

H. F. No. 867.

## CHAPTER 328.

Drainage of  
wet lands.

*An act to amend section sixteen (16) of chapter ninety-seven (97), general laws of Minnesota for one thousand eight hundred and eighty-seven (1887), and section four (4) of chapter eighty-one (81), general laws of Minnesota for one thousand eight hundred and ninety-five (1895), amending section fifteen (15) of chapter ninety-seven (97), general laws of Minnesota for one thousand eight hundred and eight-seven (1887), relating to drainage of wet lands.*

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

Amendment.

SECTION 1. That section sixteen (16) of chapter ninety-seven (97), general laws of one thousand eight hundred and eighty-seven (1887) be and the same is hereby amended so as to read as follows:

Inspection  
and certifi-  
cate by sur-  
veyor.

Sec. 16. It shall be the duty of the county surveyor (or the surveyor or civil engineer duly appointed by the county commissioners for the purpose) on being notified by any contractor that his job is completed, to inspect the same, and, if he finds it completed according to the specifications of the viewers, he shall accept it and give to the contractor a certificate of acceptance, stating that said section or sections (by number) are completed according to the specifications of said ditch, as set forth in the report of the viewers, and upon the presentation and surrender of said certificate of acceptance by said contractor to the auditor the said auditor shall draw a warrant on the county treasurer of his county for the full amount found to be due on said contract; and said order shall be paid out of the general ditch fund to be provided by the county board of commissioners, as hereinafter specified. And the said order shall become due and payable out of said fund at once, and if there (shall) be no cash in said fund to pay said order when the same is presented the county treasurer shall endorse on said order, "Not paid for want of funds," and date and sign such endorsement, and the amount of said order shall draw interest at the rate of six per cent. per annum until called in by the treasurer or auditor of said county and paid. The fees of the county surveyor (or engineer) under this section shall be paid him by such contractor.

Auditor to  
draw war-  
rant on coun-  
ty treasurer.

SEC. 2. That section four (4) of chapter eighty-one (81), general laws of one thousand eight hundred and ninety-five (1895), amending section fifteen (15) of

chapter ninety-seven (97), general laws of one thousand eight hundred and eighty-seven (1887), be and the same is hereby amended so as to read as follows:

Sec. 4. If a job is not completed within the time fixed in the contract it shall be the duty of the bondsmen to notify the county auditor of that fact within five days after the expiration of the time fixed in the contract. Whereupon the auditor shall order said bondsmen to complete said job, and they shall receive from the county the amount due on such job or part thereof that they have so completed. The amount due said bondsmen for such ditching shall be determined by the county surveyor (or the surveyor or the civil engineer duly appointed by the county commissioners for the purpose). The fees of the county surveyor (or engineer) for such services shall be paid out of the money due the original contractor, if any, otherwise by the bondsmen. But the auditor may, for good cause shown, give further time to any contractor, not exceeding one year; *provided*, that a job not completed as hereinbefore specified shall be resold by the county auditor, after ten days' notice by publication, to the lowest responsible bidder, but shall not be sold for a sum exceeding fifty (50%) per cent. in excess of the estimated cost of such work, nor a second time to the same party.

A contract and bond shall be entered into as hereinbefore provided.

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

Approved April 23, 1897.

Bondsmen to complete work, when, and receive pay therefor.

Surveyor to determine amount due bondsmen.

Auditor may extend time or relet contract.

## CHAPTER 329.

H. F. No. 47.

*An act to promote practical forestry on the open prairie and to make an appropriation therefor.*

Promoting forestry on the open prairie.

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

SECTION 1. That the sum of three thousand dollars (\$3,000), in payment of actual expenses, without salaries to any of the officers, be appropriated to the Minnesota State Forestry Association, to be expended by said association for the following objects:

Appropriation and manner of expenditure.

For the promotion and encouragement of raising forest trees on the open prairie, and for the continuous interests of forest and water conservation throughout the state.