

SEC. 4. This act shall apply to the present judge of probate of said county and to his successors in office.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 11th, 1889.

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## CHAPTER 304.

[S. F. No. 654.]

### AN ACT TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE IN THE CITY OF DULUTH.

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

SECTION 1. The city of Duluth is hereby authorized to construct, maintain and operate a bridge and the approaches thereto, from that part of Minnesota Point lying south of the Duluth ship canal, to that part of said Minnesota Point lying north of said canal, or to some point on the mainland between the base of said Minnesota Point and the westerly line of Fifth avenue west in said city. Said bridge shall be so constructed as to provide for the passage of railway trains and wagons, and other vehicles, and for the passage of animals and foot passengers; and for the use of the same such reasonable tolls may be charged as from time to time the common council of the city may prescribe.

SEC. 2. The said bridge shall be not less than sixteen (16) feet high above high water mark, measuring to the bottom chord of the bridge. If constructed over the said canal it shall have one (1) pivot draw over the canal of not less than the entire width of the canal as at present constructed at the point where said bridge shall be built. If constructed west of the canal it shall have a draw of not less clear span than one hundred and twenty (120) feet. And said bridge shall, in any event, be so constructed that the draw shall be opened and closed by steam power, or some power equally powerful and effective, and shall always be operated by such power, and shall always be promptly opened upon reasonable signal for the passage of boats and vessels, nor shall cars, locomotives or other vehicles ever be allowed to stand upon said bridge.

SEC. 3. The draw of the bridge hereby authorized shall be built of the best iron or steel, and in accordance with the latest and most approved designs, and shall be operated upon plans best suited to secure its prompt and easy action. Subject to the provisions of this act, its operation and maintenance shall be governed by such rules and regulations as may by ordinance be prescribed by the common council of said city.

SEC. 4. The private property, if any, necessary to be appropriated

in the construction of said bridge and its approaches, may be taken and paid for as prescribed by title one (1) of chapter thirty-four (34) of the general statutes of eighteen hundred and seventy-eight (1878).

SEC. 5. The right to construct and operate said bridge and its approaches or any part thereof may by ordinance be granted or transferred by the common council of said city to any railway or bridge corporation, but such grant or transfer shall be subject to the condition that the same shall become void without declaration or proceeding to enforce forfeiture, unless the bridge and its approaches shall be constructed and put in operation within eighteen months from the date of such grant, and subject to the further condition that the said bridge shall forever be operated conformably to such rules and regulations as the common council of said city may by ordinance prescribe.

SEC. 6. Said bridge and its approaches, by whomsoever constructed, shall be forever open to the use of all railroads entering the city of Duluth, upon payment of a reasonable compensation for such use, and subject to such reasonable rules and regulations in that behalf as the common council of the city may by ordinance prescribe.

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

Approved April 24, 1889.

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## CHAPTER 305.

[H. F. No. 661.]

AN ACT ENTITLED "AN ACT TO AUTHORIZE THE CITY OF STILLWATER, TO EXTEND AND MAINTAIN A STREET THROUGH LANDS OF THE STATE."

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

SECTION 1. The city of Stillwater, is hereby authorized to enter upon, possess and occupy for the purpose of a public street so much of the land of the state as lies within the limits of Second (2d) street in said city, as the same is established by a resolution of the city council of said city passed October fifth (5th), A. D., one thousand eight hundred and eighty-eight (1888), not to exceed sixty (60) feet, and thereon make, construct and maintain any and all sewers, grades, drains, gutters, walks, mains, curbs, pavings, posts and poles, and may likewise reduce said street to grade as it now is or may hereafter be established, and for that purpose may encroach upon the adjoining land of the state so far as may be reasonably necessary for the sake of making cuts or fills, not to exceed however a width of sixty (60) feet.

SEC. 2. This act shall take effect and be in force on and after its passage.

Approved March 28, 1889.