

Penalty for  
violations.

the state treasurer against said fund in favor of the treasurer of such county; but in no case shall said warrant exceed one-third the amount so expended in said county. If any person or board in any county having charge of the construction or improvement of any road shall wilfully neglect or refuse to comply with the directions of said highway commission, state engineer or road expert as to the method of construction or improvement of any such road, the amount expended thereon shall be deducted from the amount reported by the auditor of such county.

Between  
adjoining  
counties.

SEC. 11. Whenever any county board make application to the state highway commission for the establishment of a state road between its and an adjoining county, said commission shall investigate the need for such road and if it shall decide that it is necessary, shall order its establishment and determine and fix the part of the cost thereof to be paid by each county. The work shall be done by the joint action of the two county boards if they can agree, and if not, then said commission may cause the work to be done and at the time of the next tax levy the auditors of the respective counties shall include in such tax levy the part of the cost of said road construction or improvement fixed by said commission.

SEC. 12. The word "road" or "highway" whenever used in this act shall be construed to include all bridges upon, or which form a part of, the road or highway to be improved or constructed, provided that no more than one-third of the fund accruing to the state road and bridge fund in any year shall be expended for bridges.

SEC. 13. This act shall take effect and be in force from and after Jan. 1, 1906.

Approved April 13, 1905.

H. F. No. 509.

#### CHAPTER 164.

Control to  
county  
comrs.

*An act giving the board of county commissioners in all counties of the state having a population of one hundred fifty thousand (150,000) inhabitants or over, the exclusive control of the expenditure of all moneys appropriated by such board out of the general road and bridge fund of such counties, and regulating the expenditure thereof by such boards.*

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

SECTION 1. That the board of county commissioners of all counties in this state now having, or which shall

hereafter have a population of one hundred fifty thousand (150,000) inhabitants or over, shall have the exclusive control of the expenditures of all moneys appropriated by such boards out of the general road and bridge fund of such counties for the purpose of constructing or repairing, or aiding in the construction or repair of roads and bridges, or either, in any township or village in such counties.

Counties of  
over 150,000  
population.

SEC. 2. That all moneys so appropriated shall be expended by and under the direction and supervision of such board of county commissioners in the following manner: That in all cases except as hereinafter provided before expending any such money for such purpose or purposes, such board of county commissioners shall require the county surveyor of such county, or his deputy, to furnish to such board a survey of the work for which it is proposed to expend such money, together with suitable plans and specifications thereof and the estimated cost thereof, and that upon the receipt of the same by such board it shall be the duty of such board, if it shall deem such expenditure advisable, to invite bids for such work by posting notices for at least fifteen (15) days prior to the letting of the contract for the same in at least three (3) of the most public places in the township wherein such work is to be done, and in case any portion of such work is within the limits of any incorporated village, by also posting notices in three (3) of the most public places in such village, and in all cases there shall be three (3) publications of said notices in the official newspaper, and such notices shall contain a brief description of such work, and shall state the time and place of awarding the contract for the same, and at the time and place mentioned in such notices; it shall be the duty of such board to let such contract to the lowest responsible bidder, who shall in all cases be required to enter into a written contract evidencing the same and said board shall require a satisfactory bond for the faithful performance of such contract; *provided, nevertheless*, that nothing herein contained shall be construed to prevent such board from rejecting all bids for such work and readvertise for new bids if in the judgment of such board all bids are excessive; and *provided, further*, that such board may, without advertising for bids and letting contracts as above required, expend under the supervision of the county surveyor or his deputy a sum not exceeding one hundred (\$100) dollars during any

Manner of  
expending  
money.

Bids for  
work.

May reject  
all bids.

one year at any one point for repair to any road or bridge when in their judgment such repairs are necessary to maintain or protect such road or bridge or the travel thereon, and may employ a repair crew for such purpose for a period not exceeding four months during any one year, and may purchase and retain the necessary road machinery and tools for the purpose of making such repairs, shall not in any one year exceed one-quarter ( $\frac{1}{4}$ ) of the amount so appropriated for roads and bridges for said year in said county; and *provided, further*, that in case of any emergency rendering travel upon any highway unsafe, or threatening the immediate injury or destruction thereof, and requiring immediate repair, an amount not exceeding five hundred (\$500) dollars may be expended in the repairs thereof without advertising for bids and letting a contract therefor, and the sum or sums so expended shall not exceed one thousand (\$1,000) dollars in any one year and shall be included in the limit of one-quarter ( $\frac{1}{4}$ ) of the road and bridge fund so appropriated as hereinbefore mentioned.

Emergency  
expendi-  
tures.

Official  
record.

SEC. 3. The county surveyor shall keep a full official record of all work in his office, which record shall belong to the county. He shall report annually the character and condition of the county roads and bridges, together with a statement of all work done during the year, and such recommendations, statistics and other material as he may deem proper for such report. This report shall be printed by the county board.

SEC. 4. Chapter 240 of the General Laws of the State of Minnesota for one thousand nine hundred and one (1901) is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 13, 1905.

H. F. No. 543.

#### CHAPTER 165.

*An act to amend sections three (3), four (4), six (6), eight (8), ten (10), fourteen (14), sixteen (16), and twenty (20), of chapter three hundred and sixty-five (365), of the General Laws of the State of Minnesota for the year 1903.*

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

SECTION 1. That section three (3) of chapter three hundred and sixty-five (365) of the General Laws of 1903 be amended so as to read as follows: