

paper of general circulation in this Territory, and in the City of New York, and shall also be posted in the office of said Territorial Treasurer.

Approved, March 11, 1887.

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## BRIDGES.

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### CHAPTER 18.

#### CONSTRUCTION OF BRIDGES OVER NAVIGABLE RIVERS PERMITTED.

AN ACT Permitting the Construction of Bridges Over Navigable Rivers, and Providing the Manner of Paying for the Same.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota:*

§ 1. PETITION—DUTY OF COUNTY COMMISSIONERS.] That whenever one-third of the resident taxpayers of any county of this Territory, as shall appear by the last preceding assessment roll of such county, shall petition the board of county commissioners of said county, praying for an appropriation to build a bridge across any navigable river on the line of said county, setting forth therein the location of such bridge, as near as may be, its estimated cost, and the necessity therefor to accommodate the general traveling public, the manner in which it is proposed to pay for said structure, and the time when it will be completed, said petition to be duly verified by the affidavits of at least fifteen of the petitioners therein named, it shall be the duty of said board of county commissioners to publish a notice in the official paper of said county once weekly for three weeks, briefly stating the subject of said petition, and that the same will be heard and considered at the next regular monthly meeting of said board. At the time appointed for the hearing of said petition the said board of county commissioners shall, and it is hereby made their duty to investigate the need for said bridge, and finding the same to be demanded for the accommodation of the traveling public, shall by resolution duly entered upon the minutes of said board, appropriate toward the building of such bridge, from the county treasury, a sum not exceeding one-half of the estimated cost of such bridge, to be paid as hereinafter pro-

vided; *Provided, however,* That the appropriation hereinbefore mentioned shall be conditional on a sufficient bond and guarantee of the remaining one-half or more, as the case may be, of the cost of such bridge; *Provided further,* That the consent of the general government to span said river shall first have been obtained.

§ 2. COUNTY AID CONDITIONAL.] If the remaining one-half of the cost of said bridge shall be made up by an appropriation from any neighboring state or by any municipality in this Territory, to be expended under a commission, or through any other fiduciary agency, it shall then be the duty of said board of county commissioners to appoint a committee of their own number, whether three or more, to meet such other municipal agency, confer with its members and advise and assist in the accomplishment of such improvement in the best possible manner, and when the work is completed and approved jointly by such agency and committee of the board of county commissioners, which approval shall be in writing and duly reported to such board and recorded in the minutes thereof, the board shall thereupon order the amount of the appropriation paid to the contractor or contractors of such improvement, by warrant upon the county treasury in the usual form and manner.

§ 3. MAY VOTE BONDS.] Where the one-half or such other proportion as may be, of the cost of such improvement, shall be provided for by any municipality within this Territory, it shall be lawful for such municipal corporation, by a majority vote of the legal voters thereof, after ten days notice to meet the necessary expense by the issuance of bonds bearing interest not to exceed seven per cent. per annum and not to run longer than twenty years after date of issue, nor to be sold for less than par value, interest payable semi-annually; *Provided,* That the limit of indebtedness of such corporation, under the act of congress of July 30, 1886, in relation to Territorial legislation, be not thereby exceeded. But if the limit of debt of such municipality would be thereby exceeded, then it shall be lawful for such municipality to make a sufficient tax levy for general purposes to meet the necessary expenditure in the construction of such bridge, and when the same shall be completed and accepted, the share of the cost thereof to be borne by such municipality shall be paid out of the general fund, by orders drawn in the usual form and manner.

§ 4. COST OF BRIDGE LIMITED.] It is hereby provided that not more than one wagon bridge in each county so situated, shall be built under this act, and that the total cost of such bridge shall in no case exceed the sum of fifty thousand dollars.

§ 5. This act to take effect and be in force after its passage and approval.

Approved, March 11, 1887.