

ded, No appeal shall be allowed in any case where the fine or penalty imposed is less than ten dollars. The justice of the peace of the village shall have exclusive and original jurisdiction of all cases arising under the provisions of this act.

Sixteenth.—All fines and penalties imposed under and by virtue of the provisions of this act, shall belong to the village of New Trier, and shall constitute a fund to pay the expenses incurred under the provisions of this charter.

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

Approved February 8, 1875.

CHAPTER XXXIX.

AN ACT TO AMEND AN ACT INCORPORATING THE VILLAGE OF WASECA, BEING CHAPTER FOUR OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SEVENTY-ONE.

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

SECTION 1. That there be added to chapter four of the special laws of eighteen hundred and seventy-one, being an act amendatory of the act incorporating the village of Waseca, the following sections, to be numbered sections thirty-five, thirty-six, thirty-seven and thirty-eight, to-wit :

Sec. 35. The trustees shall have power to cause sewers or gutters to be laid or kept in repair in any street or alley, or part of street or alley, at the expense of the owners of the lots fronting on such sewer or gutter, upon petition in writing signed by the owners of three-fifths of the lots chargeable therewith ; *Provided*, That if such sewer be laid in the centre of any street or alley, the lots on each side of such street or alley shall be considered as fronting on such sewer ; *And provided further*, That nothing herein contained shall prevent the laying of sewers or gutters in any street or alley, or part of street or alley, at the expense of the village, nor shall authorize the laying of such street or gutter at the expense of any unplatted portion of said village.

Sec. 36. Whenever the trustees are petitioned as provided in the last section, and shall deem such improvement necessary and proper, they shall cause an accurate survey thereof to be made by a competent surveyor, who shall make survey and report to the trustees in writing, showing the general plan, the specifications and profile, and other views showing the grade and necessary working plans, and an estimate of the cost of the same. Upon receiving the report of the surveyor, the trustees shall, if in their opinion the property charge-

able with the expense will be benefitted to the amount of such estimated cost, order such work to be done, and shall advertise for proposals for doing the same, as provided in section nineteen.

Sec. 37. When the contract for making such improvements shall have been let, the trustees shall make an order under the hand of the president of the board and attested by the clerk, assessing such contract price and the costs of survey on the several lots chargeable therewith. In making such assessment, the expense and cost shall be apportioned in accordance with the number of lineal feet of said lots fronting on such improvement; such assessment shall be due and payable at a time to be fixed in such order, and not less than thirty days from the date of such order. Such assessment order shall be placed in the hands of the village treasurer for collection, who shall mark the word paid opposite such [each] assessment paid to him. At the expiration of the time set for such payment, the village treasurer shall return such assessment order to the village clerk. Any assessment which then remains unpaid, shall be subject to a penalty of ten per cent. on the amount of such assessment.

Sec. 38. The village clerk shall on or before the fifteenth of November in each year, deliver to the auditor of Waseca county, a certified copy of such assessment order, omitting therefrom any assessments which have been marked paid, with a separate column in which shall be placed the total of each assessment, and the ten per cent. penalty. Said auditor shall thereupon add the said assessment and penalty to the taxes of any such lot for that year upon the tax duplicate for that year. The county treasurer shall collect such assessment and penalty, and pay the same over to the village treasurer, the same as other taxes, and the payment of such assessment and penalty shall be enforced by the same officers [offices] and in the same manner, and at the same time, as the enforcement of delinquent taxes on real estate.

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

Approved February 27, 1875.

CHAPTER XL.

AN ACT TO AMEND CHAPTER THIRTY-FOUR, SPECIAL LAWS, EIGHTEEN HUNDRED AND SIXTY-EIGHT, ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF READS, PROVIDING ADDITIONAL OFFICERS AND CHANGING THE TIME OF ELECTION.

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

SECTION 1. That section two of chapter thirty-four, be and here-