

MINNESOTA STATUTES 1953 ANNOTATIONS

457.13 WATER AND LIGHT PLANTS

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progress payments in advance of delivery of such equipment. OAG Sept. 11, 1951 (707-B-7).

Electricity or electrical energy is property within the meaning of section 457.12. The city of Fergus Falls under its charter must submit a contract involving expenditures in excess of \$3,000 for the purchase of electricity or electrical energy by the city at wholesale to be resold to city customers, to the electors for their approval. OAG May 3, 1950 (624-C-2).

457.13 LEASING, SELLING, ABANDONING OF WATERWORKS OR LIGHTING PLANTS

HISTORY. 1915 c 79 s 1, 2; 1917 c 172 s 1-3; 1931 c 133; 1949 c 119 s 111.

A covenant embodied in a resolution authorizing the sale of revenue certificates that the city would continue to operate a public utility plant and system as a revenue producing utility does not preclude the city from selling rural lines; but such rural lines cannot be sold without an election. OAG Oct. 28, 1948 (634-C-10).

457.14-457.18 Repealed, 1949 c 119 s 110.

CHAPTER 458

DOCKS; QUAYS; LEVEES; WHARVES; LANDING AND LOADING PLACES; WATER FREIGHT; PASSENGER STATIONS; TERMINALS

TRANSPORTATION TERMINALS

458.01 Repealed, 1949 c 119 s 110.

PORT AUTHORITIES

458.09 PORT AUTHORITY COMMISSION

Evidence sustains the finding and judgment of the district court in vacating the order of the railroad and warehouse commission on the ground that the rates prescribed for switching interstate cars between the property of the port authority of St. Paul and industries in the St. Paul switching district were inadequate, unreasonable, and unlawful as constituting a taking of property without due process of law. State v Northern Pacific, 229 M 312, 39 NW(2d) 752.

458.16 POWERS AND DUTIES

Evidence sustains the finding and judgment of the district court in vacating the order of the railroad and warehouse commission on the ground that the rates prescribed for switching interstate cars between the property of the port authority of St. Paul and industries in the St. Paul switching district were inadequate, unreasonable, and unlawful as constituting a taking of property without due process of law. State v Northern Pacific, 229 M 312, 39 NW(2d) 752.

WATER TERMINALS

458.42 ACQUISITION OF LAND

A utility board is an independent body free from control by the city council, and the council should not take part in appointing one of its own members to the utility board. OAG Dec. 23, 1948 (624-A-3).