

## CHAPTER CLX.

AN ACT ENABLING THE TOWNS, VILLAGES AND CITIES IN THE COUNTIES OF MEEKER AND McLEOD TO AID IN THE CONSTRUCTION OF A RAILROAD FROM THE VILLAGE OF LITCHFIELD, MEEKER COUNTY, VIA THE VILLAGE OF GREENLEAF, IN MEEKER COUNTY, AND HUTCHINSON, IN McLEOD COUNTY, TO SOME POINT ON THE HASTINGS AND DAKOTA RAILROAD.

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

SECTION 1. That it shall be lawful for any city, incorporated village or township in either of the counties of Meeker or McLeod to aid in the construction of any projected railroad which shall start at the village of Litchfield, in said Meeker county, and extend via the village of Greenleaf, in said Meeker county, and the village of Hutchinson, in said McLeod county, to some point on the line of the Hastings and Dakota Railroad.

SEC. 2. Whenever a petition shall be presented to the council or other municipal authorities of any incorporated city or village, or the supervisors of any township in such counties, signed by twenty-five of the resident tax payers of such city, village or town, asking that the question of aiding in the construction of any railroad as above provided, and stating the amount desired to be furnished as such aid, be submitted to the voters thereof, it shall be the duty of the city council or other municipal authorities of such incorporated city or village, or the supervisors of such town, to immediately give notice of a special election by publication in some newspaper published in the county, and also by posting copies thereof in five public places in such town, village or city, at least twenty days before said election, which notice shall specify the time and place of holding said election, the railroad proposed to be aided, the amount of tax proposed to be raised, and the town or towns, incorporated city or cities, village or villages in which such tax shall be expended, at which election to be held in accordance with said notice, the question of raising the amount specified by taxation in said town, city or village, to be determined by ballot, those in favor of the proposition, having written or printed on their ballots the words, "Railroad Tax, yes," and those opposing the measure having written or printed on their ballots the words, "Railroad Tax, no." The election shall be conducted, and the ballots canvassed as nearly as may be in accordance with the

modes of conducting town and city elections in ordinary cases. And if a majority of the votes polled at any such elections shall be in favor of the proposed tax, the supervisors of the town, or the council, or other municipal authorities of the city or village, as the case may be, shall forthwith certify to the auditor of the county the fact, and the amount of the tax thus voted by such town, village or city; and the board of county commissioners of the county shall, at the time of levying the ordinary annual taxes next following said special election, levy all taxes voted under the provisions of this act, and cause the same to be placed on the grand duplicate tax lists of the proper cities, towns or villages, and said taxes shall be collected in the same manner and by the same officers as county and state taxes, and be subject to the same penalties for non-payment thereof. But the aggregate amount of the tax levied under the provisions of this act in any city, village or town, shall in no case exceed ten per centum of the assessed value of the taxable property of said town, city or village, as it appears on the assessment roll whereon the tax is levied.

SEC. 3. All taxes collected under the provisions aforesaid shall be paid out by the county treasurer upon the orders of the president or managing director of the railroad company whose road such tax has been voted to aid, which orders shall be accompanied by sworn estimates of the engineer in charge of the work on such road, showing that at least double the amount of such orders has been expended for the construction of such road, in accordance with the terms of the notice provided for in section two of this act, and also by a certificate signed by a majority of the supervisors of the town, or council or other municipal authorities of the city or village voting the tax for which said orders are drawn, to the effect that the provisions of this act have been so complied with as to entitle said company to the amount specified in such orders. And it is hereby expressly provided that no part of the funds raised under the foregoing provisions of this act shall be expended in any other towns, villages or cities than those specified in the notice of election. *Provided, however,* That should the taxes not be drawn from the county treasury, in accordance with the provisions of this act, by the railroad company in whose favor the same may have been voted, within two years after the date of collection thereof, then the right of said railroad company to said bonds [funds] shall be deemed forfeited, and they shall be repaid by the county treasurer to the persons from whom they were collected.

SEC. 4. Whenever, instead of the petition provided in the second section of this act, stating the amount desired to be raised by taxation, as therein contemplated, there shall be presented to the same persons or bodies, and be signed by the same number of resident tax-payers as therein provided, a petition asking that the question of





ducted and votes canvassed in the same manner as above provided in the case of submission of the question of taxation. And if a majority of the votes polled at any such election shall be in favor of subscription to the stock of such railroad company, it shall be the duty of the supervisors of such township, or the council or other municipal authorities of such village or city, to subscribe for in the name of such town, village or city, an amount of the capital stock of such railroad company equal to the amount so voted, and for the purpose of paying therefor to issue or cause to be issued in the name of such township, village or city, an amount of the special bonds of such township, village or city, equal in the aggregate to the amount of capital stock of said railroad company so subscribed for as aforesaid, which said bond shall be executed in the same manner and of the same time and terms as provided for in section four of this act. The supervisors of such town, or the council or other municipal authorities of such village or city, shall have power and authority to sell and dispose of such bonds when issued and apply the proceeds in payment of the stock of said railroad company subscribed for as aforesaid, or may deliver the bonds themselves to such company in payment therefor; *Provided, however,* That the said bonds shall in no case be sold, negotiated or in any manner disposed of for a less price than their par value. *And provided, further,* That nothing herein contained shall be construed to authorize any town, village or city to issue bonds under sections four and five of this act, to an amount exceeding in the aggregate ten per cent. of the assessed valuation of the property of such town, village or city, as shall appear from the assessment of eighteen hundred and seventy-three. The townships, cities or villages which shall subscribe and pay for any railroad stock as aforesaid are hereby authorized to receive, hold, assign or otherwise of any such stock as fully as a natural person; *Provided, however,* That the supervisors of any town or the council or other municipal authorities of any village or city, shall not have power to sell, assign or dispose of any such stock unless first authorized so to do by a vote of the legal voters of such town, village or city.

SEC. 6. In case of submission of either of the questions of taxation or the issuing bonds, or subscription for any stock as aforesaid, and the same has been voted down in any town, city or village, the same question upon a new petition may again be submitted not less than one month subsequent to the first election, in the same manner and with the same effect as at the previous special election, but the decision of the second submission shall be final and conclusive.

SEC. 7. Every town and incorporated city or village issuing or delivering its bonds, as aforesaid, shall provide by taxation and otherwise for the punctual payment thereof, principal and interest, as they become due,

SEC. 8. The public use and benefits of the above mentioned railroad or railroads is hereby declared.

SEC. 9. No person shall be allowed to vote on the question submitted in this act, unless in addition to the other qualifications prescribed by law, he shall for three months next preceding such election, have been a resident of the city, village or town within which he shall offer his vote.

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

Approved March 10, 1873.

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## CHAPTER CXLI.

### AN ACT TO AUTHORIZE THE VILLAGE OF JORDAN TO AID IN THE CONSTRUCTION OF THE MINNESOTA WESTERN RAILROAD.

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

SECTION 1. The village of Jordan, in Scott county, is authorized by a vote of a majority of the trustees or council of said village, subject to the approval and ratification of the legal voters of such village as hereinafter provided, to create and issue bonds, with interest coupons attached, in such amounts, of such denomination, with such rate of interest and payable at such times and places as to said trustees or council may seem proper, and may pledge the faith and credit of said village for the payment of the interest and principal of said bonds, and said trustees or council are hereby authorized to enter into any agreement with the Minnesota Western Railroad Company, or its authorized agents, in relation to the time of issuance, amount and interest of its bonds so to be issued, and where and to whom the same shall be payable. *Provided*, That the time of payment of said bonds shall not be more than thirty years, and the rate of interest not more than eight per cent. per annum.

SEC. 2. The trustees or council of the said village may, by resolution, provide for the issue of its said bonds, and designate the terms thereof so agreed upon, which resolution, before the same shall take effect and be binding upon such village, shall be submitted for approval to the qualified voters of such village, at any general election therein, or such trustees or council may order a special election