

Hibernians, any subordinate lodge of the Scandinavian Aid and Fellowship Society, any subordinate or branch lodge of the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky, and any subordinate lodge of any similar body now existing or hereafter organized, installed under the authority of the grand bodies of such orders respectively, or of any other supreme body authorized to institute such subordinate bodies, and any post of the Grand Army of the Republic, may become incorporated in the manner hereafter specified; and any body or organization hereinbefore named heretofore incorporated under any general or special law of the state of Minnesota or which shall hereafter become incorporated under the laws of the state of Minnesota, shall have the power to acquire or receive in its corporate name by purchase, gift, grant or bequest any property real, personal or mixed, and the same to hold, transfer, sell, mortgage, convey, loan, let or otherwise use, but not contrary to the laws or usages of the society or order of which it is a part.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1909.

CHAPTER 43—S. F. No. 229.

An Act entitled, "An Act empowering cities however organized, having a population of 10,000 or less, to construct municipal waterworks, or light plants, or both, or to acquire by purchase or condemnation waterworks or light plants already in existence, and to extend, enlarge, or improve the same, and to issue bonds for any or all of such purposes."

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

Bonds authorized for water works and lighting plants.—Section 1. Whenever at any general or special election, held in any city in the class hereinafter mentioned, the electors thereof by an affirmative vote of three-fifths of the legal voters, voting thereat, so determine, each city in the state of Minnesota, having ten thousand inhabitants or less, whether organized or existing under special or general law, or under and by virtue of the provisions of chapter three hundred fifty-one (351) of the General Laws of Minnesota for the year eighteen hundred and ninety-nine (1899), as amended, is hereby authorized and empowered, in addition to all powers to issue bonds conferred upon it by its city charter, or by virtue of any general or special law, and in addition to all other bonds that it is by law authorized to issue, to issue its bonds in the aggregate amount hereinafter mentioned to be de-

terminated as hereinafter set forth, and to dispose of the same as hereinafter provided, and to use the proceeds thereof for the purpose of constructing, extending, enlarging, improving or purchasing municipal water works or light plants or either or all thereof, but in each case the said city may either acquire such existing water works system or electric light plant by purchase at such price, not exceeding its fair value, and on such terms as may be agreed on between said city and the owner thereof, or if such arrangement as to price and terms cannot be arrived at, may acquire such system by condemnation thereof. The procedure in the event of condemnation, shall be that prescribed by chapter 41, Revised Laws, of 1905, or that prescribed by such city's charter, and the purchase price of said plant or system as so fixed by agreement or condemnation may be paid out of the proceeds of the bonds by this act authorized to be issued, and the balance of the proceeds, if any, may be used for the extension, enlargement or improvement of such plant or plants so acquired.

To acquire by purchase or condemnation.—Sec. 2. Whenever the city council of any such city, at a regular called meeting thereof, determine by resolution, duly adopted, by a three-fourths majority vote of all the members thereof, entered upon the minutes of the proceedings, that it is necessary either to acquire by purchase or condemnation, water works or light plants already in existence, or construct, extend, enlarge, or improve a municipal water or light plant, or either or all thereof, as the case may be, and that the funds in the treasury of said city available therefor, are not sufficient for such purpose, and that it is necessary to issue the bonds of such city in an amount to be determined by such city council in such resolution, not exceeding in the aggregate seven (7) per cent of the assessed valuation of the taxable property of such city according to the last preceding assessment thereof, such city council may cause the proposition of issuing such bonds, in such an amount, to be submitted to the electors of such city at any general or special election to be held therein. Such resolution shall fix the time of said voting, if the same be submitted at a special election, which shall be not less than ten (10) days after the date of the adoption of said resolution, and said special election shall be conducted as provided by law for general elections. The notice of such election at which said proposition is to be submitted, whether general or special, shall contain a statement, of the total amount of the principal of said bonds, and the purpose to which it is proposed to put the same.

Proposition to be submitted to voters.—Sec. 3. In voting upon such proposition those in favor of issue of bonds, shall have written or printed, or partly written and partly printed on the ballots used, the words "Issue of Bonds," "Yes," "No," and each elector voting on such proposition shall make a cross mark

thus: (x) in one of the two spaces left for the purpose, upon the margin of the ballot used as provided in section twenty-eight (28) chapter four (4) General Laws of Minnesota for 1893. The elector desiring to vote in favor of issuing bonds shall make a cross mark thus: (x) in the place left opposite the word "Yes," and the elector desiring to vote against the issuing of bonds, shall make a cross mark thus: (x) in the place so left opposite the word "No," and no ballot shall be counted on said proposition except those having said cross mark (x) opposite one (1) only of said words "Yes," "No." The voting shall be conducted in the same manner as provided by law for the election of city officers, and shall be counted, returned and canvassed in the same manner, as provided by law for the election of city officers, and if upon such canvass it appears that a three-fifths majority of all the votes cast upon said proposition, shall be in favor of issuing bonds, the same may thereafter be issued in accordance with the provisions of this act, but not otherwise.

Action of city council.—Sec. 4. Whenever the electors of any such city at any such election shall declare in favor of issuing the bonds of such city hereunder, such city, and the city council thereof, is hereby authorized and empowered by an affirmative vote of three-fourths of the members of such city council, to issue the bonds of said city, in an amount to be determined by said city council, not exceeding in the aggregate the amount contained in the said proposition, adopted by the electors at said election, and such city council may dispose of the same, as hereinafter provided, and may use the same and the proceeds thereof for any of the purposes which the resolution provided for in section two (2) of this act shall specify, but not otherwise.

Denomination of bonds and rate of interest.—Sec. 5. Such bonds shall be of such denomination as the city council may determine, shall be payable at such place as the city council may designate: at such times, not less than ten (10) nor more than thirty (30) years from date of issue; shall be made payable to bearer, or to the order of the person or corporation to whom they may be delivered, as such city may deem best, and shall draw interest payable semi-annually, at such place as the city council may determine, at a rate not exceeding five per cent (5%) per annum, to be represented by coupons attached to said bonds. Said bonds and coupons shall be signed by the mayor and attested by the clerk, or similar officer, or recorder of such city, and the corporate seal of the city shall be imprinted upon said bonds.

Disposition of bonds.—Sec. 6. The city council of any such city shall have authority by a majority vote of all its members to dispose of such bonds in such manner as in the judgment of said city council shall best subserve the interest of the city, but it shall not negotiate the sale, dispose of, nor sell said bonds, nor

any of them, at less than their par value and accrued interest, and neither the said bonds or the proceeds of the sale thereof shall be used for any other purpose than specified in said resolution contemplated by section two (2) hereof, and such purpose shall be again distinctly stated in said resolution of said council authorizing the issuance thereof.

Bonds declared a first lien.—Sec. 7. The principal and interest of any such bonds so issued is hereby declared to be a first lien upon the municipal water works or light plants respectively constructed or acquired by means of said bonds or the proceeds of the sale thereof, and the faith and credit of such city issuing the same is hereby irrevocably pledged to the payment thereof, any provision of the law of this state, whether general or special, or by virtue of said chapter three hundred and fifty-one (351), as amended, of the General Laws of Minnesota, for the year eighteen hundred and ninety-nine (1899), to the contrary notwithstanding.

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

Approved March 5, 1909.

CHAPTER 44—H. F. No. 108.

An Act legalizing town or village orders and certificates of indebtedness heretofore issued and the expenditure of moneys heretofore made on account of drainage of wet lands for the benefit of public highways and streets in the State of Minnesota.

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

Certain village and town orders legalized.—Section 1. That all town or village orders and certificates of indebtedness heretofore issued and all expenditures of moneys heretofore made by town boards or village councils in this state in all cases where such orders and certificates have been issued and moneys expended on account of drainage of wet lands for the benefit of public highways and streets, are hereby legalized and declared to be valid for all intents and purposes. *Provided*, that nothing in this act contained shall be construed to affect any action now pending in any of the courts of this state.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1909.