

ney as fully and completely as the county attorney of said county himself may do and perform.

Salary.—Sec. 2. Such additional assistant county attorney shall receive a salary of one thousand two hundred dollars (1,200) per annum, payable in equal monthly installments out of the county treasury of said county upon warrant of the county auditor of said county. He shall also receive all actual and necessary traveling expenses, not exceeding in any one calendar year the sum of three hundred dollars. Said traveling expenses shall be allowed by the county upon duly verified itemized bills in the same manner as other claims against the county.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 323—H. F. No. 846.

An Act empowering any city organized by a special law, having a population of 5,000 or less, to construct municipal waterworks, reservoirs, dams, light and power plants, or to acquire by purchase or condemnation such waterworks, reservoirs, dams, light and power plants as are already in existence, and to extend, improve, change and enlarge the same, and to authorize any such city to acquire by condemnation or purchase lands for the erection, establishment and maintenance of dams and reservoirs for the purpose of furnishing water, light or power to the public, and to issue bonds for any or all of such purposes.

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

City organized under special law to construct or acquire public works—Procedure.—Section 1. Whenever any charter, general or special election, held in any city in the class hereinafter mentioned, the electors thereof by an affirmative vote of three-fifths of the electors voting thereat so determine, any city in the state of Minnesota having 5,000 population or less, organized and existing under a special law, is hereby authorized and empowered, in addition to all powers to issue bonds conferred upon it by its city charter, or by virtue of any general or special law, and in addition to all other bonds that it is by law authorized to issue, to issue its bond in the aggregate amount hereinafter mentioned to be determined as hereinafter set forth, and to dispose of the same as hereinafter provided, and to use the proceeds thereof for the purpose of acquiring, constructing, extending, enlarging, improving or purchasing municipal water works, light and

and power plants, or of acquiring or purchasing lands or rights for the erection, establishment and maintenance of dams and reservoirs for the purpose of furnishing water, light or power to the public, or for either or all of such purposes, but in each such case the said city may either acquire such plant or property at such price, not exceeding its fair value, and on such terms as may be agreed upon between such city and the owner thereof, or if such arrangement as to price and terms cannot be agreed upon, may acquire such property by condemnation thereof.

The procedure in event of condemnation shall be that prescribed by chapter 41, Revised Laws, 1905, and the purchase price of said property as so fixed by agreement or condemnation may be paid out of the proceeds of the bonds by this act authorized to be issued and the balance of the proceeds, if any, may be used for the extension, enlargement or improvement of such plant or property so acquired.

Action of city council.—Sec. 2. Whenever the city council of any such city, at any regular or special meeting thereof, determine by resolution duly adopted by two-thirds vote of all members thereof, entered upon the minutes of the proceedings, that it is necessary to acquire by purchase or condemnation, or both, waterworks, light or power plants already in existence, or to construct, enlarge, extend, establish or improve a municipal water, light or power plant, or to acquire as aforesaid lands or shore or flowage rights along, by or near any lake or river for the purpose of erecting or establishing or maintaining reservoirs or dams for water or power purposes, or either or all thereof, as the case may be, and that the funds in the treasury of such city are not sufficient for such purposes, and that it is necessary to issue the bonds of such city in an amount to be determined by such city council in such resolution, not exceeding in the aggregate ten per cent (10%) of the assessed valuation of the taxable property of such city according to the last preceding assessment thereof, such city council may cause the proposition of issuing such bonds, in such an amount, to be submitted to the electors of said city at any charter, general or special election to be held therein.

Such resolution shall fix the time of said voting, if the same be submitted at special election, which shall be not less than ten (10) days after the date of the adoption of said resolution, and said special election shall be conducted as provided by law for charter elections.

The notice of such election at which said proposition is to be submitted, whether general, charter or special, shall contain a statement of the total amount of the principal of said bonds, and the purposes to which it is proposed to put the same.

Balloting upon proposition.—Sec. 3. In voting upon said proposition the ballots used shall have written or printed, or

partly written and partly printed thereon, the words "Issue of Bonds," "Yes," "No"—and each elector voting on such proposition shall make a cross mark thus (X) in one of the two spaces left for that purpose, upon the margin of the ballot used.

The elector desiring to vote in favor of issuing bonds shall make a cross mark thus (X) in the place left opposite the word "Yes", and the elector desiring to vote against the issuing of bonds shall make a cross mark thus (X) in the place left opposite the word "No", and no ballot shall be counted on said proposition except those having said cross mark (X) opposite one (1) only of said words, "Yes", "No."

The voting shall be conducted in the same manner as provided by law for the election of city officers, and shall be counted, returned and canvassed in the same manner as provided by law for the election of city officers, and if upon such canvass it appears that a majority of all the votes cast upon said proposition shall be in favor of the issuing of such bonds, the same may thereafter be issued in accordance with the provisions of this act, but not otherwise.

Three-fifths of electors required.—Sec. 4. Whenever three-fifths of the electors of any such city at any such election shall declare in favor of issuing the bonds of such city hereunder, such city, and the city council thereof, is hereby authorized and empowered by an affirmative vote of two-thirds of the members of such city council to issue the bonds of said city in an amount to be determined by said city council, not exceeding in the aggregate the amount contained in the said proposition adopted by the electors at said election, and such city council may dispose of the same as hereinafter provided, and may use the same and the proceeds thereof for any of the purposes which the resolution provided for in section two (2) of this act shall specify, but not otherwise.

Bonds—Denominations and interest.—Sec. 5. Such bonds shall be of such denomination as the city council shall determine, shall be payable at such place as the city council may designate; at such times, not less than ten (10) nor more than thirty (30) years from date of issue; shall be made payable to bearer, or to the order of the person or corporation to whom they may be delivered, as such city may deem best, and shall draw interest payable semi-annually at such place as the city council may determine at a rate not exceeding five per cent (5%) per annum, to be represented by coupons attached to said bonds.

Said bonds and coupons shall be signed by the mayor and attested by the clerk or similar officer of such city, and the corporate seal of the city shall be impressed upon said bonds.

Sale of bonds.—Sec. 6. The city council of any such city shall have authority by a majority vote of all members to dispose

of such bonds in such manner as in the judgment of said city council shall best subserve the interests of the city, but it shall not negotiate the sale, nor dispose of, nor sell said bonds, nor any of them, at less than their par value and accrued interest, either for cash or for property at its fair value, and neither the said bonds nor the proceeds of the sale thereof shall be used for any other purpose than specified in said resolution contemplated by section two (2) hereof, and such purpose shall be again distinctly stated in said resolution of said council authorizing the issuance thereof.

Bonds a first lien upon public works.—Sec. 7. The principal and interest of any such bonds so issued is hereby declared to be a first lien upon the municipal waterworks, light or power plants, dams or reservoirs, respectively constructed or required by means of said bonds or the proceeds of the sale thereof, and the faith and credit of such city issuing the bonds is hereby irrevocably pledged to the payment thereof, any provisions of the law of this state, whether general or special, to the contrary notwithstanding.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 324—H. F. No. 946.

An Act authorizing county boards to pay one-half the cost of certain bridges heretofore built.

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

County boards authorized to pay one-half cost of certain bridges.—Section 1. In all cases where, under the provisions of chapter 423. General Laws for 1907, a county has, upon petition duly filed, heretofore appropriated one-half of the cost of the construction of a bridge, and the board of the town, village or city wherein such bridge is located has built such bridge without the letting of a contract therefor, and without the co-operation of the committee appointed by the county board, it shall be lawful for the county board to cause to be paid from the proper fund of said county one-half of the cost of the construction of said bridge, not exceeding the sum theretofore appropriated by said county board therefor.

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

Approved April 21, 1909.