

CHAPTER CLXXXI.

AN ACT TO AUTHORIZE THE WORTHINGTON AND SIOUX FALLS RAILROAD COMPANY TO BUILD AND OPERATE A BRANCH ROAD TO IOWA STATE LINE.

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

SECTION 1. The Worthington and Sioux Falls railroad company, a corporation existing under the laws of the state of Minnesota, is hereby authorized and empowered to survey, locate, construct and operate perpetually a branch line of railroad and line of telegraph, from its main line at or near Luverne, in Rock county, to the Iowa state line in said county.

SEC. 2. Said company shall have and enjoy with respect to said branch line, and be subject to all the duties and laws and enjoy all the privileges that pertain to its main line, and said company may issue the several classes of stock, and make liens on said branch line, and mortgage said branch line to secure such liens, in the same manner as permitted by law as to its main line.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 11, 1879.

CHAPTER CLXXXII.

AN ACT TO AUTHORIZE THE CITY OF MINNEAPOLIS TO ISSUE BONDS TO AID IN THE CONSTRUCTION OF THE MINNEAPOLIS AND NORTHWESTERN RAILROAD.

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

SECTION 1. The city council of the city of Minneapolis is hereby authorized to issue the bonds of the said city of Minneapolis to the amount of two hundred and fifty thousand dollars, and to appropriate the same to aid in the construction of the Minneapolis and Northwestern railroad, and to pledge the faith of said city for the payment of the principal and interest of said bonds.

SEC. 2. Said bonds shall be issued in denominations of not less than five hundred dollars each, and shall be made payable, principal and interest, in the city of New York, the principal in thirty years from the date of said bonds, with interest coupons attached, and shall draw interest at the rate of six per cent. per annum, interest payable semi-annually on the first day of January and the first day of July of each year, and shall bear date the first day of January or the first day of July in the year in which they are issued.

SEC. 3. The city council of said city shall, from time to time, make provision by the levying of taxes for the payment of said bonds and interest, as they shall mature and the interest become payable.

SEC. 4. No bonds shall be issued by the city council of said city under the provisions of this act until the issue thereof shall have been approved by a majority of the qualified electors of said city who shall vote upon the proposition as provided for in this act.

SEC. 5. Whenever there shall be presented to the city council of said city a petition signed by at least fifty of the legal voters of said city who shall be freeholders therein, asking that the question of issuing the bonds of said city to aid in the construction of said railroad shall be submitted to the electors of said city, it shall be the duty of said city council to call and give notice of a special election to be held in said city to vote upon such question. At least thirty days' notice of said election shall be given, which notice shall be published at least twice a week for three successive weeks in a newspaper of general circulation in said city. The city council shall determine the manner of holding said election, and of canvassing the returns thereof; *Provided*, That one polling place shall be opened in each precinct, that the poll lists used at the last general state election shall be used at said special election, and that voters whose names are not on the poll lists shall be sworn and registered on election day as provided by law, and *provided*, That in case of the non-approval of said proposition by the electors of said city at said election, the city council shall submit the question a second time if so petitioned a second time by fifty freeholders, legal voters, within one year from the date of the first election. But no more than two elections shall be held under this act, and the same forms and mode of procedure shall be observed in the second election as are herein prescribed for the first.

SEC. 6. The voters in favor of the issuing of said bonds shall vote a ballot, written or printed, or partly written and partly printed, having thereon the words, "Railroad Bonds, Yes." And voters opposed to the issuing of such bonds shall vote a ballot, written or printed, or partly written and partly printed, having thereon the words, "Railroad Bonds, No."

SEC. 7. If it shall appear that the issue of such bonds shall have been approved by a majority of the qualified electors of said city, who shall have voted upon the proposition at said election, then it shall be the duty of the mayor of said city, upon the resolution of the city council, as hereinafter provided, to prepare or cause to be

prepared, and issue and deliver to the Minneapolis and Northwestern railroad company the bonds of said city signed by the mayor and countersigned by the comptroller of said city.

SEC. 8. Said bonds shall be issued and delivered to the said company in amounts and at the times hereinafter specified, to wit: When the track is laid and the cars are running on a section of not less than ten consecutive miles of said railroad, beginning at Minneapolis, on either one of the following described lines, viz:

First—A line connecting Minneapolis with and extending into the region of country lying between the Hastings and Dakota and the First Division of the St. Paul and Pacific (main line) railroads, and thence southerly and westerly toward the western line of this state, designated as the Southern Division of said railroad.

Second—A line connecting Minneapolis with and extending into the region of country lying between the main line of the First Division of the St. Paul and Pacific railroad and the St. Vincent Extension of the St. Paul and Pacific railroad, and thence westerly and northwesterly toward the western boundary of this state, designated as the Central Division of said railroad.

Third—A line connecting Minneapolis with and extending into the region of country lying northerly of the St. Vincent Extension of the St. Paul and Pacific railroad, and thence northwesterly toward the northern boundary of the state, designated as the Northern Division of said railroad.

Then the bonds of said city, to the amount of one thousand dollars for each mile of said section, shall be delivered to said railroad company. When a second section of not less than ten miles of continuous track on either of the said divisions, connecting with the first above described section, or beginning at Minneapolis, shall have been laid and the cars running thereon, an additional amount of bonds, equal to one thousand dollars for each additional mile of said second section, shall be delivered to said railroad company, and so on until, upon the completion of two hundred and fifty miles of said divisions by the laying of the track and the running of cars thereon, the whole of said two hundred and fifty thousand dollars of bonds shall be issued and delivered at the rate of one thousand dollars per mile of road so completed and in operation.

Provided, that the said Minneapolis and Northwestern railroad may be built with a gauge of three feet; and

Provided, at least fifty thousand dollars of such bonds shall be reserved for, and shall be applicable to, each one of the three divisions of said railroad; and

Provided, no bonds shall be due or deliverable for any part of said divisions on which the track is not laid by December thirty-first, one thousand eight hundred and eighty-four; and *provided*, that none of the bonds of said city shall be delivered to said company until at least sixty per cent. of the capital stock of said company shall have been subscribed for by citizens of Hennepin county; and

Provided, the eastern terminus, general offices and headquarters of said railroad shall be at Minneapolis.

SEC. 9. Whenever any portion of the work hereinbefore specified in section eight, which would entitle said company to receive an amount of bonds as therein specified, has been performed, and the conditions of said section eight complied with on the part of said company, the city council of said city of Minneapolis shall by resolution direct the mayor of Minneapolis to cause to be prepared and properly executed the amount of bonds to which said company shall then be entitled by the provisions of this act, and to deliver the same to said company, or to such officer as may be designated by the board of directors thereof to receive the same.

Provided, That if the issue of said bonds shall be approved by a majority of the electors of the city of Minneapolis, who shall vote upon the question as hereinbefore provided, then and in that case, no bonds, other than those authorized by this act, shall be issued by said city, or any department thereof, at any time when the total bonded indebtedness of said city, including the bonds which may have been issued under authority of this act, shall be in excess of six per cent. of the assessed valuation of the property in said city, as the same may appear upon the last preceding assessment rolls of property liable to taxation; and no officer of said city, or of any department thereof, whose duty it may be to sign, countersign or issue any bonds, shall at any time sign, countersign or issue any bonds of said city or of any department thereof in violation of this provision of this act, and any officer wilfully violating this provision shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five thousand dollars or by imprisonment in the county jail not exceeding ninety days, or both, in the discretion of the court having cognizance of the offence.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved February 14, 1879.

CLXXXIII.

AN ACT TO AUTHORIZE AND EMPOWER THE CHICAGO, ST. PAUL AND MINNEAPOLIS RAILWAY COMPANY TO CONSTRUCT AND OPERATE A LINE OF RAILROAD FROM THE EASTERLY BOUNDARY OF THIS STATE TO THE CITY OF MINNEAPOLIS, AND GRANTING SAID COMPANY THE POWER TO EXERCISE THE RIGHT OF EMINENT DOMAIN WITHIN THIS STATE.

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

SECTION 1. The Chicago, St. Paul and Minneapolis railway company, a corporation organized and existing under the laws of the state of Wisconsin, is hereby authorized and empowered to construct, maintain and operate a line of railroad from the eastern