

"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)

line of said section two (2) and inserting in lieu thereof the word "biennial;" by striking out the words and figures "ninety (1890)," where they occur in line eight (8) of said section two (2), and inserting in lieu thereof the words and figures "ninety-two (1892) and every even numbered year thereafter," and by inserting between the words "every" and "year," where they occur in the thirteenth (13th) line of said section two (2), the words "even numbered."

SEC. 3. That section four (4) of said chapter second (2d) be amended by striking out the word "annual," where it occurs therein, and inserting in lieu thereof the word "biennial." -

SEC. 4. That section seven (7) of said chapter second (2d) be amended by striking out the words "an annual," where they occur therein.

SEC. 5. That section thirteen (13) of chapter third (3d) of said Chapter three (3) be amended so as to read as follows:

Sec. 13. The assessor, city clerk and the mayor shall meet on the first (1st) Monday after the first (1st) day of July in each year, at the council room in said city, and shall constitute a board of equalization, and being first duly sworn as such board, shall revise, amend and equalize the assessments on the roll or list of the assessor. Said board shall examine, ascertain and see that all taxable property in the city has been properly placed upon the said list and duly valued by the assessor, and in case any property, real or personal, shall have been omitted by inadvertence or otherwise, it shall be the duty of said board to place the same upon said roll or list, with the true value thereof, and shall so equalize the assessment that each lot or tract of real property, and each article, parcel or class of personal property, shall be entered on the assessment list at the true and full value thereof; but the assessment of the property of any person shall not be raised until such person shall have been duly notified of the intent of the board so to do. And on the application of any person considering himself aggrieved, said board shall review the assessment and correct the same as shall appear to them just. Any two (2) of said officers shall have authority to act at such meeting, and they may adjourn from day to day until they shall finish the hearing of all cases presented on that day. All complaints and grievances of individuals, residents of said city, in reference to the assessments of personal property, shall be heard and determined by said board; *Provided*, that the complaints of non-residents in reference to the assessments of any property, real or personal, and of others in reference to any assessment made after the meeting of said board, shall be heard and determined by the county board of Clay county; said city clerk shall, before the third (3rd) Monday in July of each year, certify and return the said list and assessment, so equalized as aforesaid, to the county auditor of said Clay county.

SEC. 6. Section nine (9) of chapter two (2) of said Chapter three (3) is hereby amended by striking out the words "one year," where they occur in said section, and inserting in lieu thereof the words "two years."

SEC. 7. The terms of office of all officers of said city now holding are hereby extended to conform to the charter of said city, as amended by this act.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 11, 1891.