

CHAPTER CXXXIX.

AN ACT TO ENABLE THE COUNTIES OF STEARNS, MEEKER, RENVILLE, NICOLLET, WATONWAN, MARTIN AND BLUE EARTH AND THE TOWNS AND INCORPORATED CITIES AND VILLAGES IN SAID COUNTIES TO ISSUE THEIR BONDS FOR THE PURPOSES THEREIN NAMED.

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

SECTION 1. That each of the counties of Stearns, Meeker, Renville, Nicollet, Watonwan, Martin and Blue Earth, and each of the towns and incorporated cities and villages in said counties, or either of them, are authorized to issue bonds, as hereinafter provided, to aid in the construction of a railroad from St. Cloud, in Stearns county, via Litchfield, in Meeker county, Fort Ridgley, in Nicollet county, Fairmont, in Martin county and branch via Garden City, Blue Earth county, to the city of Mankato, Blue Earth county.

Provided. That no one of said counties, towns, incorporated cities or villages shall be allowed to vote bonds for the above named purpose to a greater amount than five per cent. of the taxable property of said counties, towns, incorporated cities, or villages as appears upon the assessment rolls for the preceding year.

Provided further, That nothing in this act shall authorize the counties herein named to issue county bonds in aid of said railroad, but all such aid shall be voted by the towns, incorporated cities, and villages of said counties.

SEC. 2. Said bonds shall be issued in sums of not less than one hundred dollars each, and bear interest at a rate not exceeding seven per cent. per annum, payable annually. They shall run for a period not exceeding twenty years from their respective dates, and be made payable to "bearer." The bonds issued by the counties shall be signed by the chairman of the board of county commissioners, and countersigned by the county auditor of each of said counties. Those issued by the towns shall be signed by the chairman of the board of town supervisors, and countersigned by the town clerk, and those issued by the incorporated cities and villages shall be signed by the president of the council, or other municipal authorities, and countersigned by their clerk.

Whenever a petition shall be presented to the board of county commissioners of either of said counties, signed by fifty resident freeholders of said county, or whenever a petition shall be presented to the supervisors of any town, or the municipal authorities of any incorporated cities or villages in said counties, by fifteen resident freeholders of such incorporated city, village or town, asking that the question of aiding in the construction of any railroad as above provided, and stating the amount desired to be furnished as such aid, and the place or locality where it is desired to expend the same, be submitted to the voters thereof, it shall be the duty of said board

of county commissioners of such county or board of town supervisors of such town, or city council or other municipal authorities of such incorporated city or village to immediately give notice of an election by publication in some newspaper published in said county, if there be one, also by posting copies thereof in three public places in each of the towns of said county, in case of a county election, and in five public places in such township, city or village, at least twenty days before said election, which notice shall specify the time and place of holding said election, the railroad proposed to be aided, the amount of bonds proposed to be issued by the county, town, incorporated city or village, the time of payment and rate of interest to be paid on such bonds, the terms of issue and delivery of the same; and the vote of the election thereon shall be by ballot. Those voting in favor of issuing said bonds having printed or written, or partly printed and partly written, on their ballots the words, "For issuing bonds, yes;" and those voting against issuing said bonds, having printed or written, or partly printed and partly written on their ballots the words "For issuing bonds, no."

SEC. 3. Said votes shall be received and canvassed by the judges of election of the several precincts in the different counties in the same manner as votes for county, town, city or village officers are canvassed, and in case of county elections under the provisions of this act, the returns shall be made to the county auditor of such county in the same time and manner as annual election returns are made.

SEC. 4. The proper authorities of each of said counties, towns, incorporated cities and villages issuing said bonds, shall annually levy a tax in an amount sufficient to pay the interest on said bonds, and also at the proper time to pay the principal of said bonds when due. Said taxes shall be levied and collected as other taxes are now levied and collected.

SEC. 5. No bonds shall be issued and delivered to any railroad company or corporation under the provisions of this act, until after the road for which such bonds were voted shall have been completed ready for the cars from one terminus continuously through, or to the county, town, incorporated city or village voting such bonds, or to the nearest point on the line of said road, to such county, town, incorporated city or village, or to the point named.

SEC. 6. In case of submission of the question of issuing bonds as aforesaid, and the same have been voted down in any county, town, city, or incorporated village, the same question upon a new petition may be again submitted in the same manner, and with the same effect as at the previous special election. *Provided*, that no more than one special election under this act shall be held in any county, town, incorporated city or village in any one year, unless held upon a day of general election in such county, town, city or village.

SEC. 7. The public use and benefit of the above-mentioned railroad is hereby declared.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 10, 1879.