

Sec. 3. Penalty for failing to comply.—*Any such corporation failing to comply with the provisions of this act or any order of the commission made thereunder, shall forfeit for each day's default, one hundred dollars, to be recovered in a civil action in the name of the state.*

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

Approved March 27, 1913.

CHAPTER 126—S. F. No. 613.

An Act to amend Section 2032 of the Revised Laws of 1905 and Chapter 260 of the General Laws of the year 1907, relating to the construction of railroads and the giving of notice and the filing of maps thereof with the railroad and warehouse commission and providing penalties for the violation thereof.

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

Section 1. Actual cost of railroad to be filed with commission.—That Section 2032, Revised Laws of 1905 and Chapter 260, General Laws for the year 1907, be and the same is hereby amended so as to read as follows:

“Section 2032. New roads—Notice to commission—Filing of maps, etc.—Every railroad company having constructed any railroad by way of branch or extension or otherwise, before opening the same to public use, shall notify the commission that the same is finished and in a safe condition for operation, and shall file with said commission a map and profile thereof with table of grades, curvatures and mileage, and a statement of other characteristics of such road and an itemized statement showing the *actual cost* thereof; all of the foregoing to be in such form as the commission shall prescribe and to be attested by the oath of the president or other managing officer, and the chief engineer of the company.

Before the new line is operated as a public road, the commission shall inspect the same or cause it to be inspected and furnish the company with a certificate showing the compliance with the foregoing conditions, that the road has been inspected and found to be in safe condition for operation.

Provided, however, that whenever it is found desirable to operate any portion of any new railroad built or any new branch or extension, or otherwise, before completion of the same, the commission may, on application authorize the operation of such portion thereof pending the completion of the entire road under such terms and conditions as the commission may impose in the interests of the public.”

Sec. 2. Penalty for failure to comply with provisions.—*Any such carrier failing to comply with the provisions of this act, or with any order of the commission made thereunder, shall forfeit for each day's default, one hundred dollars to be recovered in a civil action in the name of the state.*

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved March 27, 1913.

CHAPTER 127—S. F. No. 648.

An Act authorizing certain cities of the first class to dispose of surplus electricity to private consumers.

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

Section 1. Cities of first class may dispose of electrical energy.—Any city of the first class now or hereafter operating a plant for the production and distribution of electrical energy for municipal purposes may dispose of any surplus thereof so produced, to private consumers within the city desiring the same, at such rates and upon such terms as the city council or other governing body of the city may deem proper.

Sec. 2. Application.—This act shall not apply to any city whose inhabitants have adopted a charter pursuant to Section 36, Article 4 of the state constitution.

Approved March 27, 1913.

CHAPTER 128—S. F. No. 700.

An Act authorizing the railroad and warehouse commission to provide suitable equipment for the testing of railroad track scales.

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

Section 1. Test cars ordered purchased by commission and master track scale ordered located.—The railroad and warehouse commission, hereinafter called the commission, is hereby authorized to purchase two test cars, to be used in testing track scales, at a cost of not to exceed five thousand dollars each; also erect on some railroad track in or near Minneapolis, St. Paul, or Minnesota Transfer, where a permanent free site can be procured, a master track scale with a building for the same, to be used in testing and verifying the weights of test cars; scales and building not to cost to exceed seven thousand five hundred dollars.