

PROPOSED AMENDMENT

TO THE CHARTER OF THE CITY OF MOORHEAD, MINNESOTA, SUBMITTED BY THE BOARD OF FREEHOLDERS OF SAID CITY OF MOORHEAD.

The undersigned, members of the BOARD OF FREEHOLDERS of the CITY OF MOORHEAD, MINNESOTA, appointed upon November 13th, 1908, by the Honorable, the District Court of the State of Minnesota, of the Seventh Judicial District of said State, in and for the County of Clay therein, in which is situate said City of Moorhead, as the CHARTER COMMISSION for said City of Moorhead, and who constitute a majority of the members of said Board of Freeholders, do hereby respectfully propose the following AMENDMENT TO THE CHARTER of said City of Moorhead, which said Charter was duly adopted as such by said City on May 23, 1900, and said BOARD OF FREEHOLDERS, having duly adopted said amendment, do hereby submit the same as a proposed amendment to said Charter, to the Honorable William H. Davy, Mayor of said City of Moorhead, and to the Council of said City, to be submitted to the electors of said City as provided by law, to-wit:

That the first paragraph of Section 74 of Chapter 4 of said Charter which, as amended in 1904, reads and is as follows, to-wit:

"Except as otherwise provided in the constitution of the State, or as otherwise specified in this charter, an ordinance or resolution, for the lease or sale of any public utility, or for the purchase of property of the value of three thousand dollars and upwards, must be submitted to the vote of the electors of the city before the same shall be valid, and in no case shall any franchise be granted for a longer period than ten years, excepting a franchise granting the use of the streets of the city for the operation of street railways, which may be granted for a period not to exceed twenty years."

be amended by striking therefrom the following words, to-wit:

"ten years, excepting a franchise granting the use of the streets of the city for the operation of street railways, which may be granted for a period not to exceed twenty years,"

and inserting, in lieu of said words so stricken out, the following words:

"twenty-five years,"

STATE OF MINNESOTA, ss.
COUNTY OF CLAY.

Came personally before me, *R.W. Richards* and being duly sworn deposes and says that he now is and during all the time hereinafter mentioned has been one of the printers.....of the Moorhead Daily News, a daily newspaper printed and published in Moorhead, in said Clay County, every day (except Sunday) of each week. That he knows of his own knowledge that the printed notice of *Proposed amendment to city charter*... hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each *day* for *37*... successive *days*, and that all of said publications were made in the English language. That said notice was first inserted, printed and published in said newspaper on *Tuesday*.....the *9th* day of *January* 1912, and was printed and published therein on each and every *week day*... thereafter until and including *Tuesday*....the *20th* day of *February* 1912, that during all the time aforesaid said newspaper was a collection of general and local news, comments and miscellaneous literary items, and regularly published and issued every day (except Sunday) from a known office of publication, said office being equipped with the necessary materials and skilled workmen for producing the same, and has consisted of not less than four pages of more than five columns to the page, each column not less than seventeen and three-fourths inches in length, and never made up wholly of patents, plates and advertisements, or either or any of them, and has not been substantially a duplicate of any other newspaper, and has been regularly delivered each day to more than two hundred and forty paid subscribers, and that said newspaper, composed and consisting as above set forth, was printed and published in the English language, and generally circulated in Clay County for more than one year next preceding the date of the first publication of said notice. That the publisher of said newspaper on May 8th, 1893, filed with the County Auditor of said Clay County an affidavit setting forth the facts required by Section 2, of Chapter 33, of the laws of the State of Minnesota for the year 1893.

Subscribed and sworn to before me this *2nd* day of *March* 1912.
R.W. Richards
Notary Public, Clay County, Minn.
My commission expires June 26, 1918

2404

so that said first paragraph of Section 74, of Chapter 4 of said charter, as so amended, shall be and read as follows, to-wit:

"Except as otherwise provided in the constitution of the State, or as otherwise specified in this charter, an ordinance or resolution, for the lease or sale of any public utility, or for the purchase of property of the value of three thousand dollars and upwards, must be submitted to the vote of the electors of the city before the same shall be valid, and in no case shall any franchise be granted for a longer period than twenty-five years."

It is further proposed that said amendment, if ratified and approved by the electors of said City, shall take effect and be in full force and operation, for all purposes whatsoever, upon and at the expiration of ten days after the date of the election at which the same is so ratified.

Dated at Moonhead, Minnesota,
this 4th day of January, 1912.

S. G. COMSTOCK, (Seal)
LEW A. HUNTOON, (Seal)
C. A. BALLARD, (Seal)
RALPH PEDERSON, (Seal)
GEO. E. PERLEY, (Seal)
O. C. BECK, (Seal)
BENJ. F. MACKALL, (Seal)
A. H. BRICKSON, (Seal)
Wm. R. TILLOTSON, (Seal)
LESLIE WELTER, (Seal)
JACOB KIEFER, (Seal)
W. H. DAVY, (Seal)
EDWIN ADAMS, (Seal)

Filed Jan. 8, 1912,
R. G. Price, City Clerk.

2404

SUBMITTED BY THE BOARD
OF FREEHOLDERS OF SAID
CITY OF MOORHEAD.

The undersigned, members of the BOARD OF FREEHOLDERS of the CITY OF MOORHEAD, MINNESOTA, appointed upon November 13th, 1908, by the Honorable, the District Court of the State of Minnesota, of the Seventh Judicial District of said State, in and for the County of Clay therein, in which is situate said City of Moorhead, as the CHARTER COMMISSION for said City of Moorhead, and who constitute a majority of the members of said Board of Freeholders, do hereby respectfully propose the following AMENDMENT TO THE CHARTER of said City of Moorhead, which said Charter was duly adopted as such by said City on May 22, 1900, and said BOARD OF FREEHOLDERS, having duly adopted said amendment, do hereby submit the same as a proposed amendment to said Charter, to the Honorable William H. Davy, Mayor of said City of Moorhead, and to the Council of said City, to be submitted to the electors of said City as provided by law, to-wit:

That the first paragraph of Section 74 of Chapter 4 of said Charter which, as amended in 1904, reads and is as follows, to-wit:

"Except as otherwise provided in the constitution of the State, or as otherwise specified in this charter, an ordinance or resolution, for the lease or sale of any public utility, or for the purchase of property of the value of three thousand dollars and upwards, must be submitted to the vote of the electors of the city before the same shall be valid, and in no case shall any franchise be granted for a longer period than ten years, excepting a franchise granting the use of the streets of the city for the operation of street railways, which may be granted for a period not to exceed twenty years."

be amended by striking therefrom the following words, to-wit:

"ten years, excepting a franchise granting the use of the streets of the city for the operation of street railways, which may be granted for a period not to exceed twenty years."

and inserting, in lieu of said words so stricken out, the following words:

"twenty-five years."

so that said first paragraph of Section 74, of Chapter 4 of said charter, as so amended, shall be and read as follows, to-wit:

"Except as otherwise provided in the constitution of the State, or as otherwise specified in this charter, an ordinance or resolution, for the lease or sale of any public utility, or for the purchase of property of the value of three thousand dollars and upwards, must be submitted to the vote of the electors of the city before the same shall be valid, and in no case shall any franchise be granted for a longer period than twenty-five years."

It is further proposed that said amendment, if ratified and approved by the electors of said City, shall take effect and be in full force and operation, for all purposes whatsoever, upon and at the expiration of ten days after the date of the election at which the same is so ratified.

Dated at Moorhead, Minnesota, this 4th day of January, 1912.

S. G. COMSTOCK (Seal)
LEW. A. HUNTOON, (Seal)
C. A. BALLARD, (Seal)
RALPH PEDERSON, (Seal)
GEO. E. PERLEY, (Seal)
O. C. BECK, (Seal)
BENJ. F. MACKALL, (Seal)
A. H. ERICKSON, (Seal)
WM. E. TILLOTSON, (Seal)
LESLIE WELTER, (Seal)
JACOB KIEFER, (Seal)
W. H. DAVY, (Seal)
EDWIN ADAMS, (Seal)

Filed Jan. 8, 1912.

R. G. Price, City Clerk.

State of Minnesota)
County of Clay) SS.
City of Moorhead.)

I, W.H.Davy, Mayor of the City of Moorhead,
heraby certify that the attached Amendment to the Charter of the
City of Moorhead, was on the 4th. day of January, 1912, proposed
by the Board of Charter Commissioners, delivered to the City Council
of the City of Moorhead, duly published for thirty (30) days in
three newspapers of general circulation in the City of Moorhead,
duly submitted to the voters of the City of Moorhead at a Special
Election called and held on the 20th. day of February, 1912, for the
purpose of voting on said proposed amendment; and at such election
was duly adopted by the legal voters of said City, 409 votes being
cast in favor of the adoption of said amendment, 59 votes being cast
against the adoption of such amendment; 448 votes being cast at such
election.

Dated at Moorhead, Minn., this 2nd. day of March, 1912.

Attest:

W. H. Davy
City Clerk.

W. H. Davy
Mayor.

2404