

State treasurer to have custody of funds.

SEC. 3. Whenever it is provided by the terms of any deed, will or other instrument heretofore made or which may hereafter be made conveying any property to said University of Minnesota in trust or otherwise that the state treasurer shall have the custody of the money, securities or other property given, granted or bequeathed, it shall be the duty of said treasurer to receive such money, securities or other property and to preserve and care for the same as state funds in his custody are preserved and cared for, and said money, securities or other property shall be fully protected and secured by the bond of such treasurer in like manner as state funds are protected and secured.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

H. F. No. 537.

#### CHAPTER 146.

Tunnels under railroads.

*An act to authorize owners of land over which a public highway runs leaving the owner's land on two sides of the highway, to construct a tunnel under the roadway to permit stock to freely pass through the tunnel from one side to the other.*

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

Right to tunnel.

Must be protected.

SECTION 1. Any owner of land in the State of Minnesota, over which public highways are laid out or run, when the land on both sides of the road belongs to the same party, shall have the right to tunnel under the highway to permit stock to freely pass under the highway from one side to the other; *provided, however*, the tunnel shall be, by the owner, protected so as not to endanger the public in the use of the highway, and for said purpose the tunnel may be fenced and shall be bridged, and in all cases the bridge shall be at least sixteen feet wide, and the sides thereof provided with railings at the expense of the land owner.

Permission from town supervisors.

SEC. 2. Before constructing any tunnel across a highway for purposes set forth in section one (1) hereof, the land owner shall obtain from the town supervisors of the town in which the land is situated, an approval of the place at which the tunnel is proposed to be con-

structed; *provided, however*, that if any tunnel is constructed without obtaining such approval, the same shall be valid, unless the supervisors of the town in which the said tunnel is located, shall cause the same to be abated within one year from the time of the completion of the tunnel and any tunnel now constructed shall be valid when approved by the said supervisor of said town.

Construction  
of tunnels  
valid.

SEC. 3. All bridges over such tunnels shall be constructed of such material and built in such manner as to make travel over the same safe. If the supervisors of the town in which any such tunnel may be, deem the bridge insecure, or the tunnel not properly guarded, they shall have the right at any time within one year from the time of the construction of the same to cause the same to be put in proper and safe condition at the expense of the land owner, said expense to be the reasonable cost of putting the same in condition, and be certified by the town clerk to the county auditor, to be carried forward and assessed to the land to be paid in the same manner as road taxes are paid, and the tunnel outside of the bridge may, at any time the said supervisors deem the same out of repair, cause the same to be placed in repair and assess the reasonable cost of the same in like manner to the land.

Must be  
properly  
built.

Cost to be  
reasonable.

Repair of  
tunnels.

SEC. 4. After the bridge has been constructed and the same has been used for one year thereafter the town in which the same is located shall keep the same in repair.

Town to  
keep in  
repair.

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

Approved April 8, 1903.

## CHAPTER 147.

S. F. No. 35.

*An act to legalize the conveyance by county commissioners of real estate belonging to counties in this state.*

Legalizes  
sale of  
real estate  
by counties.

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

SECTION 1. That all sales, contracts for sale, and conveyances of real estate by any county in this state, heretofore made by the board of county commissioners of any such county, when the purchase price has been fully paid or secured, are hereby legalized, and the same