

SEC. 7. It is hereby made the duty of the county auditor of said county, at least ten (10) days prior to said annual town meeting, to notify the town clerks of the several towns in said county to insert a paragraph in the notice of the annual town meeting, setting forth that the question of issuing said bonds will be voted upon at said town meeting, and it is hereby made the duty of the town clerks of the several towns in said county to insert such paragraph in said notice of the annual town meeting:

*Provided, however,* That any neglect or failure on the part of said auditor or of any of said town clerks to give such notice, shall not invalidate such election or prohibit the canvass of the votes cast upon said proposition.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved Feb. 25th, 1887.

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## CHAPTER 139.

[S. F. No. 547.]

AN ACT TO AUTHORIZE THE CITY OF WINONA TO ISSUE BONDS IN AID OF THE CONSTRUCTION OF THE WINONA AND SOUTHWESTERN RAILWAY.

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

SECTION 1. The city of Winona is hereby authorized by vote of a majority of the members of its city council, subject to approval and ratification by its legal voters as hereinafter provided, to issue within two (2) years from the passage of this act, its bonds in an amount to be determined by said council, not exceeding in the aggregate one hundred thousand (\$100,000) dollars, for the use and benefit of any person or corporation building a steam railway, running from said city in a southwesterly direction, to Mason City in the state of Iowa, or to some other point in the central part of northern Iowa, to be called and known as the Winona & Southwestern Railway, and shall comply with the conditions set forth in section four (4) of this act.

SEC. 2. Said bonds shall be for the principal sums of not less than five hundred (\$500) dollars, or more than one thousand (\$1,000) dollars each, and shall be made payable at such times within thirty (30) years from the date of their issue, as the city council may designate, subject to the provisions of the charter of said city of Winona, respecting the amount which shall be made payable in any one (1) year. Said bonds shall be drawn payable to the bearer, or to the order of the person or company to whom they may be delivered, as the city coun-

oil may deem best, and shall draw interest payable semi-annually, at the lowest practicable rate not exceeding five (5) per cent. per annum, to be represented by coupons, to said bonds attached. Said bonds shall be signed by the mayor and attested by the recorder of said city of Winona, and the corporate seal of said city shall be imprinted thereon, and said coupons shall be signed by said recorder. Both principal and interest of said bonds shall be made payable at some bank in the city of New York, or at the office of the treasurer of said city of Winona, as said city council may prescribe.

SEC. 3. Before any bonds shall be issued under the authority hereby granted, the question whether they shall or shall not be issued, shall be submitted to the legal voters of said city of Winona, at a regular city election, or at a special election to be called for that purpose by order of the council, and to be held at such time as the council may designate. Notice of such election, whether general or special, shall be given by the recorder of said city by publication in the official paper of said city at least once in each week for two (2) successive weeks immediately prior to such election. And such election shall be conducted and returns thereof shall be made in the manner prescribed by the provisions of said charter relating to elections. The persons voting at such election on the question of issuing bonds as aforesaid, shall use ballots on which shall be written or printed, or partly written and partly printed, the words, "against railway bonds," or the words, "for railway bonds," according to the choice of the voter.

If a majority of the ballots cast at such election on said question shall have upon them the words, "for railway bonds," said bonds may be issued and delivered upon compliance with the condition in the next section expressed, otherwise said bonds shall not be issued.

SEC. 4. Though the proposed issue of said bonds shall have been approved by the voters of said city in the manner above prescribed, the same shall nevertheless not be issued, or delivered to any person or company, or to any depository, for the use of any person or company, unless and until such person or company shall have graded, constructed, ironed, completed, and made ready for use twenty (20) miles of said railway, in aid of the construction of which said bonds are authorized, said twenty (20) miles beginning at some point in said city of Winona, selected by such person or company as a permanent station.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 3, 1887.