

CHAPTER 241.

[H. F. No. 972.]

AN ACT TO AUTHORIZE THE COUNTY OF SWIFT TO CREATE A SINKING FUND FOR THE PURPOSE OF BUILDING A COURT HOUSE, TO LEVY A TAX FOR THE SAME AND TO ISSUE BONDS THEREFOR.

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

SECTION 1. That the county commissioners of the county of Swift, state of Minnesota, are hereby authorized and directed, at the next meeting of said board after the passage of this act, to cause to be placed in a fund to be kept separate and distinct from all other funds of said county, such moneys as shall have been theretofore paid into the treasury of said county in payment of the tax heretofore assessed for the purpose of paying the interest on the bonds of said county issued in aid of the Duluth, Huron and Denver railroad company; which said fund shall be known as the "Court House Building Fund." And all moneys that may thereafter be paid into the treasury of said county in payment of said tax shall by the treasurer of said county be likewise credited to said fund and become a part of the same.

SEC. 2. That the auditor of said county of Swift be and he is hereby authorized and directed, in addition to all other taxes now authorized by law to be levied in said county, to levy a tax of one mill on each dollar of all the taxable property of said county, for the year eighteen hundred and eighty-nine (1889), and for each year thereafter, except as hereinafter provided, for the purpose of creating a fund with which to build a court house and jail in said county, and pay the interest and principal of any bonds hereafter issued, as herein provided.

SEC. 3. The treasurer of said county shall collect the said tax, so levied, in like manner and at the same time that other taxes are by him collected, and all moneys so collected shall be credited to said "Court House Building Fund," and shall become a part of said fund.

SEC. 4. All moneys so collected under and by virtue of this act, and the moneys referred to in section one (1) of this act, shall by the county treasurer of said county be kept separate and distinct from all other funds of said county, and shall be by him deposited in such manner as the board of county commissioners of said county may direct, as hereinafter provided.

SEC. 5. Said board of county commissioners shall, from time to time, cause the money belonging to said fund to be deposited with some responsible bank or bankers who shall agree to pay the highest rate of interest therefor, payable semi-annually, and shall require said bank or bankers to give bonds, to be approved by said board, in double the amount of money deposited, as security for the payment of the money so deposited, and interest, and may require a new bond, or make a new designation of such bank whenever the same may be deemed advisable. The interest accruing from the investment of

said fund as aforesaid, shall be added to and become a part of said fund.

SEC. 6. The said fund shall be under the control of the board of county commissioners of Swift county, and shall be, by them, at such time as they shall see fit, expended for the construction of a suitable court house and jail, in and for said county, at the county seat of said county, and for the furnishing of the same, and in payment of the bonds to be issued as herein provided and for no other purpose whatsoever.

SEC. 7. Whenever said board of county commissioners shall determine to build a court house, as herein provided, and the amount of such fund at such time, shall, by said county commissioners be deemed insufficient for such purpose, said board of county commissioners of Swift county are hereby authorized to issue the bonds of said county in any sum not exceeding the sum of twenty-five thousand (25,000) dollars, with coupons attached, the proceeds thereof to be used, together with the money then belonging to said fund, in the erection and furnishing of a court house and jail in said county.

SEC. 8. Such bonds shall be of the denomination of one thousand (1,000) dollars each, and shall bear interest at a rate not exceeding six (6) per cent. per annum, payable annually or semi-annually, as said board may direct. The principal of said bonds shall be made payable at some national bank in the city of New York, twenty (20) years after their date, but each of said bonds shall provide that said county shall have the right to pay and redeem said bond at any time after seven (7) years from its date, by giving six (6) months notice of its intention to pay the same, by depositing such notice in writing at the bank where said bonds are made payable.

SEC. 9. Said bonds shall be signed by the chairman of the said board of county commissioners and countersigned and sealed by the auditor of said county, and shall be consecutively numbered, and the said auditor shall keep a record of all the bonds issued under the provisions of this act, giving numbers, dates and amounts, and to whom issued and when and where payable.

SEC. 10. The said board of county commissioners shall negotiate the sale of said bonds in such manner as shall be for the best interest of said county, provided that said bonds shall not be sold for less than their par value and accrued interest.

SEC. 11. The bonds that may be issued under the provisions of this act, and the interest thereon as the same shall accrue, shall be paid out of the said "Court House Building Fund," and it shall be the duty of the county commissioners of said county, from time to time to apply the moneys belonging to said fund over and above the amount necessary to pay interest due or to become due on said bonds, to the payment and redemption of the principal of said bonds, whenever the same can be so applied, until all of said bonds have been paid and redeemed; and said commissioners shall give the notice provided for in said bonds, from time to time, whenever the moneys in said fund applicable thereto shall be sufficient to pay one or more of said bonds; *provided*, that said bonds shall be paid in their numerical order, beginning with the smallest number.

SEC. 12. Whenever said bonds shall have been fully paid, then

no further taxes shall be levied under the provisions of this act, and any balance that shall then remain to the credit of said fund shall then be transferred to the revenue fund of said county, and said "Court House Building Fund" shall be discontinued.

SEC. 13. Said commissioners shall not have authority to issue any bonds as above provided until the proposition to issue said bonds shall first be submitted to a vote of the electors of said county, at a general or special election as hereinafter provided; and if a majority of such electors present and voting at such election shall vote in favor of such proposition said commissioners shall thereupon be fully authorized to issue and negotiate said bonds, but if a majority of such electors shall vote against said proposition no such bonds shall be issued.

SEC. 14. The proposition to issue said bonds may be submitted at any general election, if the board of county commissioners of said county, not less than thirty (30) days prior to the time of holding such election, make an order directing the submission of said proposition at such general election in which order said commissioners shall designate the amount of bonds proposed to be issued. The county auditor shall thereupon immediately furnish a copy of such order to each of the town clerks of said county, and it shall be the duty of said several township clerks to insert in the usual notices of election a statement that such proposition will be voted upon at such election.

SEC. 15. Said board of county commissioners may by order submit such proposition at a special election to be called for that purpose and whenever such order is made by such board, a special election shall be held on the day fixed by said commissioners, in the several voting precincts in said county, and the proper officers are hereby required, upon receiving notice of such order of said board of county commissioners to cause to be posted proper notices of such election, stating the time, place and object of the same. The said board of county commissioners shall also cause to be published in at least two (2) newspapers of said county a notice that such election has been ordered and the time, place and object thereof, which notice shall be published for two weeks before holding such election. The ballots to be used at such election shall have printed or written or partly printed and partly written the following words, "For the issue of bonds for building court house and jail, Yes," or "For the issue of bonds for building court house and jail, No." And said votes shall be cast at said election, counted and returned in like manner as at any general election.

SEC. 16. Any neglect or failure of any officer of said county or of any voting precinct therein, required by this act to give or post the notices of said election as provided by this act, shall not invalidate such election or prevent the canvass of the votes cast upon such proposition.

SEC. 17. If at any election called and held as above provided, a majority of the votes cast shall be against the issue of such bonds, said proposition to issue said bonds may be re-submitted to a vote of the people at any time after the expiration of one year, at an election

to be called and held in the same manner as hereinbefore provided, and with like effect.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved April 5, 1889.

CHAPTER 242.

[H. F. No. 948.]

AN ACT TO AUTHORIZE THE COMMON COUNCIL OF THE CITY OF SAINT CLOUD, MINNESOTA, TO ISSUE THE BONDS OF SAID CITY FOR THE PURPOSE OF CONSTRUCTING A BRIDGE AND ACQUIRING APPROACHES THEREFOR ACROSS THE MISSISSIPPI RIVER.

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

SECTION 1. That the common council of the city of Saint Cloud, in the state of Minnesota, be and hereby is authorized and empowered to issue the bonds of said city to the amount of eighty thousand dollars (\$80,000), in such denominations, payable at such time or times, and at such rate of interest, not exceeding six (6) per cent. per annum with interest coupons attached, as such council shall by resolution determine, for the purpose of building and constructing a bridge across the Mississippi river in said city, at Tenth (10th) street south, and to acquire the necessary approaches therefor; *provided*, that if said point of location shall be found impracticable, the location of such bridge across said river at a point below said Tenth (10th) street shall in no way affect the validity of said bonds.

SEC. 2. Said bonds and coupons shall be signed by the mayor and clerk of said city, and sealed with the corporate seal thereof, and shall be sold for not less than their par value.

SEC. 3. The common council of said city shall have the power, and it is hereby made its duty to levy all necessary taxes upon the taxable property of said city, for the purpose of paying the interest and principal of such bonds, as the same shall mature.

SEC. 4. The proposition to issue said bonds shall be submitted to the legal voters of said city at the next general city election to be held therein on Monday the first (1st) day of April, eighteen hundred and eighty-nine (1889), without further notice. The ballots used at said election in favor of said proposition, shall have written or printed, or partly written and partly printed thereon the words, "For the Issue of Bridge Bonds—Yes"; and those opposed to said proposition shall have written or printed, or partly written and partly printed thereon, "For the Issue of Bridge Bonds—No", but no ballot shall be thrown out or held invalid for failure to conform to the above requirements, if it substantially complies therewith, and if the intention of the voter is clearly ascertainable therefrom; such votes shall be received and