

CHAPTER 113.

[H. F. No. 6.]

AN ACT TO AUTHORIZE THE CITY OF WINONA TO CONSTRUCT, OPERATE AND MAINTAIN A BRIDGE ACROSS THE MISSISSIPPI RIVER AT WINONA, MINNESOTA, AND AUTHORIZING SAID CITY OF WINONA TO ISSUE BONDS FOR THE CONSTRUCTION OF THE SAME.

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

SECTION 1. That the city of Winona, in the state of Minnesota, is hereby authorized and empowered to erect, establish and maintain, or authorize the erection, establishment and maintenance of, a foot and carriage bridge across the Mississippi river, at a point suitable to the interests of navigation, from the city of Winona, state of Minnesota, so as to connect with the opposite shore of said river in the state of Wisconsin.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the city of Winona, building the same, be built as a draw-bridge or with unbroken and continuous spans; *Provided*, that if the said bridge shall be built with unbroken and continuous spans it shall have at least one (1) channel span, giving a clear head room of not less than fifty-five (55) feet above high water mark, and a clear width of waterway of not less than three hundred and fifty (350) feet, and the clear head room, under other than channel spans, may be reduced to ten (10) feet above high water, if the interests of navigation be not affected thereby, and the piers of said bridge shall be parallel with the currents of said river; *Provided*, that if said bridge be located in the immediate vicinity of the existing railroad bridge, the length of spans required by this act may be so modified as to make clear channel ways to correspond in length and location with the clear channel ways of said existing bridge.

SEC. 3. That the said city of Winona, through its council, may determine and decide that such bridge shall be used, operated and maintained with or without cost to the traveling public or to persons crossing the same or for property conveyed across the same; and should it decide to charge toll therefor, it may, by resolution, control, fix and regulate the rates or charges for toll upon said bridge.

SEC. 4. The city council of said city is hereby authorized, by ordinance, to provide regulations for the general management of said bridge.

SEC. 5. That the city council of the city of Winona is hereby authorized and empowered, by a vote of a majority of its members, to issue the bonds of said city, with coupons attached, to the amount of one hundred thousand dollars (\$100,000), or so much thereof as said council may deem necessary, for the purpose of constructing the bridge mentioned in this act, and its approaches, and for the purpose of condemning property and acquiring title thereto for the purpose of said bridge and its approaches, and for the purpose of doing all things necessary to the proper construction, establishment and completion of said bridge.

SEC. 6. The said bonds shall be of the denomination of one thousand dollars (\$1,000) each, and shall be payable at such times, within fifty (50) years from the date of their issue, as the city council may designate, subject to the provisions of the charter of said city of Winona respecting the amount which shall be made payable in any one (1) year. Said bonds shall be drawn payable to bearer, or to the order of the person or corporation to whom they may be delivered, as the city council may deem best, shall draw interest, payable annually, at such place as the city council may determine, at a rate not exceeding five (5) per cent per annum, to be represented by coupons attached to said bonds. Said bonds shall be signed by the mayor and attested by the recorder of said city of Winona, and the corporate seal of said city shall be imprinted upon said bonds, and said coupons shall be signed by said recorder, and the principal of said bonds shall be made payable at such place as the city council may determine.

SEC. 7. The city council of the city of Winona shall have the supervision of the construction of said bridge, and the city council of said city is hereby authorized and empowered, and shall make provision, by levying of taxes, for the payment of the principal and interest of the bonds issued under and by virtue of the authority and power granted by this act, as the same may become due.

SEC. 8. The said city of Winona is hereby authorized and empowered to construct the approaches to said bridge, and all necessary piers, supports and trestle works for the same, on, over or across any public street, alley or the public levee grounds in said city, as the city council may determine. The damages to abutting property owners to be determined as provided by chapter eight (8) of the charter of said city of Winona.

SEC. 9. That said city of Winona, by and through its said council, is hereby authorized and empowered to condemn any property necessary to be taken for the purpose of constructing said bridge and its approaches, said condemnation proceedings to be done in accordance with the law now governing like proceedings in said city of Winona.

SEC. 10. The cost and expense of building said bridge and its approaches, and condemning property or acquiring title thereto for the purpose of said bridge and its approaches, shall be paid from the proceeds of said bonds authorized in this act.

SEC. 11. That all tolls collected on said bridge shall be placed to the credit of the "Ferry and Wisconsin roads and bridge" department of the general fund of said city.

SEC. 12. The cost and expense of keeping, operating and maintaining said bridge, and all interest on bonds issued by virtue of this act, shall be paid out of the "Ferry and Wisconsin roads and bridges" department of the general fund of said city.

SEC. 13. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved January 29, 1891.