant therefor and the same shall be collected in the manner and subject to the conditions provided in the chapter to be known as chapter ten (10), of the act to which this [act] is amendatory. And the city council shall provide for the doing of the same by the street commissioner of the proper ward, or by contracting with other parties at a price not exceeding such estimated cost as it deems best; and the city engineer shall prepare an assessment list embracing each lot or parcel of land, the amount assessed thereon for the improvement aforesaid, and the name of the owner or owners, if the same can be ascertained.

SEC. 7. Sec. twenty (20), of chapter eight (8), of said act is hereby amended by striking out all after the word "another," in the fifth line and insert[ing] the following: "And shall have power to vacate highways, streets, lanes or alleys, or any portion thereof whenever the said council may deem it expedient."

SEC. 8. Chapter eight (8) of the said act is hereby amended by adding thereto the following sections:

SEC. 21. That whenever any person or persons shall subdivide any lot or piece of ground within the city of Minneapolis, or the city district, into building lots, for the purpose of selling the same or any part thereof, it shall be the duty of such person or persons, to prepare and present a plat thereof to the city council of said city for its approval, before the same shall be entered and accepted as a plat of record in the office of the register of deeds of the county of Hennepin, and shall furnish to the city engineer of said city a copy thereof, which it shall be his duty to file in his said office; *Provided*, That the city council of said city, at any time before the approval of such plat as aforesaid, and after the presentation of the same, may by resolution direct the city engineer to cause a plat of such land or lands lying within the limits of said city, or of the city district, to be made, showing the location, direction and width of all streets and alleys therein and the manner in which the same will connect

with the streets and alleys existing in said city, when said lands shall have been by the owners thereof platted and recorded as additions to said city as aforesaid, and when said council shall have approved the part [plat] of said city engineer, they shall cause notice thereof to be given by said city engineer [by publication] in the official paper of the city for at least ten days, which said notice shall contain a description of the land so platted, and the names of the owners thereof, if known, and that the plat so made and approved may be seen in the office of said city engineer; and said city engineer shall cause a copy of said printed notice to be filed in the office of the register of deeds of the county of Hennepin, who shall record and index the same as conveyances of lands are by law required to be recorded and indexed; and said record shall be effectual as evidence to the same extent and in the same manner as records of deeds now are or hereafter may be by law effective and when said council shall have approved any plat, as aforesaid, it shall be the duty of the city clerk to certify the fact of approval by said council, upon the face of said plat, when it may be entered as a plat of record in the office of the register of deeds in said county, and if any person or persons shall dispose of or sell any building, lot or lots in said city or city district in accordance with any plat before the same has been recorded as aforesaid and a copy furnished to said city engineer, or shall dispose of any lot or piece of ground in said city which may not have been subdivided, without reference to [a] plat, or shall sell or dispose of any lands of which a plat has been made as aforesaid by the city engineer and approved by said city council, and of which notice has been given as aforesaid, for the purpose of evading the provisions of this section, such person or persons so selling or disposing of the same or any part thereof, and the person or persons purchasing [the same,] with knowledge of the extent [intent] aforesaid shall forfeit and pay a sum not less than fifty dollars, nor more than five hundred dollars for each and every lot or parcel of land so sold or disposed of, to be recovered as debts of like amount are by law recovered [recoverable,] by suit before any court of competent jurisdiction, in the name and for the use of said city, and said council shall have power to extend avenues, streets, lanes or alleys through any lot or parcel of land which may have been sold or conveyed contrary to the provisions of this section, and shall not be subjected to damages therefor.

Sec. 22. The said council shall have power and it shall be the duty of said council to designate by ordinance or resolutions, such portions of the territory lying adjacent to, outside of and around the boundary lines of said city as then existing as said council may deem proper, as a city district for said city, the boundaries whereof shall be properly defined in said ordinance or resolution, and said

city district shall be subject to all the limitations and restrictions of the preceding section. *Provided*, That no territory lying a greater distance than three miles in a direct line from the boundary line of said city as then existing shall be embraced within the said city district, and said council shall have the power to indicate by plat such avenues, streets, lanes or alleys through any portion of said "city district," after a plat of the same shall have been presented to the city council, giving the same such arrangement and dimensions as shall, in the judgment of said council, be best calculated to meet the wants and convenience of any future population [and the population] of the whole city.

SEC. 9. And the act to which this act is amendatory is hereby amended by adding thereto the following chapter, to be known as chapter ten (10) thereof:

CHAPTER 10.—ASSESSMENTS FOR LOCAL IMPROVEMENTS.

SECTION 1. The city council is hereby authorized to levy assessments for local improvements upon the property fronting upon such improvements, or upon the property to be benefited by such improvement, without regard to a cash valuation.

SEC. 2. Whenever the city council of said city may deem the same necessary, it is hereby authorized to pave, re-pave or macadamize any public street, lane or alley, or any part thereof, which is now or which may be hereafter laid out and opened in said city, or which may be in the whole or in part boundaries of said city and to have the same set with curb stone, and the said council is hereby authorized to levy and collect the cost and expense of the same, from the owners of property bounding or abutting on the portions of said streets, lanes or alleys thus improved, by an assessment of an equal sum per foot front of said properties, without regard to a cash valuation. *Provided*, That said council shall be petitioned by one third in interest of the property, except by property owned by corporations, to be affected by the improvements proposed in this section, to petition for the same before it shall be undertaken.

SEC. 3. Whenever any street, lane or alley, or any part thereof has been paved, re-paved or macadamized, in pursuance of the preceding section, it shall be the duty of the city engineer to make the assessment list for the cost and expense thereof as provided for in said section, and to give notice by publication for ten days in the official paper of the city, that the said assessment list has been made and may be seen at his office, and the [that] parties interested may have an opportunity of having errors or mistakes corrected. After correcting any errors or mistakes that may have been discovered, he shall immediately hand over the [said] assessment list with

plan and description of each lot, the amount assessed thereon, and the name of the owner or owners, if the same be ascertainable, to the city clerk of said city, and the same shall be collected as hereinafter provided.

SEC. 4. That said city council is authorized, whenever it may deem the same necessary, to cause sewers to be constructed in any street, lane or alley of said city, and to levy and collect the cost and expense thereof, excepting street crossings and catch basins, or such portion of said cost and expense as said council may deem just, by an assessment upon the properties bounding or abutting on the portions of said streets, lanes or alleys thus improved, of an equal sum per foot front of said properties, or partly upon such abutting properties and partly upon other properties not abutting but benefited thereby, in either case without regard to cash valuation, or partly upon the two classes of property above named and partly by taxation upon the whole property of the division in which such sewer is constructed, in such manner as the said council may deem just, and all assessments and taxes levied upon properties along streets in which sewers have already been constructed are hereby declared valid and are in all respects legalized and confirmed, and said council is hereby authorized to levy and assess upon such properties as lie abutting or that may be drained by sewers already constructed, or hereinafter to be constructed, and which may not have been assessed for the cost and expense of constructing [the same], excepting street crossings and catch basins the same such sum, without regard to cash valuation, as said council may deem just; and said council may require the owner or owners of properties so assessed to pay said assessment into the city treasury, before tapping or making connection with such sewer.

SEC. 5. Whenever [any] such improvement as is contemplated in the preceding section shall have been determined upon or completed, the said council shall apportion the cost and expense thereof, in accordance with the preceding section; and it shall be the duty of the city engineer to prepare the assessment list for such proportions of the cost and expense of said improvement, as the council shall have fixed, as aforesaid, upon the properties fronting upon or to be drained thereby, with plan and description of each lot or parcel of land, the amount assessed thereon, and the name of the owner or owners, if the same can be ascertained; and said assessment list, when completed, shall be filed in his office for examination by persons interested, and notice of such filing shall be given, in the same manner as provided in section three (3) of this chapter; and after errors and mistakes have been corrected, the said assessment list, with plan, &c., shall be handed over to the city clerk of said city, and the same shall be collected as hereinafter provided.

SEC. 6. Whenever it shall be deemed advisable by the city council to lay, relay, or extend the water mains along or through any of the streets, lanes or alleys of said city, said council is hereby authorized and empowered and shall assess and collect such proportion of the cost and expense of laying, relaying or extending said water mains, including fire hydrants and mains leading thereto, not exceeding the cost and expense of laying a six inch pipe, as said council may deem just and reasonable, and not exceeding the actual cost thereof, upon the properties or blocks [bounding] or abutting on the streets, lanes or alleys along or through which such water mains may have been laid, relaid or extended, or are proposed to be laid, relaid or extended, without regard to cash valuation, and [the] balance (if there be any) of the cost and expense of laying, relaying and extending the water mains, as aforesaid, shall be chargeable to the whole property of the division in which such work shall be or may have been done; and all levies and assessments of taxes heretofore levied by said council upon the blocks or parts of blocks, bounding or abutting upon streets, lanes or alleys in which the water mains have been laid, relaid or extended under, the act of which this is amendatory, approved February 28, 1872, are hereby legalized and confirmed, but not exceeding the actual cost thereof.

SEC. 7. Whenever the city council shall have determined to lay, relay, or extend the water mains in or through any of the streets, lanes or alleys of said city, the said council shall fix the sum per lineal foot that shall be chargeable to the properties or blocks bounding or abutting upon any street, lane or alley in which said mains are proposed to be laid, relaid or extended, as authorized in the preceding section, and said council shall prescribe the rule, mode or manner of appropriating [apportioning] the sum so fixed, upon the properties or blocks chargeable therewith; and thereupon it shall be the duty of the city engineer to prepare the assessment list, with plan and description of each lot or parcel of land, the amount assessed thereon, and the name of the owner or owners, if the same can be ascertained, and said assessment list, plan and description shall be handed to the city clerk of said city, and treated and disposed of in the same manner hereinafter provided. *Provided*, That said council may authorize the division of any and all assessments levied upon the properties for the construction of the improvements named in sections five (5) and seven (7) of chapter six (6) of the act to which this act is amendatory, as hereby amended, and sections two (2), four (4), six (6) and nine (9) of this chapter, and such other assessments authorized by this act [or the act] to which this act is amendatory, into installments, and direct the payment thereof in not exceeding three annual payments, with interest thereon

with [at] not exceeding the rate of twelve (12) per cent. per annum, until fully paid; and each of said installments shall be collected as hereinafter provided, as though the same were distinct assessments.

SEC. 8. That the term "owner," as used in this act, shall be construed to mean all persons, incorporated companies, public, private and municipal, and all religious, benevolent, literary or other societies or associations, not exempted by law from taxation and assessment for such purposes, having any title or interest in the properties appraised or assessed; and in case of leaseholds or different estates in the same property, the commissioners or the city council shall have power to apportion the damages or assessments among the different owners or between the lessors or lessees, and report how much each one shall receive or pay.

SEC. 9. When any special assessment provided for by this act or the act to which this is amendatory, shall have been confirmed by the city council, or upon appeal therefrom by the court, the city clerk shall issue a warrant for the collection thereof, which shall be under the corporate seal and signed by the mayor, comptroller and city clerk, and shall contain a (printed or written) copy of the assessment roll as confirmed aforesaid, or so much thereof as describes the real estate and the amount of the assessment in each case. In case of an appeal as provided by section seven of chapter six of the act to which this act is amendatory, as amended and by this chapter said appeal shall not delay or effect the collection of the assessment under such warrant except as to the property of the appellant therein affected [effected] by said assessment, and particularly mentioned and described in the notice of such appeal. And in case such appeal shall be decided in favor of the appellant, and said assessment, so far as the same applies to the property of appellant aforesaid, be vacated by said court, the commissioners originally appointed to make said assessment, or said city council, as the case may be, shall make a new assessment as to the property of such appellant last aforesaid, proceeding *de novo*, as to the same in accordance with the provisions of this act, and the act to which this act is amendatory.

SEC. 10. All warrants issued as aforesaid for the collection of special assessments shall be delivered by the comptroller to the city treasurer, taking his receipt therefor.

SEC. 11. Upon the receipt of any warrant for the collection of any special assessment, the city treasurer shall forthwith give notice by ten (10) days' publication in the official paper of said city, that such warrant is in his hands for collection, briefly describing its nature, and requesting all persons interested to make immediate payments at his office, and that in default thereof the same will be collected at the cost and expense of the persons liable for the payment of such assessments.

SEC. 12. All assessments levied by the city council under this act or the act to which this act is amendatory shall be a paramount lien on the real estate on which the same may be imposed from the date of the warrant issued for the collection thereof until the said assessments and the penalties, interests, costs and accruing costs therein have been paid; and the city treasurer shall forthwith upon the receipt of said warrant, deposit a copy thereof certified by him, in the office of the register of deeds of Hennepin county, who shall record and index the same as conveyances of lands are by law required to be recorded and indexed therein, and said register of deeds shall be entitled to receive from said city the sum of twenty-five cents therefor, and said city treasurer shall upon satisfaction of such assessment as to any piece or parcel of land entered in his own [hand] opposite the description thereof, in the records of said office of said register of deeds, a minute of [such] satisfaction; and no deed, mortgage, bond, or agreement for a sale or deed, or other conveyance of any piece or parcel of land described in said warrant shall be recorded in his office by said register of deeds, until satisfaction as aforesaid shall have been entered of such assessment as to said land, and any violation of this provision by said register of deeds shall be a misdemeanor and punishable by a fine not exceeding double the amount of the assessment, which fine when collected, shall be paid into the city treasury.

SEC. 13. If any assessment charged in any warrant issued under and pursuant to section ten (10) of this chapter shall not be paid within sixty (60) days after the first day of publication of notice by the city treasurer that he has received such warrant for collection, the assessment then remaining unpaid shall be collected with interest at the rate of two per cent. thereon for each and every month thereafter until the same shall be paid.

SEC. 14. The city treasurer shall within ninety (90) days after the expiration of the said period of thirty (30) days specified in the preceding section, make report to the district court or court of common pleas for the county of Hennepin, at any general or special term thereof, of all assessment warrants issued upon assessments under this act, and the act whereof this is amendatory, asking for judgment against the several lots and parcels of land described in such list of warrants for the amount of assessments, interest and costs respectively due thereon. The city treasurer shall give notice by six days' publication thereof in the official paper of said city of his intended application for judgment, which shall briefly specify the respective warrants upon which such application is to be made, and a description of the property against which judgment is desired and request all persons interested to attend at such term. The advertisement so published shall be deemed and taken to be sufficient

and legal notice of the aforesaid intended application by the city treasurer to such court of [for] judgment, and shall be held a sufficient demand and refusal to pay the said assessment, and shall be in lieu of service of summons, and any and all process by law required in the commencement of civil actions.

SEC. 15. The city treasurer shall obtain a copy of the advertisement or advertisements referred to in the preceding section, together with an affidavit of the due publication thereof from the printer, publisher, foreman or manager of the newspaper in which the same was published, and shall file the same with the clerk of such court at the said term with said reports.

SEC. 16. The clerk of said court, upon the filing of such reports by the city treasurer, shall receive and preserve the same, and shall record thereon all judgments, orders, and other proceedings of said court in relation thereto. Each of said reports shall constitute a separate suit which shall be docketed by said clerk in the following form as nearly as may be, to-wit:

City of Minneapolis vs. _____ and others
 _____ suit for assessment on warrants for
 _____ or in such other manner as will sufficiently
 indicate the nature of the improvement for which the assessment is
 due.

SEC. 17. Said court shall, upon the filing of said reports, proceed immediately to the hearing of the same, and they shall have priority over all other civil causes pending in said court; the said court shall pronounce judgment against the several lots and parcels of land described in said reports, for which no objection shall be filed, for the amount of the assessment, damages, and costs due severally thereon. *Provided*, That the rendition of judgment as aforesaid shall not thereafter prevent the collection of interest thereon as prescribed in section fourteen (14) of this chapter. The owner of any property described in said reports, or any person beneficially interested therein, may appear at said court, at the time designated in the city treasurer's notice, and file objections in writing to the recovery of judgment against such property; but no objection shall be sustained founded on any mere formal irregularity or defect, and no objection shall be interposed or sustained in relation to any of the proceedings prior to the confirmation of the assessment, except to the jurisdiction of the city council, and no objection as to any other of the proceedings shall be sustained on any mere formal irregularity or defect, and the city treasurer may amend, by leave of court, any matter in furtherance of justice. The court shall hear and determine all objections in a summary way without pleadings, and shall dispose of the same with as little delay as possible, consistently with the demands of public justice,

but should justice require that for any cause the suit as to one or more owners should be delayed, judgment shall then be rendered as to the other property and lands described in said reports, and process shall issue for the sale thereof the same as in all other cases.

SEC. 18. In [all] cases where judgment shall be rendered by default against the property described in said reports, the court shall thereupon direct said clerk to make out and enter an order for the sale of the same, which said order shall be substantially in the following form :

“Whereas, due notice has been given of the intended application for a judgment against said lands, and no owner hath appeared to make defence or show cause why judgment should not be entered against said lands and other property for the assessment, damages and costs due and unpaid thereon ; therefore, it is considered by the court that judgment be and is hereby entered against the aforesaid lots and parcels of land in favor of the city of Minneapolis, for the sum annexed to each lot or parcel of land, being the amount of assessment, damages and costs due severally thereon ; and it is ordered by the court that the several lots and parcels of land, or so much thereof as shall be sufficient of each of them to satisfy the amount of the assessment, damages and costs annexed to them severally, be sold as the law directs.”

In all cases when a defense shall be interposed and judgment shall be rendered against the property, a similar order adapted to the circumstances of the case, shall be made and entered of record. Fifteen cents cost shall be laid to each lot against which judgment is rendered : ten cents to be for clerk's fees for entering said order, and five cents for advertising each notice provided in this chapter. *Provided, however,* That nothing in this act shall prevent said clerk from taxing in all causes arising under this act the same fees, when not otherwise herein provided, allowed him by law for like services in other civil causes. *And provided further,* That after judgment shall be ordered to be entered against any lot or real estate, for the non payment of assessments as aforesaid, the same shall not be opened or set aside except for mistakes, or frauds in entering the same, or in ordering the same to be entered, any provision of the general laws of this state to the contrary notwithstanding.

SEC. 19. Said clerk shall, within twenty days after such order is granted as aforesaid, make out, under the seal of said court, a copy of so much of said city treasurer's report in such case as gives a description of the land against which judgment shall have been rendered, and the amount of such judgment, together with the order of the court thereon ; which shall constitute the process on which all

lands, lots, sub-lots, pieces and parcels of land, shall be sold for the amount of any assessments, damages and costs so levied, assessed or charged upon them; and the said city treasurer is hereby expressly authorized, empowered and directed to make sale of such lands, lots, pieces or parcels of land or other property, upon ten (10) days' notice thereof, to be published at least three (3) times in the official newspaper of said city. *Provided, however,* That in case the official paper of said city should be a newspaper printed and published weekly, each or all of the publications required by this chapter may be published in such daily newspaper printed and published in said [city] as said city council may select.

SEC. 20. Said advertisement so to be published in each case of a judgment upon any special or general collection warrant and report as aforesaid, shall contain a list of the delinquent lots and parcels of land to be sold, the names of the owners, if known, the amount of the judgments rendered thereon respectively, and the warrant upon which the same was rendered, the court which pronounced the judgment, and a notice that the same will be exposed at public sale at a time and place therein named by said city treasurer. The omission of the name of any owner, or any mistake respecting the same, shall not invalidate the sale if the property be otherwise described with sufficient certainty. Said proceeding may be stopped at any time upon the payment of said judgment and accruing costs to said city treasurer.

SEC. 21. In all proceedings and advertisements for the collection of such assessments, and the sale of lands therefor, letters or figures may be used to denote lots, sub-lots, lands and blocks, sections, townships, ranges and parts thereof, the year and the amounts.

SEC. 22. Certificates of sale [shall] be made and subscribed by the city treasurer, which shall be delivered to the purchaser, which certificate shall contain the name of the purchaser, a description of the premises sold, the amount of the assessment, with the amount of the judgment for which the same was sold, the amount of accruing costs thereon, the interest the same shall bear, and the time when the right to redeem will expire. The city treasurer may continue such sale from day to day, (Sundays excepted,) until all the lots or parcels of land contained in his said precept, on which judgment remains unpaid, be sold or offered for sale, and may postpone the same from time to time, not exceeding at any one time more than three (3) days as he shall deem proper upon giving public notice thereof by declaring the same to the bidders at said sale it any, at the time of such postponement; *Provided,* That in case of any defect or mistake in the judgment or order, or copy delivered to the clerk, or in the advertisement or certificate of sale or other proceedings taken after such judgment, the court may amend such judgment, and order

a resale if necessary, or amend the certificate of sale, or direct a readvertisement, or in [any] other manner remedy such defect or mistake.

SEC. 23. The person purchasing any lot or parcel of land shall forthwith pay to the city treasurer the amount of the judgment together with the interest and accruing costs due thereon, and on failure so to do, the said property shall again be offered for sale in the same manner as if no such sale had been made; and in no case shall the sale be closed until payment shall have been made. If no bid shall be made for any lot or parcel or land, the same shall be struck off to the city; and thereupon the city shall receive in the corporate name, a certificate of the sale thereof, and shall be vested with the same rights as other purchasers at such sales.

SEC. 24. The city treasurer shall make return of his precept to the court from which the same was issued. A record of all sales made by the city treasurer shall be kept in the office of the comptroller, which shall be open to public inspection at all reasonable times; and said record, or copies thereof, certified by said comptroller shall be deemed sufficient evidence to prove the sale of any land or [other] property for assessments, or any other fact authorized to be recorded therein.

SEC. 25. The right of redemption in all cases of sales for assessment shall exist to the same persons, and to the same extent now allowed by law in the case of sales of real estate for taxes, on the payment in lawful money of the United States of the amount for which judgment was so as aforesaid rendered, the accruing costs thereon with interest from the time of such sale at the rate of twenty-four per cent. per annum, and any other assessments which may be made by virtue of this act and the act to which this is amendatory, subsequent to the sale with the interest accruing thereon at the rate, and payable in accordance with the provisions of section fourteen (14) of this chapter. If the real estate of any infant, lunatic or other person laboring under any legal disability be sold under this act, the same may be redeemed at any time within one year after such disability shall be removed. Redemption shall be made by the payment of the amount of redemption money to the city treasurer, and taking his vouchers therefor, and filing the same in the office of the city comptroller, who shall thereupon note the fact of said redemption upon his record of sales, and said comptroller shall thereupon give to said redemptioner a certificate to that effect; and the person holding a certificate of sale may surrender the same to the comptroller to be cancelled, and the fact shall, in like manner, be noted upon said record, and the said comptroller shall give such person surrendering such certificate, if desired, a certificate to that effect. Upon the return of the certificate of sale, or proof of

its loss, and the filing with the comptroller of an affidavit to that effect, if the property shall not have been redeemed according to law, a deed shall be executed to the purchaser, his legal representatives or assigns under the corporate seal of said city, signed by the mayor, comptroller, and clerk of said city, conveying to such purchaser, his legal representatives or assigns the premises so sold and unredeemed as aforesaid. A memorandum of all deeds so made and delivered shall be entered by the comptroller in the book wherein such sales are recorded, and a fee of one dollar may be charged by the comptroller for every deed so issued and recorded; *Provided*, That nothing in this act contained shall be construed to affect or prejudice the lien of the state for all taxes which have been, or may be levied upon such property under the general laws of this state. In case of redemption of property sold as aforesaid, the city treasurer shall notify the person holding the certificate of sale thereof, and that the amount due him thereon is deposited in the city treasury subject to his disposal.

SEC. 26. Such certificate of purchase shall be assignable by endorsement, and an assignment thereof shall vest in the assignee, or his legal representatives, all the right and title of the original purchaser.

SEC. 27. Whenever it shall appear to the satisfaction of the comptroller, before the execution of a deed for any property sold for assessments, that such property was not subject to assessment, or that the assessment had been paid previous to the sale, he shall, with the approval of the city council, make an entry opposite to such property on his record of sales, that the same was sold in error, and such entry shall be evidence of the fact therein stated; and said comptroller shall at once notify the city treasurer, and the purchaser of said property at said sale or the person holding the certificate of sale therefor, and upon the presentation of said certificate to said city treasurer by the owner thereof for cancellation, said city treasurer shall refund to him the amount of money received by him on account thereof.

SEC. 28. All deeds made to purchasers of lots and lands sold for assessments shall be *prima facie* evidence in all actions, controversies and suits in relation to the right of the purchaser, his or her heirs or assigns, to the premises thereby conveyed, of the following facts:

First.—That the land or lot conveyed was subject to said assessment at the time the same was advertised for sale and had been listed and assessed in the time and manner required by law.

Second.—That the assessments were not paid at any time before the sale.

Third.—That the land or lot conveyed had not been redeemed from the sale at the date of the deed.

And shall be conclusive evidence of the following facts :

First.—That the land or lot was advertised for sale in the manner and for the length of time required by law.

Second.—That the land or lot was sold for assessments as stated in said deed.

Third.—That the grantee in said deed was the purchaser.

Fourth.—That the sale was conducted in the manner required by law.

And [in] all actions, controversies and suits involving the title to the lot or land claimed, and held under and by virtue of such deed, the person or persons claiming title adverse to the title conveyed by said deed, shall be required to prove, in order to defeat said title, either that the land or lot was not subject to the assessment at the date of sale ; that the assessment had been paid ; that the land or lot had never been listed and assessed for assessment ; or that the same had been redeemed according to the provisions of this act ; and that such redemption was made for the use and benefit of the persons having the right of redemption under the laws of this state ; but no person shall be permitted to question the title acquired by said deed, without first showing that he, she or they, or the person under whom he, she or they claim title, had title to the land or lot at the time of sale, or that the title was obtained from the United States or this state after the sale, and that all taxes due upon the lot or land have been paid by such person, or the person under whom he claims title as aforesaid. All deeds referred to in this chapter shall be admitted to record upon the same conditions as to pre-payment of taxes now required by the general laws of this state with respect to other deeds.

SEC. 29. Any change made in the incumbent of the office of the city treasurer, during the pendency of any proceedings in regard to the collection of assessments as aforesaid, shall not operate to affect or delay the same, but the successor or successors in office of said city treasurer, shall do all acts necessary to complete said proceedings the same as if his predecessor had continued in office. In case of a vacancy occurring in said office, said proceedings shall be conducted and prosecuted by the comptroller of said city until such vacancy is filled.

SEC. 30. All sales of property for the non-payment of said assessments shall be made in front of the city hall of said city.

SEC. 31. If any purchaser of lands, lots or other property sold for assessments, shall suffer the same to be again sold for like assessments before the expiration of two years from the date of his or her purchase, such purchaser shall not be entitled to a deed of

the property until the expiration of two years from the date of the second sale; during which time the land, lot, or other property shall be subject to redemption, and the person redeeming shall be required to pay for the use of the purchaser at the first sale, the amount paid for the property, and the amount paid by the second purchaser, for his use, as in other cases, and the amount due on all subsequent assessments and interest on said amounts respectively at the rate of twenty-four per cent. per annum.

SEC. 32. After any real estate shall have been bid in or struck off to the city, said city may enter upon such real estate and take possession thereof, and through or by the city treasurer may rent or lease the same until the rent shall pay the amount due on such special assessment, interest, penalty, costs and accruing costs.

SEC. 33. The city treasurer of said city may at any time before the time of redemption has expired, assign any certificate of sale of property aforesaid, bid in by the city [as] aforesaid, to any person by endorsement thereon after payment by such person in [into] the city treasury of the amount at which the same was so bid in, with interest as hereinbefore provided, costs and accruing costs; and such assignee shall have the same right and title thereunder as if he had purchased the same originally at said sale, and when the right of redemption shall have expired, shall be entitled to a deed as in other cases. Said assignment shall be countersigned by the comptroller, and a minute thereof made opposite the description of the lands thereby conveyed in the records of sales in his office. *Provided*, That if any lot or parcel of land so struck off to said city shall be again sold for like assessment while the city holds its title thereto as aforesaid, the same shall not be sold by said city treasurer as provided in section 34 of this chapter, for less than the amount actually remaining unpaid on the preceding assessments, as well as such subsequent assessment, together with interest at the rate of twenty-four per cent. per annum, costs and accruing costs.

SEC. 34. No assessments of property, or charge for assessments thereon, shall be illegal on account of any irregularity or informality in the assessment rolls, or on account of the assessment rolls not being made, completed or returned within the time or in the manner required by law, or on account of the property having been charged or listed in the assessment list without name, or in any other name than that of the rightful owner or owners; and no error or informality in the proceedings of any of the officers entrusted with the levying and collecting [collection] of special assessments, not affecting the substantial justice of the assessment itself and the substantial rights of the owner of the property affected thereby, shall vitiate or in any way affect said assessment. The reports of the city treasurer and the assessment warrant held by him, referred to in sec-

tion fifteen (15) of this chapter, shall be *prima facie* evidence that the proceedings up to the dates of such warrants were valid and regular; and the certificates of sale issued as provided for in section twenty-three (23) of this chapter shall be *prima facie* evidence of the validity and regularity of all proceedings up to the date of such certificates.

SEC. 35. All provisions of law inconsistent with this act are hereby repealed, but the repeal or amendments herein contained of any law or part thereof, shall not affect any act done or any act [right] accruing, accrued or established, or any assessments or proceedings of the city council of said city, or of other officers or other proceedings ended or pending, and all assessments or other proceedings pending, or unfinished, made or had under the act of which this act is amendatory, shall not abate, but shall continue and conform to and be completed and enforced under the said act of which this is amendatory, unless the city council shall direct the same to be continued, conformed to and be completed and enforced under the provisions of said act as hereby amended, in which case said city council are hereby authorized and empowered to make such changes, alterations and amendments therein as shall be necessary in order that the same may be continued, conformed to, completed and enforced under the provisions of this act, as shall not affect the substantial justice of the assessment or proceedings, or the substantial rights of parties. *Provided*, That the city council may in its discretion revoke and annul any assessment made or proceedings had under the act of which this is amendatory, which shall not have been finally concluded, and may thereupon proceed therein *de novo* under the provisions of this act.

SEC. 36. The city council shall fix the compensation to be paid to the commissioners, and all persons who shall be appointed to perform any of the duties required by this act.

SEC. 37. Any city treasurer or other officer or person, who shall in any case refuse or knowingly neglect to perform any duty enjoined upon him by this chapter, or who shall consent to, or connive at, any evasion of its provisions, whereby any proceedings required by this chapter shall be prevented or hindered, shall, for every such neglect or refusal be liable to said city individually and upon his official bond, for double the amount of loss or damage caused by such neglect or refusal, to be recovered in a civil action in any court having jurisdiction of the amount thereof, and shall also for each and every such offense be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not more than one hundred dollars, or imprisonment in the county jail for not more than thirty days, in the discretion of the court trying the same.

SEC. 38. So much of the act to which this act is amendatory, and of any law of this State which in any manner conflicts with the provisions hereof, or the provisions of an act entitled, "an act to establish a municipal court in the city of Minneapolis," approved on the 13th day of February, 1874, is hereby repealed, and all provisions and enactments contained in the act to which this act is amendatory, relating to the election, qualification, authority, powers, jurisdiction and duties of justices of the peace or city justices in and for either and both of the divisions of said city of Minneapolis are hereby repealed, which said repeal shall take effect and be in force from and after the election and qualification of a municipal judge for said city and under the provisions of said act entitled "an act to establish a municipal court in the city of Minneapolis," *provided*, That such repeal shall in no wise exempt or excuse either of the justices of the peace or city justices of said city heretofore elected, from making reports to the city council of said city of all proceedings had by or before said justices prior to the time of such election and qualification of said municipal judge, nor from paying over to the city treasurer any and all fines and penalties collected by them belonging to said city prior thereto, nor from doing and performing any other act, or thing necessary or proper by them to be done or performed in the full and entire performance and completion of the duties of their office.

SEC. 10. This act is a public act, and need not be pleaded or proven in any court in this state.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 5, 1874.

CHAPTER III.

AN ACT TO INCORPORATE THE CITY OF WEST ST. PAUL, IN DAKOTA COUNTY.

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

SECTION 1. All the district of country in the county of Dakota, contained within the limits and boundaries hereinafter described shall be a city by the name of West Saint Paul, and the people