

in making tests of cattle and horses. Said board shall furnish and distribute tuberculin and mallein to veterinarians in this state for such tests without regard to whether such veterinarians are graduates of a veterinary college or not.

Board to keep a record of applications.—Sec. 2. Said board shall keep a record of all applications by licensed veterinarians for tuberculin and mallein showing the name of applicant and date of receipt of application and amount desired, and shall furnish the same in the order of such applications without regard to whether the applicant is a graduate veterinarian or not. In case said board shall not have sufficient of such tuberculin or mallein to furnish all applicants for such, said board shall furnish the same pro rata among such applicants.

Sec. 3. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

CHAPTER 446—S. F. No. 642.

An Act entitled "An act to authorize the issue of refunding bonds by organized towns to take up and refund any bonds heretofore issued and sold by such towns prior to the year 1903, for the purpose of building roads and bridges in such town, whether or not said bonds or any part of the same have been declared illegal by any court in this state."

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

Refundment bonds authorized.—Section 1. By conforming to the provisions of this act every organized town of this state is hereby authorized to issue bonds to take up and refund any bonds of such town heretofore issued and sold prior to the year 1903 as road and bridge bonds, whether said bonds or any part of same have been declared illegal by any court in this state. Such refunding bonds when issued in compliance with this act shall be valid and binding obligations against such town. *Provided*, that such refunding bonds shall in no case be issued for an amount in excess of the face value, without interest or other charge, of the original bond or bonds to refund which the same are issued.

To be submitted to electors on petition.—Sec. 2. Whenever the town supervisors of any organized town in this state shall determine by resolution duly passed and recorded, to issue refunding bonds to refund and take up bonds of the kind described in section 1 of this act, or when a petition is addressed to the town

supervisors of any organized town and signed by at least ten of the voters and freeholders residing in such town, setting forth in such petition that it is desired by such petitioners that such town shall issue refunding bonds to take up bonds of the kind described in section 1 of this act, it shall be the duty of the town supervisors to cause the proposition expressed in such resolution or petition to be submitted to the electors of such town at either the next annual town meeting to be held therein or at such special election as the said town supervisors shall by resolution designate. Notice of such election shall be posted by the town clerk or deputy town clerk of such town in at least five public places within said town, not less than twenty days before such annual or special town meeting is held, the said notice to state definitely the purpose and amount of the proposed bonds. If at the time of the passage of the resolution by the supervisors or at the time of the presentation of the petition above referred to in this section, it shall be more than sixty days prior to the then next regular annual town meeting, then in such case it shall be the duty of the board of supervisors to call a special election to vote upon the proposition expressed in such resolution or petition.

Ballot, form of.—Sec. 3. There shall be provided by the town in case of such election a suitable box in which ballots cast at such election for or against such proposition shall be deposited. The ballots used at such election on said bond proposition shall have printed thereon: "For road and bridge refunding bonds—Yes," "for road and bridge refunding bonds—No," and each elector voting on said proposition shall place a cross mark thus (X) in a place to be left opposite either the word "yes" or the word "no." The said election shall be conducted and the votes cast thereat shall be canvassed and counted and the results certified in like manner as in case of an election for town officers.

Bonds for twenty years at six per cent.—Sec. 4. If a majority of the votes cast at said election be in favor of such proposition, the said town supervisors shall issue and negotiate such refunding bonds of such town to the amount stated in the election notice, which bonds shall not be negotiated or sold for less than their par value and shall be made due and payable within twenty years from the date of issue thereof and shall not bear more than six per cent interest per annum, payable annually. No town shall issue or sell its refunding bonds under this act to such an amount that the aggregate amount of indebtedness thereof shall at any one time exceed fifteen per cent of the assessed valuation of the taxable property of such town as indicated by the last preceding assessment.

Published notice to be given.—Sec. 5. Before any such town shall be authorized to issue its refunding bonds as hereinbefore provided, the town supervisors shall give notice by publication for

three consecutive weeks in the official newspaper of the county in which said town is situated and by similar publication for the same length of time in a weekly or daily newspaper printed at the capital of the state, all of which said newspapers shall be designated therefor by resolution of such town supervisors duly made and recorded; that the said supervisors will receive bids for the sale of said bonds at the time and place to be named in such notice.

Opening of bids—May reject bid.—Sec. 6. At the time and place named in such notice the said town supervisors shall open and consider said bids and may thereupon sell said refunding bonds to the person, company or corporation offering the most advantageous terms for the interest of such town.

Provided, that said town supervisors may reject any of the bids offered for the purchase of such bonds if they deem it necessary for the best interest of the town so to do.

Disposition of money realized.—Sec. 7. The money realized upon the sale of such bonds shall be placed in the town treasury and devoted so far as may be necessary to the payment of the original bonds for the payment of which such refunding bonds were issued, and the residue thereof, if any, after such payment, shall be turned into the road and bridge fund of such town. It shall be the duty of the town treasurer after the sale of said refunding bonds to promptly pay off the original bonds as they are presented to him. Upon such payment he shall mark upon such original bonds and coupons that may be attached thereto, "cancelled and paid."

Levy of taxes.—Sec. 8. The board of supervisors of any such town and their successors are hereby authorized on or before the 1st day of October next, after the date of said refunding bonds, and in each and every year thereafter on or before the 1st day of October until the payment of said bonds and interest is fully provided for, to levy and in due form certify to the auditor of the county in which said town is situated the taxes upon the taxable property of said town equal to the amount of principal and interest maturing next after such levy, and in the discretion of said board of supervisors such further sum as it shall deem expedient, not exceeding fifteen per cent of such maturing bonds and interest, which taxes shall be payable in money and shall constitute a fund for the payment of said bonds or interest thereon.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.