

CHAPTER 56.

[H. F. No. 994.]

AN ACT PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF DULUTH BY THE ANNEXATION OF THE VILLAGE OF WEST DULUTH, THE VILLAGE OF LAKESIDE AND OTHER ADJACENT TERRITORY TO SAID CITY OF DULUTH.

WHEREAS, There exists in St. Louis county, adjacent to the bay of Duluth and bay of St. Louis, three (3) separate municipal corporations; and

WHEREAS, In the opinion of the inhabitants of said several corporations, the interests of the people of said section and of the state demand that said corporations be merged into one and the limits of that one so extended that a single strong municipal government may exist upon said waters; and

WHEREAS, The inhabitants of said city and said villages and other territory adjacent to said city of Duluth have agreed upon the extension of said city limits upon the terms hereinafter set forth;

Now, therefore, in consideration of the foregoing,

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

SECTION 1. The limits of the city of Duluth in the county of St. Louis are hereby fixed, subject to the annexations hereinafter provided for, as follows, to-wit: Beginning at a point where the north line of section twenty-five (25), township fifty-one (51) north, range thirteen (13) west, in St. Louis county, Minnesota, intersects the shore line of Lake Superior; thence west to the northwest corner of section twenty-six (26) in said township and range; thence south to the quarter corner on west line of said section twenty-six (26); thence west to the centre of section twenty-seven (27) in said township and range; thence south to the quarter corner on the south line of said section twenty-seven (27); thence west to the northwest corner of section thirty-five (35), in township fifty-one (51) north, range fourteen (14) west; thence south to the southwest corner of said section thirty-five (35); thence west to the northwest corner of township fifty (50) north, range fourteen (14) west; thence south to the southwest corner of said townships; thence east to the quarter corner on the south line of section thirty-two (32) in said township and range; thence south to the northwest corner of lot two (2), section five (5), township forty-nine (49) north, range fourteen (14) west; thence east to the shore of St. Louis bay; thence southeasterly to the state line in the bay of St. Louis, between Minnesota and Wisconsin; thence along the state line to the mouth of St. Louis river, at the natural entry of the bay of Superior, Minnesota and Wisconsin points; thence in a straight line to the place of beginning. The following portion of said described territory, to-wit: Beginning at a point where the north and south line through the centre of section thirty-four (34), township fifty-one (51), range thirteen (13) west, extended, intersects the shore line of Lake Super-

rior; thence north to the centre of said section thirty-four(34); thence west to the centre of section thirty-three (33), in said township and range; thence south to the quarter corner on the south line of said section thirty-three (33); thence west to the northwest corner of township fifty (50) north, range thirteen (13) west; thence south to the southwest corner of section seven (7), in said township and range; thence east to the north and south line through the centre of the west half of said section seven (7); thence south to the shore line of Lake Superior, and comprising the village of Lakeside, is exempt from the operation of this act until the first (1st) day of January, A. D. one thousand eight hundred and ninety-three (1893), or until such earlier time as the legal voters of said territory shall, at a general or special election duly called and held, have voted in favor of annexation to said city of Duluth under the provisions of this act; and thereupon any municipal corporation existing in said territory shall cease and determine, and said territory shall become a part of said city of Duluth without further act.

SEC. 2. On the first (1st) day of January, A. D. one thousand eight hundred and ninety-four (1894), the following described territory in the said county of St. Louis, to-wit: Beginning at a point where a line drawn through the centre of the east half (½) of section five (5), township forty-nine (49), range fourteen (14) west, in said county of St. Louis, extended, intersects the shore line of the bay of St. Louis; thence north to the northeast corner of lot two (2), in said section five (5); thence west to the northwest corner of said lot two (2), thence north to the quarter corner on the north line of said section five (5); thence west to the northwest corner of section two (2), township forty-nine (49), range fifteen (15) west; thence south to the southwest corner of section fourteen (14), township forty-nine (49), range fifteen (15) west; thence west to the northwest corner of section twenty-two (22), in said township and range; thence south to the township line between townships forty-nine (49) and forty-eight (48) north of range fifteen (15) west; thence east on said township line to the state line between Minnesota and Wisconsin; thence northeasterly along said state line to the southwesterly corner of the city of Duluth in the bay of St. Louis; thence in a northwesterly direction to the place of beginning, shall be annexed to and become a part of the said city of Duluth, and any municipal corporation then existing in said territory shall thereupon cease and determine, and the said territory shall become a part of said city for all purposes without further act.

SEC. 3. On the first (1st) day of January, A. D. one thousand eight hundred and ninety five (1895), all the following described territory in the said county of St. Louis, to-wit: All of township forty-eight (48) north, range fifteen (15) west, shall be annexed to and become a part of the said city of Duluth, and any municipal corporation then existing therein shall thereupon cease and determine, and the said territory shall become a part of said city for all purposes without further act.

SEC. 4. On the first (1st) Tuesday of December, one thousand eight hundred and ninety-three (1893), at two (2) o'clock P. M., the judges of the district court in and for St. Louis county shall meet at the court house in the city of Duluth, and shall proceed to divide the territory then comprising the city of Duluth and the territory mentioned in section two (2) of this act into not more

than ten (10) wards, comprising, as near as may be, equal population for each ward. All of said municipal corporations shall be entitled to be heard before the said judges, and the said judges shall also be entitled to call to their assistance any officer of the city of Duluth or of such municipalities as shall be then existing in the said territory described in section two (2) of this act. Said judges shall make their decision in writing and file the same with the city clerk of the city of Duluth within twenty (20) days from the said first (1st) Tuesday of December, one thousand eight hundred and ninety-three (1893). The ward boundaries so fixed by said judges shall be the wards of the city of Duluth from and after the first (1st) day of January, one thousand eight hundred and ninety-four (1894), and shall not be changed until after the general city election held in the month of February, one thousand eight hundred and ninety-four (1894).

SEC. 5. At the time of the actual annexation of the territory comprising the village of West Duluth, as hereinbefore mentioned, to the city of Duluth, an apportionment of the indebtedness of the city and said village of West Duluth shall be made upon the following terms, to-wit: All indebtedness incurred by either municipal corporation for the general benefit of the entire section shall be assumed and paid by the general city as extended; all indebtedness incurred by either corporation for purely local purposes shall be borne by the territory covered by the corporation incurring it. In arriving at a general settlement and adjustment of such indebtedness account shall be taken of the public buildings or improvements made by either corporation, and paid for in cash, which will be of general benefit to the extended city, and proper allowance thereof be made to the corporation making said buildings or improvements. Unless the city of Duluth and the said village of West Duluth can agree upon such apportionment of indebtedness the whole matter of such indebtedness shall be referred to nine (9) arbitrators, three (3) to be chosen by the city of Duluth, who shall be residents and freeholders thereof, three (3) by the village of West Duluth, and three (3) by the six (6) so chosen. Said arbitrators shall be chosen and appointed not later than the fifteenth (15th) day of December, one thousand eight hundred and ninety-three (1893), and said arbitrators shall be entitled to call to their aid any officer of the city of Duluth or village of West Duluth, and they shall, on or before the fourth (4th) Monday in December, one thousand eight hundred and ninety-three (1893), file their award with the clerk of the city of Duluth, and such award shall be final, except that either side may appeal to the district court as in other cases within twenty (20) days after filing of the award.

At the annual city election in February, one thousand eight hundred and ninety-four (1894), there shall be elected for each ward two (2) aldermen, one (1) of whom shall hold his office for one (1) year and one (1) for two (2) years. Such elections shall in all respects be conducted as provided by the charter of the city of Duluth.

SEC. 6. This act shall not be held or construed to extend any rights, contracts or franchises, owned or held by any private person, company or corporation in the city of Duluth, as said city existed at the time of the passage of this act, over the territory added by this act to the corporate limits of said city of Duluth; but all such rights and franchises, whether existing by an ordinance of the former village or former city of Duluth or the present city of Duluth, or by an act of the

legislature of this state, shall be restricted to the limits which they occupied prior to the passage of this act; nor shall this act in any way be construed to validate or invalidate any such rights, contracts or franchises, but they shall have the same legal status as if this act had not been passed. And this act shall not be deemed or construed to affect any right, contract entered into with, or franchise granted by, any municipal corporation existing or to exist in the territories described in sections two (2) and three (3) of this act, before actual annexation as provided by this act, but all such rights, contracts and franchises shall have the same force and effect in all respects as if this act had not been passed.

SEC. 7. The municipal court of the village of West Duluth, a municipal corporation existing in the territory described in section two (2) of this act, as the same shall be organized at the time of actual annexation of said territory as provided in this act, shall not be abolished, but the same shall continue and be a municipal court of the city of Duluth to the same extent and with the same powers as it then shall have in the said village of West Duluth.

SEC. 8. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 2, 1891.

CHAPTER 57.

[H. F. No. 997.]

AN ACT TO INCORPORATE THE CITY OF LAKESIDE, TO PROVIDE FOR ITS FUTURE ANNEXATION TO THE CITY OF DULUTH AND TO THE INDEPENDENT SCHOOL DISTRICT OF DULUTH.

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

CHAPTER I.

SECTION 1. All that district of country contained within the limits and boundaries hereinafter described shall be a city by the name of Lakeside, and all the people now inhabiting, and those who shall hereafter inhabit, such district shall be and form a municipal corporation under the name of the city of Lakeside.

The said corporation shall have the power generally possessed by municipal corporations at common law, and in addition thereto shall possess the powers hereinafter specially granted and the authorities thereof shall have perpetual succession. It shall be capable of contracting and being contracted with, of suing and being sued, and of pleading and being impleaded in all courts of law or equity; it shall have a corporate seal, which it may alter at pleasure, and it may purchase, lease, take and hold such real, personal and mixed property as may be required for city use or purposes, within or without the limits of the city, and may lease or sell and convey the same.