

fund of said association or provided to be raised therefor under existing laws for the payment of pensions and other benefits, revenues from the following sources shall be paid to said special fund, to-wit: It shall be the duty of the city clerk, treasurer or other disbursing officer of such city to deduct each month from the monthly pay of each member of the fire department, who is a member of the association, a sum equal to three and one-half per cent of such monthly pay, and to place the same to the credit of said special fund. The city council or other governing body of such city shall each year, at the time the tax levies are made for the general revenues of the city, levy within the per capita or mill limitations now permitted by law, a tax of \$5,000.00 on all of the taxable property of such city, which levy shall be transmitted to the county auditor of the county in which the city is situated at the time the other levies are transmitted and shall be collected, and the penalties therefore shall be enforced, in the same manner as the other taxes of such city. The city treasurer, when the moneys derived from such tax are received by him, shall pay the same to the treasurer of the fire department's relief association, together with all penalties and interest collected thereon, in the following manner: Of the first levy made after the passage of this act and its adoption by said city, an amount not to exceed one-half of such levy may, at the discretion of the board of trustees of said relief association, be placed to the credit of the general fund of said association. The balance of said levy, as well as all subsequent levies, shall be credited to the special fund of said association, and shall not be withdrawn from said fund or transferred to any other fund except for the purposes of this act; provided *however*, that said board of trustees may, in its discretion, pay premiums upon the bond of the treasurer and secretary from said special fund."

Approved March 31, 1939.

CHAPTER 125—H. F. No. 10

An act to amend Laws 1937, Chapter 468, Section 5, by exempting the construction of roads, highways, bridges and culverts from the provisions thereof.

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

Section 1. **Must have permission to construct dams, etc.—**
Laws 1937, Chapter 468, Section 5, is hereby amended so as to read as follows:

"Section 5. From and after July 1, 1937 it shall be unlawful for the state or any agency thereof, any person or persons, partnership, association, private or public corporation, county, municipality or other political subdivision of the state, to construct, reconstruct, remove or abandon any reservoir, dam or water-way obstruction; or to make or construct, or permit to be made or constructed, any change therein or addition thereto; or to make, or permit to be made, any change in, addition to, remove or abandon any existing dam, reservoir or waterway obstruction; or in any manner other than in the course of usual operation of dams beneficially using water prior to July 1, 1937, to change or diminish the course, current, or cross-section of any stream or body of water, wholly or partly within this state, without a written permit from the commissioner previously obtained, upon written application on forms to be furnished by the commissioner therefor to said commissioner as provided in section 4 of this act. Nothing in this section shall be construed to apply to any dam or obstruction in a stream or other body of water which has less than one square mile of drainage area or a normal flow of less than two cubic feet per second or to the erection, use or control of structures operated or to be operated for the production of water power. *Nothing in this section shall be construed to apply to the construction of any highway, public road, bridge or culvert thereon by the State Highway Department, railroad, or by any county, town, city or village, provided that any data available or secured by the authorities having charge of the construction of any such highway, public road, railroad, bridge or culvert and which pertains to the topography, flowage and volume of water and water shed areas shall be transmitted, as soon as practical, to the Commissioner of Conservation.*

Approved March 31, 1939.

CHAPTER 126—H. F. No. 409

An act to amend Mason's Minnesota Statutes of 1927, Section 2337, relating to the taxation of moneys and credits.

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

Section 1. **Definitions.**—That Section 2337 Mason's Minnesota Statutes of 1927, be, and the same hereby is, amended to read as follows:

"2337. As used in this section the word 'money' means