

whose duty it shall be to keep accurate minutes, in shorthand, of all proceedings and causes tried in said court, whenever requested to do so by the judge, and extend the same into longhand, at the request of either party to such action. Said stenographer shall receive pay at the rate of five (5) dollars per day for each day actually employed in said court; the same to be certified and paid out of the city treasury the same as other officers of the city are paid. He shall receive for extending his shorthand minutes into longhand from the party ordering the same at the rate of ten (10) cents per folio for the first copy and five (5) cents per folio for all other copies.

It shall be the duty of the clerk of said court, in all cases where the services of said stenographer are used, to tax in the costs of said action five (5) dollars for the use and benefit of the city of Ely, to be collected in the same manner as other costs are taxed therein and collected.

SEC. 28. This act shall take effect and be in force from and after its passage.

Approved March 3, 1891.

CHAPTER 60.

[H. F. No. 889.]

AN ACT PROVIDING FOR THE CONSTRUCTION AND REPAIR OF SIDEWALKS IN THE CITY OF NORTHFIELD, RICE COUNTY.

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

SECTION 1. Section four (4) of an act of the legislature of Minnesota, entitled "An act relating to the city of Northfield," approved March 1, one thousand eight hundred and eighty-nine (1889), is hereby amended so as to read as follows, to-wit:

"Sec. 4. The common council may cause sidewalks to be constructed, repaired or relaid whenever they deem the public welfare may require it, and shall prescribe the material of which such sidewalks shall consist, and the width and manner of constructing, relaying or repairing the same, and shall cause notice to be given by the street commissioner, or any other person, to the owner of any lot or parcel of land adjoining thereto, to construct, relay or repair so much of said sidewalks as adjoins their several lots or parcels of land at their own expense, respectively. Said notice shall specify the time within which said work shall be done, and shall be of such reasonable length of time as the council may prescribe; said notice may be given personally, or by publication in the official newspaper of the city; *Provided*, that when the owner resides in another place between which and the city of Northfield there is a regular communication by mail, the said service may be made by mail; *And provided*, that when the owner is a non-resident of said city and has an agent for the property residing within the city, service upon such agent shall be sufficient. In case of service by publication, an affidavit of the publisher, printer or foreman shall be sufficient proof of such publication.

"The notice, except when made by publication or by mail, shall be in writing, a copy of which shall be left with the person upon whom service is made, or at his place of residence with some person of discretion. When service is by mail, a copy shall be inclosed in an envelope and deposited in the post office, postage paid, and addressed to the person on whom service is made.

"In case of service by publication, a printed copy, with the affidavit of the publisher, printer or foreman, shall be placed on file in the office of the city recorder and shall be *prima facie* evidence of service; and in case of personal service or service by mail, the original notice, with the affidavit of service by the person making the same endorsed thereon, shall be filed in said office and shall be *prima facie* evidence of such service. The notice in all cases shall specify the improvement to be made.

"In case the owner is a non-resident of the city, and has no agent residing within the city upon whom service may be made, and the sidewalk is in an unsafe condition and demanding immediate repair, it may be repaired by the city without notice, and the expense of such repair assessed as provided in the next section.

"And no informality in any notice, whether served personally, by publication or mailing, shall affect such assessment.

"All notices shall be issued by the city recorder;

"*Provided*, that in case of repairs without notice, the affidavit of the street commissioner as to the kind of repairs made and the necessity thereof, filed in the office of the city recorder, shall be sufficient *prima facie* evidence thereof."

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

Approved April 6, 1891.

CHAPTER 61.

[H. F. No. 1023.]

AN ACT TO AMEND CHAPTER THREE (3) OF THE SPECIAL LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889), ENTITLED "AN ACT TO INCORPORATE THE CITY OF BARNESVILLE, CLAY COUNTY, MINNESOTA."

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

SECTION 1. That section one (1) of chapter second (2d) of Chapter three (3) of the Special Laws of the state of Minnesota for the year one thousand eight hundred and eighty-nine (1889) be and the same is hereby amended by striking out the words "the second (2d) Tuesday of March" and by inserting in lieu thereof the words "on the day of the general state election," and further by striking out the words "an annual," where they occur in the first (1st) line of said section, and inserting in lieu thereof the words "a biennial;" by striking out the words and figures "ninety (1890) and every," where they occur in the fourth (4th) line of said section, and inserting in lieu thereof the words and figures "ninety-two (1892) and every even numbered."

SEC. 2. That section two (2) of said chapter second (2d) be amended by striking out the word "annual," where it occurs in the sixth (6th)