

(1887) be and the same is hereby amended by striking out the word and figure "five (5)" in the third line of said section and inserting in lieu thereof the word and figure "six (6)," and by striking out the word and figure "eight (8)" in the fourth line of said section and inserting in lieu thereof the word and figure "nine (9)."

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 8th, 1889.

CHAPTER 27.

[H. F. No. 687.]

AN ACT TO AMEND SECTION EIGHT (8) OF CHAPTER FOUR (4) OF THE CHARTER OF THE CITY OF ST. PAUL, AS REVISED TO DECEMBER FIRST (1st), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FOUR (1884), AND PUBLISHED BY ORDER OF THE COMMON COUNCIL OF SAID CITY.

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

SECTION 1. That section eight (8) of chapter four (4) of the charter of the city of St. Paul, as revised to December first (1st), one thousand eight hundred and eighty-four (1884), and published by order of the common council of said city, be and the same is hereby amended so as to read as follows:

"Section 8. The common council of said city shall have the sole and exclusive power to vacate or discontinue public grounds, streets, alleys and highways within said city, and all county, territorial and state roads, whether actually travelled or used at the date of the petition for such vacation or not. No such vacation or discontinuance shall be granted or ordered by the common council except upon a petition of a majority of the owners of property on the line of such public grounds, streets, alleys or highways, resident within said city; provided, however, that vacations and discontinuances of such county, territorial or state roads may be granted upon the petition of a majority of the owners of property through which the same or the portion thereof sought to be vacated exist when such owners shall have platted the same and shall have provided in lieu of such roads, sufficient streets in the opinion of the plat commission and of the common council, of which fact the approval of said commission and the acceptance of such plat by said council shall be conclusive evidence. Such petition shall set forth the facts and reasons for such vacation, accompanied by a plat of such public grounds, streets, alleys or highways, county, territorial or state roads proposed to be vacated, and shall be verified by the oath of one of the petitioners. The common council shall thereupon, if they deem it expedient that the matter shall be

proceeded with, order the petition to be filed of record with the city clerk, who shall give notice by publication in the official paper of the city for four (4) weeks, at least once a week, to the effect that such petition has been filed, as aforesaid, and stating in brief its object, and that said petition will be heard and considered by the common council, or a committee appointed by them, on a certain day and place therein specified, not less than ten (10) days from the expiration of such publication. The common council or such committee as may be appointed by them for the purpose at the time and place appointed, shall investigate and consider the said matter, and shall hear the testimony and evidence on the part of the parties interested. The common council thereupon, after hearing the same, or upon the report of such committee in favor of granting such petition, may, by a resolution passed by a three-fourths ($\frac{3}{4}$) vote of all the members elect, declare such public grounds, streets, alleys or highways, county, territorial or state roads, vacated, which said resolution, after the same shall go into effect, shall be published as in the case of ordinances; and thereupon, a transcript of such resolution, duly certified by the city clerk, shall be filed for record and duly recorded in the office of the register of deeds of the county of Ramsey, and no such vacation or discontinuance shall be effectual until such transcript shall be so filed for record, except in the case where a plat commission shall have approved and the common council shall have accepted the plat embracing the premises proposed to be vacated, and in and by which plat an equivalent amount of land shall have been dedicated to public use. No such vacation shall be valued until the value of the premises so vacated shall have been deposited in the city treasury, which value shall be fixed by resolution of the common council by three-fourths ($\frac{3}{4}$) votes of all the members elect, and shall in no case be less than a proportionate average value of the abutting property, according to the last previous assessment for taxation."

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 20, 1889.

CHAPTER 28.

[H. F. No. 608.]

AN ACT AMENDING A PART OF THE CHARTER OF THE TOWN OF TAYLOR'S FALLS, CHISAGO COUNTY, AND ACTS AMENDATORY THERETO.

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

SECTION 1. That section thirty-five (35) of chapter five (5) of the charter of the town of Taylor's Falls, Chisago County, be and the same is hereby amended so as to read as follows:

Section 35. It shall be the duty of the town attorney, between the