

CHAPTER 290.

[H. F. No. 874.]

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF OTTER TAIL COUNTY TO GRANT REGULAR OUT-DOOR RELIEF TO POOR AND INDIGENT PERSONS.

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

SECTION 1. The board of county commissioners of Otter Tail county are authorized to provide for the partial support of any person or family who would otherwise have to be sent to the poor-house, when in the opinion of the board the amount hereinafter mentioned, in addition to any aid now provided by law, will suffice to enable such person or family to be self-supporting.

SEC. 2. The board shall not, under the provisions of this act, pay out to any person or family an amount exceeding the sum of eight (8) dollars per month.

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

Approved April 3, 1889.

CHAPTER 291.

[H. F. No. 937.]

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF SAINT LOUIS COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING LAND FOR A NEW SITE FOR COUNTY BUILDINGS AND ERECTING THEREON A NEW COURT HOUSE AND COUNTY JAIL.

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

SECTION 1. That the board of county commissioners of Saint Louis county, are hereby authorized and empowered to issue the bonds of said Saint Louis county, in a sum not exceeding five hundred thousand dollars (\$500,000,000) in such denomination as the said board of county commissioners shall determine, for the purpose of purchasing land for a new site for county buildings at the city of Duluth, at some place between Fourth avenue east and Sixth avenue west, and erecting thereon a new court house and a new county jail.

SEC. 2. The rate of interest on said bonds shall not exceed four (4) per cent. per annum, to be payable semi-annually, upon the first (1st) day of January and July of each year, upon presentation of the interest coupons thereto attached, and the principal of said bonds

shall be payable in not less than twenty (20) nor more than thirty (30) years from their date of issue.

SEC. 3. Said bonds shall be signed by the chairman of said board of county commissioners and countersigned by the county auditor of said county, attested by his seal and shall have interest coupons attached thereto, signed and countersigned in the same manner as said bonds, but not attested by the seal of said auditor.

SEC. 4. The said county auditor shall keep a record of said bonds showing their numbers, dates and amounts, their rate of interest, to whom they are issued and when and where they are payable.

SEC. 5. The said board of county commissioners are hereby authorized to negotiate said bonds in such manner as in their judgment shall be for the best interest of said county. *Provided*, that the net amount paid into the treasury of said county from the sale thereof shall not be less than the par value of said bonds, together with the interest that shall have accrued thereon before such sale and payment.

SEC. 6. The county auditor of said county shall, at the time other taxes are levied in each year subsequent to the issue of any bonds under the provisions of this act, levy upon the taxable property of said county, an amount equal to five (5) per cent. of all outstanding bonds issued pursuant to this act, to pay the interest on said bonds as the same becomes due, and to provide a sinking fund for the redemption of said bonds. *Provided* that the interest coupons on said bonds shall be receivable in payment of the tax that is levied to pay the same. And *provided* further that until money can be raised by taxation to pay the interest that may become due on said bonds, an amount sufficient to pay such interest may be borrowed by the board of county commissioners of said county from the general fund of said county or from the fund accruing from the sale of said bonds, and the amount or sum so borrowed, shall be replaced to the credit of the fund from which the same was borrowed, out of the first moneys applicable to the fund for the payment of said interest and redemption of said bonds.

SEC. 7. The taxes so collected shall be applied by the county treasurer of said Saint Louis county, as follows:

First—To the payment of the matured coupons of said bonds as presented and said coupons when paid shall be by him cancelled and transferred to the auditor of said county.

Second—The amount received from taxation in excess of the amount required to pay the interest of said bonds as the same become due, shall be placed to the credit of a sinking fund for the redemption of the bonds issued under this act, known as the court house bond sinking fund.

Third—As soon as two thousand (2,000) dollars shall have accumulated on said sinking fund, and annually thereafter on the first day of July, the county treasurer shall apply said fund to the purchase of bonds issued under this act, from the lowest bidder in writing, after advertisement in one (1) newspaper in said city of Duluth, and one (1) in the city where said bonds are made payable, once a week for three (3) successive weeks immediately prior thereto, and said bonds so purchased shall be marked or endorsed as purchased for and owned

by said sinking fund, and shall be by said treasurer transferred to the county auditor of said county, and shall not thereafter be issued or taxed, but shall be considered and treated as paid and shall be immediately cancelled by said auditor. *Provided*, that said lowest bid shall not exceed one hundred and four (104) dollars per one hundred (100) dollars of bonds; otherwise all surplus moneys in said fund shall be deposited by order of said board of county commissioners in the bank or banks in which the other money of the county is deposited, or invested in any other Saint Louis county bonds or other state or national bonds, at a price not above their market value. All interest collected on such deposits shall be placed to the credit of said sinking fund, and all bonds in which such surplus moneys are invested shall be registered in the name of the county of Saint Louis and shall not be disposed of or used except for the redemption of the bonds issued under this act.

SEC. 8. All moneys obtained by said board of county commissioners from the sale of bonds issued under the provisions of this act, shall be turned over to the county treasurer of said Saint Louis county, and shall constitute a fund known as the court house fund, which shall be used and expended for the purposes specified in the title in this chapter and for no other purpose. And all moneys belonging to said fund shall be deposited by said county treasurer in the bank or banks in which the other money of the county is deposited. All interest collected on such deposits, and all premiums realized from the sale of said bonds shall be placed to the credit of said court house fund. Any bank or banks receiving any money for deposit under the provisions of this act, shall be required to give such bonds for their safe keeping as said board of county commissioners may determine.

SEC. 9. As soon after the special election, hereinafter provided for, as practicable, if a majority of the legal voters who shall have voted at the same shall have voted in favor of issuing said bonds, said board of county commissioners shall cause to be separately prepared by a competent architect, suitable plans for a new county court house and a new county jail, to be erected on such site as shall be purchased for the same under the provisions of this act, with a careful and detailed estimate of the cost thereof made by said architect accompanying each separate plan, and upon the approval and adoption of the same, or any modification thereof, said board of county commissioners shall let the work or such part of it as they may deem expedient, and shall place the same under contract as hereinafter stated.

SEC. 10. Said board of county commissioners shall, before letting said work or making any contract or purchase in the construction or furnishing of said building, except the contract with architect and superintendent of construction, advertise in the official newspaper of said Saint Louis county, for proposals or bids for all or any portion of the work or materials, or both, to be done or furnished in the construction thereof, and may, in addition to said official newspaper, also advertise for such proposals or bids in such other newspaper or newspapers as they may deem expedient, and for such length of time

as they shall determine. The lowest responsible and competent bidder or bidders shall be accepted, provided he or they will enter into such bond and give such security for the performance of his or their contract and for the payment of all workmen for all labor done, and material men for material furnished in the construction of the buildings designated in such proposals or bids, as may be required by said board of county commissioners; and provided, further, that said board of county commissioners shall have power to reject all bids of incompetent or irresponsible persons, and such bids as may be unreasonable; and for the purpose of shutting out bids of incompetent and irresponsible persons, said board of county commissioners shall require certified checks, or cash, or a bond with good and sufficient sureties, to accompany each bid, in an amount equal to one-tenth of the contract price for which such bidder or bidders offer to do the work or furnish the material referred to in such bid, conditioned that if such bid is accepted, then such bidder or bidders will enter into such bond and give such security for the performance of his or their contract as may be required by said board; otherwise, said check, or cash, or bond accompanying such bid shall be forfeited to the county of Saint Louis. All contracts shall be executed in behalf of said board of county commissioners by the chairman of said board, and attested by the auditor of said county, and filed in the office of said auditor. All bonds herein required shall run to the said county of Saint Louis. All awards of contracts shall be approved by said board of county commissioners before contracts can be entered into.

SEC. 11. Said work shall be conducted and completed under the direction and supervision of an architect to be selected by said board of county commissioners, and shall be paid for out of said court house fund. All estimates of work done and amounts due upon contracts shall be made out and approved by said architect, whenever required by said board of county commissioners. No payment shall be made by said board of county commissioners upon any contract for work or materials, or either, furnished greater than the estimate of said architect of amounts due, made as aforesaid, nor until allowance of said estimates by said board, and in all cases before the completion of a contract, fifteen (15) per cent. of the amount found to be due thereon according to said estimates, shall be reserved from said payments up to the final estimates to secure the completion of said contract, and upon the completion of such contract and acceptance of the same and allowance of the final estimates of said architect and upon satisfactory evidence that all claims for labor and material furnished under said contract are fully paid, said balance of fifteen (15) per cent., reserved as aforesaid, shall be paid, and not before. It shall be the duty of said architect to examine and inspect all materials which enter into the composition of any buildings constructed under the provisions of this act, and to oversee and inspect the construction of said buildings and generally to see that all work under contracts made as before provided for, is done in a workmanlike manner and in accordance with such contracts and that said buildings are constructed and completed in accordance with the plans and specifications of the same approved by said board of county commissioners. Said architect

before entering upon the discharge of his duties shall give a bond to said Saint Louis county in such sum and with such sureties as said board of county commissioners shall approve, conditioned that he will faithfully and honestly perform his duties as such architect.

SEC. 12. After the special election hereinafter provided for, if a majority of the legal voters who shall have voted at the same shall have voted in favor of issuing said bonds, said board of county commissioners shall have power and authority to sell and convey all interest of said Saint Louis county in the present site of the county buildings of said county in the city of Duluth, in such manner and upon such terms as shall seem to them for the best interests of the people of said county; and nothing in this act shall be construed as making it obligatory upon said board of county commissioners to issue bonds before such present site shall have been disposed of as aforesaid. All money received from the sale of said present site shall be placed in said court house fund, and used for the purposes specified in the title to this act and for no other purpose.

SEC. 13. Before any bonds shall be issued under the authority heretofore granted, the question whether they shall or shall not be issued shall be submitted to the legal voters of said Saint Louis county, at a special election to be held on the twenty-first (21st) day of May, A. D. eighteen hundred and eighty-nine (1889), in the several election districts of said county. And it is hereby made the duty of the councils of all incorporated cities within said Saint Louis county to appoint judges of election for said special election in the different election districts of their respective cities, in the same manner as judges of election are now by law required to be appointed for general elections, and such judges of election, so appointed as aforesaid, and the township supervisors of each township in said county, shall perform all of the duties of judges of election at said special election, required by the laws of this state to be performed by judges of election at a general election of county officers. And it is hereby made the duty of every township and city clerk in said county to give notice of said election twenty (20) days before the holding thereof, by posting in three (3) public places in every election district within their respective cities and townships, three (3) notices stating substantially the amount of bonds proposed to be raised and the purpose for which they will be issued, but the failure of any township or city clerk to give such notice shall not invalidate such election.

SEC. 14. Those voting in favor of said issue of bonds, shall use ballots having printed or written or partly printed and partly written on them the following words: "For issue of bonds for new court house and jail, and new site for same—Yes;" and those voting against said issue of bonds shall use ballots having printed or written or partly printed and partly written on them the following words: "For issue of bonds for new court house and jail and new site for same—No;" and said election shall be conducted in the same manner as a general election of county officers, and if upon the canvass of said votes, a majority of the legal voters who shall have voted upon said question, shall have voted in favor of issuing said bonds, said board

of county commissioners shall issue said bonds, as provided by this act, and said bonds shall be lawful and valid.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved April 3, 1889.

CHAPTER 292.

[H. F. 941.]

AN ACT TO AUTHORIZE THE VILLAGE COUNCIL OF THE VILLAGE OF MADISON TO USE THE VILLAGE FUNDS TO PAY EXPENSES INCURRED OR THAT MAY BE INCURRED IN THE REMOVAL OF THE COUNTY SEAT TO THAT PLACE.

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

SECTION 1. The village council of the village of Madison is hereby authorized to liquidate, settle up and pay the balance of the outstanding debts incurred in the removal of the county seat to that place in the fall of one thousand eight hundred and eighty-six (1886), and such other expenses as may hereafter be incurred in such removal, out of any moneys in the village treasury not otherwise appropriated in a sum not to exceed twenty-five hundred (2,500) dollars.

SEC. 2. For the purposes mentioned in section one (1) of this act the said village council may use any of the funds now in the village treasury; or that may hereafter come into said treasury, or issue orders bearing interest not to exceed eight (8) per cent. per annum in such sum or sums as they may deem expedient, not exceeding twenty-five hundred dollars (\$2,500).

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

Approved April 3d, 1889.