

Provided, That the common council may without the petition of property holders order the grading of those parts of Superior street, Michigan street and Piedmont avenue lying between eighth (8th) and sixteenth (16th) avenues west, and may provide for the payment out of the funds of the village of such portion, not exceeding three-fourths ($\frac{3}{4}$), of the expense of such grading, as they may deem just.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved November 21, 1881.

CHAPTER 77.

AN ACT TO AUTHORIZE THE VILLAGE OF WADENA, IN THE COUNTY OF WADENA, TO ISSUE BONDS TO AID IN THE CONSTRUCTION OF THE NORTHERN PACIFIC, FERGUS AND BLACK HILLS RAILROAD INTO SAID VILLAGE.

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

SECTION 1. The village of Wadena, in the county of Wadena, shall have power and they are hereby authorized to issue bonds, with interest coupons attached, to aid in the construction of the Northern Pacific, Fergus and Black Hills Railroad into said village, for an amount not exceeding twelve hundred dollars (\$1,200).

SEC. 2. Said bonds so issued by said village may bear interest at a rate not exceeding eight (8) per cent., and the principal and interest on said bonds shall be payable at such time or times, not exceeding ten (10) years from the date of said bonds, as the village council of said village shall by resolution designate and provide; which said bonds so issued by said village, shall be signed by the president of said council and the clerk thereof, and the interest coupons attached to said bonds shall be signed by said clerk.

SEC. 3. The said village council are hereby authorized to enter into an agreement with said Northern Pacific, Fergus and Black Hills Railroad Company in relation to the location and construction of said railroad into said village, the interest and amount of bonds so to be issued and when to be issued, and made payable for the purpose aforesaid, *Provided*; That such agreement shall not in any respect be repugnant to the provisions of this act.

SEC. 4. The said village council may by resolution provide for the issue of such bonds, and designate the terms thereof so agreed upon, which said resolution before the same shall take effect and be binding on said village, shall be submitted for approval to the qualified voters of said village at any annual election therein, or said village council may order a special election therefor. Whenever any such special election shall be so ordered, two (2) weeks notice thereof shall be given in the manner that notices of annual elections in said village are required by law to be given, except

that when any such resolution of the said village council shall be submitted at either an annual or special election, the notice of such election, in either case, shall specify that such resolution, a copy thereof being thereunto attached, will be so submitted. Every special election authorized by this act, and so much of any annual election of said village as relates to any such resolution, so submitted, shall be conducted in the same manner that is prescribed by law for conducting elections for town officers in the different towns of this State, except that the ballots cast at such election shall be deposited in a box separate from any other ballots that may be cast at such election. Each elector voting at any such election in favor of any such resolution so submitted shall vote by ballot, having distinctly written or printed, or partly written and partly printed thereon the words, "Resolution in aid of the construction of the Northern Pacific, Fergus and Black Hills Railroad into Wadena—Yes;" And each elector voting against any such resolution so submitted, shall vote by ballot having distinctly written or printed or partly written and partly printed thereon, the words, "Resolution in aid of the construction of the Northern Pacific, Fergus and Black Hills Railroad into Wadena—No."

If a majority of the ballots cast at such election be in favor of the resolution so submitted, then the same shall take effect and be binding on said village; and the bonds of said village shall be issued in accordance therewith, and the provisions of this act.

But if a majority of such ballots be against such resolution so submitted, then the same shall be null and void, *Provided, however*; That if a majority of such ballots be against such resolution so submitted, the village council of said village may in like manner at any time or times thereafter, submit another resolution for the same purpose.

SEC. 5. For the purpose of providing for the punctual payment of the matured interest and principal of the bonds so issued by the said village, a tax shall be assessed and levied each year upon the taxable property in said village, in an amount sufficient to pay all the interest and principal that will have matured and become payable before the time fixed by law for the collection of such tax for the next ensuing year, which tax shall be levied and collected at the same time and in the same manner that other taxes in said village are required by law to be levied and collected.

All the proceeds of the taxes authorized by this act for the payment of the matured interest and principal of any such bonds, shall be applied to such payment and to no other purpose.

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

Approved November 21, 1881. ✓