

CHAPTER 306—H. F. No. 1042.

An Act to amend Section 772 of the Revised Laws of Minnesota for 1905, relating to the refundment of money to certain owners of real estate in cases where a local improvement for which the money was assessed, is abandoned or where the amount of the assessment exceeds the cost of the improvements.

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

Sec. 1. Application or action to be made or brought within six years.—That Section 772 of the Revised Laws of Minnesota for 1905, be and the same is hereby amended so as to read as follows:

772. Whenever any special assessment shall have been levied upon real estate to defray the cost of a proposed local improvement, and the improvement shall be abandoned, or the total amount of the assessment shall exceed the cost of the improvement, the municipality shall be liable to the owner in the first case for the amount of the assessment paid by him, and in the second case for such proportion of the excess as the amount of the assessment paid by him bears to the total assessment, and it is hereby made the duty of the proper authorities to make refundment. *Provided application therefor is made by or on behalf of the party entitled thereto, or any action to recover the same is brought within six years after funds to pay the same have been appropriated and made available by the proper officers to fully pay the same.*

CHAPTER 307—S. F. No. 148.

An Act to promote the safety of employees and travelers on railroads by requiring common carriers engaged in operating railroads in the state of Minnesota to establish and maintain a safe and sufficient clearance between structures located on and over their roadways and cars passing over their lines, and for other purposes.

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

Section 1. Application to railways other than electric.—That the provisions of this act shall apply to any corporation or receiver thereof or to any person or persons while engaged as common carriers in the transportation by railroad of passengers or property within this state to which the regulative powers of this state extend, except railways operated by the electric trolley system.

Sec. 2. Unlawful to erect certain structures, etc.—That on and after the passage of this act, it shall be unlawful for any common carrier, or any other person, to erect or reconstruct

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