

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

Approved January 22, 1913.

CHAPTER 3—S. F. No. 102.

An Act to legalize and confirm the acts and proceedings of any city of the State of Minnesota, however organized, in reference to the purchase of any electric light and water plant, already in existence in such city, and in reference to the issuance of bonds in payment therefor, and to authorize any such city to complete any proceedings heretofore instituted for the purchase of such plant and for the issuance and sale of such bonds, and to legalize such bonds when so issued.

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

Section 1. **Certain proceedings for acquiring electric light and water plants by certain cities, and issuance of bonds therefor, legalized.**—In all cases where the city council of any city in the State of Minnesota, however organized, shall have heretofore submitted to the voters of such city, at a general or special election, the proposition of such city proceeding to acquire by condemnation or purchase any electric light and water plant then in existence in such city and supply such city and its inhabitants with light and water, provided such plant could be acquired at a reasonable price; and the voters of such city at such election shall have decided by more than a two-thirds majority in favor of such proposition; and such city council of any such city shall have thereafter agreed with the owner of any such plant upon the amount of the purchase price thereof, by negotiation or otherwise; and such city council of such city shall have thereafter submitted to the voters of such city at a general or special election the proposition of issuing the bonds of such city to an amount not exceeding such agreed upon purchase price, for the purpose of paying in part for such electric light and water plant, and the voters of such city at such election shall have decided by more than a two-thirds majority in favor of the issuance of such bonds; the actions taken by the city council of such city and any of the city officials thereof in reference to such elections and the determination of such purchase price, such elections and the results thereof, and any actions subsequent to such elections, which have heretofore been taken by said city council and other city officials of such city in reference to the purchase of such electric light and water plant and to the issuance of such bonds to pay part of the purchase price thereof, are in all respects legalized and confirmed as being lawful and binding acts of such

city and the people thereof to the same extent and with the same force and effect as though all the acts and proceedings which have been so taken had been expressly authorized by law prior to the happening of any such acts and proceedings; provided, that this act shall not apply to any suit now pending involving the legality of such bonds, acts and proceedings.

Sec. 2. Bonds to be issued upon affirmative vote of three-fourths of council.—Whenever in any such case the voters of any such city at any such election shall have heretofore declared in favor of issuing the bonds of any such city as hereinabove set forth, 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 authorized by said election, and said city council may dispose of the same as hereinafter provided, and may use the same and the proceeds thereof for the purposes authorized by such election, but not otherwise.

Sec. 3. Denomination, place of payment, and length of duration of bonds, and how payable.—Such bonds shall be of such denomination as the city council may determine and shall be payable at such place and at such times, not less than ten (10) nor more than thirty (30) years from date of issue, as the city council may determine; they 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 of such city, and the corporate seal of the city shall be imprinted upon said bonds.

Sec. 4. Disposition of bonds which are not to be sold for less than par value.—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 said bonds nor the proceeds of the sale thereof shall be used for any other purpose than that authorized by the vote of the people, and such purpose shall be distinctly stated in said resolution of said council authorizing the issuance thereof.

Sec. 5. Principal and interest of bonds to be first lien upon electric light and water plant.—The principal and interest of any such bonds so issued is hereby declared to be a first lien upon any such electric light and water plant, and the faith and

credit of such city issuing the same is hereby irrevocably pledged to the payment thereof; any provision of the laws of this state, or of any charter of any such city framed and adopted under Section 36 of Article 4 of the State Constitution to the contrary of any part of this act notwithstanding.

Approved January 22, 1913.

CHAPTER 4—S. F. No. 62.

An Act entitled "An Act to amend Section 23, Chapter 470, Laws, 1907, relating to county bonds for state or judicial ditches, and legalizing such bonds which may be issued under proceedings heretofore begun."

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

Section 1. **Legalizing bonds which may be issued under proceedings heretofore begun, and directing the manner of issuance of the same.**—Section 23, Chapter 470, Laws, 1907, is amended to read as follows:

"Section 23. The county board in each and every county in this state wherein any such state or judicial ditch is proposed to be wholly or partly located and established, shall issue the bonds of their respective counties in an amount *not greater than the assessments against lands in such county as evidenced by the statement provided for by Sections 14 and 15 of this act*, to defray the expenses incurred or to be incurred in locating, constructing and establishing as much of any ditch as may be located within such county, or in such relation to such county as to affect lands therein within the terms of this act.

The word "expense" shall be construed to mean and to cover every item of the cost of said ditch from its inception to its completion, and all fees and expenses incurred in pursuance thereof.

Such bonds shall *pledge the full faith, credit and resources of the county issuing the same for the prompt payment of the principal and interest thereof, and shall be payable at such time or times not to exceed twenty years from their date and shall bear such rate of interest not to exceed six per centum per annum, payable annually or semi-annually as the county board shall by resolution determine.*

Each bond shall contain a recital that it is issued by authority of and in strict accordance with the provisions of this act, and shall be signed by the chairman of said board and countersigned by the county auditor, who shall keep a record thereof.

Said county board shall have power to negotiate said bonds as they shall deem for the best interest of said county but not