

and seventy-eight (178), one hundred and seventy-nine (179) and one hundred and eighty-two (182) of chapter ten (10) of the General Statutes of one thousand eight hundred and seventy-eight (1878), relating to cities; and the duties devolving upon city officers by the provisions of the sections aforesaid, shall be performed by the corresponding officers of the village of Duluth, and the costs, damages and expenses of any such condemnation, including compensation paid for property condemned, shall be taken and considered as a part of the cost of the proper improvement and be included in, apportioned, assessed and enforced against the property benefited thereby, in like manner as the expenses of grading streets are apportioned, assessed and enforced. *Provided, however,* That the common council may enter upon and take possession of property for the purpose of making improvements as soon as proceedings for the condemnation thereof are commenced.

Section 30. Chapter seventy-six (76) of the Special Laws of the extra session of one thousand eight hundred and eighty-one (1881), entitled "An act to amend section four (4) of chapter seven (7) of the Special Laws of A. D. one thousand eight hundred and eighty-one (1881), relating to the grading of streets in the village of Duluth," approved November twenty-first (21st), one thousand eight hundred and eighty-one (1881), is hereby repealed.

SEC. 31. This act shall take effect and be in force from and after its passage.

Approved March 3, 1883.

## CHAPTER 80.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO DEFINE THE BOUNDARIES OF, AND ESTABLISH A MUNICIPAL GOVERNMENT FOR, THE VILLAGE OF DULUTH, APPROVED MARCH EIGHTH (8TH), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881).

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

SECTION 1. That section eight (8), of chapter two (2), of an act of the legislature of the State of Minnesota, entitled an act to define the boundaries of, and establish a municipal government for, the village of Duluth, approved March eighth (8th), one thousand eight hundred and eighty-one (1881), be and the same is hereby amended so as to read as follows:

Section 8. The common council of said village shall, for the purpose of any general or municipal election, have full power and authority to divide any ward in said village into two (2) or more polling

precincts, and shall, at least three (3) weeks prior to the holding of any election, by resolution, designate and establish the boundaries of each polling precinct in said village for such ensuing election, and specify the polling place in each of such precincts, and shall in and by the same resolution, appoint three (3) judges of election for each of said polling precincts, who shall possess the same qualifications and powers and perform the same duties as judges of elections provided for under the general laws of this state, which said resolution shall, at least fifteen (15) days prior to the ensuing election, be published in the official newspaper of said village in the same manner that ordinances of the village are required to be published; and the recorder of said village shall, immediately after the passage of such resolution, cause the several judges of election so appointed to be personally notified of their appointment.

Municipal elections shall be held and conducted in the same manner and under the same penalties, and vacancies in the board of inspectors thereof shall be filled, as required by the law of this state regarding elections; *provided*, that no candidate for office shall act as inspector or clerk at such elections.

SEC. 2. That section nine (9), of chapter four (4), of said act, be and the same is hereby amended so as to read as follows:

Section 9. The common council shall have power by ordinance or otherwise to provide for the appointment of deputy marshals to serve for limited periods of time to meet special emergencies, and to fix the compensation of such deputies, who, when so appointed, shall, under the direction of the village marshal, have and exercise all the powers of the marshal. And the common council shall have the power to expend or incur liability for the payment of the village marshal and deputies marshal, an amount not greater than two (2) mills per dollar of the assessed valuation of said village for and in any one fiscal year.

SEC. 3. That subdivision eleventh (11th), of section one (1), of chapter five (5) of said act, be and the same is hereby amended so as to read as follows:

*Eleventh*—1. To make and establish public pounds, pumps, wells, cisterns, hydrants, reservoirs and fountains, and to provide for and conduct water into and through the streets, avenues, alleys and public grounds of the village and city of Duluth and to provide for and control the erection of water works by said village for the supply of water to said village and its inhabitants, and to grant the right to one or more private companies or corporations to erect water works to supply said village, and the inhabitants thereof with water, and to authorize and empower such company or corporation to lay water pipes and mains into, through and under the streets, avenues, alleys and public grounds of the said village and city of Duluth, and when necessary for properly carrying out the purpose of said company or corporation to appropriate private property in the village or city of Duluth to the use of said company or corporation in the manner provided by section twenty-nine (29), of chapter seven (7), of said act, and to control the erection and operation of such water works and the laying of such pipes and mains, in accordance with such terms and conditions as may be agreed upon with said company or corporation.

2. To provide for and control the erection and operation of gas works, electric lights, or other works or means for lighting the streets

avenues, alleys and public grounds and buildings of said village and supplying light or power to the inhabitants thereof, and to grant the right to erect, maintain and operate such works with all rights incident or appertaining thereto, to one or more private companies or corporations, and to control the erection and operation of such works and the laying of pipes, mains and wires, into, through and under the streets, avenues, alleys and public grounds of the said village and city of Duluth, and the erection of poles, masts and towers, and the running of wires thereon, over, in, upon and across the streets, avenues, alleys and public grounds of said village and city.

3. To provide for and control the erection and operation of works for heating the public buildings of said village by steam, gas or other means, and supplying heat or power to the inhabitants of said village, and to grant the right to erect such works, and all incident rights to one or more private companies or corporations, and to control the erection and operation of such works, and the laying of pipes, mains, into, through and under the streets, avenues, alleys and public grounds of said village and city of Duluth.

4. *Provided*, That every grant to a private company or corporation of the right to erect water works, gas works, electric light-works or heating works as hereinbefore mentioned, shall provide for the sale of such works to the said village or its successors at any time after fifteen (15) years from the commencement of such grant, at a valuation to be agreed upon or determined in a manner to be prescribed in the grant.

5. To regulate and license hacks, cabs, drays, carts and other vehicles for hire, and to regulate and control the charges of hackmen, coachmen, draymen, cartmen, and the owners of other vehicles kept for hire.

SEC. 4. That chapter thirty-eight (38), of the special laws of the extra session of one thousand eight hundred and eighty-one (1881), entitled an act to amend an act, entitled an act to incorporate the village of Duluth, approved March eighth (8th), one thousand eight hundred and eighty-one (1881), be and the same is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 5, 1883.