

CHAPTER CLXXI.

AN ACT TO PROVIDE FOR THE FUNDING OF THE CITY DEBT OF THE FORMER CITY OF WEST SAINT PAUL, IN DAKOTA COUNTY, AND FOR OTHER PURPOSES.

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

SECTION 1. That no tax shall hereafter be levied, extended or collected to pay the interest and principal of the warrants, scrip, bonds or other evidence of debt legally issued by the proper and lawful officers of the former city of West Saint Paul except as hereinafter provided.

SEC. 2. All county officials of the county of Dakota, having the same in their possession or custody, shall, and they are hereby required to turn over within thirty days after the passage of this act, to the board of supervisors of the township of West St. Paul, taking their receipt therefor, all books, records, papers, cancelled vouchers, furniture or property of whatever nature in their possession, belonging to the former city of West Saint Paul. And the auditor and treasurer of said county shall prepare a statement, sign and deliver it to said board of supervisors within thirty days after the passage of this act, of all moneys collected by virtue of any existing law for payment in any manner of the debt since the repeal of the charter [thereof] of the former city of West Saint Paul, as shall appear from the records of either of their said offices, said statement to show by what authority said money was collected and expended, and for what purpose so expended, how, when and how much, and the amount of the same now delinquent and unpaid.

SEC. 3. Edward H. Wood and Jeremiah A. McCarthy and Albert Scheffer are hereby appointed commissioners, who, within ten days after the passage of this act, shall qualify before a competent officer to impartially and faithfully do and perform the duties hereinafter provided for, and shall file their said oaths with the board of supervisors of said town.

SEC. 4. Said commissioners, when duly qualified, as provided by section three of this act, shall, within ten days after qualification, give notice of their qualification as herein provided, and that they will meet once a month for six months, designating the time and place of their meeting, for the purpose of having such bonds, scrip, or other legal evidence of debt issued by the legally constituted au-

thorities of the former city of West Saint Paul presented by the holders and owners thereof, for the purpose of having the same examined by said commissioners and receiving in lieu thereof new bonds as hereinafter provided for, and all bonds, scrip or other evidence of debt, issued as aforesaid, not presented as aforesaid, and within the time specified, shall be null and void, and shall forever be barred of payment.

SEC. 5. Said commissioners shall meet at their appointed time and place and shall give notice thereof in such newspapers in the state as shall give the most general notice. They shall keep a record of all bonds, scrip or other evidence of debt presented in pursuance of the provisions of this act, giving name of owner, amount and kind of voucher presented, date of and for what issued, and to whom and by whom and what officer or officers signed.

SEC. 6. All records, papers and cancelled vouchers of the former city of West Saint Paul, shall be furnished by the said board of supervisors of said town to said commissioners to enable them to carry out the provisions of this act.

SEC. 7. Said commissioners shall carefully examine all such evidences of debt of the former city of West Saint Paul as shall be presented to them, and keep the record thereof provided for in section five of this act, and within thirty days after the expiration of the time allowed them by this act in which to perform their said duties they shall make a verified return of all their doings, together with all records kept by them, to the board of supervisors of said town, with a report in detail, including all invalid or unlawful vouchers (if any) from whatever cause so judged as against said former city.

SEC. 8. Said board of supervisors of the town of West Saint Paul shall then issue in lieu of said old bonds, scrip, warrants or other evidence of debt as they may find due by the report of said commissioners or may stipulate with the holders thereof for a less amount than so reported, new bonds running ten years with coupons attached, bearing date October first, one thousand eight hundred and seventy-three, with interest not to exceed the rate of ten per cent., payable semi-annually, both principal and interest payable at the First National bank in the city of Saint Paul, signed by the chairman of the board and countersigned by the town clerk. It shall be the duty of said board immediately after the surrender of these old evidences of debt, to cancel and destroy the same.

SEC. 9. A tax of one-half of one per cent. upon the valuation of all the real estate within the limits of what constituted the former city of West Saint Paul, and no other, shall be levied each year for the purpose of paying the interest on said bonds, together with the principal of the same. Said tax shall be certified and returned at

the time and in the same manner that all other taxes are returned, and the auditor of said county is hereby required to extend said tax so certified on the tax rolls of said county.

SEC. 10. All moneys, together with the coupons of these bonds, which may be received in payment of the tax herein provided, collected by the county treasurer in pursuance hereof, shall be paid to the treasurer of the town (or city) of West Saint Paul on or before the first days of April and October of each and every year.

SEC. 11. It shall then be the duty of the town (or city) treasurer to pay or cause to be paid the interest due and falling due at the date of each of the periods heretofore named, and after providing a sufficient amount to pay the same, he shall advertise in at least one daily newspaper in the city of Saint Paul the amount of the balance of the funds arising from said tax remaining in his hands, and shall ask for proposals for the surrender of the bonds herein provided. And the party or parties offering to surrender the bonds at the lowest per cent. upon their par value shall be deemed the highest bidder therefor and entitled to the money upon the surrender of his or their bond or bonds. In case that there shall be and remain any portion of any of said bond or bonds unpaid after said payment, then and in that case it shall be the duty of the board of supervisors by their chairman and the town clerk, to issue a new bond for the amount of said unpaid balance with coupons of the same nature. The commissioners herein provided for shall receive a per diem of three dollars per day for each day's service rendered in the performance of their duties, and their incidental expenses, including stationery and advertising, to be allowed as other bills and audited and allowed by the board of supervisors of said town, and said board shall draw their warrants in favor of said commissioners for such amounts as they may find to be due said commissioners, which said warrants shall have priority over all other vouchers drawn against the fund herein provided for, and may bear interest not to exceed ten per cent. per annum and be receivable for the tax herein provided for.

SEC. 12. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved March 11, 1873.