

CHAPTER 54.

[S. F. No. 481.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE THE ACT INCORPORATING THE CITY OF ROCHESTER, IN THE COUNTY OF OLMSTED, AND THE STATE OF MINNESOTA, AND THE SEVERAL ACTS AMENDATORY THEREOF; AND THE ACT TO ORGANIZE A BOARD OF EDUCATION FOR THE CITY OF ROCHESTER, AND THE SEVERAL ACTS AMENDATORY THEREOF TO ONE (1) ACT, AND TO AMEND THE SAME," APPROVED MARCH NINTH (9TH) A. D. ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN (1867).

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

SECTION 1. That section two (2) of chapter four (4) of an act entitled "An act to reduce the act incorporating the city of Rochester, in the county of Olmsted, and state of Minnesota, and the several acts amendatory thereof, and the act to organize a board of education for the city of Rochester, and the several acts amendatory thereof, to one (1) act and to amend the same," approved March 9th, A. D. one thousand eight hundred and sixty-seven (1867), be and the same is hereby amended by inserting after the word "council," in the second (2nd) line of said section two (2), the following words, "but shall have no vote therein except a casting vote when there is a tie."

SEC. 2. That section one (1) of chapter five (5) of said act is hereby amended by adding at the end thereof, the following words, "Thirty-eight. To grant the right of way over, through or upon any of the public streets of said city to any person, company or corporation to build, maintain and operate a street railway for the carriage of passengers only, the cars of which are to be drawn by horses or mules only, *provided*, that this subdivision shall not authorize said common council to grant any such right or privilege over, through or upon any alley in said city, nor to grant any exclusive right; *and provided further*, such right or privilege shall not be granted to any person, company or corporation unless upon condition that such street railway shall be built and in operation within two years from the time of the granting of such right, and that the gauge of the track of such street railway shall not be to exceed four (4) feet.

Thirty-ninth. To regulate the sale or traffic in merchandise and other commodities in the city of Rochester by transient traders or dealers in goods, wares and merchandise occupying stores or buildings in the city of Rochester, or engaged in the sale of such goods, and to license and regulate such transient traders and dealers, and to prohibit the same if not so licensed, and provide for the punishment of any such traders or dealers who shall within said city vend, sell or dispose of, or offer to vend, sell or dispose of any goods, wares or merchandise without first having obtained such license; *provided*, that all merchants or dealers in goods, wares or merchandise whose stock of goods has not been assessed and taxed within the city for the fiscal year during any part of which they shall be engaged in such business, and who shall not be bona fide residents of said city shall

be deemed "transient traders," or "dealers," for the purposes of this subdivision.

Fortieth.—To prohibit the playing by minors of pool, billiards, or any other game in any licensed billiard or pool-room, or any saloon, or any other place, where licensed billiard or pool tables are kept, or other games allowed, and to provide for the punishment by fine or imprisonment of any person or persons owning, operating or having control of any of said game or games who permit such minors to play said games in violation of this provision or any ordinance passed pursuant thereto.

SEC. 3. That section four (4) of chapter six (6) of said act be amended to read as follows: "All funds in the city treasury shall be under the control of the common council and shall be drawn out upon the order of the mayor and recorder duly authorized by a vote of the common council, and all orders shall specify the purpose for which they are drawn. No appropriation shall be made unless two-thirds ($\frac{2}{3}$) of all the members of the common council shall vote in favor of it and the vote shall be taken by calling the roll and the vote for each member of the council shall be entered on the journal of the council. All orders shall be payable to the order of the person in whose favor they may be drawn and may be transferred by an endorsement.

SEC. 4. That chapter six (6) of said act be amended by adding at the end thereof the following:

"Section 6. The common council of said city is hereby authorized to issue the bonds of said city to the amount of twenty thousand (\$20,000) dollars to fund the bonded debt of said city incurred in aid of the construction of the Rochester and Northern Railroad; said bonds shall be issued in such sums and due at such times, not exceeding twenty (20) years from the date of issue, as the common council may determine and shall bear interest at a rate not exceeding five (5) per cent per annum payable semi-annually at such place as the common council may direct. *Provided, however, that such bonds shall not be sold for less than their par value and the amount realized therefrom shall only be used for the payment of the bonds issued by said city in aid of the construction of said railroad.*"

Section 7. There shall be levied upon the taxable property in said city each year after the issuance of such bonds, a sum sufficient to pay the interest on the bonds issued under the provisions of the preceding section, and the money realized therefrom shall be kept as a separate fund for the payment of such interest.

Section 8. The common council may, if they deem it for the best interest of the city, appropriate each year such sum, not exceeding three hundred (300) dollars, from the general city fund, to aid the free reading room in said city.

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

Approved March 26, 1889.