

appeals from judgments for local assessments and appeals on questions of law alone shall be returnable in the district court at the second special term of the district court of said county which shall be held after taking such appeal.

**Motion for new trial.**—Sec. 4. *Provided*, that it shall not be necessary to make any motion for a new trial in said municipal court and the practice relating to appeals shall be the same as the practice relating thereto in courts of justices of the peace.

**Fees to be paid into the city treasury.**—Sec. 5. In all proceedings had in said municipal court fees shall be charged and collected in like manner as in justice court, except the amount thereof shall be fifty per cent greater for each service than fees for like service or proceedings in courts of the justice of the peace, but all fees collected shall belong to the City of Stillwater.

Sec. 6: All acts and parts of acts in conflict herewith are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after May 1, 1907.

Approved March 27, 1907.

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#### CHAPTER 67—S. F. No. 345.

*An Act to authorize cities having a population of ten thousand inhabitants or less, to purchase, acquire, install, construct, extend and improve water works and to issue bonds for such purpose.*

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

**Right to issue bonds.**—Section 1. In addition to the rights and powers heretofore granted by law to the several cities of the state of Minnesota, which rights and powers shall not be abridged or affected by this act, there is hereby granted to all cities that are or may be hereafter organized within the state of Minnesota, having a population of ten thousand inhabitants, or less, according to the last officially promulgated state or United States census, the right and power to issue bonds for the purpose of installing, purchasing or otherwise acquiring a system of water works, and constructing, enlarg-

ing, extending and improving such water works, now owned by any such city or acquired under this act, and such cities are hereby authorized and empowered, subject to the approval of the legal voters of such city as is hereinafter provided, to purchase, acquire, install and construct any such water works system and plant and extend, enlarge and improve the same.

**How issued and restrictions.**—Sec. 2. The bonds of any city issued pursuant to the terms of this act may be issued from time to time by a majority vote of the electors of such city, as hereinafter provided, but the total amount of such bonds outstanding shall not at any time exceed in the aggregate the sum of fifty thousand dollars. All bonds authorized by this act shall run not more than thirty years from the date of issuance, bearing interest at not more than five (5) per cent per annum, principal and interest payable at such time and place as may be fixed by the common council of such city, such bonds to be sealed with the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder and countersigned by the comptroller, if there be one, and shall be sold at not less than par value and accrued interest to the highest responsible bidder, after notice published once in each week for two (2) successive weeks in a daily paper, if one there be, if not, then in a weekly paper in the city where such bonds are to be issued, and also in a daily paper published in the city of St. Paul. A failure to publish said notice, however, shall not invalidate said bonds.

**Issued only on vote of inhabitants.**—Sec. 3. Bonds issued under or pursuant to the provisions of this act shall be so issued only when authorized by the voters of such city at a general or special election called for that purpose in the manner hereinafter provided.

**Election—how conducted.**—Sec. 4. All elections provided for in this act shall be called and conducted in the manner prescribed for municipal elections in such cities and the notices of election shall contain a statement of the amounts and purposes for which such bonds are proposed to be issued with the date of their maturity and the rate of interest they shall bear. All elections provided for in this act may be called by resolution of the common council, passed by a majority vote of all members thereof, which resolution shall distinctly state the purpose of the election and the question to be submitted to the vote of the people. The ballot to be voted at

all elections under this act may read as follows: "In favor of the proposition of issuing water works bonds to the extent of \$....., Yes,....., No." Those voting for such proposition shall mark a cross (X) opposite the word "Yes," and those against such proposition shall mark a cross (X) opposite the word "No" on said ballot in a space provided for that purpose. If a majority of votes cast at any such election shall be in favor of issuing the kind and amount of bonds designated in the ballot, the city voting in favor thereof, through its proper officers without further act is authorized to issue such bonds to the amount voted and to issue and sell the same. The votes cast at such election shall be counted, returned and canvassed the same as at any other municipal elections and the result certified to the clerk or recorder by the canvassing board. It shall be the duty of the common council to expend the moneys derived from the sale of said bonds in accordance with the directions of the voters as shown by said election. None of the proceeds of any of the bonds issued pursuant to the provisions of this chapter shall be used, or any part thereof, for any purpose except such as is designated in the resolution and vote of the electors cast at any election authorizing the issuance of said bonds and any member of the common council or officer of said city who shall vote for or in any manner participate in the appropriation or expenditure of any of the proceeds of any of such bonds for any other purpose shall be deemed guilty of a misdemeanor and punished as by law provided.

**Limit of indebtedness.**—Sec. 5. None of the bonds of any such city, issued pursuant to the terms and provisions of this act, shall be deemed or taken to be a part of the indebtedness of such city within the purview of any law limiting the amount of the indebtedness of any city, and the bonds provided for in this act may be issued without regard to the indebtedness of any such city.

**Construction.**—Sec. 6. This act shall not be construed as in any manner superseding, repealing, amending or qualifying the provisions of any home rule charter heretofore adopted by any city or village, under the laws of this state, and this act shall not in any manner apply to any such city or village.

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

Approved March 27, 1907.