

Sec. 4. **Application.**—This act shall not apply to any city operating under a home rule charter, framed pursuant to Section 36 of Article 4 of the Constitution of Minnesota.

Sec. 5. **In addition to existing powers.**—The powers granted by this act are in addition to all other existing powers of such cities.

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

Approved April 15, 1913.

---

#### CHAPTER 305—H. F. No. 1220.

*An Act entitled "An Act authorizing the board of water commissioners in cities having over fifty thousand inhabitants to supply ice to such city and its inhabitants, to purchase and condemn lands, and to provide bonds for such purpose."*

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

Section 1. **St. Paul may engage in manufacture and sale of ice.**—In any city of this state now or hereafter having over fifty thousand inhabitants, the board of water commissioners thereof, in addition to all the powers now possessed by such board under any general or special law or under the charter of such city, shall have and possess the power to engage in the manufacture, gathering and purchase of ice, and the sale and distribution thereof to such city and to the several boards and departments thereof and to the inhabitants of such city, and to acquire the necessary land, buildings, machinery and equipment for such purpose.

Sec. 2. **Right of eminent domain granted.**—For the purpose of acquiring land, storage plants, side-tracks, spur-tracks and other rights in real property, necessary or convenient for the manufacture, gathering, storage or distribution of ice, any such city may exercise the power of eminent domain under and in pursuance of Chapter 41, Revised Laws of 1905 and acts amendatory thereof and supplementary thereto, either within or without the corporate limits of such city.

Sec. 3. **\$250,000 bond issue authorized—Thirty years at 5 per cent—How signed and sold.**—To provide a fund for the establishment and maintenance of such ice plant, any such city is hereby authorized and empowered, acting by and through the common council or city council of such city, upon request of the board of water commissioners of such city, to issue the bonds of such city from time to time in such sums as may be deemed necessary, not, however, exceeding in the aggregate two hundred fifty thousand dollars (\$250,000) par value. Said bonds may

be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in the laws 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 thereof, and the common council or city 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 suitable sinking fund for the redemption of such bonds at their maturity, in case the revenues derived from the sale of ice prove insufficient for that purpose. No bonds shall be issued hereunder by any such city for the purpose herein authorized, to run for a longer period 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 thereon and the denominations in which the same shall be issued shall be such as may be prescribed by the common council or city 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 comptroller, and shall be sealed with the seal of such city; provided, that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon, and none of said bonds shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor. When said bonds or any of them are issued and sold, it shall be the duty of the board of water commissioners to make suitable provision from the revenues of said ice plant for the prompt payment of all current interest on said bonds as the same accrues and for the redemption of said bonds at their maturity.

**Sec. 4. Commissioners to establish price for ice.**—The said board of water commissioners shall establish such prices for ice as will at all times insure a sufficient income to pay the interest and to provide a fund to pay the principal upon all the bonds to be issued under this act, as well as to pay all the expenses and cost of the maintenance and repairs of said ice plant and other expenses of operation and equipment.

**Sec. 5. Application.**—This act shall also apply to cities existing under a charter framed pursuant to Section 36, Article 4 of the Constitution.

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

Approved April 15, 1913.