

89022

GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

FRANCIS B. TIFFANY



WEST PUBLISHING CO.

1918

CHAPTER 10

PUBLIC INDEBTEDNESS

1852. Bonds—Form—Execution—Interest—Maturity—

This section does not repeal Sp. Laws 1891, c. 312, § 10, authorizing the board of education of the city of Duluth to issue bonds maturing within a period of not exceeding 30 years (123-514, 144+161). Schools and School Districts, ~~97~~(1).

[1860—]1. **Sale of bonds at private sale in cities of first class not under home rule charters**—Every city of this state now or hereafter having over fifty thousand inhabitants and not governed under a charter adopted pursuant to Section 36, Article 4 of the State Constitution, in addition to all other modes by law prescribed and authorized therefor, is hereby authorized and empowered and shall at all times hereafter have the power and authority at its option and through its proper officers to issue and sell at private sales, through such agencies and in such manner and at such times and places and with or without published or other notice of such sales as the city council of such city shall determine, all or any part of the municipal bonds of such city the issuance and sale of which have been, now are or shall hereafter be authorized by law. The bonds so sold at private sale shall be in denominations of one hundred dollars or any multiple thereof not exceeding one thousand dollars, and none of such bonds shall be sold at private sale for less than the amount for which they are by law authorized to be sold and accrued interest thereon. All bonds so sold at private sale shall be reported to the city council of the city for confirmation. The additional power and authority hereby conferred upon said cities may be exercised as herein provided notwithstanding the provisions of any law to the contrary heretofore or hereafter enacted. Provided, however, that this act shall not authorize the sale of bonds in the manner herein provided in amounts in excess of ten thousand dollars from any single bond issue to any person or corporation. ('15 c. 204 § 1)

[1860—]2. **Short time loans for current expenses in cities of first class not under home rule charters**—Each city of this state now or hereafter having over fifty thousand inhabitants and not governed under a charter adopted pursuant to Section 36, Article 4, of the state constitution, in addition to all powers now vested in the city, is hereby authorized and empowered, acting through the city council or other chief governing body of the city, to negotiate for and borrow money in such amounts as shall be required by the city or any department of the city for the payment of the current expenses of the city and the several departments and boards thereof and the cost of local improvements, in anticipation and in advance of the collection of unpaid taxes and assessments which have been levied and assessed by the city for such purposes and are due and payable at the time of making such loans, and to execute and deliver proper promissory notes of the city for the amounts of money so borrowed by the city. All such notes shall be signed in behalf of the city by the mayor, city comptroller and city treasurer of the city.

The power to borrow money hereby conferred shall be exercised by the city only upon recommendation of the city treasurer and city comptroller of the city so to do and only when directed by vote of at least two-thirds of the members elect of the city council or other chief governing body of the city. No greater rate of interest shall be paid by the city for the use of any moneys so borrowed by it than 5 per cent. per annum, payable semi-annually. All loans of money obtained by any city pursuant to this act shall be for a period not exceeding six months from the date of such loans respectively and no such promissory note issued by any city under this act shall be made payable more than six months from the date thereof.

All debts incurred by the city for moneys borrowed by the city under this act, and all notes issued by the city as evidence of such debts, and all interest accruing thereon, shall, upon the collection of such unpaid taxes and assess-

ments, be paid from the respective funds of the city for the benefit and on account of which such moneys and notes were respectively borrowed and issued. ('15 c. 221 § 1)

[1860—]3. **Transfer to sinking fund of unused balances in cities of first class not under home rule charters**—In addition to all other powers by it possessed, the city council of every city of this state now or hereafter having over fifty thousand inhabitants not governed under a charter adopted pursuant to section 36, article 4 of the State Constitution, is hereby authorized and empowered, in its discretion, by resolution duly passed by the city council, to transfer and cause to be transferred to the credit of the sinking fund of such city any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools, public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in such city for any purpose whatever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the city council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable. ('17 c. 78 § 1)

[1860—]4. **Sinking fund in cities of first class not under home rule charters—Annual tax**—In addition to all other powers now by it possessed, the city council of every city in the state of Minnesota now or hereafter having over 50,000 inhabitants and not governed under a charter adopted pursuant to section 36, article 4, of the state constitution, for the purpose of providing a sinking fund and making provision for the payment and redemption of the bonds and other debts and obligations of the city as they mature and become payable, may by resolution adopted by a majority of all the members elect of such city council annually levy a tax upon all the taxable property within the city. Such tax shall not in any one year exceed in amount one-fifth of one per cent of the total assessed valuation of such taxable property, and shall not be less than one-tenth of one per cent of such total assessed valuation, until ample provision has been made for the full payment of all bonds, debts and obligations of the city. Such taxes when levied shall be extended upon the tax books and tax lists of the county in which the city is situated and shall be collected and payment thereof enforced in like manner as other city, county and state taxes are extended upon such tax books and tax lists and are collected and payment thereof enforced. The proceeds of all such taxes shall be applied to and constitute such sinking fund for the payment and redemption of the bonds and other debts and obligations of the city as they become due and payable. ('17 c. 100 § 1)

[1860—]5. **Same—Duty of council—Investment**—The city council of such city shall provide by ordinance or otherwise for the care, investment and security of the sinking fund hereby authorized, either as is now provided by law in respect to the sinking fund of the city or in such manner as the city council may in its discretion deem best. When not required for immediate use for the payment of the bonds and debts of the city such sinking fund may be invested by the city council or by the sinking fund commissioners of the city, with the consent of the city council, in the bonds of such city, or in such other bonds as the permanent school funds of the state of Minnesota are permitted to be invested in, or in the bonds of any city in the state of Minnesota having a population of five thousand or more, or in such county or school bonds in the state of Minnesota as may be approved by the city council. In case of the investment of such sinking fund or any part thereof in the

bonds of the city the same shall not be cancelled but shall be held as a part of such sinking fund and the interest thereon shall be applied to the increase of such sinking fund. Any bonds in which such sinking fund shall be invested may be sold and disposed of by the direction and with the consent of the city council whenever necessary for the payment therewith of any bonds or indebtedness of the city, or whenever the city council shall deem it to the best interests of the city so to do. ('17 c. 100 § 2)

1882. Same—Where vote of electors is required—Procedure—Submission to voters—Notice of election—

That petition for issuance of bonds by school district contained signatures of two of the members of the board of directors of the district did not invalidate the petition, where, in addition to such names, it contained the names of ten qualified signers (122-59, 141+1105). Schools and School Districts, Ⓒ97(1).

1885. Same—Approval of application—Limit of debt—Duties of state and county auditors—Upon the approval of such application by the attorney general, as to form and execution, and otherwise by said state board of investment, such governing body and the respective officers thereof shall have authority to issue, execute and deliver to the state of Minnesota the bonds of such municipality, in accordance with the vote of said electors, and said state board of investment shall have authority to purchase the same to an amount not exceeding 15 per cent of the assessed valuation of the taxable property of such municipality, according to the last preceding assessment. Such bonds shall not run for a shorter period than five years, nor for a longer period than twenty years. Forthwith upon the delivery to the state of Minnesota of any bonds issued by virtue thereof, the state auditor shall certify to the respective auditors of the various counties wherein are situated the municipalities issuing the same, the number, denomination, amount, rate of interest and date of maturity of each such bond, and each county auditor shall keep a record thereof in his office in a book to be furnished him by the state auditor, at the expense of the state. (Amended '17 c. 270 § 1)

That resolution for issuance of series of bonds provided that first of series should mature in less than five years, did not invalidate the bonds, where subsequent resolution conformed to requirement of constitution in that respect (122-59, 141+1105). Schools and School Districts, Ⓒ97(1).

1888. Same—Validity of bonds not to be questioned, except—Change of boundaries—

That resolution provided that first of series of bonds should mature in less than five years did not invalidate bonds, where subsequent resolution corrected this defect. That petition for election was signed by two of the district school directors held immaterial, where the petition contained ten other signatures of qualified freeholders (122-59, 141+1105). Schools and School Districts, Ⓒ97(4).

[1891—]1. **Certain bonds purchased by state validated—**Whenever the state board of investment shall have heretofore purchased with the funds of the state of Minnesota, the bonds of any municipality in this state, the validity of any such bond shall never be questioned, except on the ground that the same and the loan made thereon was not approved by the state board of investment; that the bond in question made the entire bonded indebtedness exceed fifteen (15) per cent of the assessed valuation of the taxable property of the municipality issuing such bonds; that such bonds bear a lower rate of interest than three (3) per cent; that such bonds run for a shorter period than five years, or for a longer period than twenty years; or that the principal thereof was never paid by the state to, or received by, the officers of the municipality issuing the same; and no change of the boundary lines of any such municipality shall relieve the real property therein at the time of the issuing of such lands from any liability from taxation to pay for the same and all such bonds so purchased are hereby declared to be the valid and subsisting indebtedness of each municipality, respectively issuing the same. ('15 c. 290 § 2)

By section 1 "municipality" is defined as in G. S. 1913 § 1879.

[1891—]2. **Certain bonds purchased by state validated—**Whenever the state board of investment shall have heretofore purchased with the funds of the state of Minnesota, the bonds of any municipality in this state, the validity

of any such bond shall never be questioned, except on the ground that the same and the loan made thereon was not approved by the state board of investment; that the bond in question made the entire bonded indebtedness exceed fifteen (15) per cent of the assessed valuation of the taxable property of the municipality issuing such bonds; that such bonds bear a lower rate of interest than three (3) per cent; that such bonds run for a shorter period than five years, or for a longer period than twenty years; or that the principal thereof was never paid by the state to, or received by the officers of the municipality issuing the same; and no change of the boundary lines of any such municipality shall relieve the real property therein at the time of the issuing of such bonds from any liability from taxation to pay for the same and all such bonds so purchased are hereby declared to be the valid and subsisting indebtedness of each municipality respectively issuing the same. ('17 c. 234 § 2)

By section 1 "municipality" is defined as in G. S. 1913 § 1879.

[1895—]1. **Authorizing bonds at rate of interest in excess of charter limit**—Any city of this state now or hereafter having a population of over fifty thousand inhabitants, and authorized by the terms of its charter to issue and sell the bonds of such city for any purpose, at a rate of interest limited to less than five per cent per annum, is hereby authorized and empowered, notwithstanding any such charter limitations, to issue and sell, to the amount and in the manner and for the purposes provided for in and by its charter, any city bonds authorized by the terms of its charter, bearing a rate of interest in excess of that limited by its charter, but not, however, exceeding a rate of five per cent per annum, payable annually or semi-annually. Provided that the provisions of this act shall not apply to any act of the legislature heretofore passed authorizing the issue and sale of bonds in which the rate of interest is fixed by the act. ('15 c. 53 § 1)

Section 3 repeals inconsistent acts, etc.

[1895—]2. **Same—Applicable to what cities**—This act shall also apply to cities existing under a charter framed pursuant to Section 36, Article 4 of the Constitution. ('15 c. 53 § 2)

POWER OF CITIES OF FIRST CLASS TO ISSUE BONDS FOR CERTAIN PURPOSES

The following acts empowering cities of the first class to issue bonds for certain purposes, or legalizing certain issues, have not been included:

Applicable only to cities not under home rule charters:

1915 c. 12, authorizing cities which have sold bonds under 1913 c. 274 for parks and parkways to use the unexpended portion of the proceeds.

1915 c. 205, authorizing \$100,000 bonds for erecting additions to and improvements of hospitals.

1915 c. 206, authorizing \$310,000 bonds for so much of cost of paving, curbs and gutters and lateral and other sewers as is not assessable upon abutting or benefited property.

1915 c. 207, authorizing \$85,000 bonds for constructing bridges over any navigable stream running through such city.

1915 c. 214, authorizing \$250,000 bonds, for cost of main or trunk line sewers.

1915 c. 220, authorizing \$350,000 bonds for cost of extension, etc., of waterworks system.

1915 c. 232, authorizing \$125,000 bonds for improving parks and parkways.

1915 c. 266, authorizing \$300,000 bonds for graded school buildings and \$375,000 for high school buildings.

1915 c. 289, authorizing \$18,000 bonds for incinerators at crematory plants.

1915 c. 340, authorizing \$100,000 bonds for arching or covering over creek, etc.

1917 c. 93, authorizing \$210,000 bonds for additions to and improvements of hospitals and \$90,000 for additions to and improvements of workhouses and city prisons and additional equipment for hospitals and workhouses.

1917 c. 99, authorizing \$125,000 bonds for improving parks and parkways.

1917 c. 102, authorizing \$35,000 bonds for acquiring lands for municipal baths, etc.

1917 c. 104, authorizing \$100,000 bonds for so much of cost of paving and curbs and gutters as is not assessable on abutting or benefited property and \$500,000 for cost of main line and trunk sewers, and \$125,000 for sites for and constructing and repairing fire station houses, etc.

1917 c. 219, authorizing \$100,000 bonds for improving and acquiring parks, parkways, and playgrounds.

- 1917 c. 349, authorizing \$100,000 for constructing concrete bridges, and \$200,000 for repairing, etc., steel bridges over navigable streams, etc.
 1917 c. 368, authorizing \$100,000 bonds for repairing and enlarging armories.
 1917 c. 379, authorizing \$150,000 bonds for caring for flood waters of creeks, etc.
 1917 c. 373, authorizing bonds in various amounts for various school purposes aggregating \$4,436,000 and issuable in the years 1918, 1919, 1920, 1921, and 1922.
 Applicable only to city under home rule charter:
 1917 c. 420, authorizing \$200,000 bonds for constructing and repairing bridges and viaducts.

POWER OF CITIES OF SECOND CLASS TO ISSUE BONDS FOR CERTAIN PURPOSES

The following acts, empowering cities of second class to issue bonds for certain purposes have not been included:

- 1915 c. 5, authorizing board of park commissioners to issue \$35,000 bonds parks and parkways.
 1917 c. 16, authorizing \$150,000 bonds for paving and curbing and storm water sewers.

POWER OF CITIES OF THIRD CLASS TO ISSUE BONDS FOR CERTAIN PURPOSES

The following act has not been included:

- 1915 c. 58, authorizing \$50,000 bonds for paying for local improvements made or to be made for which no assessments against real estate have been or shall be levied to defray the cost thereof. Not applicable to city under home rule charter.

[1909—]1. **Bonds for city halls, fire houses and city jails**—That any city in the state of Minnesota which, according to the last federal census, had a population of not less than ten thousand people and not more than twenty thousand people, is hereby authorized to issue the bonds of such city for the construction of a city hall, fire house and city jail, in such amounts, payable at such times, and at such rate of interest, and sell the same upon such terms as may be determined by a majority vote of the city council, or other governing body of such city, provided, however, that the aggregate of the face value of the bonds which shall be issued by virtue of the provisions of this act, shall not exceed the sum of one hundred and ten thousand dollars. ('17 c. 258 § 1)

Section 4 repeals inconsistent acts, etc.

[1909—]2. **Same—Submission to voters, etc.**—Before any bonds are issued under the provisions of this act by any such city, there shall be adopted by the council or other governing body of such city, a resolution certifying the purpose for which such bonds are required, the amount thereof necessary to be issued, the rate of interest the same shall bear, and the terms upon which said bonds shall be sold, and thereafter said city council shall submit the question of the issue of said bonds and the sale thereof, pursuant to said resolution, to the legal voters of said city, either at a special election called for that purpose, pursuant to the charter of said city, or at any general election held in said city, and if a majority of the legal voters of said city shall vote in favor of the issuance of said bonds, then the council or other governing body of said city shall have full power and authority to issue and sell the same for the purpose specified in said resolution, and not otherwise, but if a majority of the legal voters of said city should vote not to issue and sell said bonds, then the proposition shall be deemed rejected, and shall not again be submitted to the voters of said city for a period of at least one year from the date of such election. ('17 c. 258 § 2)

[1909—]3. **Same—Conduct of election**—The election at which a vote upon said bonding proposition shall be voted upon shall be conducted as are other special elections in said city, unless the proposition shall be submitted at a general city election, but in either case the proposition shall be plainly submitted upon the city election ballot by the use of appropriate language in conformity with the so-called Australian election ballot law of this state.

Said vote shall be returned and canvassed as at other city elections in said city. ('17 c. 258 § 3)

POWER OF CITIES OF FOURTH CLASS TO ISSUE BONDS FOR CERTAIN PURPOSES

1910. Bonds for water works or light plants—Works or plant, how acquired—Condemnation—

123-48, 142+1042.

1924. Same—Power of council—Terms of bonds, etc.—The bonds hereby authorized shall be ordered to be issued by an ordinance duly passed by the council of such city. All bonds issued under the authority of this act, shall become due not later than thirty (30) years after date and bear interest at not exceeding five and one-half per centum per annum, payable semi-annually. Such bonds shall be signed by the mayor, attested by the city clerk or recorder with the seal of the city thereto affixed, and the coupon evidencing the interest upon such bonds may be executed with the fac-simile signatures of said officers. ('09 c. 205 § 2, amended '15 c. 253 § 1)

[1931—]1. Refunding bonds in cities under home rule charters—Interest—Any city of the fourth class operating under a home rule charter adopted pursuant to section 36, article 4 of the state constitution, in addition to all powers possessed by such city, is hereby authorized to issue and sell its refunding bonds for the purpose of refunding any of the outstanding indebtedness against said city existing in the form of bonds or certificates of indebtedness payable out of the permanent improvement revolving fund of said city, which are due or which the city has the right to pay before maturity, provided that said refunding bonds shall bear interest at a lower rate than the bonds or certificates of indebtedness refunded and the principal of said refunding bonds shall not exceed the principal of the bonds to be refunded. ('17 c. 335 § 1)

[1931—]2. Same—How issued and paid—Said bonds shall be issued only in pursuance of a resolution adopted by a majority vote of the city council or other governing body of said city and shall be paid from the permanent improvement revolving fund of said city out of the moneys to be collected from the special assessments payable into said fund, provided that if there is not sufficient money in said fund, the said refunding bonds shall be paid from the general fund, such amount to be replaced in the general fund from the said special assessments when and as collected. ('17 c. 335 § 2)

[1931—]3. Same—Form of bonds—Said refunding bonds shall be issued under the corporate seal of the city, signed by the mayor and countersigned by the city clerk and may bear such terms as to place of payment, maturity and rate of interest as may be fixed by resolution of the city council or other governing body of the city, provided, however, that said bonds shall not run more than twenty years, nor bear interest at a rate greater than four and one-half per centum per annum, payable semi-annually, and shall not be sold for less than par. ('17 c. 335 § 3)

[1931—]4. Certain bonds legalized—That in all cases in which during the twelve months immediately preceding the adoption of this act, the city council of any city of the fourth class in this state operating under a charter adopted in accordance with Section 36 of Article 4 of the Constitution of Minnesota, has taken proceedings to hold an election in such city for the purpose of approving of or rejecting the question or proposition whether or not the city should issue its bonds for the purpose of paying the expenses of paving any of its streets and wherein at such election such proposition to issue such bonds was duly approved of by the requisite majority of the voters voting at such election, but wherein the notice of election calling such election and submitting such question to the voters thereof failed to clearly state whether or not such question would be submitted to the voters thereof for approval or rejection, and failed to state the purpose for which the money so voted would be used, such proceedings of said city council and such election, and the bonds of said city when issued in accordance with said

proceedings and election, are hereby legalized and made valid and effectual for all purposes. ('17 c. 46 § 1)

[1931—]5. **Same—Pending actions**—This act shall not apply to or affect any action now pending involving the validity of any such resolution or proceedings of any such city council or the validity of any such election. ('17 c. 46 § 2)

[1931—]6. **Bonds for city jails in cities under home rule charters legalized**—In any case in any city of the fourth class, operating under a home rule charter authorizing the issuance of bonds of the city for the purpose of acquiring, erecting or raising funds to aid in and defray the expense of constructing a building to be used as and for a city hall or jail, or both, therein, when the governing body thereof has duly determined that it was for the best interests of the city that such bonds should be issued for said purposes or any of them, and such proposition has been duly submitted or attempted to be submitted to the legal voters thereof at a general election or at a special election called for the purpose, and a majority of the votes cast at such election were in favor of issuing such bonds, that then and in every such case the proceedings so taken are hereby declared effectual, and the bonds so voted legalized and declared valid; provided that such bonds, when so issued, did not or will not cause the net indebtedness of such city, as defined in chapter 10 of the General Statutes of 1913, to exceed five per centum of the assessed value of the taxable property thereof for the year preceding that of their execution and delivery. ('17 c. 57 § 1)

[1931—]7. **Same—Pending actions**—This act shall not apply to or affect any actions or appeals now pending, in which the validity of such proceedings or of such bonds is called in question. ('17 c. 57 § 2)

[1931—]8. **Certain bonds for waterworks and light and power plants legalized**—That in all cases where the electors of any city in this state having ten thousand inhabitants, or less, whether organized under general or special laws, or under a home rule charter, at any general or special election therein have heretofore voted for an issuance of bonds of said city for the purpose of purchasing or acquiring waterworks or light or power plants, or for constructing such works, or plants or any part or portion thereof either within or without the corporate limits of such city or partly within or partly without such city, and have issued and sold such bonds, or which have been so voted, and shall hereafter be issued in pursuance of such election, such bonds are hereby declared to be legal, valid and binding obligations of such city. Provided however, that the proposition to issue said bonds shall have received the number of votes cast thereon, at such election, favorable to the proposition, required by the provisions of the act or of the charter under which the same was submitted to carry the same; provided further, that this act shall not apply to any action now pending involving the legality of any bonds so voted or issued. ('17 c. 191 § 1)

POWER OF VILLAGES TO ISSUE BONDS FOR CERTAIN PURPOSES

1932. **Bonds for refunding floating indebtedness—Limit of debt**—Any village in this state having a floating indebtedness may issue the bonds of such village for the purpose of refunding such indebtedness in the manner hereinafter provided; but no such bonds shall be issued or sold by said village, which, with the bonds already issued, shall exceed fifteen per cent of the assessed valuation of the real estate and personal property, exclusive of moneys and credits of said village. Such bonds shall bear interest at a rate not to exceed six (6) per cent per annum, payable annually or semi-annually, as may be determined by said village council and may run for a period not exceeding twenty years. Such bonds shall not be sold for less than their par value and the proceeds thereof shall be used exclusively for the payment of such outstanding floating indebtedness of said village. ('05 c. 123 § 1, amended '15 c. 169; '17 c. 336 § 1)

[1933—]1. **Bonds for refunding floating indebtedness**—That any village of this state, acting under the general laws thereof, having a floating indebtedness at the time of the passage of this act, exceeding Five Thousand Dollars, is hereby authorized and empowered to fund such floating indebtedness in the manner provided in Sections 1932 and 1933 of the General Statutes of 1913; provided that such funding bonds so issued with the bonds already issued by said village do not make the net indebtedness of said village, as defined in Section 1848 of said General Statutes, exceed fifteen per cent of the assessed valuation of real estate therein. ('15 c. 320 § 1)

[1933—]2. **Certain village hall bonds legalized**—That when any village organized and acting under any special law of this state shall have heretofore purchased or agreed to purchase a building to be used as a village hall therein, together with the site therefor, and shall have heretofore by resolution of the village council or common council of the village determined to issue its bonds for that purpose in an amount not exceeding the cost of such purchase, if such purchase and bond issue shall have heretofore been authorized or attempted to be authorized by a majority of at least five-eighths ($\frac{5}{8}$) of the legal voters of the village voting at an election called or attempted to be called and held therein for that purpose, then and in every such case, notwithstanding any question as to the village being specifically authorized by the said special law under which it is acting, the village council or common council, or other governing body, is hereby authorized and fully empowered to complete such purchase, if it shall by resolution deem the same to be for the best interests of the village, and to issue the bonds of the village for that purpose in an amount not exceeding the purchase price of such village hall and site, but not exceeding five per cent (5%) of the assessed value of the property therein for taxation purposes, due at such time or times as it may determine, not exceeding fifteen (15) years, with interest at a rate not exceeding five per cent (5%) per annum payable annually or semi-annually at such place or places and executed in such manner as said governing body may determine, and sell or complete the sale thereof at not less than par; and all proceedings to that end heretofore taken by any such village under special law are hereby legalized. ('15 c. 7 § 1)

[1933—]3. **Same—Pending actions**—This act shall not apply to or affect any actions or appeals now pending, in which the validity of such proceedings is called in question. ('15 c. 7 § 2)

[1933—]4. **Certain funding bonds legalized**—That where the electors of any village in this state have at any election, general or special, held therein, voted for an issuance of bonds of such village for the purpose of funding its floating indebtedness, then in every such case the bonds of such village which have been so voted and issued, or that shall hereafter be issued in pursuance of such election are hereby declared to be legal, valid and binding obligations of such village; provided, however, that the question of funding such indebtedness has been submitted to a vote of the qualified electors of such village in the manner as provided by law in chapter 10, General Statutes of Minnesota 1913 and acts amendatory thereof and a majority of such electors voted in favor thereof. ('17 c. 62 § 1)

[1933—]5. **Same—Limit of issue**—That such bonds may be issued in any sum not exceeding seventy-five hundred dollars (\$7,500.00) anything in the charter of said village or in any law of this state which may prohibit the issuing of any bonds in excess of any specific percentage of the taxable property in such village, to the contrary notwithstanding. ('17 c. 62 § 2)

POWER OF COUNTIES TO ISSUE BONDS FOR CERTAIN PURPOSES

The following acts, empowering counties to issue bonds for certain purposes, or legalizing certain bonds, have not been included:

1915 c. 179, authorizing counties having valuation of \$6,000,000 and not more than \$10,000,000 and area of not less than 75 nor more than 100 townships to issue prior to December 31, 1916, bonds for paying interest coupons on drainage bonds, etc.

1917 c. 13, authorizing counties to issue \$600,000 certificates of indebtedness to take up certificates issued under 1907 c. 130 (applicable to counties having valuation of \$100,000,000 and bonded indebtedness of not more than \$700,000). See Gen. St. 1913 p. 404.

1917 c. 111, authorizing counties having 300,000 inhabitants wherein a county sanitarium is established to issue \$300,000 bonds for enlarging, etc., such sanitarium.

1917 c. 192, authorizing counties having valuation of more than \$6,000,000 and less than \$8,000,000 to issue bonds to take up floating indebtedness.

1917 c. 199, authorizing counties to issue not after May 15, 1917, \$25,000 bonds for improving lakes within such counties.

1917 c. 443, authorizing adjoining counties \$30,000 bonds for roads. Such bonds must be authorized before June 1, 1917.

[1957—]1. **Bonds for refunding floating indebtedness**—The county board of any county in this state may issue and negotiate the bonds of said county to take up the outstanding floating indebtedness thereof now existing. Provided, that the bonds so issued shall be made payable as follows:

One-fifth on December first, 1916; one-fifth on December first, 1917; one-fifth on December first, 1918; one-fifth on December first, 1919; one-fifth on December first, 1920; and shall not bear a higher rate of interest than five per cent (5%) and shall not be sold for less than par and accrued interest from date of issue. ('15 c. 103 § 1)

[1957—]2. **Same—Tax levy, etc.**—The county board of any county in this state that shall have issued and negotiated the bonds of any such county under the provisions of Section 1 of this act [1957—1], shall levy annually in addition to all other taxes a tax sufficient to pay the annual interest due on said bonds and to pay the bond maturing on the first of December of the following year, which taxes shall be collected at the same time and in the same manner as the general taxes are collected. Provided that no such bonds shall be issued unless the county board of the county issuing such bonds shall pass a resolution authorizing the issuance thereof under this act within ninety days after the passage and approval of this act. ('15 c. 103 § 2)

[1957—]3. **Bonds for bridges without submission to voters**—Whenever the county board of any county in this state shall deem it advisable to construct, repair or renew any bridge or bridges over waters within the county or bordering thereon and such county has no outstanding road and bridge bonds issued as such, and such board has been previously petitioned by twenty-five or more voters of the county who are also free holders, to take such action, such county board may cause the bridge bonds of said county to be issued and sold in an amount not exceeding $\frac{1}{2}$ of 1 per cent of the assessed valuation of the taxable property within said county, without submitting the matter to a vote of the electors of said county. Such bonds shall be signed by the chairman of such board and countersigned by the county auditor and shall be payable not more than twenty years from their date, and shall bear interest evidenced by coupons which shall not exceed six per cent per annum payable semi-annually, and shall not be sold for less than par and accrued interest. Bonds issued to defray the expense of state rural highways shall not be considered road and bridge bonds within the meaning of this act. ('17 c. 52 § 1)

[1957—]4. **Same—Not to limit existing laws**—This act shall not be construed as any limitation upon the power of any county or county board under any existing law. ('17 c. 52 § 2)

[1957—]5. **Bond issue for homes for girls and boys in certain counties**—For the purpose of providing funds for the purchase, erection and equipment of homes for boys or girls in connection with the juvenile court pursuant to the provisions of Chapter 83, of the General Laws of Minnesota, for the year 1913, the board of county commissioners in counties of this state now or hereafter having a population of over 200,000 and not over 300,000 inhabitants, is hereby authorized to issue, by resolution duly passed, and to sell not to exceed fifteen thousand dollars (\$15,000) par value of the bonds of such counties. ('15 c. 3 § 1)

[1957—]6. **Same—Terms**—No bond or bonds shall be issued under the authority of this act to run for a longer term than five (5) years or bearing a higher rate of interest than five per cent (5%) per annum. The bond or

bonds to be issued hereunder shall be, subject to the limitations herein expressed, in such form and for such amount or amounts, at such a rate of interest, for such a period and shall be payable at such place as the board of county commissioners shall determine. Such bond or bonds shall be signed by the chairman of the board of county commissioners and shall be attested by the county auditor. ('15 c. 3 § 2)

[1957—]7. **Certain bonds legalized**—In all cases where a county of this state has heretofore issued and sold its bonds containing a recital that they are issued by authority of and in strict accordance with the provisions of chapter 254, General Laws, Minnesota, 1911 [2603-2609], and the purchase price of said bonds has actually been received by the county, said bonds are hereby legalized and made valid and binding obligations of the county which has issued the same. ('17 c. 59 § 1)

[1957—]8. **Same—Pending actions**—This act shall not apply to or affect any bonds, the validity of which is involved in any action now pending. ('17 c. 59 § 2)

POWER OF TOWNS TO ISSUE BONDS FOR CERTAIN PURPOSES

[1967—]1. **Certain refunding bonds legalized**—That in cases where the electors of any town in this state at any annual, general or special election therein, have heretofore voted for an issuance of bonds of said town for the purpose of refunding any bonds of such town heretofore issued and sold as road and bridge bonds, then in such case all bonds of said towns which have been so voted and issued, or which have been so voted and shall hereafter be issued in pursuance of such election are hereby declared to be legal, valid and binding obligations of said town; provided, however, that the propositions to issue such bonds for the purposes of refunding such road and bridge bonds, shall have been submitted to the vote of the electors of such town in same manner as now provided by law in Chapter 10, Revised Laws, 1905, and amendments thereto, for the issuance of municipal bonds, and that the proposition to issue said bonds received a majority of all votes cast thereon at such election; and provided further, that this act shall not apply to any suit now pending involving the legality of any bonds so issued. ('15 c. 256 § 1)

[1967—]2. **Certain refunding bonds legalized**—That all bonds heretofore issued by any township between the first day of July, 1916 and the first day of October, 1916, to refund the floating indebtedness of such township, evidenced by township orders, where the amount of such floating indebtedness so evidenced was in excess of the annual tax levy and had not been authorized by a majority vote of the electors of such town, as provided by section 1190, General Statutes 1913, when the proceedings relative to the issuance of such bonds were in all respects regularly had, as provided by law and the issuance thereof was duly authorized by a vote of more than three-fourths of the electors present and voting at a special town meeting, duly called for the purpose of voting upon the issuance of such bonds, are hereby legalized and declared to be valid and subsisting obligations of such township to the same extent as though such indebtedness sought to be refunded was in all respects duly and regularly incurred by such township. ('17 c. 389 § 1)

POWER OF SCHOOL DISTRICTS TO ISSUE BONDS FOR CERTAIN PURPOSES

[1968—]1. **Certain bonds issued by independent school districts legalized**—All bonds heretofore voted to be issued by any independent school district for the purpose of paying and defraying the expense incurred in connection with the erection and construction of grade or high school buildings, and all outstanding orders in connection therewith, and all expenses incurred, and all orders issued or to be issued in connection with the installing

and placing therein of heating, ventilating and plumbing plants and equipping and furnishing such buildings with apparatus and school furniture under the provisions of Chapter 272 of the General Laws of Minnesota 1905 [1968], and acts amendatory thereof, if any, are hereby legalized and validated and made the legal and valid indebtedness of the school district so incurring such indebtedness or issuing orders therefor. ('15 c. 339 § 1)

[1968—]2. **Certain bonds issued by independent school districts legalized**—All bonds heretofore issued or voted to be issued by any independent school district for the purpose of paying and defraying the expense incurred in connection with the erection and construction of grade or high school buildings, and all outstanding orders in connection therewith, and all expense incurred, and all orders issued or to be issued for the payment of money realized from the sale of such bonds in connection with the installing and placing therein of heating, ventilating and plumbing plants and equipping and furnishing said buildings with apparatus and school furniture under the provisions of chapter 272 of the General Laws of Minnesota 1905 [1968], and acts amendatory thereof, if any, are hereby legalized and validated and upon their issuance made the legal and valid indebtedness of the school district so incurring such indebtedness, or issuing orders therefor. ('17 c. 54 § 1)

[1968—]3. **Certain bonds issued by consolidated school districts legalized**—Whenever the school board of any consolidated school district in this state has heretofore adopted a resolution stating that in the opinion of such board it was expedient for the school district in question to issue to the state of Minnesota its bonds for the purpose of completing a new school building and specifying in such resolution the rate of interest, the number of such bonds, the amount of each and the dates of maturity thereof, and calling a meeting of the district to vote upon such question, such resolution being in conformity with the provisions of the constitution and the laws of the state in that regard, and where the notice of such meeting and the form of ballot used was not in conformity with the provisions of law, and at the school meeting the bonding proposition carried by the requisite majority, the action of such school meeting is hereby legalized and the state board of investment is authorized to take said bonds and loan state funds thereon. ('17 c. 260 § 1)

[1968—]4. **Certain orders issued by special school districts legalized**—Whenever the school directors or school board of any special school district in a city whose population is 10,000 inhabitants but not more than 20,000 inhabitants, and the boundaries of such city and such school district are identical, have issued interest bearing orders within the past five (5) years in an amount not exceeding thirty thousand dollars, (\$30,000.00) and have received full value for all of said indebtedness, and where the amount of such orders so issued is in excess of the legal limitation upon the powers of such school directors, whether contained in general law or in the provisions of any charter of such school district of such city, all such orders so issued by such school directors of any such school district are hereby validated and legalized and the same shall constitute a valid and legal indebtedness of such school district. ('17 c. 138 § 1)

[1968—]5. **Same—Tax levy—Reissue**—The school directors of any such district may from time to time levy a sufficient amount of taxes to pay such orders together with accrued interest thereon, as such orders become due, and as to such orders not paid when due such school directors may re-issue the same from time to time as in their judgment may be for the best interests of such school district. ('17 c. 138 § 2)