

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

Approved March 1, 1876.

CHAPTER LIV.

AN ACT TO AMEND CHAPTER 129 OF THE SPECIAL LAWS FOR THE YEAR 1875, ENTITLED "AN ACT TO AUTHORIZE THE COUNTIES OF MARTIN, JACKSON, COTTONWOOD, NOBLES, MURRAY, ROCK, PIPESTONE, AND FARIBAULT, STATE OF MINNESOTA, OR ANY OF THE TOWNS THEREIN, TO ISSUE BONDS TO AID IN THE CONSTRUCTION OF ANY RAILROAD RUNNING INTO OR THROUGH ANY OF SAID COUNTIES.

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

SECTION 1. That section three of chapter 129 of the special laws for the year 1875, be and the same hereby is amended so as to read as follows :

Sec. 3. Whenever twenty-five legally qualified voters and tax-payers of either of said counties shall present to the board of county commissioners of the proper county a petition stating the amount of bond, and the company to which and the terms and conditions upon which the same are proposed to be issued, and praying such board to submit the question of the issuing of such bonds to the determination of the legally qualified voters of such county, such board shall thereupon make an order submitting such question to the determination of such voters at the first annual election or annual town meeting to be held in such county not less than fifteen days after the presentation of such petition, or at any special election called for that purpose upon a notice of not less than twenty days ; such order shall be entered upon the records of such board, and the board shall give notice of the submission of such question by posting three notices in three public places in each organized town in said county, which notices shall be so posted at least fifteen days before the time of holding such election, and also by causing such notice to be published in each newspaper published in said county, which publication shall be made at least ten days before the time of holding such election. Such notices shall be substantially in the following form, viz :

OFFICE OF THE BOARD OF COUNTY COMMISSIONERS

Of the County of, Minnesota.

Notice is hereby given that at the annual election (or annual town meeting, or at a special election) to be held in the several townships in said county, on the day of, 18 . . the

question of issuing the bonds of said county in the sum of dollars to aid in the construction of the railroad through said county upon the terms and conditions following: (here insert terms and conditions) will be submitted to the legal voters of said county for their determination.

} Commissioners.

The voters in favor of the issue of such bonds shall vote a ballot having written or printed or partly written and partly printed thereon the words, "Issue of bonds to aid the railroad company—Yes," and the voters opposed to such issue shall vote a ballot having written or printed or partly written and partly printed thereon the words, "Issue of bonds to aid the railroad company—No." Such vote shall be canvassed in the same manner at other votes at such annual or special election or town meeting, and shall be returned to the county auditor in the same manner and within the same time as required for the returns of the election of county officers, and the county auditor shall cause such vote to be canvassed and the result ascertained in the same manner as votes at a general election are canvassed. If upon such canvass it appears that a majority of the votes cast upon said question were in favor of the issue of such bonds, then the county commissioners shall issue the same as hereinafter provided.

SEC. 2. That section four of said act, be and the same hereby is amended so as to read as follows:

Sec. 4. Whenever the legally qualified voters of any such county shall have determined in manner as provided in the preceding section to issue the bonds of such county for the purpose aforesaid, the board of county commissioners shall enter into a written contract with such railroad company on the issuing and delivering to it of such bonds in the manner and upon the terms stated in the notice submitting such question to the determination of the legal voters of such county.

SEC. 3. That section five of said act, be and the same hereby is amended by adding thereto the following: "*Provided*, that whenever any such bonds shall be delivered, all interest accrued thereon to the time of such delivery shall be cancelled or endorsed as paid to the date of such delivery."

SEC. 4. That the following new sections be added to said chapter 129:

Sec. 8. Whenever six legally qualified voters and tax-payers of any incorporated village or organized town in any of said counties shall present to the common council, or other proper authorities of such village, or to the clerk of such town a petition stating the amount of bonds and the company to which, and the terms and conditions upon which, the same are proposed to be issued, and praying that the question of the issuing of such bonds may be submitted to the legally qualified voters of such village or town. The common council of such village or the clerk of such town shall thereupon if such petition be so presented more than ten days before the time fixed for holding any annual election or any annual town meeting within such village or town give

notice by posting in three public places in such village or town, at least ten days before the time of holding such election or meeting, a notice that the question of the issuing of such bonds will at such election or meeting be submitted to such voters for their determination, and if more than sixty days shall intervene between the presentation of such petition and the holding of any such election or meeting, the common council of such village or the clerk of such town shall call a special election of the voters of such village or town for the determination of such question. Such notice shall be substantially in the following form :

VILLAGE (or town) OF
County of Minnesota.

Notice is hereby given that at the annual election (or annual town meeting or at a special election) to be held within and for said village (or town), on the day of 18 . . . , the question of issuing bonds of said village (or town), in the sum dollars, bearing interest at the rate of per cent. per annum, payable annually as follows : dollars, in years, dollars, in years, to the railroad company to aid in the construction of its road into or through said village (or town) or county upon the condition that

. will be submitted to the legally qualified voters of such village (or town) for their determination.

Dated

} President of Common
Council (or Town
Clerk.)

The ballot used at such election shall be in the form prescribed in section one of this act and shall be canvassed, and the result declared in the same manner provided by law for canvassing and declaring the results of votes cast at town meetings. If upon such canvass it appears that a majority of the votes cast upon such question were in favor of the issue of such bonds, then the bonds shall be issued and signed in the manner provided in section two of said chapter 129.

Sec. 9. The petition mentioned in section one may be presented to the proper county auditor of any of said counties and when so presented at any time more than thirty days before the time fixed for holding any general or special meeting of the board of county commissioners of such county, the county auditor shall call a special meeting of such board to be held not more than fifteen days after the time of the presentation of such petition at which meeting such board shall proceed in the manner prescribed in said section one, and in all cases when such petition is presented to the county auditor he shall present the same to said board at its first meeting thereafter.

Sec. 10. The powers and duties conferred and imposed by the act of which this is amendatory and by this act are likewise conferred upon the incorporated villages within the territory named in said act and the word, "town," wherever used in such act and in this shall be construed to mean and include incorporated villages.

Sec. 11. In the case of incorporated villages the words, "annual election" whenever used in the act of which this act is amendatory, and in this act, shall be construed to mean each and every annual election authorized by existing laws in such village, and the annual election provided for in this act, and in the act of which this is amendatory, shall be held on the day at which annual elections are now required by law to be held in such villages and the notices provided for in this act and the act of which this is amendatory, for annual elections, and the words, "annual election," whenever used in such act and be construed to mean the annual election now authorized by law to be held in such village.

Sec. 12. The petition mentioned in section four of this act may be presented to the president of the common council of any such village, and when so presented at any time more than ten days before the time fixed for holding any regular or special meeting of said council, such petition president shall call a special meeting of said council to be held not more than five days after the presentation of such petition, in which case said council shall proceed in the manner prescribed in section four of this act and in all cases where such petition is presented to the president of such common council, he shall present the same to the council at its next meeting.

Sec. 5. That this act shall take effect and be in force from and after its passage.

Approved February 18th, 1876.

CHAPTER LV.

AN ACT TO ENABLE CERTAIN CITIES AND TOWNS, IN THE COUNTIES OF WABASHA, GOODHUE, RICE, AND LE SUEUR TO ISSUE BONDS TO AID IN THE CONSTRUCTION OF THE MINNESOTA MIDLAND RAILWAY.

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

SECTION 1. That it shall be lawful for the city of Wabasha and the towns of Glasgow, Highland, West Albany, Oakwood, Hyde Park, Zumbro, Guilford, Mazeppa, Chester, Plainview, and Elgin in the county of Wabasha; and the towns of Zumbrota, Pine Island, Minnola, Roscoe, Wanamingo, Cherry Grove, Holden, and Kenyon, in the county of Goodhue, and the towns of Richland, Wheeling, Cannon City, Wolcott, Warsaw and Morristown, in the county of Rice, and the towns of Waterville and Elysian, in the county of Le Sueur to issue their bonds to aid in the construction of the Minnesota Midland Railway, a railway proposed to be built from the city of Wabasha up the valley of the Zumbro river to Faribault and westerly beyond said