

account of any injuries or damages to persons or property unless such action shall be commenced within one (1) year from the occurrence of the injury or damage, nor unless notice shall have been given in writing to the city clerk within thirty (30) days of the occurrence of such injury or damage, stating the time when and the specific place where, and the circumstances under which the same occurred and that the person injured or damaged will claim damages of the City therefor; but such notice shall not be required when the person injured shall, in consequence thereof, be bereft of reason.

Section 104. No right, title, estate or easement of the City in any property shall be lost by adverse possession or occupancy, and no statute of limitations shall operate against the City in favor of any person occupying any public property or highway, whether such highway shall have been improved or not.

Section 105. If any judgment shall be recovered in any action against the City for any injury or damage caused by any obstruction, excavation, opening or defect in any highway or public grounds caused or occasioned by the act or omission of any person or corporation, the City shall have the right to recover the amount of any such judgment from the person or corporation so responsible for such obstruction, excavation, opening or defect.

Section 106. The City shall not be required in any judicial or quasi judicial proceedings to enter into any bond or undertaking or to give any security whatever.

Section 107. The Council shall, by ordinance, make such regulations as may be necessary to carry out and make effective the provisions of this charter.

Section 108. Until April 14, 1913, at twelve o'clock noon, and no longer, the officers holding office at the time this charter takes effect shall continue in office.

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Section 107. The Council shall have the authority to make such provisions as may be necessary to carry out the provisions of this charter.

Section 108. Until April 14, 1913, longer, the officers holding office shall continue in office.

WHEREAS the term of office of all the members of the Board of Freeholders, com only called the Charter Commission, of the city of Duluth, heretofore appointed by the Judges of the District Court of the Eleventh Judicial District of the State of Minnesota on the 14th day of July, 1908, has expired, and,

WHEREAS, pursuant to the provisions of Sec. 749 Revised Laws 1905, as amended, the duty of appointing a new Board rests with the undersigned,

NOW, THEREFORE, we, the said Judges, having confidence in the ability and integrity of the persons hereinafter named, all of whom are freeholders of said city and state and are and have been qualified voters of said city for five years last past, do hereby appoint Theodore T. Hudson, Chester A. Congdon, John G. Williams, Hervey H. Phelps, Thomas Olafson, Harry C. Strong, Charles F. MacDonald, William E. McEwen, Edward A. Silberstein, Trevanion W. Hugo, Marcus B. Cullum, Charles R. Haines, Bert Pesler, Scott A. Foster and John H. Crowley as the Board of Freeholders, or Charter Commission, of the said City of Duluth, to hold their said office as provided by law.

Dated at Duluth, Minn., July 15, 1912.

J. D. Ensign

Wm. A. Cant

Homer B. Dibell

Martin Hughes

H. A. Dancer

Judges of the district Court,
Eleventh Judicial District,
State of Minnesota.

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PROPOSED CITY CHARTER OF THE CITY OF DULUTH,
STATE OF MINNESOTA.

The undersigned Charter Commission of the City of
Duluth hereby propose a City Charter for the City of Duluth.

Theodore T. Hudson

T. W. Hugo

Harry C. Strong

Bert Wesler

H. H. Phelps,

Thos. Olafson

Wm . E. McEwen

Charles R. Haines

Scott A. Foster

John H. Crowley

Chas. F. Macdonald

John G. Williams

E. A. Silberstein

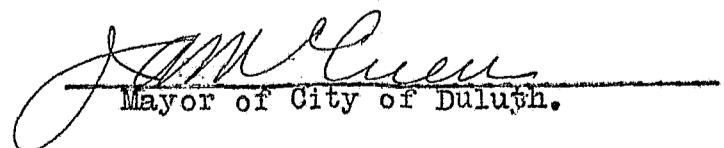
E. C. Cullum

Charter Commission.

State of Minnesota)
County of St. Louis)
City of Duluth) ss

I, J. A. McCuen, mayor of the City of Duluth in St. Louis County, Minnesota do hereby certify that the annexed and foregoing Charter of the City of Duluth, was returned to the Mayor of the City of Duluth by the Charter Commission duly appointed by the Judges of the District Court for the Eleventh (11th) Judicial District, State of Minnesota, under authority of chapter 351 of the Laws of Minnesota for 1899, as a draft of the proposed charter to be submitted to the qualified voters of said City of Duluth, at the next election thereof; that said charter was, under the provisions of said chapter 351 of the General Laws for 1899 duly submitted to the qualified voters of said City at a special election called for the purpose, which was held on December 3rd, A. D. 1912, and was duly ratified by four-sevenths (4/7) of the qualified voters voting thereat. And I further certify that the foregoing and annexed presentation of the Charter by the Charter Board as well as the above Order of the Court appointing said Charter Board or Commission, are, each and every, respectively, true and correct copies of the original drafts of same on file and of record in my office as mayor of the City of Duluth.

IN WITNESS WHEREOF, I have signed this certificate and caused it to be authenticated by the Corporate Seal of the City of Duluth in duplicate, this twentieth (20th) day of December, A. D., 1912.



Mayor of City of Duluth.

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