

CHAPTER 206—S. F. No. 490.

An Act to authorize cities in this state now or hereafter having a population of more than fifty thousand inhabitants to issue bonds for acquiring and improving lands for public parks and parkways.

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

\$300,000 park bonds authorized.—Section 1. Any city in this state now or hereafter having a population of over fifty thousand inhabitants is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted by an affirmative vote of not less than two-thirds of all members-elect of such common council, upon request of the board of park commissioners of such city, or of such other governing body as may have charge and supervision of the parks and parkways of such city to issue and sell not exceeding three hundred thousand (300,000) dollars par value in and of the bonds of said city, for the purpose of improving land for public parks and parkways and for improving lakes within the city, and in addition thereto not exceeding fifty thousand (50,000) dollars par value in and of the bonds of said city for the purpose of acquiring land for public parks and parkways.

Bonds to be issued notwithstanding present limitation.—Sec. 2.—The bonds authorized by section one (1) of this act, or any portion thereof, may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in any law of this state, prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act and for the current interest thereon, and the common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

To run not longer than 30 years and for not more than 5 per cent interest.—Sec. 3. No bonds shall be issued by any such city for the purposes hereinabove mentioned to run for a longer term than thirty years, or bearing a higher rate of interest than five per cent per annum, but the place of payment of the principal and interest thereof and the denominations in which the same shall be issued shall be such as may be determined upon by the common council, and may be in the form of coupon bonds, or registered certificates, so-called. All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller of such city, and shall be sealed with the seal of such city, except that the signatures to the coupons at-

tached to such bonds, if any, may be lithographed thereon, and none of such bonds shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor.

Not to apply to city operating under home rule charter.—Sec. 4. This act shall not apply to any city operating under a home rule charter.

Sec. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

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

Approved April 17, 1909.

CHAPTER 207—S. F. No. 506.

An Act amending Chapter 470 of the General Laws of Minnesota for the year 1907 relating to the State Drainage Commission, its powers and duties.

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

State drainage commission given enlarged powers.—Section 1. That chapter 470 of the General Laws of Minnesota for 1907 be and the same hereby is amended by adding thereto a section to be numbered 36, and the same to read as follows:

Section 36. The state drainage commission, in addition to its other powers hereinbefore enumerated, shall have the power, whenever the same will be of public benefit and utility and will promote the public health and welfare,

First. To clean out, repair, extend or otherwise improve any state ditch heretofore or hereafter constructed and to determine and decide whether or not any other public ditch shall empty therein, and if allowed so to do, to determine and prescribe upon what terms and conditions it be allowed so to empty into such state ditch.

Second. To make surveys of rivers, creeks or streams within this state for the improvement thereof and to widen, deepen, straighten, change the course of, clean out, or otherwise improve any river, creek or stream in this state whenever the same shall have overflowed or shall hereafter overflow by reason of the water or sediment from any public drainage ditch or ditches, emptying therein, or otherwise by reason of said drainage ditches, and causing damage to abutting or adjacent lands.

Provided, that the said state drainage commission shall, as a condition precedent to the making of any of said improvements,