

## CHAPTER 63.

H. F.  
No. 166.Bridges over  
navigable  
streams.

*An act to authorize boards of county commissioners, city or village councils or trustees to erect fixed bridges or highways over navigable streams on certain conditions.*

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

Authority to  
erect fixed  
bridge.

SECTION 1. Whenever in the opinion of the board of county commissioners of any county or supervisors of any town, or the board of trustees or council of any city or village of this state, it becomes necessary, for the purpose of accommodating travel on any highway, to erect a bridge over any river or waterway within their respective jurisdictions the navigable portions of which river or waterway lie wholly within the limits of the state, such board or council may cause the erection of a fixed bridge over such river or waterway, without a draw; *provided* the clear height above the ordinary high water stage of such waterway and the clear width of the opening, shall be sufficient to accommodate the ordinary navigation of such waterway; and *provided further*, that the location and plans thereof are submitted to and approved by the chief of engineers of the United States army and by the secretary of war, before construction is commenced.

Height.

Submission  
of plans.

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

Approved March 23, 1905.

## CHAPTER 64.

H. F.  
No. 168.Organized  
towns may  
issue bonds  
for building  
roads and  
bridges.

*An act to authorize the issuing of bonds by organized towns for the purpose of building roads and bridges and purchase of material and apparatus therefor.*

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

SECTION 1. Every organized town of this state is hereby authorized to issue bonds to build roads and bridges within such organized town by conforming to the provisions of this act.

Procedure.

SEC. 2. Whenever the town supervisors of any organized town in this state shall determine by resolution duly passed and recorded, to raise the amount of money stated in such resolution by issuing the bonds of the town to

build roads and bridges in said town and for the purchase of material and apparatus therefor or when a petition addressed to the town supervisors of any organized town, and signed by at least ten (10) of the voters and freeholders residing in such town, setting forth in such petition that it is the desire of such petitioners that such town shall issue its bonds for the purpose of building roads and bridges within said town and for the purchase of material and apparatus therefor, the amount of such proposed bond to be named in said petition, it shall be the duty of such town supervisors to cause the proposition expressed in such resolution or petition to be submitted to the electors of such town at the next following annual town meeting to be held therein or at such special election as the said town supervisors shall by resolution designate. Notices of such election shall be posted by the town clerk or deputy town clerk of such town in at least five (5) public places within the said town not less than ten (10) days before such annual or special town meeting is held, the said notices to state definitely the purpose and amount of the proposed bonds.

Proposition  
to be sub-  
mitted to  
electors of  
town, notice.

SEC. 3. There shall be provided by the town in case of such election a suitable box in which ballots cast at such election for or against such proposition, shall be deposited. The ballots used at said election on said bonding proposition shall have printed thereon: For road and bridge bonds—"Yes," for road and bridge bonds—"No," and each elector voting on said proposition shall place a cross mark, thus (X) in a space to be left opposite, either the word "yes" or the word "no." The said election shall be conducted and the votes cast thereat shall be canvassed and counted and the result certified in like manner as in the case of an election for town officers.

Election.

SEC. 4. If a majority of the votes cast at such election be in favor of such proposition, the said town supervisors may issue and negotiate bonds of such town to the amount stated in the election notice, which bonds shall not be negotiated or sold for less than their par value, and shall be made due and payable within twenty (20) years from the date of issue thereof and shall not bear more than six per cent (6%) interest per annum.

Majority  
vote re-  
quired.

No town shall issue or sell its bonds to such an amount that the aggregate bonded indebtedness thereof shall at any one (1) time exceed fifteen per cent (15%) of the assessed valuation of the taxable property of such town as indicated by the last preceding assessment.

Bonded in-  
debtedness  
not to exceed  
15 per cent.

Notice, publication, bids.

SEC. 5. Before any such town shall be authorized to issue its bond as hereinbefore provided, the town supervisors shall give notice by publication for three (3) consecutive weeks in the official newspaper of the county in which said town is situated and by a similar publication for the same length of time in a weekly or daily newspapers printed at the capital of the state, all of which said newspapers shall be designated therefor by resolution of such town supervisors, duly made and recorded, that the said supervisors will receive bids for the sale of said bonds at the time and place to be named in such notice.

Opening of bids, sale of bonds.

SEC. 6. At the time and place named in such notice, the said town supervisors shall open and consider said bids, and may thereupon sell said bonds to the person, company or corporation offering the most advantageous terms for the interest of such town; *provided*, that said town supervisors may reject any and all bids offered for the purchase of such bonds if they deem it necessary for the best interests of the town so to do.

Disposition of money.

SEC. 7. The money realized upon the sale of such bonds shall be placed in the town treasury, and devoted as far as may be necessary to the purpose named in the aforementioned resolution or petition, and the residue thereof, after the cost and expense of building such roads and bridges shall have been paid and discharged, shall be paid into the road and bridge fund of such town.

Levy and redemption of bonds.

SEC. 8. Said board of supervisors and their successors are hereby authorized, on or before the first day of October next after the date on said bonds, and in each and every year thereafter on or before the first day of October until the payment of said bonds and interests is fully provided for, to levy and in due form certify to the auditor of the county in which such town is situated, a tax upon the taxable property of said town equal to the amount of principal and interest maturing next after such levy, and in the discretion of said board of supervisors such further sum as it shall deem expedient, not exceeding fifteen per cent (15%) of such maturing bonds and interest, which taxes shall be payable in money and shall constitute a fund for the payment of said bonds or interest thereon.

SEC. 9. All acts and part(s) of acts inconsistent with this act are hereby repealed.

SEC. 10. This act shall take effect and be in force from and after passage.

Approved March 23, 1905.

#### CHAPTER 65.

*An act to authorize the county commissioners of certain counties to issue and negotiate bonds for the purpose of refunding bonded and floating indebtedness of such counties.*

H. F.  
No. 177.  
Issue of  
bonds for  
refunding  
indebted-  
ness. in  
counties,  
in certain  
cases.

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

SECTION 1. The county commissioners of any county in this state that has heretofore issued bonds purporting to have been issued for any purpose authorized by law, and which bonds have been actually sold and delivered to purchasers for value may at any time before January 1st of the year A. D. nineteen hundred and six (1906) after maturity, or before maturity, with consent of the holder, and while said bonds are valid and existing indebtedness against such county, refund the same and issue and negotiate new bonds for the amount of such bonded indebtedness and for the amount of any floating indebtedness against such county, or for any part of such bonded or floating indebtedness. *Provided*, that bonds issued to

Proviso.

refund any such indebtedness shall not be made payable more than ten years from the date the same were issued, and shall not draw a higher rate of interest than the bonded indebtedness refunded.

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

Approved March 23, 1905.

#### CHAPTER 66.

*An act to amend section 1832 of the General Statutes of 1894, as amended by chapter 152 of the General Laws of 1899, and chapter 242 of the General Laws of 1903, relating to the width of public roads and laying out of public cartways.*

H. F.  
No. 193.

Public roads  
and cart-  
ways.

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

SECTION 1. That section 1832 of the General Statutes of 1894, as amended by chapter 152 of the General Laws