

CHAPTER 128.

[H. F. No. 926.]

General Laws of
1889, amending
Chap. 215, re-
lating to salary
of insurance
commissioner.

AN ACT TO AMEND SECTION TWO (2) OF CHAPTER TWO HUNDRED AND FORTY-FIVE (245) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889).

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

SECTION 1. Section two (2) of Chapter two hundred and forty-five (245) of the General Laws of one thousand eight hundred and eighty-nine (1889) is hereby amended as follows: By inserting after the words "per annum," in the second line of said section two (2), the words, "which said sum is hereby appropriated out of any moneys in the state treasury not otherwise appropriated."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 20, 1891.

CHAPTER 129.

[H. F. No. 1241.]

General Laws of
1889, amending
Chap. 258 — sale
of reform school
property.

AN ACT TO AMEND CHAPTER TWO HUNDRED AND FIFTY-EIGHT (258) OF GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889), ENTITLED "AN ACT RELATING TO THE STATE REFORM SCHOOL," APPROVED FEBRUARY TWENTY-EIGHTH (28TH), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889).

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

SECTION 1. Chapter two hundred and fifty-eight (258) of General Laws of Minnesota for one thousand eight hundred and eighty-nine (1889), entitled "An act relating to the state reform school," is hereby amended by adding thereto the following sections, numbered respectively as follows, to-wit:

Provisions for
making a loan .
upon unsold
lands.

"Sec. 42. If the board of managers of the Minnesota State Reform School are at any time unable or deem it inexpedient to sell any part of the lands described in section one (1) of the act hereby amended, in the manner provided in said act, or are unable or for any reason deem it inexpedient to effect the loans provided for in sections

twenty-nine (29) to thirty-five (35), inclusive, of said act, they may and are hereby authorized to negotiate and make a loan or loans for the purpose of completing the erection and equipment of the buildings for the use of said school, upon the permanent site therefor in the county of Goodhue, in form and manner as follows, to-wit:

“*First*—The said board shall, by resolution, declare that in their judgment it is necessary to make a loan, specifying the amount thereof, for the purpose of putting in condition for occupancy the reform school buildings. Such resolution shall also designate such lots, blocks and tracts of the present site of said reform school, in St. Paul, and now known as ‘D. W. Ingersoll’s addition to St. Paul, Minnesota,’ as may then be unsold; and shall set aside and reserve the same, and all proceeds thereafter derived from the sale thereof, to the state of Minnesota, for the payment of the principal and interest of said loans and the reimbursement to said state of any and all moneys by it paid or advanced on account thereof.

Action of board of reform school managers.

“*Second*—A copy of such resolutions, embraced in a certificate, signed by the president and secretary of said board, reciting the fact and date of adoption of such resolution, shall be delivered to and filed with the commissioner of the land office of the state.

Certificate to be filed with land commissioner

“*Third*—The said commissioner shall thereupon issue and deliver to the state treasurer certificates under his hand and official seal, which shall recite the fact that the said board are by this act authorized to negotiate and make a loan of the aggregate amount in said resolution stated, and that they have set aside and designated the lots, blocks and tracts of land in said resolution described, and all proceeds to be derived from the sale thereof, to the state as security for the prompt and full payment of said loan, and that in consideration of such designation and setting aside of said lands and proceeds, the state of Minnesota guarantees the payment of said loan.

Land commissioner to issue certificate to state treasurer reciting the facts.

State of Minnesota guarantees the loan thus made.

“Said certificate shall also state that under and by virtue of this act the said board of managers are authorized to borrow upon said certificate the amount of money to be therein specified, with interest thereon not exceeding the rate of six (6) per cent, payable semi-annually; and that such principal and interest are so payable, upon presentation of said certificate to the state treasurer, out of the proceeds derived from the sale of said lands, if the same be sufficient therefor, and if not, then the deficiency shall so be paid out of any other moneys in the state treasury not otherwise appropriated.

“*Fourth*—The said board of managers shall endorse upon such certificates of said commissioner their certificate signed by them, or a majority of them as such board, to the effect that they have caused to be borrowed thereon, for the use of said school, the amount therein stated; that

the same is payable and becomes due at the times specified, and bears interest at the rate therein to be specified, and is so payable to the person therein to be named, or his order, at the office of the state treasurer.

“*Fifth*—The certificates of said commissioner and of the board of managers may be in substance as follows, to-wit:

“ ‘COMMISSIONER’S CERTIFICATE.

Form of commissioner's certificate.

“To all men to whom these presents shall come—Greeting: I, A. B., commissioner of the land office of the state of Minnesota, do hereby certify that the board of managers of the Minnesota State Reform School are by an act of the legislature of said state, approved....., entitled “An act to amend Chapter two hundred and fifty-eight (258) of the General Laws of Minnesota for one thousand eight hundred and eighty-nine (1889),” authorized to negotiate and make a loan of the aggregate amount of \$.....; and that they have duly set aside and designated the following described lots, blocks and tracts of land, situate in the county of Ramsey, in the state of Minnesota, to-wit: [Here describe the designated lands], and all proceeds to be derived from the sales thereof, to the state of Minnesota as security for the prompt and full payment of said loan; and that in consideration of such designation and setting aside of said lands and proceeds as aforesaid the state of Minnesota does hereby guarantee the payment of said loan and interest thereon.

“I do further certify that under and by virtue of the act aforesaid the said board of managers of the Minnesota State Reform School are hereby authorized to borrow, upon this certificate and as a part of the said loan, the sum of \$....., with interest thereon at the rate not exceeding six (6) per cent per annum, payable semi-annually; and that such interest and principal are so payable upon presentation of this certificate to the state treasurer, out of the proceeds derived from the sale of said lands, if the same be then sufficient therefor, and if not, then the deficiency shall be so paid out of any other moneys in the state treasury not otherwise appropriated.

“In witness whereof, I have hereunto set my hand and affixed the seal of my office at the city of St. Paul, Minnesota, this.....day of....., 189...

.....
Commissioner of the land office
of the state of Minnesota.’

“ ‘CERTIFICATE OF THE BOARD OF MANAGERS.

Certificate of board of managers.

“We, the board of managers of the Minnesota State Reform School, do hereby certify that we have caused to be borrowed upon this certificate, for the use of said school, the sum of \$.....; that the same is payable on the first (1st)

day of....., A. D. 189..., and bears interest at the rate of six (6) per cent per annum, from this date, payable semi-annually, on the first (1st) day of July and January in each year; and that said amount and interest is so payable as aforesaid to....., or his order, on presentation of this certificate to the state treasurer of the state of Minnesota, at his office at the city of St. Paul, Minnesota.

“ Issued and dated this.....day of..... A. D. 189...

Board of managers of the
Minnesota State Reform School.

“ Countersigned and registered.

State Treasurer.’

“Sec. 43. The said loan and loans herein provided for shall not in the aggregate exceed the sum of one hundred and fifty thousand dollars (\$150,000).

Aggregate of loans to be made.

“They shall be so adjusted that not more than fifty thousand dollars (\$50,000) thereof shall become payable in any one year, nor shall any part of the principal thereof become payable within one (1) year nor after ten (10) years from the passage of this act, or bear interest at any rate exceeding six (6) per cent per annum, payable semi-annually. Subject to these limitations, the said board of managers are hereby authorized to negotiate and make such loans upon such time, terms and in such amounts as they may deem expedient.

To be adjusted not to become payable more than \$50,000 in any one year.

“Sec. 44. Upon payment to the state treasury, by the person from whom any such loan is obtained, of the amount in such certificate stated, the said treasurer shall insert in the certificate of said board the date thereof and the name of the person to whom the same shall be payable, and shall number and countersign the same and deliver such certificate to such person.

Money loaned to be paid into the state treasury.

“Said treasurer shall make and keep in books, by him to be provided for that purpose, a register of said certificates and of any assignments thereof. Such certificate, when so countersigned and issued by said treasurer, shall for all purposes be conclusive evidence that all the requirements of law relative to the issuing of the same have been fully complied with, and that the owner thereof is lawfully entitled to receive the amount and interest therein specified from the state, in accordance with the terms and contents of such certificate.

“Sec. 45. The moneys obtained upon such loans shall by the state treasurer be placed to the credit of the reform school fund, and is hereby set aside and appropriated for the purpose of the erection and completion of the necessary buildings for said school, and the equipment of the same, and the suitable preparation of the permanent site for said school in the county of Goodhue for the uses and

To be placed to the credit of the reform school fund.

purposes thereof. The state auditor, whenever so requested by the board of managers, shall draw and deliver to them his warrants upon the treasurer therefor, and said treasurer shall pay such warrants out of said funds delivered from said loans.

Land set aside for security and sold for payment of loan.

“Sec. 46. Upon the issuance of the certificates aforesaid, the said lands in said resolutions described shall be thereby set aside as security, and shall be disposed of for the payment of the said loans so made. And all the proceeds hereafter arising from the sale of any of said lands shall be paid into the state treasury, and shall therein be held and used for the payment of the principal and interest of said loans, and also to reimburse the state for any moneys it may have at any time paid or advanced on account of said loans or interest thereon; *Provided, however,* That whenever the whole amount of such proceeds of such sales shall be more than sufficient to fully pay said loans and interest and all advances thereon made by the state, the excess of such proceeds shall by the treasurer be set aside and credited to the reform school fund, and shall be drawn, paid out and used in the same manner and for the same purposes as is provided in section forty-five (45) of this act; and *Provided further,* That the words ‘proceeds of such sales,’ as used in this section, shall be construed to mean and embrace the actual cash payments received at the time of such sales, and also the unpaid part of such purchase price of the land so sold.

Certificates and interest to be paid by state treasurer, and appropriation therefor.

“Sec. 47. The state treasurer shall pay said certificates and the semi-annually accruing interest thereon, according to the terms thereof, upon presentation of the same, out of any moneys at that time in the treasury derived from the sale of said lands as aforesaid; and if at any time such moneys are insufficient for that purpose, he shall advance and pay the deficiency out of any other moneys in the treasury not otherwise appropriated; and an amount sufficient to meet such deficiency, if any such exist, is hereby appropriated for that purpose, such appropriation to be an annually continuing appropriation until such loans are fully paid.

Board of managers may sell lands when deemed expedient.

“Sec. 48. The board of managers, whenever they deem it expedient, may offer for sale and sell any or all of the said lands in said resolution and certificate described in manner as is provided for in sections seventeen (17), eighteen (18) and twenty (20) of the act hereby amended; and the said board shall once in each year hereafter offer for sale, as in said section seventeen (17) provided, all of the aforesaid lands, except such parts thereof as may have been by them reserved for the temporary uses of said school, as in section four (4) of said act is provided.

“Sec. 49. Section twenty-seven (27) of said Chapter two hundred and fifty-eight (258) of General Laws for one thousand eight hundred and eighty-nine (1889) is hereby

amended by striking out the proviso to said section and inserting in place thereof the words following, to-wit: 'Nothing in this act shall be so construed as to authorize the said board to make or incur in or about the erection and completion of said buildings any indebtedness or cost in excess of the aggregate amount ultimately derived from the sale of all of said lands as aforesaid.'

"Sec. 50. Nothing in this act contained shall be so construed as to in any manner prevent or restrain the said board of managers from selling any of the lands in section one (1) of the act hereby amended described, or of disposing of the proceeds thereof, as is in said act provided, at any time before the loans herein provided for are made, nor to prevent or restrain the said board from so selling and disposing of the proceeds of any of said lands which may remain unsold after the said loans have been fully paid. Said board of managers are hereby authorized and directed to pay into the treasury of the city of St. Paul, from time to time, as same becomes due, all charges and assessments heretofore or hereafter made by the city of St. Paul for local assessments, and also for water tax, against any part of said Ingersoll's addition owned by the state of Minnesota or said managers as such.

"Sec. 51. All acts and parts of acts inconsistent with this act are hereby repealed so far as they affect the provisions thereof.

"Sec. 52. This act shall take effect and be in force from and after its passage."

Approved April 17, 1891.

Limiting the board of managers in expenditures for buildings to the amount to be derived from sale of land.

Lands left at the free disposal of the board of managers.

Assessments for street improvements to be paid into the city treasury and also for water tax.

CHAPTER 130.

[S. F. No. 213.]

AN ACT TO AMEND SECTION TWO (2) OF TITLE "K" OF CHAPTER TWO HUNDRED AND SEVENTY-ONE (271) OF GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889), RELATING TO THE DISBURSEMENTS OF THE APPROPRIATION MENTIONED THEREIN.

General Laws of 1889, amending Chap. 271—appropriation to Olmsted county.

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

SECTION 1. That section two (2) of title "K" of Chapter two hundred and seventy-one (271) of the General Laws of one thousand eight hundred and eighty-nine (1889), entitled "An act to appropriate money to aid in building bridges and draining lands in certain counties of the state," be and the same is amended as follows:

"Sec. 2. That J. E. Webster, John C. Fifield and E. J. Rice are hereby designated as a committee on the part of