

or grain warehouseman, nor am I in any manner interested in any stock, bonds, or other property of any such common carrier or warehouseman."

He shall also give a bond to the state, to be approved by the governor, in the sum of twenty thousand dollars, conditional for the faithful performance of his official duties. He shall devote his entire time to the duties of the office. His salary shall be four thousand five hundred dollars per annum, payable in the same manner as that of other state officers.

Appointment of secretary and employes, and fixing of salaries.—Sec. 3. That section 1959 of the Revised Laws of 1905 be and the same is hereby amended so as to read as follows:

Section 1959. Secretary—Employes—Standing Appropriations.—The commission shall appoint a secretary, not a member, and such additional help as may be necessary to carry out the provisions of this chapter, and fix their compensation. The secretary shall also act as registrar. He shall also take, subscribe and file an oath similar to that required of the commissioners, and a like bond, in the sum of ten thousand dollars. All expenses of the commission and its employes, including all necessary expenses for transportation incurred by the commissioners and their employes, under their order, in making any investigation or performing any other duties in any place except St. Paul, shall be allowed and paid by the state on presentation of itemized vouchers therefor, approved by a member of the commission and the state auditor, and there is hereby annually appropriated for the use and purposes of the commission thirty thousand dollars, or so much thereof as may be necessary.

Sec. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after August 1st, 1911.

Approved April 13, 1911.

CHAPTER 141—S. F. No. 496.

An Act to authorize the formation of public corporations, under certain circumstances, in order to secure and provide electrical energy, at approximate cost, for cities and any state institution in any such city.

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

Formation of public corporations for development of water power.—Section 1. Any city situated upon a river where there may be secured a developed water power conveniently near for

utilization in the creation and development of electrical energy to supply such city and any state institution therein with such energy at approximate cost, either alone or in conjunction with an adjacent city, may do so through a public corporation formed at its request as hereinafter provided.

One city may unite with another.—Sec. 2. Any such city which may desire to avail itself of the provisions of this act shall proceed as follows:

If there is another city adjacent thereto, it shall be invited by resolution of the legislative branch of the city first mentioned to unite with the latter in securing the organization of such public corporation. If such adjacent city within thirty days thereafter shall, by resolution accept such invitation, said city shall, by further resolution of their respective legislative bodies, declare their desire to so secure such water power and to have organized, under this act, a public corporation therefor, and shall, by the same resolution, request the respective mayors, or other executive heads (by whatever name known) of said cities, and the president or other executive head of the governing, or managing board, of any state institution, (or of the senior state institution, if more than one) in such cities, to proceed to form such corporation under this act.

If there is no adjacent city, or if there is one and it fails or refuses to unite in the adoption of such resolutions within thirty days, the legislative body of the city which may desire to avail itself of the provisions of this act shall by resolution request its mayor, or other executive head, its city engineer, or the head of its engineering department, (if known by any other name), and the president, or other executive head, of the governing or managing board of any state institution (or of the senior institution, if more than one) within such city, to proceed to form such a corporation under this act.

Officials to meet upon call of mayor.—Sec. 3. The officials designated shall meet upon the call of the mayor (of the larger of the cities if more than one) at his office, and shall proceed to organize themselves into a public corporation under some appropriate name for the objects and purposes stated in section "1," and shall unite in a certificate which shall state the name and objects of the corporation, the fact that it is organized under this act, and that the members of the corporation shall be themselves, during their respective terms of office, and their respective successors in such offices. Such certificate shall be recorded in the office of the secretary of state.

Corporation to elect officers and employ a manager.—Sec. 4. Such corporation, when organized, shall provide for and elect

such officers as it may designate, and may employ a manager and such other agents and servants as may be necessary for the corporate business, and may adopt such rules, regulations and by-laws for the government of the corporation and of its employees as may seem best, but the members of such corporation shall receive no pay or compensation as such members, or as officers, but may have their actual expenses.

Authorized to acquire and develop water power.—Sec. 5. Such public corporation, when organized, shall be authorized and empowered to acquire by lease or otherwise any developed water power within or near the corporate limits of the cities whose officers are, ex officio, members of such corporation; to acquire all necessary lands, rights, and privileges, and to provide itself with a suitable hydro-electric plant, fully equipped with auxiliary power plant necessary to utilize economically said water power, and with the necessary means of distribution of the electrical energy therefrom.

Disposition of electrical energy.—Sec. 6. The electrical energy, so developed, shall be disposed of as follows: First, to the grantor from whom the water power is acquired if the contract therefor so provides; second, to any state institution in such city, or cities, desiring the same, and third, any surplus then remaining, in equal shares, to the cities whose officers are members of the corporation, if more than one, otherwise the whole to the single city.

Same rate to all patrons.—Sec. 7. The same rate shall be charged by the corporation to all users of electrical energy so supplied, whether the user is the grantor of the water power, a state institution, or a city, and that rate shall be sufficient to pay and cover the cost of operation, maintenance, interest charges, and the retirement of any indebtedness, and to provide for the renewal of the plant and for a reasonable emergency fund, and no more.

Issuance of bonds.—Sec. 8. Such corporation shall likewise be authorized to raise money by the sale of its bonds or certificates of indebtedness to carry out the objects and purposes of the corporation, and the indebtedness evidenced thereby shall be a lien upon all the property, rights, and franchises of the corporation.

Approved April 13, 1911.