

(\$500.00), shall be made by the school board of any common or independent school district without first advertising for bids or proposals in some newspaper of the county by two (2) weeks' published notice in the city or village located nearest to the school district in which such contracts are proposed to be let, or some newspaper published in the county seat in such county. Such notice shall state the time and place of awarding the contract, and contain a brief description of the work to be performed, materials to be furnished or building to be constructed or repaired.

**Sec. 2. To be awarded to lowest responsible bidder.**—Every such contract shall be awarded to the lowest responsible bidder, shall be duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance, and otherwise conditioned as required by Sections 4535, 4536, 4537 and 4538, Revised Laws, 1905 as amended. If no satisfactory bid is received, the board may re-advertise. Every contract made without compliance with the provisions of this act shall be void; provided, that in case of the destruction of buildings or injury thereto, where the public interests would suffer by delay, contracts for repairs may be made without advertising for bids.

**Sec. 3.** This act shall take effect and be in force from and after its passage.

Approved April 11, 1913.

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#### CHAPTER 245—S. F. No. 291.

*An Act to amend Section 4362 of the Revised Laws of the State of Minnesota for 1905, relating to judgment notwithstanding the verdict.*

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

**Section 1. Motion to be denied when adverse party objects thereto.**—That Section 4362 of the Revised Laws of Minnesota for 1905, be and the same is hereby amended so that said section shall read as follows:

“Section 4362. When at the close of the testimony any party to the action moves the court to direct a verdict in his favor, and the adverse party objects thereto, such motion shall be denied and the court shall submit to the jury such issue or issues, within the pleadings on which any evidence has been taken, as either or any party to the action shall request, but upon a subsequent motion, by such moving party after verdict rendered in such action, that judgment be entered notwithstanding the verdict, the court shall grant the same if, upon the evidence as it

*stood at the time such motion to direct a verdict was made the moving party was entitled to such directed verdict. An order for judgment notwithstanding the verdict may also be made on a motion in the alternative form asking therefor, or if the same be denied, for a new trial. If the motion for judgment notwithstanding the verdict be denied, the supreme court, on appeal from the judgment, may order judgment to be entered, when it appears from the testimony that a verdict should have been so directed; and it may also so order on appeal from the whole order denying such motion when made in the alternative form whether a new trial was granted or denied by such order."*

Sec. 2. This act shall take effect and be in force from and after July 1, 1913.

Approved April 11, 1913.

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CHAPTER 246—H. F. No. 335.

*An Act to locate and establish the fifth state fish hatchery in the county of Yellow Medicine, within the city limits of the city of Granite Falls, or in the county of Chippewa, within the city limits of East Granite Falls, or within either or both, and to authorize and direct the board of game and fish commissioners in the state of Minnesota to acquire a site therefor and to equip, develop and maintain the same and to appropriate money therefor.*

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

Section 1. **Fifth state fish hatchery at Granite Falls.**—That the fifth state fish hatchery for the propagation and cultivation of fish under the laws of this state, shall be, and the same is hereby located at or within the city limits of the city of Granite Falls, in the county of Yellow Medicine, State of Minnesota, or within the city limits of East Granite Falls, in the county of Chippewa, State of Minnesota, or within either or both, and the same shall be known as the fifth state fish hatchery.

Sec. 2. **Under control of game and fish commission.**—The said fifth state fish hatchery shall be subject to the management and control of the board of game and fish commissioners of the state of Minnesota, as now exists by virtue of the laws of this state.

Sec. 3. **Commission to secure site.**—The said board of game and fish commissioners are hereby authorized, empowered and directed as soon as practicable after the passage of this act, to acquire by gift, in the name of and on behalf of the State of Minnesota, any real property, lands, premises, right of way or easement, public or private, that may be necessary, convenient