

CHAPTER 94.

[H. F. No. 1162.]

AN ACT TO AMEND SECTION TWELVE (12) OF CHAPTER FORTY-EIGHT (48) OF THE SPECIAL LAWS OF THE YEAR EIGHTEEN HUNDRED AND EIGHTY-SEVEN (1887) AS AMENDED BY HOUSE FILE NO. SIX HUNDRED AND NINETY-NINE (699) OF THE PRESENT SESSION OF THE LEGISLATURE OF THE STATE OF MINNESOTA, RELATING TO POLICE DEPARTMENT OF THE CITY OF ST. PAUL IN THE COUNTY OF RAMSEY AND STATE OF MINNESOTA.

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

SECTION 1. That section twelve (12) of chapter forty-eight (48) of the special laws of the year eighteen hundred and eighty-seven (1887) as amended by the provisions of an act entitled, "an act to amend section twelve (12) of chapter forty-eight (48) of the special laws of one thousand eight hundred and eighty-seven (1887) relating to police department of the city of Saint Paul, the same being house file number six hundred and ninety-nine (699) of the present session of the legislature of the state of Minnesota, be and the same is hereby amended by striking out the words and figures "five (5)" before the word "Lieutenants" and inserting in lieu thereof the words and figures "six (6)" and by striking out the words and figures "nine (9)" before the word "sergeants" and by inserting in lieu thereof the words and figures "ten (10)."

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

Approved April 8th, 1889.

CHAPTER 95.

[H. F. No. 1173.]

AN ACT TO AMEND AN ACT TO INCORPORATE THE CITY OF WEST SAINT PAUL APPROVED FEBRUARY TWENTIETH (20TH), ONE THOUSAND EIGHT HUNDRED AND EIGHTY NINE (1889).

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

SECTION 1. That section three (3) of chapter three (3) of an act of the legislature of the state of Minnesota, entitled "an act to incorporate the city of West Saint Paul," which act was approved on February twentieth (20th), one thousand eight hundred and eighty-nine (1889), is hereby amended by adding thereto the following words :

"The mayor of said city, whenever he shall preside over the meet-

ings of the common council of said city, shall be entitled to vote upon all matters and questions coming before said council for consideration, the same as an alderman is entitled to vote by the provisions of this act, anything in this act to the contrary notwithstanding."

SEC. 2. That section one (1) of chapter four (4) of said act, is hereby amended so as to read as follows :

Section 1. The aldermen of said city, with the mayor, shall constitute the common council, and the style of all ordinances shall be, "The common council of the city of West Saint Paul do ordain." The common council shall meet at such time and place as they by resolution may direct. A majority of the members of the common council (and the mayor shall be considered as one of said members) shall constitute a quorum. Nothing in this section shall restrict the duties and powers of the mayor as in this act elsewhere specified.

SEC. 3. That section twenty-eight (23) of chapter six (6), of said act, is hereby amended by substituting for the last proviso of said section, the following words :

Provided also, that the city council has the power and option, when it deems the same advisable, to cause any action of the council, or any official notice, or proceeding of any kind required by this act to be published, to be posted in lieu of, or in place of, publishing same in the official paper of said city, and said common council may, by resolution, designate any newspaper as the official paper of said city, and such designation when once made, shall continue until a new designation is made, and said council has the power, by resolution, to designate which are the three most public places of said city, and when such designation is made, it shall remain in force until the council shall, by resolution, make a new designation.

When said council shall direct that any official notice or any action of the council, or any proceedings required by any provision of this act to be published, shall be posted in place of being published, it shall be the duty of the clerk of said city to make such posting, by posting a copy of such official notice, or action of the council or proceeding, in each of the three public places designated by the council as herein provided as the three most public places of said city, and when such matter has been once posted in said three public places for the same period prior to the proposed doing, or attempted doing, of any act that such matter or notice should first be published in the official newspaper by the terms of this charter before the doing, or attempted doing of such act, such posting shall have the same force, notice and effect, as a publication thereof under the provisions of this act, and in any case when this chapter requires a notice of any official proceedings had or taken, or of any official act done, to be given by publication, the posting, by said clerk, of a copy in each of said three most public places of the matter or notice so required to be published shall have the same force and effect as the publishing of such matter under the provisions of this act, and one posting of three notices by said clerk in any particular case in each of said three most public places, shall be taken and considered a sufficient valid posting under the requirements of this act.

It shall be the duty of said clerk, upon posting said notices or matter, in any particular case, to make affidavit thereof, setting forth the

date and places of such posting, and there shall be attached to said affidavit, and made or referred to as a part thereof, a true copy of the matter or notice so posted, and said clerk shall thereupon file and keep such affidavit as one of the files in his office, and such affidavit, or a certified copy thereof, shall be competent proof and evidence of the contents thereof, and the matter therein stated, and the same shall be received and read in all courts and places without further proof.

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

Approved April 8th, 1889.

CHAPTER 96.

[H. F. No. 1174.]

AN ACT TO AMEND AN ACT ENTITLED AN "ACT TO DEFINE THE BOUNDARIES OF AND ESTABLISH A MUNICIPAL GOVERNMENT FOR THE CITY OF DULUTH," APPROVED MARCH 2, 1887.

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

SECTION 1. That section two (2) of chapter two (2) of the act entitled "An act to define the boundaries of and establish a municipal government for the city of Duluth", approved March second (2d), eighteen hundred and eighty-seven (1887), be and the same is hereby amended by adding at the end of said section the words following, to wit:

"*Provided*, That a railroad commissioner of the city shall be appointed by the mayor at the time aforesaid, and shall hold his office for the term of two (2) years, and until his successor is appointed and qualified."

SEC. 2. Section ten (10) of chapter three (3) of said act is hereby amended by adding at the end of said section the words following, to wit:

"It shall be the duty of the railroad commissioner of the city to investigate the interests of the city with reference to any and all railroads or other highways entering or proposing to enter the limits of the city; to conduct on behalf of the city any negotiations that may seem necessary with a view to the construction of new lines of railroad, or with a view to the enlargement or improvement of the terminal facilities or local service of roads already constructed in the city; to call to the attention of the several railroad companies doing business in the city any disregard on their part of their obligations to the city or to the public, with reference to the bridging of their tracks, or the adoption of other reasonable safeguards at street crossings within the limits of the city, and in case of the