

Record of survey filed

SEC. 5. It shall be the duty of the President and Common Council to cause a plat of the survey of said town, to be recorded in the office of the Register of Deeds of the county wherein said town is located, in conformity with the provisions of the statutes authorizing the record of town plats in this State.

First President of said town

to corporate

SEC. 6. That David H. Smith shall be the first President of said town corporate, and shall serve from and after the date of this Act, until his successor shall be chosen and qualified, under such rules and regulations as the Common Council, with the consent of the President, shall establish; and in the event of any vacancy, if of the President, the Common Council may fill the same; and if the Common Council, the same shall be filled by the President of the said town corporate.

SEC. 7. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
WILLIAM HOLCOMBE,  
President of the Senate.

APPROVED—June the seventeenth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
June 17, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAAMEN, Secretary of State.

## CHAPTER OXOIX.

*An Act to authorize the City Council of the City of Stillwater to issue its Bonds, to build out, and construct a Levee in front of blocks Nos. 18, 27 and 28 in said city, and to erect and construct a City Hall.*

- SECTION 1. Authority to the Common Council to issue Bonds for constructing Levee.
2. Signatures to Bonds.
  3. Manner of issuing, and conditions of Bonds.
  4. Prohibition of improper use of Levee fund.
  5. Prohibition to secure payment of interest and principal of Bonds.

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

SECTION 1. The City Council of the City of Stillwater is

hereby authorized and empowered to issue bonds of said city to an amount not exceeding twenty thousand dollars, <sup>Authority to issue bonds</sup> bearing interest not to exceed ten per cent. per annum, and for a time not less than twenty years, which bonds so issued shall not be sold at less than par, and shall be for the sole purpose of raising money to be expended in constructing a levee at some point to be hereafter determined by the said City Council, between the north line of block number eighteen, and the south-eastern extremity of block number twenty-eight, of said city, as the same was surveyed and platted by Harvey Wilson, Esq., surveyor, and filed in the office of the Register of Deeds in and for the County of Washington, Minnesota, on the twelfth day of September, A. D. eighteen hundred and forty-eight, and in erecting and constructing a City Hall for the use of said City of Stillwater.

Sec. 2. The bonds issued under and by virtue of this Act, shall be signed by the Mayor of said city, and countersigned by the Recorder, under the corporate seal of said city, and shall be in sums of not less than one hundred dollars each, with interest payable semi-annually, at such place as the City Council may determine. <sup>Manner of signing—nature to bonds</sup>

Sec. 3. The City Council may, at any regular meeting, direct by resolution, the Mayor to sign, and the Recorder to countersign, the whole amount of bonds authorized to be issued by this Act, or such a part thereof as the City Council may determine, and the City Council may authorize or employ a suitable person to negotiate the bonds so directed to be issued, and to place the proceeds in the Treasury of said city; but before such person shall receive said bonds or be entrusted with them for negotiation, he shall execute his bond to the city with good and sufficient security in the penal sum of double the amount of the bonds so to be entrusted to him at any one time conditioned for the faithful performance of his duties, and strict accountability for all moneys received by him from the sale of said city bonds, which bonds shall be approved by the City Council, and filed with the Treasurer of said city. The City Council shall fix, by resolution, the compensation of such person; *Provided, however,* He shall not receive, including all expenses, to exceed one per cent. on the amount of city bonds negotiated by him. <sup>Manner of issuing—conditions of bonds</sup>

Sec. 4. It shall not be lawful for the City Council of said city to pay out or expend in any way the money raised by the city from the sale of said bonds, except in the manner, and for the purpose named in this Act; nor shall the funds thus raised be subject in any way to the payment of any claim against the said City of Stillwater, except as herein provided. <sup>Inproper use of funds</sup>

Sec. 5. To secure the punctual payment of the interest and principal of the bonds provided for in this Act, all re-

Payment of interest and principal

ceipts for wharfage shall be applied exclusively to the payment of such interest; *And provided further*, That if such receipts of wharfage shall exceed the amount necessary for the payment of the interest as aforesaid, the excess of receipts thus accruing shall be used in redeeming the bonds of the city issued by virtue of this Act, or invested in State or United States stocks, and shall constitute an inviolable sinking fund for the payment of the principal; *And provided further*, That in case such receipts for wharfage shall be insufficient to pay the interest accruing on the bonds so as aforesaid issued, together with an amount equal to one-twentieth of the amount of said bonds, then the City Council shall have power, and it shall be their duty to assess and collect an annual tax upon the personal property and real estate within the limits of said city sufficient to pay any deficiency in interest that may be due on such bonds, an amount to constitute a sinking fund equal to one-twentieth of the amount of said bonds so issued, which sum shall be invested in accordance with the provisions of this Bill.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—August eleventh, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
August 11, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER 00.

*An Act to legalize three Roads from Wabashaw to Rochester.*

SECTION 1. Locations of Roads from Wabashaw to Zumbro River; from Zumbro River to Centerville; from Centerville to South line of Wabashaw County, legalized.

2. Rights of persons affected by the legalization of the roads secured.

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

SECTION 1. That the location, survey and filing with the Register of Wabashaw county by the road Commissioners of said county, of the three roads hereinafter described, be,