

CHAPTER 162.

[H F. No. 904.]

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A PUBLIC BUILDING FOR THE USE OF THE COUNTY OF ST. LOUIS AND THE CITY OF DULUTH, AND TO AUTHORIZE THE ISSUANCE OF BONDS BY SAID COUNTY AND CITY, TO DEFRAY THE EXPENSE THEREOF.

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

SECTION 1. Andreas M. Miller, John B. Sutphin, Alfred Merritt, Luther Mendenhall and Charles A. Duncan, all of whom are residents and citizens of the city of Duluth in the county of St. Louis, are hereby appointed commissioners, who, with their successors in office to be appointed as herein provided, are hereby created and shall hereafter be known and designated as "board of court house and city hall commissioners." Each commissioner shall hold his said office until a suitable building for the purposes hereinafter mentioned shall have been built, fully completed and furnished as herein provided, and in case of a vacancy occurring in said board by refusal to serve, death, resignation or otherwise, it shall be filled by the appointment of some suitable resident of said county by the first judge of the eleventh judicial district. No member of the board shall receive any compensation for his services.

SEC. 2. Said commissioners shall within twenty days after the passage of this act, meet at the court house in the city of Duluth, and shall severally take and subscribe on oath to support the constitution of the United States and of the state of Minnesota, and to faithfully discharge the duties of his said office.

They shall elect one (1) of their number to act as president of said board, and another to act as treasurer, each of whom shall hold his office until the first (1st) Tuesday after the first (1st) Monday of January, A. D. one thousand eight hundred and eighty-eight (1888), unless sooner removed by said board, and until his successor shall have been elected and qualified: and on the same Tuesday of each year thereafter a like election of president and treasurer shall take place, who shall hold their respective offices for one (1) year, unless sooner removed by said board and until their successors are elected and qualified.

The treasurer shall give to the said board a bond for the faithful discharge of the duties of his office, in such sum, not less than fifty thousand (\$50,000) dollars as may be prescribed by said board. The board may also appoint a secretary, and other employees and agents, to be paid such compensation as said board may designate. The board may also make all necessary or convenient rules for their own government, and for the transaction of their business, and for the government of their agents, officers and employees.

Sec. 3. The said board shall have power to acquire in itself for

the purposes hereinafter mentioned and on behalf and for the use of the said county and city, either by purchase or condemnation, the title to lots forty-one (41), forty-three (43), forty-five (45), and forty-seven (47), on west First street in Duluth proper, first division in said city, according to the recorded plat of said division, and to such additional lots, if any, in the same block, as in the judgment of said commissioners shall be necessary for said purpose. The provisions of title one (1), chapter thirty-four (34), general statutes, one thousand eight hundred and seventy-eight (1878), respecting proceedings for condemnation, shall apply to and govern the condemnation proceedings, if any, instituted by said commission.

SEC. 4. It shall be the duty of said board to plan, devise, construct, and furnish, upon said lands, when by purchase or condemnation proceedings they shall have acquired the right so to do, a symmetrical public building so planned and devised that one (1) part may be conveniently used for a county court house and other proper county purposes for said county of St. Louis, and the other part for a city hall and other city purposes for the city of Duluth. Said buildings shall be so constructed as upon its completion to admit of the conveyance to the city and county severally, of their respective portions thereof, but so that there shall be upon each floor a convenient passage way from said county part of said building to the city part thereof. When said building shall have been finished and furnished, said board shall cause a proper deed of conveyance to be made for that part of said land upon which said part of said building so constructed as a court house for said county shall stand, and of the land properly appertaining thereto, to the county of St. Louis, and shall cause a like deed to be made to the city of Duluth for that part of said land which is occupied by or appertinent to said city hall, both of which deeds shall be ordered to be made by said board, and shall be made, executed and delivered by the president of said board and attested by its secretary, and each of said deeds shall contain as a consideration the respective amounts which said several portions of the said building and the land deeded therewith shall have cost, as nearly as the same can be estimated by said board; and with a view to the making of such estimates accurate accounts shall at all times be kept by said board of the expenditures made upon, the county, and the city portions respectively, of such building.

SEC. 5. For the purpose of providing money for acquiring title to said land and of constructing and furnishing said building, the board of county commissioners of said St. Louis county and the common council of said city of Duluth are severally authorized and required to issue respectively the bonds of said county and said city to run not to exceed thirty (30) years, bearing interest payable semi-annually not to exceed six (6) per centum per annum in such amounts, and at such times, as they may be called for by said board of court house and city hall commissioners, not to exceed in the aggregate the sum of two hundred thousand (\$200,000) dollars for said county, and the like amount for said city, which bonds shall be denominated respectively, "court house bonds," and "city hall bonds," and said several classes

or series of bonds shall be a lien upon the portion of said building and grounds to defray the expense of which they were issued. Said court house bonds shall be issued under the seal of said county, signed by the chairman of the board of county commissioners, and attested by the county auditor, and shall be of such denomination as said board of county commissioners shall determine. Said city hall bonds shall be signed by the mayor of said city, attested by the clerk thereof, and shall be under the seal of said city. All of said bonds shall bear date on the first (1st) day of January or July of the year in which they are issued, and principal and interest shall be payable at the financial agency of the city of Duluth and county of St. Louis, in the city of New York. Said bonds shall, as called for by said board of court house and city hall commissioners, be delivered to the president of said board, who shall receipt to the city clerk for those of the city, and to the county auditor for those issued by the county, after which said bonds shall be negotiated by said board of court house and city hall commissioners. All moneys belonging to the court house and city hall building fund shall be deposited by the treasurer of said board in the bank or banks that will pay the highest rate of interest upon daily balances, and said bank or banks shall be required to give such bonds for the safe keeping of said moneys as said board shall approve. The said board of county commissioners shall annually levy a sufficient tax upon the taxable property of said county to pay the interest and provide an adequate sinking fund for the payment of the principal of the bonds so issued by said county; and the common council of said city shall levy annually a sufficient tax upon the taxable property of said city to pay the interest and provide an adequate sinking fund to pay the principal of said bonds issued by said city.

None of the bonds hereinbefore authorized shall be sold at less than their par value.

SEC. 6. Said board of court house and city hall commissioners are hereby prohibited from contracting for or erecting a public building at any greater cost, including the cost of the land and of the furnishing of said building, than the amount of bonds authorized by this act, nor shall any portion of the proceeds of either said county bonds, or said city bonds, be applied to any other purposes than those specified in this act, nor shall either said county or city be called upon by said board of court house and city hall commissioners for any larger amount of bonds than may be necessary to defray the expense of the part of said building, its site and furnishings, which shall be designed for the use of said county and city respectively.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 25, 1887.