

bonds shall be signed by the mayor, attested by the city clerk or recorder, with the seal of the city thereto affixed, and the coupons evidencing the interest upon such bonds may be executed with the facsimile signatures of said officers.

Sec. 3. **Election not required.**—No election shall be required before the issuance of bonds unless a petition signed by not less than ten (10) resident freeholders of any such city, asking for the submission of the question of the issuance of said bonds shall be filed with the city clerk or recorder within twenty days after the ordinance directing the issuance of the bonds is published in the official newspaper, and in the event that a petition shall be filed asking for the submission of the question, the city council shall call a special election for the submission of the question of the issuance of such bonds to the voters of said city, giving at least fifteen (15) days' notice thereof, in which shall be stated the polling places, the amount of bonds proposed to be issued and purpose of issue, which said notice shall be published at least twice in the official newspaper. Whenever such petition signed by at least ten (10) resident freeholders as aforesaid is filed with the city clerk or recorder, as required under and by this section 3, the question of the issuance of such bonds shall be submitted to the vote of the people of such city, and unless so submitted such bonds shall be void and of no force.

Sec. 4. **\$80,000 limitation.**—No bonds in excess of eighty thousand dollars (\$80,000) shall be issued by any city under the authority of this act.

Sec. 5. **Annual tax levy required.**—Every city issuing bonds under the authority of this act is hereby required to annually levy taxes upon all the taxable property in such city in an amount sufficient to pay the interest on such bonds and to provide a sinking fund for the payment of the principal of such bonds at maturity.

Sec. 6. **Certain chapters repealed.**—Chapter 205, Laws 1909, and chapter 253, Laws 1915, are hereby repealed except as to pending proceedings.

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

Approved April 15, 1919.

CHAPTER 263—H. F. No. 859.

An act to amend Subdivision 3 of Section 2; Sections 16, 18, 20, 21 and Subdivision (2) of Section 30 of Chapter 235, Laws 1913, as amended by Chapter 116, Laws 1915, and Chapter 119, Laws 1917, which Chapter 235, Laws 1913, is entitled: "An act relating

to public highways; the powers and duties of counties, towns, villages and cities in relation thereto; the creation of a state highway commission, prescribing its powers and duties, appropriating money therefor and providing for the payment of state aid for the construction and improvement of roads and authorizing and directing the levy of taxes for highway purposes."

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

Section 1. Width of bridges and culverts.—That subdivision (3) of section 2 of chapter 235, Laws 1913, be and the same is hereby amended so as to read as follows:

Subdivision (3). All bridges and culverts, and approaches thereto, on any road hereafter established, or improved, shall be at least sixteen (16) feet wide; and when such bridge in its construction or repair shall be raised three feet or more above the level of the bank on either side of any river, stream, gully or ravine, then such bridge and approaches shall be at least eighteen (18) feet wide and provided with substantial railings.

Whenever any steam or electric railroad company shall hereafter construct a bridge over a public highway, the same shall be constructed so as to leave a clear opening for the highway at least twenty-eight feet wide and at least fourteen feet clear space from the surface of the highway to the bottom of the bridge; *provided, that two openings, each at least fourteen feet wide, shall be sufficient if approved in writing by the commissioner of highways.*

Any bridge hereafter constructed on any public highway over the tracks of any steam or electric railroad, shall be at least eighteen feet wide and the approaches thereto shall be at least twenty-four feet wide and the grade of such approach shall not exceed five feet rise in a hundred feet. The grade of any approach to, or over any culvert shall not exceed or be greater than the equivalent of a five-foot rise in a hundred feet; *provided, however, that when local conditions preclude compliance with the foregoing requirements, such requirements may be modified by the commissioner of highways upon plans approved by him.*

Sec. 2. Payment of allotments.—That the first paragraph of section 16 of chapter 235, Laws 1913, as amended by section 4 of chapter 116, Laws 1915, and section 11 of chapter 119, Laws 1917, be, and the same is hereby amended so as to read as follows:

Section 16. Not less than twenty per cent of the allotment so made to any county shall be used for maintenance of state roads and bridges thereon, *and a greater proportion of the allotment so made may be so used when a greater percentage shall have been declared by resolution of the county board to be necessary for such purpose and such resolution shall have been approved by the commissioner of highways.* Payment shall be made by the state to a county only for such proportion of the cost of maintenance of any road as is

hereinafter specified with reference to the payment of state aid to such county for the construction or improvement of a state road therein.

Sec. 3. Designation of streets or roads as state highways.—That the second paragraph of section 18 of chapter 235, Laws 1913, as amended by section 5 of chapter 116, Laws 1915, and section 13 of chapter 119, Laws 1917, be, and the same is hereby amended so as to read as follows:

Any such board may also, with the consent of the commissioner of highways, designate as a state road any street or road within the corporate limits of any village, borough or city of the fourth class.

Also amend the sixth paragraph of said section 18, as so amended, so as to read as follows:

Any roads which may have been at any time designated as state roads, may, by joint action of the county board and the commissioner of highways, be abandoned or changed as such. Provided, that in case the county board of any county fails or neglects for the period of ten days after being notified by the commissioner of highways to properly maintain any state road which it is required to maintain, then the commissioner of highways shall have power to revoke the designation of such highway as a state road.

Sec. 4. County may obligate itself to pay a proportion of salary and expense of assistant engineer.—That the second paragraph of section 20 of chapter 235, Laws 1913, as amended by section 5A of chapter 116, Laws 1915, and section 15 of chapter 119, Laws 1917, be, and the same is hereby amended so as to read as follows:

The commissioner of highways shall pay from the funds appropriated for the expenses of the highway department, all the expenses of the assistant engineers and all expenses incidental to the making by them of surveys, estimates, plans and specifications for work to be done on the public roads, including the expenses of such engineers incidental to the supervision by them of the construction or improvement of any public road. It shall be lawful, however, for a county board of any county to furnish a suitable office and office furniture and equipment at the county seat of its county for the use of an assistant engineer assigned to such county, *and any county may by an agreement to be entered into with the commissioner of highways obligate the county to pay a specified proportion of the salary or expenses or both, of any such assistant engineer.*

Sec. 5. Procedure for constructing or improving state road by county board.—That section 21 of chapter 235, Laws 1913, as amended by section 16 of chapter 119, Laws 1917, be, and the same is hereby amended so as to read as follows:

Section 21. Whenever the county board of any county shall determine to build or improve any state road for which aid is to be claimed, they shall proceed as follows:

If the estimated cost of such work does not exceed five hundred dollars (\$500) the said board shall cause surveys, when necessary, to be made therefor, by an assistant engineer, and shall thereupon receive bids for all or part of said work and let the contract to the lowest responsible bidder, or may cause the same to be done by day labor under the supervision of said engineer. In case the estimated cost exceeds five hundred (\$500) dollars the said county shall cause surveys, plans and specifications therefor to be made by an assistant engineer and submit the same to the commissioner of highways for approval, and when such plans and specifications are approved, the said county board shall proceed to do said work by contract or day labor. The work shall be done under the supervision of an assistant engineer, who shall in all matters pertaining to such work act under the rules and regulations of the commissioner of highways.

In case the county board shall determine to do the work by contract, it may agree in such contract to pay the contractor, on account of the contract price, an amount not exceeding eighty-five per cent of the value of the work from time to time actually completed, as shown by monthly estimates thereof, based on the contract price, made by the assistant engineer in charge of the work, and in such case it shall be lawful for the county auditor to issue a warrant on the county treasurer to the contractor for an amount equal to the specified percentage of the value of the work so completed and specified in the engineer's monthly estimate, without allowance of a claim therefor by the county board.

The provisions of this section shall not apply to any county which now has or which may hereafter have a population of one hundred fifty thousand (150,000) inhabitants and over and employs a county superintendent of highways or other county officer or engineer to superintend the construction or improvement of roads within its confines.

Sec. 6. Roads in adjoining county.—That subdivision (2) of section 30 of chapter 235, Laws 1913, be, and the same is hereby amended so as to read as follows:

Subdivision (2) The board may appropriate and expend money for the construction and maintenance of roads in another county having a road or roads immediately tributary and running into the county appropriating such money, when it deems it for the best interest of the public..

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

Approved April 15, 1919.