

herein provided for the creation of any such district, and in the vacation of any such district or any portion thereof and the removal of such restrictions each and all of the provisions of this act as to allowance of damages and benefits to property affected and as to the appointment of commissioners to appraise such damages and benefits and the duties of such commissioners, of the city clerk and of each and all of the other officers upon whom duties are herein imposed shall be complied with, and when such proceedings for the vacation of any such district or portion thereof shall have been completed the property included within such district or portion thereof so vacated shall be deemed relieved of each and all of the restrictions imposed in the proceeding creating such district.

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

Approved April 3, 1923.

CHAPTER 134—H. F. No. 559.

An act to amend Sections 4203 and 4204 of the General Statutes of Minnesota for 1913, relating to dangerous railroad crossings.

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

Section 1. Dangerous crossings—Complaints—Hearings.—That Section 4203 of the General Statutes of Minnesota for 1913 be and the same hereby is amended so as to read as follows:

4203. Upon written complaint authorized by a majority vote of the members of the city or village council of any city or village, or by the board of supervisors of any town, or board of county commissioners of any county in this state, *or by the commissioner of highways*, filed with the railroad and warehouse commission, hereafter called the commission, by the chief executive officer of said city or village, or the chairman of board of supervisors or county commissioners, *or the commissioner of highways*, as the case may be, that any railroad crossing with any street in said city or village, or town or county road, *or state aid road or trunk highway*, is dangerous to life and property, and giving the reasons therefor, the commission shall proceed to investigate the matters contained in said complaint, giving the complainant and the railroad company an opportunity to be heard, at a time and place to be fixed by the commission, after such notice as the commission may deem reasonable, Provided, that at least one public hearing shall be held in the town, village or city, *in which said crossing is located.*

Sec. 2. Same—Report and order—Flagmen, safety devices etc.—That Section 4204 of the General Statutes of Minnesota be and the same hereby is amended so as to read as follows:

4204. The commission shall decide the matter set forth in the complaint and make a report in writing thereof, including the find-

ings of facts, and make such order as it shall deem proper in the premises, and if said commission shall find said crossing to be dangerous, it may require the railroad company complained of to provide flagmen at such crossing, or adopt such safety device as the commission may deem necessary for the proper protection of said crossing, or it may require the removal of any structure, or structures, or embankment, from the right of way of said railroad company, or it may require said railroad company to construct and overhead or maintain an underground crossing and may divide the cost thereof between the railroad company, the town, county, municipal corporation or state highway department interested, on such terms and conditions as to the commission may seem just and equitable; where the railroad has been constructed or the grade thereof lowered after the laying out of the highway and the railroad tracks are seven feet or more below the natural surface of the ground the commission may require the maintenance of an overhead bridge at least eighteen feet wide with suitable approaches, and may also require the complaining city, village, town or county to remove embankments, or structures from streets or town or county roads as, in its opinion, may be reasonable and necessary to properly protect said crossing. Provided that no highway shall hereafter be laid out over any railroad so as to cross the same at grade until such crossing has been approved by the Railroad and Warehouse Commission.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 3, 1923.

CHAPTER 135—H. F. No. 597.

An act relating to villages and authorizing the purchase and redemption of outstanding bonds in certain cases.

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

Sec. 1. Cities and villages may purchase and redeem outstanding bonds in certain cases.—Whenever any village has received money from the state as a refund or reimbursement for money expended on highways pursuant to chapter 522, Laws 1921, and prior thereto duly issued and sold its bonds for highway purposes, such village may, with the moneys so received, purchase and redeem any part of such outstanding bonds, provided no premium in excess of five per cent of the par value of such bonds shall be paid.

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

Approved April 3, 1923.