

standing any provision contained in the charter of such city or any law of this state requiring approval of the voters of such city or any limitations contained in said charter or laws prescribing or fixing any limit upon the bonded indebtedness of such city.

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 payment of the current interest thereon, and said council or governing body of such city shall each year include in the tax levy a sufficient amount for the payment of such interest as it accrues, and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

**Sec. 4. Issuance of bonds.**—All bonds issued under authority of this act shall be sealed with the seal of the city issuing the same and signed by the mayor and attested by the city recorder or clerk of such city, but the coupons attached thereto may be signed with the lithographed signature of the recorder or clerk.

**Sec. 5. Use of proceeds.**—Said council or governing body hereby is and shall be authorized and fully empowered, in addition to all other powers possessed by it, to use the said bonds or the proceeds of the sale thereof for the purposes herein specified, but neither the same nor any part thereof shall be used for any other purpose.

Approved January 13, 1936.

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## CHAPTER 8—H. F. No. 20.

*An act to authorize all cities located upon navigable boundary waters having more than 20,000 and less than 50,000 inhabitants to acquire and hold property for and to establish freight and passenger transportation terminals, and to issue bonds in payment thereof.*

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

**Section 1. Certain cities may establish transportation terminals.**—That any city in this state located upon navigable boundary waters which now has or may hereafter have a population of not less than 20,000 and not more than 50,000 inhabitants shall have the power to acquire and hold in fee

simple by purchase or condemnation land for the establishment of docks, quays, levees, wharves, landing places, railroad or other land transportation loading and unloading places, land and water freight and passenger stations, terminals and terminal buildings for any and all kinds of carriers and necessary equipment and appurtenances on any navigable stream within the limits of such city and may set aside such portion of said land when acquired as the public may require for use for public travel and shall devote the remainder thereof to uses herein provided or if required by the United States government.

**Sec. 2. May construct terminals.**—That all such cities shall have the power to construct, erect and maintain on any such land so acquired, docks, quays, levees, wharves, landing places, railroad and other transportation loading and unloading places, land and water freight and passenger stations, terminals and terminal buildings for any and all kinds of carriers and necessary equipment and appurtenances; and such cities shall have the power and are hereby authorized to charge a reasonable price for the use of such docks, quays, levees, wharves and landing places, railroad and other land transportation loading and unloading places, land and water freight and passenger stations, terminals and terminal buildings for any and all kinds of carriers and necessary equipment and appurtenances, such reasonable place to be determined and fixed by the common council or governing body of such city, and the making of such charge shall in no way be held to impair, affect or invalidate any bonds issued by such city to cover the payment of the construction thereof.

**Sec. 3. May issue bonds.**—That any such city may by written resolution or ordinance adopted by a two-thirds vote of all members of its common council or other governing body issue and dispose of interest bearing bonds or certificates to be known as River Terminal bonds or certificates which shall under no circumstances be and become an obligation or liability of said city or payable out of the general funds of said city, but shall be payable solely out of the specified portion of the revenues or income to be derived from such river terminal docks, quays, levees, wharves, landing places, railroad and other transportation loading and unloading places, land and water freight and passenger stations, for the acquisition of which said bonds or certificates were issued. Such certificates shall not be issued and secured on any such river terminal property in an amount in excess of the cost to the city of such river terminal as hereinbefore provided

and ten per cent of said cost in addition thereto. In order to secure the payment of such public utility certificates and the interest thereon the city may convey by way of mortgage or deed of trust any or all of the property thus acquired or to be acquired through the issue thereof; which mortgage or deed of trust shall be executed in a manner directed by the common council or other governing body of such city and acknowledged and recorded in the manner provided by law for the acknowledgment and recording of mortgages of real estate and may contain such conditions and provisions not in conflict with the provisions of this act as may be deemed necessary to fully secure the payment of the certificates described therein. Any such mortgage or deed of trust may carry the grant of a privilege or right to maintain and operate the property covered thereby, for a period not exceeding 20 years from and after the date such property may come in the possession of any person or corporation as a result of foreclosure proceedings; which privilege or right may fix the rates which the person or corporation securing the same as a result of the foreclosure proceedings shall be entitled to charge in the operation of said property, for a period of not exceeding 20 years. Whenever, and as often as default shall be made in the payment of such certificate issued or secured by mortgage or deed of trust, as aforesaid, or in the payment of the interest thereon when due, and any such default shall have continued for the space of 12 months after notice thereof has been given to the mayor and financial officer of the city issuing such certificates, it shall be lawful for any such mortgagee or trustee, upon the request of the holder or holders of a majority in amount of the certificates issued and outstanding under such mortgage or deed of trust, to declare the whole of the principal of all such certificates as may be outstanding, to be at once due and payable, and to proceed to foreclose such mortgage or deed of trust in any court of competent jurisdiction. At a foreclosure sale, the mortgagee or the holders of such certificates may become the purchaser or purchasers and the rights and privileges sold, if he or they be the highest bidders. Any public utility acquired under any such foreclosure shall be subject to regulation by the corporate authorities of the city to the same extent as if the right to construct, maintain and operate such property had been acquired through a direct grant without the intervention of foreclosure proceedings.

**Sec. 4. Shall keep accounts.**—Every such city owning, or owning and operating any such public utility shall keep the books of account for such public utility distinct from other city accounts, and in such manner as to show the true and

complete financial results of such city ownership, or ownership and operation, as the case may be. Such accounts shall be so kept as to show the actual cost to such city of such public utilities owned; all cost of maintenance, extension and improvement; all operating expenses of every description, in case of such city operation; the amount set aside for sinking fund purposes. The common council shall cause to be printed annually, for public distribution, a report showing the financial results of such city ownership, or ownership and operation.

- Approved January 13, 1936.

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#### CHAPTER 9—H. F. No. 27.

*An act to legalize certain proceedings heretofore taken for the improvement of streets in certain cases in cities of the fourth class operating under home rule charters and authorizing the completion of such improvement in accordance with the provisions of Mason's Minnesota Statutes of 1927, Sections 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827 and 1828.*

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

**Section 1. Certain proceedings legalized.**—In all cases where a city of the fourth class having a home rule charter under the Constitution of the State of Minnesota, Article IV, Section 36, has heretofore acting through its city council determined to improve any street within said city by a resolution adopted by a majority vote of the council after a meeting at which all persons interested had been notified to be present by a notice of such meeting published in the official newspaper and has caused plans and specifications for such improvement to be made and has advertised for bids for such improvement and has entered into contracts for the construction thereof subject to the approval of the federal emergency administration of public works, the United States of America having previously offered a grant to aid in financing such improvement which said offer has been duly accepted by the city council, such proceedings are hereby legalized and declared to be valid and of full force and effect and the city council of such city is hereby authorized to proceed with the making of said improvement, with the levy and collection of assessments and the issuance of certificates of indebtedness therefor all as provided by Mason's Minnesota Statutes of