

and interest of said bonds shall be raised as in this section provided, by taxes so to be levied, as aforesaid, upon the taxable property of said third and fourth wards of said city. Said taxes shall be levied and collected in the usual manner that other city taxes are levied and collected, *Provided*, That the sums of money raised by virtue of the authority conferred by this act, shall constitute an inviolable fund for the purpose for which they were raised, and shall never be used for or diverted to any other use or purpose whatever.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 3, 1864.

CHAPTER XXXVIII.

An Act to amend an act entitled "An act to authorize the city of St. Paul to issue its bonds for the purpose of aiding in the construction of a railroad bridge across the Mississippi river," approved March sixth, A. D. eighteen hundred and sixty-three.

- SECTION 1. Authorized to issue bonds—in what sum—for what purpose.
2. Question of issuing said bonds to be submitted to a vote of the electors of said city.
 3. May levy a special tax annually to pay interest on said bonds.
 4. Conditions upon which said bonds are issued—Governor to appoint three disinterested persons in case no conditions agreed upon.
 5. When act to take effect.

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

SECTION 1. Section one of an act entitled "an act to authorize the city of Saint Paul to issue its bonds for the purpose of aiding in the construction of a rail-

road bridge across the Mississippi river," approved March sixth, A. D. 1863, is hereby amended so as to read as follows :

Section 1. The city of Saint Paul may, by a vote of a majority of the members of the city council, ratified by a vote of the electors of said city, as hereinafter provided, at any time within two years from and after the first day of December, A. D. 1863, issue its bonds, to an amount not exceeding fifty thousand dollars, bearing interest not exceeding seven per cent. per annum, payable at any time not exceeding twenty years from the date thereof, at such place as said council may determine, with interest coupons attached to said bonds, and pledge the faith of said city for the payment of the interest thereon, at the time or times in said bonds or coupons named, and for the payment of the principal at the maturity of said bonds. The proceeds of said bonds to be used in aiding in the construction of a railroad bridge across the Mississippi river in said city, and in Dakota county, and said bonds shall express upon their face the precise object for which they shall have been issued.

Authorized to issue bonds—for what purpose, etc.

Sec. 2. Said act is further amended by inserting after said section one the three following sections :

Section 2. If said city council shall have, prior to the passage of this act, voted, or shall at any time hereafter vote, to issue the bonds of said city, pursuant to the authority vested in them by this act, or by the act to which this is an amendment, for the purpose herein specified, the proposition to issue said bonds shall be submitted to a vote of the electors of said city at the next annual election of city officers thereafter.

Question to be submitted to a vote of the electors of said city

In voting for or against said proposition the words, "For the issue of railroad bridge bonds—yes," or "For the issue of railroad bridge bonds—no," may be written or printed, or partly written and partly printed upon the ticket of each voter, and if, upon an official canvass of said votes in the manner provided by law for the canvass of votes for city officers, a majority of said voters, who shall vote upon said proposition, shall be found to have voted in favor of said propositions, the said city council are hereby authorized to

issue said bonds, as provided by section one of this act.

May levy an annual tax to pay interest on said bonds

SEC. 3. Upon the issue of the bonds provided for by this act, the said city council shall, annually, until the maturity and payment of said bonds, levy a special tax upon the taxable property of said city sufficient for the payment of the interest accruing upon the said bonds as it matures; and shall annually levy and cause to set apart, as a sinking fund, certain equal sums, which, with the accrued interest thereon, shall, in the aggregate, be sufficient for, and shall be applied to the punctual payment of the principal of said bonds at maturity. Said taxes shall be levied and collected in the usual manner that other city taxes are levied and collected. *Provided*, That the sums of money raised by virtue of the authority conferred by this act, shall constitute an inviolable fund for the purpose for which they were raised, and shall never be used for, or diverted to any other use or purpose whatever.

Conditions upon which bonds are issued—in case no conditions agreed upon, duty of Governor

SEC. 4. The bonds of said city to be issued aforesaid, shall be issued upon the condition that the aforesaid railroad company shall extend to the Root River Valley and Southern Minnesota Railroad Company, or such railroad company as may succeed to the rights, property, franchises and interests of said last-named company heretofore acquired by the State of Minnesota, the privilege and right to use for the transportation of freight and passengers, and in the transaction of the business of the company or companies last aforesaid, the road, track, switches and bridges of the said Minnesota Central Railway Company from and to the junction of the aforesaid railroads at Mendota, and from, to and through the city of St. Paul, with its engines, tenders, cars, and all other carriages, necessary or convenient for the transportation of freight and passengers, on such terms and conditions as shall be agreed upon by the said companies, and in case the said companies shall not be able to agree in reference to said terms, either party may apply to the Governor of the State, on ten days' notice, for the appointment of three disinterested persons, one of whom shall be an engineer, to decide upon the terms and conditions of such

use, and the compensation to be paid for the use of said roads, tracks and bridges, as herein provided, and the award of the persons so appointed, as aforesaid, shall be final and conclusive, and the acceptance of said bonds, by the said Minnesota Central Railway Company, shall be deemed a grant on the part of said last-named company, of the right and privileges aforesaid, to the said Root River and Southern Minnesota Railroad Company, or such company as may succeed to the rights, property, franchises and interest of the same aforesaid, upon the conditions herein contained. *Provided*, That said rights and privileges shall, at all times, be exercised and enjoyed by said Root River Valley and Southern Minnesota Railroad Company, or such company succeeding to its rights as aforesaid, subject to such regulations as to the time of running its freight trains over said road, as said Minnesota Central Railway Company may prescribe, and that said Root River Valley and Southern Minnesota Railroad Company shall not be entitled to the use and occupancy of said road, between Mendota and St. Paul, by its passenger trains, except at intervals of at least ten minutes before or after the passage of any train of the said Minnesota Central Railway Company over the same. *And provided further*, That in case the said terms and conditions shall be fixed by persons appointed by the governor, as herein provided, said adjustment of such terms and conditions shall continue and be in force for and during the term of five years, at the expiration of which period, and at the expiration of every period of five years thereafter, said terms and conditions, shall be adjusted either by agreement of said companies, or in case they cannot agree, by persons to be appointed by the Governor, as aforesaid.

In case conditions agreed upon, for what length of time to run

SEC. 3. Section two of said original act is hereby amended, so as to read as follows :

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 3, 1864.