

Said officer or officers shall immediately draw a warrant or warrants for the full amount of said refundment, payment or repayment and interest thereon, and said warrant or warrants shall be paid by the county treasurer of such county out of moneys in his possession which are not otherwise appropriated by law.

**Sec. 3. Tax levy authorized.**—The county board of tax levy of any county coming within the provisions of this act is hereby authorized and directed, in event there is not sufficient funds in the hands of the county treasurer of such county to pay in full the demands for refundment, payment or repayment of moneys as provided herein, to levy a tax for and make provision for the payment in full of all such demands.

**Sec. 4.** This act shall be in effect from and after its passage and approval.

Approved April 20, 1917.

#### CHAPTER 419—S. F. No. 477.

*An act to provide for acquiring the title to property in fee simple absolute in condemnation proceedings instituted by the state of Minnesota or by any political subdivision thereof.*

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

**Section 1. Property taken by state to be an estate without right or reversion.**—In all cases where proceedings shall hereafter be instituted for the condemnation of property for public use by the state of Minnesota or by any political subdivision thereof, the right, interest or estate in said property proposed to be taken, if greater than an easement, shall be specifically described in said proceedings, and if the right, interest or estate so described shall be a fee simple absolute, said fee simple absolute shall be an estate without any right of reversion under any circumstances whatsoever.

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

Approved April 20, 1917.

#### CHAPTER 420—S. F. No. 490.

*An act to authorize cities in the state of Minnesota now or hereafter having a population of more than 50,000 inhabitants to issue and sell bonds for the purpose of constructing, replacing or repairing bridges and viaducts.*

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

**Section 1. \$200,000 bridge and viaduct bonds for city of Duluth.**—Any city in this state now or hereafter having a pop-

ulation of more than fifty thousand (50,000) inhabitants, in addition to all the powers now possessed by such city, is hereby authorized and empowered, acting by and through the common council or city council of such city, by ordinance or resolution duly enacted, to issue and sell not exceeding two hundred thousand dollars (\$200,000.00) par value, of the bonds of such city, for the purpose of constructing, replacing or repairing bridges and viaducts in such city; provided, no such bonds shall be issued or sold unless the ordinance or ordinances or resolution authorizing their issue and sale shall have been duly passed and enacted by the common council or city council of such city, prior to the first day of May 1918.

**Sec. 2. Ordinance to be adopted by council and following procedure.**—The ordinance or resolution providing for the issuance of said bonds or any portion thereof shall not go into effect before thirty (30) days from the time of its last publication.

If during said thirty (30) days a petition, signed by qualified electors of such city equal in number to at least five (5) per centum of the total ballots cast at the last preceding general election, protesting against the passage of such ordinance or resolution, be presented to the council, the same shall thereupon be suspended from going into operation; and it shall be the duty of the council to reconsider such ordinance or resolution, and if the same be not entirely repealed, the council shall submit the ordinance or resolution to a vote of the electors of such city either at the next general municipal election, or at a special election called for that purpose, and such ordinance or resolution shall not become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

**Sec. 3. To be issued notwithstanding present indebtedness.**—The bonds authorized by section 1 of this act or any portion thereof, may be issued and sold by any such city, notwithstanding any limitation contained in the charter of such city, or in any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act, and for the payment of the current interest thereon, and the said common council or city council shall each year include in the tax levy a sufficient amount for the payment of such interest as it accrues, and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

**Sec. 4. To run 15 years at 5 per cent and form of bond.**—No bonds shall be issued by any such city for the purposes hereinabove mentioned, to run for a longer period than fifteen (15) years or bearing a higher rate of interest than five (5) per cent

per annum, but the place of payment of the principal and interest thereon and the denominations in which the same shall be issued shall be such as may be determined upon by the said common council or city council and may be in the form of coupon bonds or registered certificates so called. All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller or city auditor of such city, and shall be sealed with the seal of such city, except that the signatures to the coupons attached to such bonds if any, may be lithographed thereon and none of such bonds shall be sold for less than their par value and accrued interest, and then only to the highest bidder or bidders for cash, but such sale shall be made in such manner and in such proportions of the whole amount authorized by this act and at such times as may be determined by the said common council or city council.

**Sec. 5. Application.**—This act shall only apply to such cities as are or may be governed by a charter adopted pursuant to section 36, article 4 of the constitution of this state.

**Sec. 6. In addition to existing powers.**—The powers granted by this act are in addition to all other existing powers of such cities.

**Sec. 7.** This act shall take effect and be in force from and after its passage.

Approved April 20, 1917.

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#### CHAPTER 421—S. F. No. 588.

*An act providing for the payment of the expenses of the trial of civil cases upon a change of venue in certain cases.*

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

**Section 1. Expenses to be paid by county in which action was commenced.**—Whenever the venue hereafter shall be changed in a civil action upon the consent of parties, with or without an order of court, to a county other than the one where the same is properly triable or by an order of court under either subdivision three (3) or four (4), of section 7723, General Statutes 1913, the expenses of the trial of such action, including officers and jurors fees, and all expenses caused by the trial of such action which would not otherwise have been incurred by the county where the same is tried shall be paid by the county in which such action was commenced.

**Sec. 2. To be first paid by county in which action is tried and statement to be made to county in which action originated.**—Such expenses shall be paid in the first instance by the county in which the action is tried, and thereupon the clerk of court of said county shall prepare, under his hand and seal,