

CHAPTER XXXII.

An Act confirming the action and resolutions of the Common Council of the City of St. Paul relative to the issue of bonds by said City to the Milwaukee and St. Paul Railway Company, to aid in the construction of a Railroad Bridge across the Mississippi River, and authorizing said Company to construct, maintain and operate a single track along a portion of the public levee in said City, passed October twenty-third, one thousand eight hundred and sixty-eight, and approved October twenty-fourth, one thousand eight hundred and sixty-eight, and to authorize the issue of such bonds.

Feb'y 24, 1869.

PREAMBLE.

- SECTION 1. Resolution and action of the Common Council of the city of St. Paul legalized and confirmed.
2. When act to take effect.

WHEREAS, The common council of the city of Saint Paul did, on the twenty-third day of October, A. D. one thousand eight hundred and sixty-eight, pass certain resolutions, which were on the twenty-fourth day of October, A. D. one thousand eight hundred and sixty-eight, duly approved by the mayor of said city, whereby the city of Saint Paul agreed to issue and deliver to the Milwaukee and Saint Paul Railway Company, the bonds of said city to the amount of fifty thousand dollars, as a bonus to aid in the construction of a railroad bridge across the Mississippi River, on the branch railroad of said company from Mendota to the city of Saint Paul, upon certain terms and conditions therein mentioned, and did authorize the said Milwaukee and Saint Paul Railway Company to construct, maintain and operate a single track of their said railroad along a portion of the public levee in said city, subject to certain conditions, limitations and restriction; which said resolutions as as follows, to-wit:

"And be it further resolved, That the said city of St.

reamble.

Paul hereby agrees to issue and deliver to the Milwaukee and St. Paul Railway Company, the bonds of said city with coupons attached, payable in the city of New York, to the amount of fifty thousand dollars; said bonds to become due in twenty years from the date of the issue thereof, and to bear interest at the rate of six (6) per cent. per annum, payable semi annually in the city of New York, and the payment thereof to be provided for by a sinking fund sufficient to discharge said bonds at maturity, as a bonus to aid in the construction of a railroad bridge across the Mississippi River, on the branch railroad of said company from Mendota, Dakota county, to the city of St. Paul, said bonds to be issued and delivered to said company upon the completion of said branch railroad and bridge, and the running of trains over said branch and bridge into the city of St. Paul with suitable cars and engines, for the transportation of freight and passengers to and from said city. *Provided*, That said branch railroad and bridge shall be completed, with regular trains running thereon, on or before the first day of October, A. D. eighteen hundred and sixty-nine (1869).

Preamble.

And be it further resolved, That in consideration of the construction of said branch railroad and bridge as aforesaid, the said Milwaukee and Saint Paul Railway Company are hereby authorized to construct, maintain and operate a single track of their said railroad, from the end of their road as the same has been heretofore duly located and established in said city, viz: From block number forty-three (43) in Rice and Irvine's addition to Saint Paul, along the public levee, to the track of the First Division of the Saint Paul and Pacific Railroad Company now in operation, subject, however, to all the conditions, limitations and restrictions contained in a certain ordinance of said city, entitled 'An ordinance granting the right of way to the Minnesota Valley Railroad Company through the city of Saint Paul,' approved on the twenty-first day of March, A. D. one thousand eight hundred and sixty-eight, so far as the same may be applicable. *Provided*, That if the said Minnesota Valley Railroad Company shall first lay their main track along the said levee from said block number forty-three, to the said track of the First Division of the Saint Paul and Pacific Railroad Company, under and pursuant to the ordinance above mentioned, and then in that case the Saint Paul and Milwaukee Railway Company are hereby authorized,

allowed and permitted to operate, run upon, and use such main track for the transportation of locomotives and cars thereon, under the provisions and restrictions in said ordinance contained; said company contributing and paying their rateable share of the cost and value of such common track, and the repairs, expenses and other charges in using and maintaining the same, as contemplated in the fourth section of said ordinance, and if the said Milwaukee and Saint Paul Railway Company shall first lay said main track along said levee, and in that case, the said Minnesota Valley Railroad Company are hereby authorized, allowed and permitted to operate, run upon and use such main track for the transportation of locomotives and cars thereon upon making like contribution and payment to the said Milwaukee and Saint Paul Railway Company. *Provided*, That the said two railway companies shall not construct, maintain, operate or use any more main tracks, side tracks or switches along the public levee of said city, than are authorized and permitted under said ordinance. *And provided further*, That the said bonds to be issued to the said Milwaukee and Saint Paul Railway Company shall be received and accepted by them in lieu of all bonds heretofore agreed to be issued as a bonus by said city of Saint Paul to the Minnesota Central Railroad Company, to aid in the construction of said railroad bridge." Now therefore,

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

Action of council legalised.

SECTION 1. That the said resolutions and action of the common council of the city of Saint Paul, passed October twenty-third, A. D. one thousand eight hundred and sixty-eight, and approved on the twenty-fourth day of the same October be, and the same are hereby in all respects legalized, approved, ratified and confirmed. And the said city of Saint Paul is hereby authorized and empowered, and it shall be the duty of said city upon the completion of said branch railroad and bridge, and the running of trains over said branch and bridge into the city of Saint Paul with suitable cars and engines for the transportation of freight and passengers to and from said city, to issue and deliver to the said Milwaukee and Saint Paul Railway Company, as provided in said resolutions, the bonds of said city with coupons attached, payable in the city of New York, to the amount of fifty thousand dollars; said

bonds to become due in twenty years from the date of the issue thereof, and to bear interest at the rate of six per cent. per annum, payable semi-annually in the city of New York. *Provided*, That said branch railroad and bridge shall be completed, with regular trains running thereon, on or before the first day of October, A. D. one thousand eight hundred and sixty-nine. And said bonds when so issued shall be valid and binding on said city, and it shall be the duty of the common council of said city to provide by taxation, for the prompt payment of the interest on said bonds, and for a sinking fund sufficient to meet the same at maturity agreeably to the statute in such case made and provided.

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

Approved February 24, 1869.

CHAPTER XXXIII.

An Act to amend an act entitled "An Act to authorize the city of Saint Paul to aid in the construction of the Saint Paul and Chicago Railway," approved March sixth, one thousand eight hundred and sixty-eight.

Feb'y 24, 1869.

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

SECTION 1. Increase of bonus in aid of said Company—extension of time for the redemption of bonds.

2. When act to take effect.

SECTION 1. That the act entitled "an act to authorize the city of Saint Paul to aid in the construction of the Saint Paul and Chicago Railway," approved March sixth, one thousand eight hundred and sixty-eight, be and the same is hereby amended by striking out of the first sec-

Increased bonus—time extended to redeem bonds.