

## CHAPTER 361—H. F. NO. 714.

*An Act to amend chapter 80 of the Laws of 1905 relating to the expenditures of the county road and bridge fund, and to repeal sections one (1) and three (3) of chapter 287 of the General Laws of 1895.*

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

**Appropriation—how made.**—Section 1. Whenever the board of county commissioners of any county shall determine to expend any portion of the county road and bridge fund, not exceeding the sum of five hundred dollars (\$500) to aid in the construction or repair of roads and bridges in any town, city or village of such county, the same shall be appropriated and expended as hereinafter provided, and not otherwise.

**Warrant—payment.**—Sec. 2. Whenever any board of county commissioners shall make an appropriation, not exceeding the sum of five hundred dollars (\$500), out of the road and bridge fund of such county, to aid in the construction and repair of roads and bridges, or either, in any town, city or village of such county, the board of county commissioners making such appropriation shall direct the county auditor of such county to draw a warrant on the treasurer of such county for the amount of such appropriation, making the same payable to the town, city or village treasurer of the town, city or village for which such appropriation is made.

**Bonds.**—Sec. 3. Before any town, city or village treasurer shall be entitled to receive from the county treasurer any money so provided to be paid by section two (2) of this act, he shall execute to the board of county commissioners of such county a good and sufficient bond in a sum equal to double the amount of the appropriation so to be received by him, with at least two (2) sureties, to be approved by the county auditor, conditioned that he shall not pay such moneys out for any purpose other than that for which the same shall have been appropriated by the board of county commissioners, and then only upon the order of the board of supervisors, city or village council of such town, city or village.

**Contracts and fees.**—Sec. 4. All appropriations hereafter made by any board of county commissioners, not exceeding the sum of five hundred dollars (\$500), to aid in the construction or repair of roads and bridges, or either, in any town, city or village of such county, shall be expended under

the supervision and direction of the board of supervisors of the town, city or village council receiving such appropriation; provided, that no part of such appropriation shall be expended in the payment of supervisors' fees or per diem in letting any contract or superintending any work for which such appropriation shall have been made. Provided further, that when the county commissioners have appropriated any sum of money, not exceeding five hundred dollars (\$500), to any town, city or village, to be expended on any particular road or bridge, it shall be the duty of the said town supervisors, city or village council to expend the said sum appropriated upon the particular road or bridge within one year from the date of the receipt of written notice from the county auditor by registered mail to the town clerk and chairman of the board of supervisors, or the mayor and city clerk, or the village recorder and president of the village council, as the case may be, of such appropriation, unless the time for such expenditure is extended by the board of county commissioners upon due application made and for cause. And if the town supervisors, city or village council fail to use the said sum to be expended within said time upon the said particular road or bridge, unless the time is extended on due application for cause, they and each of them shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00), or by imprisonment in the county jail for not less than thirty (30) days nor more than sixty (60) days. All fines which are collected under this provision are to be paid into the general road and bridge fund of the county wherein conviction is had.

**Repealed.**—Sec. 5. Section one (1) and section three (3) of chapter 287 of the General Laws of 1905, and all acts or parts of acts, inconsistent with this act, are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 23, 1907.