

shall be submitted to a vote of the electors of said county at a regular election, then the same notices shall be given as are required by law for a regular election; if at a special election, the said board of county commissioners shall, before the holding of said special election, give twenty (20) days' public notice of the time and place of holding said special election, by posting in three (3) public places in each commissioner district, three (3) notices setting forth that a proposition for issuing said bonds will be voted upon at said election. The polling places shall be open from nine (9) o'clock in the morning until five (5) o'clock in the afternoon of the day appointed for said election. The notices herein provided for shall also state the hours during which the polls will be kept open for voting, upon said proposition. It is hereby made the duty of all officers of said county to comply with the directions of said board in preparing notices and other necessary arrangements for said election. The ballots shall have printed on them the following words: "For issue of bonds for laying out, altering and improving public highways," or, "Against issue of bonds for laying out, altering or improving public highways." Said votes shall be cast at said polling places in the same manner as votes are cast for county officers. The votes shall be canvassed in the same manner as votes cast for county officers, and if upon such canvass a majority of said votes cast shall be in favor of issuing said bonds, the said board of county commissioners shall issue said bonds as provided by this act. Said bonds when issued in accordance with the provisions of this act shall be lawful and valid.

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

Approved February 5th, 1889.

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## CHAPTER 160.

[S. F. No. 174.]

AN ACT TO AUTHORIZE THE CITY OF RED WING TO ISSUE BONDS IN AID OF THE CONSTRUCTION BY THE DULUTH, RED WING AND SOUTHERN RAILROAD COMPANY, ITS SUCCESSORS OR ASSIGNS, OF A BRIDGE ACROSS THE MISSISSIPPI RIVER AT THE CITY OF RED WING.

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

SECTION 1. That the city council of the city of Red Wing in the state of Minnesota, is hereby authorized to issue the bonds of said city in a sum not exceeding twenty-five thousand (\$25,000) dollars, to aid The Duluth, Red Wing & Southern Railroad Company, its successors or assigns, in the construction of a railroad bridge, or a combined railroad and wagon bridge, across the Mississippi river from some point within the limits of said city, to a point in the county of Pierce in the state of Wisconsin.

*Provided*, That no such bonds shall be issued until such bridge is fully completed, and the said railroad company or its successors or assigns, either by its own, or some connecting line or lines of railroad, shall have a continuous and direct line of railroad with freight and passenger cars running thereon over and across said bridge and railroad from said Red Wing terminus, to some point on lake Superior, or to some point on lake Michigan, north of the city of Milwaukee in the state of Wisconsin.

SEC. 2. Said bonds shall be in 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 not exceeding thirty (30) years from the date of their issue as the said city council may direct. Said bonds shall be drawn payable to the bearer, or to the order of the person, company or corporation to whom they may be delivered, as the city council may deem best, and shall draw interest payable annually, or semi-annually, as said council may direct, at a rate not exceeding five (5) per centum per annum, to be represented by coupons to such bonds attached. Said bonds shall be signed by the mayor and attested by the city clerk of said city of Red Wing, and the corporate seal of said city shall be imprinted on said bonds, and said coupons shall be signed by said clerk. Both the principal and interest of said bonds shall be payable at some bank, or other financial institution in the city and state of New York, or at the office of the treasurer of said city of Red Wing, as said council may direct; if made payable at said office, said council may in its discretion provide in and by such bonds and coupons that the sum therein named is so payable with exchange on said New York.

SEC. 3. Before any bonds shall be issued under the authority hereby granted, the question whether the same shall or shall not be issued shall be submitted to the legal voters of said city of Red Wing at any general election, or annual city election, or special election to be held within said city, and shall be so submitted in manner following: The said city council may by ordinance or resolution provide for the issue of said bonds, which resolution shall set forth the amount of such bonds and all of the terms and conditions thereof, and which ordinance or resolution, before the same shall take effect or be binding upon said city, shall be published in each and every newspaper printed in the English language and which shall have been regularly published and printed in said city for not less than six (6) months prior to the passage of such ordinance or resolution. Attached to and printed and published with such resolution shall be a notice signed by the city clerk of said city, that at a time in said notice named, which time shall have been previously designated by said council, such ordinance or resolution will be submitted to the legal voters of said city for their approval or rejection. Such ordinance or resolution and notice shall be so published not less than ten (10) days prior to the day of any such election at which such ordinance or resolution may be so submitted. Such election shall be conducted and the returns thereof made in the same manner prescribed by the provisions of the charter of said city relating to the election of city officers.

SEC. 4. The voters at any such election casting their votes in favor

of the approval of any such ordinance or resolution and the issuing of such bonds as therein provided, shall use ballots having distinctly written or printed, or partly written and partly printed thereon the words "For issue of railroad bridge bonds, yes," and those casting their ballots against such approval and against the issue of such bonds shall use ballots having distinctly written or printed or partly written and partly printed thereon the words "For issue of railroad bridge bonds, no."

If two-thirds ( $\frac{2}{3}$ ) of all the legal votes cast at any such election shall be in favor of the approval of such ordinance or resolution and the issuing of such bonds, then such bonds shall be issued in accordance with the terms and provisions of such ordinance or resolution. If two-thirds ( $\frac{2}{3}$ ) of such votes be not so cast in favor of such approval and issuing of such bonds, then the same shall not nor shall any part thereof be issued.

Provided, that if such ordinance or resolution shall not be approved by the votes of two-thirds ( $\frac{2}{3}$ ) of the legal votes cast at such election, the said city council may at any time or times thereafter, again submit the same or any other proposition for the issue of such bonds to the legal voters of said city for their approval or rejection, and if at any election held upon any such subsequent submission two-thirds of all the legal votes cast at any such election shall be so cast in favor of the issuing of such bonds, then the same shall be issued in manner as in such ordinance or resolution so submitted and approved may be provided.

SEC. 5. For the purpose of paying the principal and interest of such bonds, if issued, the said city council shall in the month of September in each and every year next after the date of such bonds, and until the payment of the principal and interest of said bonds be fully provided for, levy upon the taxable property of said city, a tax, in such amount as said council may deem necessary to pay the interest which then may have accrued upon such bonds or which will accrue thereon within one (1) year next succeeding such levy. All sums received from any such levy, shall be used and appropriated to the payment of interest upon such bonds, and to no other purpose whatever. At the same time of making such levy the said city council shall in each and every year and until the payment of the principal of such bonds is fully made, as provided for, also levy upon such taxable property a tax in such sum as shall bear the same proportion to the principal of such bonds that one (1) year bears to the number of years from the date thereof in which said bonds will mature. All moneys received from or by virtue of the levy last aforesaid, shall be held, set apart and invested as a sinking fund for the payment of the principal of such bonds, and shall not be used or appropriated in whole or in part to any other use or purpose whatever, nor shall the same or any part thereof be loaned to any other fund of said city until such bonds be fully paid.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 12, 1889.