

and of the village or city council in case of a road or highway within the limits of an incorporated village or city, may be enforced by the district court in and for the county and district where said land is situated.

Public
road not
established
or author-
ities desire
to establish
road.

SEC. 2. In all cases of the use by the public of a road or highway which has not been duly established as a public highway, or where the town supervisors of any town, or the village or city council of any village or city, or the county commissioners of any county, desire to provide for the establishment of a road, street or highway for the public, and the land crossed by such road, street or highway contains iron ore, the said town supervisors or the said village or city council, or the said county commissioners, may agree with the owner or lessee of the land whereon it is proposed to locate said road, street or highway, that in case said owner or lessee shall consent or acquiesce in the use of the same as a road, street or highway for the public, the location of such road, street or highway shall be changed at any time when the said owner or lessee of the land shall request such change in case he desires, and is about to mine or remove the ore in said land in such manner as to remove the supports of such road, street or highway.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

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

Approved April 20, 1903.

H. F. No. 601.

CHAPTER 303.

Cities of
over 50,000.

An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds for the purpose of extending the water works system of such cities.

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

Authorized
to issue
bonds.

SECTION 1. The city council or common council of each city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time as needed the negotiable bonds of their

respective cities to an amount in the aggregate not to exceed \$100,000, said bonds to be made in such denominations and payable at such places and at such times, not to exceed thirty years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed $3\frac{1}{2}$ per cent per annum, payable semi-annually, and to have interest coupons attached, payable at such place or places as shall be designated therein; and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor, and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and, *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by a resolution or ordinance duly passed by a five-sixths vote of all the members of the city council or common council of the city proposing to issue the same; and, *provided further*, that no bonds shall be issued under the provisions of this act after the expiration of six months from the time of the approval of this act.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an amount that the whole amount of the principal of the bonds actually issued by said city and still outstanding, together with the proposed issue, less the amount of the funds and bonds of such city which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed ten per cent of the assessed valuation of the taxable property of such city, as shown by the last preceding assessment.

Limit of
bond issue.

SEC. 3. All bonds issued under authority of this act shall be sealed with the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder, and countersigned by the city comptroller or corresponding officer, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same, and shall be used only for the purposes of extending the water works system of such city by the construction of water mains to serve and accommodate the inhabitants thereof; and the proceeds of such bonds or any thereof shall not be used for any other purposes than those hereinbefore specified.

For extension of
water
works
system.

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

Approved April 20, 1903.

H. F. No. 756.

CHAPTER 304.

Cities of
50,000.

An act entitled an act to authorize the issuance of bonds by cities now or hereafter having a population of over fifty thousand inhabitants.

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

Authorized
to issue
bonds for
purposes
of refunding
outstanding
or matur-
ing bonds,
and certain
improve-
ments.

SECTION 1. Any city of this state now or hereafter having a population of over fifty thousand inhabitants, is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted, by an affirmative vote of not less than three-fourths of all members elect of such common councils, to issue the bonds of such city, for the following purposes, viz:

(1) In any amount for the purpose of refunding outstanding or maturing bonds.

(2) For the purpose of defraying the cost of construction of bridges and public school buildings and other buildings for municipal purposes, and to aid in the construction of main sewers; *provided*, that the amount of bonds issued under this paragraph (2) shall not exceed in the aggregate \$600,000.00 par value and not to exceed \$200,000 of said sum shall be issued in any one year.

Tax
levy.

SEC. 2. Every city issuing any bonds under authority of this act is hereby required to levy each year thereafter a tax of at least one-half mill on the dollar of all taxable property for the purpose of creating a sinking fund to pay the bonds of such city as they mature, whether such bonds be issued under the authority of this act, or otherwise, until the entire bonded indebtedness of such city shall be extinguished, and such sinking fund shall not be diverted or used for any other purpose.

Limitations.

SEC. 3. Bonds shall not be issued hereunder by any city for any sum in excess of three-fourths of the actual cost of any such bridge, building, or main sewer, and at least one-fourth of the cost of any thereof shall be included in and paid from the current annual tax levy next made, or from funds in the city treasury not otherwise appropriated.

SEC. 4. No ordinance authorizing the issuance of any