

prosecution for any violation thereof is hereby expressly imposed upon the Dairy and Food Commission of the State of Minnesota, and it shall be the duty of the county attorney of any county wherein a violation of this act shall have occurred, upon complaint being made to him, to prosecute any person violating any of the provisions of this act.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 24, 1915.

CHAPTER 310—S. F. No. 630.

An Act to promote the development of suburban railroads and allowing them upon just compensation the joint use of other street railway tracks and accessories in cities and villages.

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

Section 1. **Suburban railways may be granted franchise for carrying freight, etc.**—The governing body of any city or village may by a revocable license, or by a franchise duly approved by the electors in accordance with its charter, permit a suburban railway using other than steam power to enter such city or village for the purpose of carrying passengers, baggage and light freight. Such license or franchise shall specify its terms and conditions and shall designate the route to be followed, but shall not be construed as a contract between the parties.

Sec. 2. **Compensation to be fixed by railroad commission.**—Where the designated route is already provided with tracks and other equipments, said suburban railway and the corporation owning or controlling said tracks and equipments may enter into an agreement for the joint use thereof upon equitable terms. Upon the failure of the interested parties to agree among themselves, the State Railroad and Warehouse Commission, when applied to by either party or by the city or village council, shall hear the matter and by an order fix the rate of compensation to be paid by such suburban railways for the use of the tracks, overhead wires, electric current and other accessories to be used in the operation of such suburban railway under the schedule established and the license or franchise granted by such city or village, and such suburban railway shall thereupon be entitled to the use of said tracks, overhead wires, electric current and other accessories under the terms of said order, and may enforce said right by mandamus proceedings in the courts of this state.

Sec. 3. **Cars and equipment to be furnished by suburban railways.**—That said suburban railways shall provide for operation within such city or village limits, cars and equipment substantially similar to the cars and equipment used by the street

railways operating upon the tracks over the route so designated, and while operating upon such street railway tracks, shall comply with and be subject to all ordinances, laws, traffic rules, time schedules and regulations applicable to such street railways as the city council or other governing body may from time to time adopt, except where such suburban railways are specifically exempted by any such council from compliance with any ordinances or other municipal regulation of such city or village.

Approved April 24, 1915.

CHAPTER 311—S. F. No. 759.

An Act empowering cities of the fourth class to regulate and fix the terms and conditions upon which any person or corporation not operating under a written franchise or license from such city, may sell, conduct or convey electricity or electric current, in or through such city, or use the streets, alleys or public grounds of such city, in certain cases.

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

Section 1. Cities of fourth class given power to fix rates for electric service.—In all cities of the fourth class in this state where any person or corporation sells, conveys or delivers electricity or electric current that is manufactured, created or obtained in another state and where such person or corporation occupies or uses any of the streets, alleys or public grounds of such city for the purpose of erecting or maintaining any towers, masts, poles, wires or conduits therein for the purpose of conveying or conducting electricity or electric current, or conducts or conveys electricity or electric current into or through such city, without having a written franchise, license or authority from such city therefor, the city council or governing body of such city may, by resolution, at any regular or special meeting thereof, name, fix and regulate an amount in money that such person or corporation shall pay into the city treasury of such city each month for the privilege of so doing, or so using such streets, alleys or public grounds.

Sec. 2. Resolution to fix amount.—Such resolution shall state and fix the amount of such monthly payments and the time and manner of paying the same and the amount so stated and fixed shall be a legal charge against any such person or corporation and may be recovered by such city in a civil action in any court having jurisdiction.

Sec. 3. Vested rights not granted.—Nothing herein contained shall be construed as granting to any such person or corporation any vested rights, license or authority in such city, or to prevent any such city from at any time causing the removal from