

103.	To Otto M. Wilson, the sum of.....	270.00
104.	To Harold H. Winslow, the sum of.....	285.00
105.	To Minnie Wright, mother of Harry M. Wright, (deceased), the sum of.....	150.00
106.	To Thomas Wustik, the sum of.....	195.00
107.	To Mrs. Clara Townsend, mother of George R. Townsend, (deceased), the sum of.....	50.00

Sec. 2. State auditor to draw warrant.—The state auditor is hereby directed and authorized to draw his warrant on the treasury to the persons heretofore named and for the amounts stated in the various items of the foregoing bill and the adjutant general is hereby charged with the duty of delivering the warrants to the persons and parties entitled thereto.

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

Approved April 24, 1929.

CHAPTER 369—S. F. No. 117

An act to amend Sections 9700 and 9705, General Statutes 1923, relating to bonds of contractors for public work and actions thereon.

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

Section 1. Contractors' bonds.—Section 9700, General Statutes 1923, is hereby amended so as to read as follows:

“No contract with the state or with any municipal corporation or other public board or body thereof, for the doing of any public work, shall be valid for any purpose, unless the contractor shall give bond to the state or other body contracted with, for the use of the obligee and of all persons doing work or furnishing skill, tools, machinery, or materials or insurance premiums or equipment or supplies for any camp maintained for the feeding or keeping of men and animals engaged under, or for the purpose of, such contract, conditioned for the payment, as they may become due, of all just claims for such work, tools, machinery, skill, materials, insurance

premiums, equipment and supplies, for the completion of the contract in accordance with its terms, for saving the obligee harmless from all costs and charges that may accrue on account of the doing of the work specified, and for compliance with the laws appertaining thereto. The penalty of such bond shall be not less than the contract price, and if after the giving of said bond the contract price should for any reason be increased, the obligee may require an additional bond, the penalty of which shall be not less than the amount of such increase, and if such additional bond be not furnished within ten days after such demand, the work on such contract shall cease until such additional bond shall have been furnished. Provided, that in contracts made by the State Board of Control or the Minnesota Highway Departments on behalf of the state the penalty of the bond shall be in such amount as the State Board of Control or the commissioner of highways may fix, but not less than three-quarters of the contract price. *The provisions hereof shall govern every municipal corporation or other public board or body in this state, any provision in any general or special act or charter to the contrary notwithstanding. It shall not be necessary to obtain leave of court to bring any action against any principal or surety in any such bond.*"

Sec. 2. Limit of time to bring action.—Section 9705, General Statutes 1923, is hereby amended so as to read as follows:

"No action shall be maintained on any such bond unless within ninety days after the completion of the contract and acceptance thereof by the proper public authorities, *the claimant shall file a written notice specifying the nature and amount of his claim and the date of furnishing the last item thereof, in the office of the commissioner of insurance in case the contract is for the performance of work for the state or any department thereof, and in case the contract is let by any county, municipal corporation or other public board or body, then such notice shall be filed in the office of the county auditor of the county letting the contract or the county in which such municipal corporation, public board or body is situate, and if situate in two or more counties then such notice shall be filed in the office of the county auditor of each such counties; nor unless the action is begun within one year after the filing of such notice. The county auditor shall enter the time of filing every such notice in a book kept for that purpose which shall be properly indexed.*

Sec. 3. Notice.—*The commissioner of insurance or the county auditor in whose office the written notice above specified is filed shall upon receipt of said written notice mail one copy of the same by registered mail to the principal contractor, at his last known address, and to each of the sureties on his bond, at their last known addresses, and the claimant shall at the time he files said written notice furnish*

the commissioner of insurance or the county auditor in whose office the notice is filed at least two copies of said notice. The commissioner of insurance or county auditor with whom said notice is filed shall be entitled to charge a fee of \$1.00 for filing said notice and mailing the copies as herein provided; and provided further that the failure of the commissioner of insurance or the county auditor with whom said notice is filed to mail said copies as herein provided, shall in no way affect the validity of the claim or the right of the claimant to maintain an action thereon."

Sec. 4. **Not to affect pending actions.**—This act shall not affect any action or proceedings now pending in any of the courts of this state.

Sec. 5. **Effective May 1, 1929.**—This act shall take effect and be in force from and after May 1, 1929.

Approved April 25, 1929.

CHAPTER 370—S. F. No. 528

An act to amend Section 1, Chapter 173, of the Laws of the State of Minnesota for the year 1925, relating to the furnishing of security by depositories of public funds.

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

Section 1. **Depository bonds.**—That Section 1, Chapter 173, of the Laws of the State of Minnesota for the year 1925, be amended as follows:

"Section 1. Any bank or trust company authorized to do a banking business in this state, designated as a depository of county, city, village, borough, town or school district funds, as provided by law, may, in lieu of the corporate or personal surety bond required to be furnished to secure such funds, deposit with the treasurer of the municipality making such designations, such bonds, certificates of indebtedness or warrants, except bonds secured by real estate, as are legally authorized investments for savings banks under the laws of the state or the bonds of any of the insular possessions of the United States, or the bonds of any state, or its agency, the payment