

SEC. 10. This act shall take effect and be in force from and after passage.

Approved March 23, 1905.

CHAPTER 65.

An act to authorize the county commissioners of certain counties to issue and negotiate bonds for the purpose of refunding bonded and floating indebtedness of such counties.

H. F.
No. 177.
Issue of
bonds for
refunding
indebted-
ness. in
counties,
in certain
cases.

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

SECTION 1. The county commissioners of any county in this state that has heretofore issued bonds purporting to have been issued for any purpose authorized by law, and which bonds have been actually sold and delivered to purchasers for value may at any time before January 1st of the year A. D. nineteen hundred and six (1906) after maturity, or before maturity, with consent of the holder, and while said bonds are valid and existing indebtedness against such county, refund the same and issue and negotiate new bonds for the amount of such bonded indebtedness and for the amount of any floating indebtedness against such county, or for any part of such bonded or floating indebtedness. *Provided*, that bonds issued to

Proviso.

refund any such indebtedness shall not be made payable more than ten years from the date the same were issued, and shall not draw a higher rate of interest than the bonded indebtedness refunded.

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

Approved March 23, 1905.

CHAPTER 66.

An act to amend section 1832 of the General Statutes of 1894, as amended by chapter 152 of the General Laws of 1899, and chapter 242 of the General Laws of 1903, relating to the width of public roads and laying out of public cartways.

H. F.
No. 193.

Public roads
and cart-
ways.

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

SECTION 1. That section 1832 of the General Statutes of 1894, as amended by chapter 152 of the General Laws

of 1899, and chapter 242 of the General Laws of 1903, be, and the same is hereby amended so as to read as follows:

Width of road defined.

Six years continuous use of road dedicates to public 4 rods wide.

Laying out of cartways.

One-half damages, when appeal record.

Free dedication.

Section 1832. All public roads to be laid out by the supervisors or county commissioners may be four (4) rods wide except where the petition calls for a road three (3) rods wide, in which case such road shall be three (3) rods in width, and that when any road or portion thereof shall have been used and kept in repair, and worked for six years continuously as a public highway, the same shall be deemed as having been dedicated to the public to the width of two (2) rods on each side of the center line of said road, and be and remain until lawfully vacated, a public highway, whether the same has ever been laid out as a public highway or not. That the supervisors of the several towns have power to lay out public cartways not less than one (1) or more than two rods wide, when petitioned for by five (5) residents and freeholders of the town in which such cartway is to be laid out. The cost of surveying and locating such cartway shall be paid by the town as provided by law in laying out of public roads, and the damages to lands through or upon which cartways may be laid out, shall be paid by the town, *provided* that when a public cartway does not extend from one public highway to another, one-half the damages to the lands through or upon which such cartway may be laid out shall be paid by the person or persons benefited thereby; the proportion that each shall pay to be fixed by the board of supervisors if not otherwise agreed upon; and the damages in the section mentioned shall be assessed, and an appeal had, in the same manner as in the case of other public roads, and the town clerk shall record any cartway so laid out in the same manner and with like effect as other roads required to be recorded by him; *provided, however*, that when the petitioners or any of them propose in the petition their willingness to dedicate any land to which such petitioner has title for the purpose of such cartway, such land shall be deemed as so dedicated, and no damages shall be assessed therefor; that such cartway when so laid out and established, shall be deemed a public cartway for public use.

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

Approved March 23, 1905.