

ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN,
PASSED AT THE
EXTRA SESSION OF 1870.



BY AUTHORITY.

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LAWS OF MICHIGAN.

the preceding section, as may in his judgment be deemed necessary to carry out the provisions and intent of this act.

Sec. 5. This act shall take immediate effect.

Approved August 3, 1870.

[No. 5.]

AN ACT to authorize the introduction of water into, and the construction or purchase of hydraulic works in, the cities and villages in the State of Michigan.

Cities and villages authorized to borrow money for water-works

SECTION 1. *The People of the State of Michigan enact*, That it shall be lawful for any city or incorporated village in this State to borrow any sum of money to be used exclusively for the purpose of purchasing grounds, rights, privileges, materials, and in making improvements connected with, and for the sole purpose of supplying such city or village, and the inhabitants thereof, with water: *Provided*, That the total sum borrowed and raised by tax by any such municipality the first year, shall not exceed five per cent. of the assessed valuation of such municipality, as contained in the last preceding assessment roll of the same: *And provided*, That no more than two per cent. shall be borrowed during any one year thereafter, and that the rate of interest shall not exceed ten per cent. upon any indebtedness contracted under the provisions of this act.

Proviso.

Ibid.

Common council to fix time of payment of principal and interest.

May issue bonds.

Proviso.

Sec. 2. The common council of any city, or the corporate authorities of any incorporated village, shall have the power to fix the time and place of payment of the principal and interest voted under the provisions of this act, and to issue the bonds or other evidence of indebtedness of such city or village: *Provided*, That it shall not be lawful for the common council of any city, or the corporate authorities of any incorporated village, to borrow any portion of said sum of money, unless the question of borrowing the same shall have been first submitted to the electors of such city or village at its annual elec-

tion, or at a special election called for that purpose by the common council of such city, or the corporate authorities of such village, and a majority of the electors voting at such election voting therefor by ballot.

Sec. 3. Any city or village which may have availed itself of existing provisions of law to become a stockholder in any water company, may, by an arrangement with the company in which it owns stock, and with the other stockholders thereof, by purchase, acquire the entire rights of such water company: *Provided, however,* That in case such city or village shall have issued any bonds or evidences of indebtedness, in order to raise the money to pay for its stock in a water company, it shall not be permitted to perfect such arrangements until the common council of said city, or the corporate authorities of said village, shall, by a resolution to be entered in its minutes, undertake and promise, in consideration of such purchase, to pay when due the principal and interest of all outstanding bonds issued by said city or village for the purpose aforesaid, which new promise and undertaking shall be deemed to be made to each and every person or corporation which is or may become the holder of such bonds or evidence of indebtedness.

Sec. 4. It shall be lawful for the common council of any city, or the corporate authorities of any village, which shall avail itself of the provisions of this act, by the passage of proper ordinances, to provide for the appointment of a commission or board, the term of at least one member of which commission or board shall expire yearly, to take the charge and management of such water works in the manner and to the extent which shall be provided in the ordinances of the city or village; and the common council of any city, or the corporate authorities of any village, may, by resolution or ordinance, fix the rates for supplying water to the inhabitants thereof, regulate the manner of making connections, and the use of the water, which rules and regulations shall apply equally to all the inhabitants of such city or village.

Provisions of charters heretofore granted not to be affected by this act.

Sec. 5. Nothing in this act shall be construed to affect the special provisions in the charter of any city or village already authorizing the introduction of water into the same, and the construction of hydraulic works for the supplying of such city or village, and the inhabitants thereof, with water.

Council to collect sufficient sum to pay interest and principal when due.

Sec. 6. It shall be the duty of the common council of any city, or the corporate authorities of any village, availing itself of the provisions of this act, from time to time, as it may be necessary, to levy and collect such sums of money as may be required to pay the principal or interest voted by such city or village under section one of this act, or the principal and interest of any bonds or other evidence of indebtedness, to pay which a new promise shall have been made in accordance with section three of this act.

Sec. 7. This act shall take immediate effect.

Approved August 4, 1870.

[No. 6.]

AN ACT to legalize the returns of taxes for the county of Houghton, for the year one thousand eight hundred and sixty-nine.

Taxes legalized.

SECTION 1. *The People of the State of Michigan enact*, That the tax returns of the county of Houghton, for the year one thousand eight hundred and sixty-nine, and all the proceedings for the collection and payment of taxes under and by virtue thereof, be and the same is hereby declared to be as legal and valid as though the treasurer of said county of Houghton had made his returns within the time prescribed by law to the Auditor General.

Auditor General to make lists of delinquent lands.

Sec. 2. The Auditor General shall forthwith make a list of the lands delinquent for taxes in said county, and transmit the same to the publisher of the Portage Lake Mining Gazette, which newspaper shall immediately proceed to advertise said