

Sec. 19. [160.19] **Drainage ditch crossing railroad right of way; liability for cost.** When a road authority constructs a drainage ditch to drain a highway over lands acquired for that purpose and the ditch crosses the right of way of any railroad, it shall be the ~~uncompensated~~ duty of the railroad company upon demand of the road authority to forthwith carry the ditch under and across its right of way. *The cost of carrying the ditch under or across the railroad shall be divided proportionately between the road authority and the railroad company on the basis of benefits accruing to each. Nothing in this section shall apply to or affect a county ditch, judicial ditch, or public drainage system.*

Approved March 13, 1961.

---

CHAPTER 88—S. F. No. 127

[Not Coded]

*An act relating to the levy of taxes for water works bonds in the city of South Saint Paul.*

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

**Section 1. South St. Paul, bond issue, water works.** The council of the city of South Saint Paul may issue bonds under authority of Minnesota Statutes, sections 456.08 to 456.15 and after such bonds are issued the council of the city of South Saint Paul is hereby required to levy each year thereafter the necessary tax upon all the taxable property of such city for the purpose of raising an amount which shall be equivalent to the reasonable value of the hydrant rental and other water consumed or used by such city and provided by such system of water works, which sum shall be paid into and credited to a fund known as the "water works fund," which shall be kept separate from all other moneys of such city, and shall be under the control and management of the governing body, board, or commission of such city which shall have the control, government, and management of such water works system as may be from time to time provided by law, and likewise all rentals and revenue derived from such system of water works in any manner shall be paid into such fund, and all expenses of management and operation, and otherwise of such system of water works, shall be paid out of this fund and from the balance thereof there shall each year be set aside a sufficient amount to pay the interest upon all bonds issued

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

by authority of sections 456.08 to 456.15 and such further sums as may be necessary to create a sinking fund, to pay the principal of such bonds as they mature and a sufficient sum to pay the interest as it falls due upon any bonds secured by a mortgage upon such water works, given before any such purchase thereof. This sinking fund shall be known as the "water works sinking fund." In case of any deficiency in the amount of the water works fund, every such city is hereby required to levy each year the necessary tax upon all taxable property of such city for the purpose of making up any such deficiency, and of paying the interest upon all such bonds so issued and of creating a sufficient sinking fund to pay such bonds as they mature, and such sinking fund shall not be diverted to or used for any other purpose than that of paying the interest and principal upon the bonds issued by authority of sections 456.08 to 456.15, and none of the receipts of the water works system shall be diverted to any other purpose except that of the maintenance, operation, and extension of the water works system, and of the payment of the interest and principal of the bonds issued pursuant to sections 456.08 to 456.15.

Sec. 2. This act shall become effective only after its approval by a majority of the council of the city of South Saint Paul and upon compliance with Laws 1959, Chapter 368.

Approved March 13, 1961.

---

#### CHAPTER 89—H. F. No. 585

*An act relating to highway traffic regulations; amending Minnesota Statutes 1957, Section 169.67, Subdivision 4.*

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

Section 1. Minnesota Statutes 1957, Section 169.67, Subdivision 4, is amended to read:

Subd. 4. **Service brakes on all wheels; exceptions.** Every new motor vehicle, trailer, or semi-trailer, sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except that any motorcycle, any semi-trailer of less than 1,000 pounds gross weight, a third wheel, of a swivel type, on a house trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxil-

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.