

may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in any law of this state prescribing or fixing any limit upon the cost of government of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act and for the current interest thereon, and the common council of such city shall each year include in the tax levy for such city, a sufficient amount to provide for the payment of such interest, and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. Limitations.—No bonds shall be issued by any such city for the purpose herein above mentioned, to run for a longer term than thirty years or bearing interest at a higher rate than six per cent per annum, but the place of payment of the principal and interest thereon, and the denominations in which the same shall be issued shall be such as may be determined upon by the common council and may be in the form of coupon bonds or registered certificates, so-called. All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller or auditor of such city, and shall be sealed with the seal of such city, except that the signature to the coupons attached to such bonds, if any, may be lithographed thereon, and none of such bonds shall be sold at less than ninety-five per cent of their par value and accrued interest, and then only to the highest responsible bidder therefor.

Sec. 4. Application.—This act shall apply to cities governed by a charter adopted pursuant to Section 36, Article 4, of the Constitution of this state; and the powers herein granted are in addition to all existing powers of such cities.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved February 23, 1923.

CHAPTER 34—H. F. No. 92.

An act entitled "an act to authorize and empower the Board of Commissioners of certain counties of this state to issue and sell the bonds of such counties and to use the proceeds thereof in acquiring, purchasing, constructing and equipping sites and buildings for use as aviation fields for the housing, supply, repair, care, landing and departure of aeroplanes and the necessary drivers and mechanics engaged in fire patrol work, and to authorize such counties to acquire land for such purposes by eminent domain."

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

Section 1. Certain counties authorized to construct aviation fields for fire patrol work.—The Board of County Commissioners

of any county of the State of Minnesota, containing timber lands, cut over lands, or lands liable to be over run by fire and having an area of more than 5000 square miles and a population of more than 200,000, is hereby authorized, whenever it shall be so determined by a majority vote of those present at any lawful meeting of said Board and without any further authority, to issue and sell the bonds of such county from time to time in such amounts as in its judgment may be necessary, but not exceeding in the aggregate the sum of \$100,000 for the purpose of acquiring, purchasing, constructing and equipping sites and buildings for use as aviation fields for the housing, supply, repair, care, landing and departure of aeroplanes and the necessary drivers and mechanics therefor engaged in fire patrol work.

Sec. 2. Bonds issue authorized—Restrictions—Tax levy:—Such county Board may issue and sell the bonds of the county for the purposes hereinbefore specified, not exceeding said sum of \$100,000.00 in the aggregate par value of such bonds, and may issue and sell the same in such amounts and at such time or times and from time to time, as it shall deem necessary. Such bonds shall comply with the requirements of Section 1852, General Statutes for 1913, and each installment of the same shall be issued and sold in the manner provided for in Section 1856, General Statutes for 1913, and the rate of interest shall in no case exceed 5% per annum, payable annually or semi-annually, and such bonds shall not be sold at less than par. The Board of County Commissioners of any such county shall have power to levy, under the authority of this act, a tax on all the taxable property of the county sufficient to pay the interest thereon falling due from year to year and to create a sinking fund for the retirement of said bonds at maturity. The credit of the county shall be obliged to the payment of the principal and interest of such bonds.

Sec. 3. May condemn lands.—Any county affected by this act is hereby authorized to acquire lands for the purposes herein specified by the exercise of the power of eminent domain in the manner provided by Chapter 41, General Statutes for 1913.

Sec. 4. Depository of funds—Purposes.—The proceeds of the sale of such bonds shall be placed with the County Treasurer of such county and shall be used in accordance with and for the purposes described in this act and for no other purposes whatsoever.

Sec. 5. Lands belonging to county may be used.—The County Board of any county affected by this act is hereby authorized to set apart for the purposes herein specified any tract of land now owned or hereafter acquired by said county, that shall not be needed for the purposes for which acquired, or which may be used for the purposes herein specified without substantially interfering with the purposes for which said land was or may be acquired. That the setting apart of any such tract of land for such purposes may be done by the County Board of said County by resolution duly adopt-

ed, determining the need of the land for the purposes herein specified and that said land may be used for such purposes without interfering with the purposes for which said land may have been so acquired by said county.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved February 23, 1923.

CHAPTER 35—S. F. No. 100.

An act permitting the annexation for city and school purposes of incorporated cities of the fourth class to cities of the third class operating under a home rule charter, adjoining such cities of the fourth class.

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

Section 1. **Cities may consolidate.**—Any incorporated city of the fourth class whose territory adjoins the territory of any incorporated city of the third class operating under a home rule charter, whether such city of the fourth class is in the same county as said city of the third class or not, may be annexed to said city of the third class and become a part thereof for city and school purposes in the manner herein provided for.

Sec. 2. **Election may be called by petition.**—Ten per cent. or more of the legal voters of such city of the fourth class, according to the number of votes cast at the last election in said city of the fourth class, may petition the governing body of such city of the fourth class to call an election for the determination of such proposed annexation, which petition shall be filed with the recorder of the said city of the fourth class.

Sec. 3. **Governing bodies shall fix date of election.**—Such governing body shall within ten days after the filing of said petition as aforesaid fix a time and place for the holding of an election for the determination of said matter, which time shall not be later than thirty days after the filing of said petition, and which place shall be within the limits of said city of the fourth class.

Sec. 4. **Notices shall be posted.**—It shall be the duty of the recorder of the said city of the fourth class to cause a copy of said petition, with a notice attached thereto stating the time and place for holding said election, to be posted in three public places within such city of the fourth class at least ten days before the date of said election.

Sec. 5. **Conduct of elections.**—Such governing body shall also appoint three residents of said city of the fourth class as judges of election, and said election shall be conducted as far as practicable in accordance with the laws governing elections in cities of the fourth class. The ballots shall bear the words, "For annexation,