

of the State of Minnesota for 1905 be amended so as to have said section read as follows:

"Section 5449. The number of prisoners employed in a single industry at the same time, at any institution coming under the provisions of this act, shall not exceed 10 per cent of the total number of men engaged in such industry in this state unless a greater number is necessary to produce material or articles to be supplied to state and other municipal institutions, penal or charitable. The number employed in any such industry shall be determined by a commission of three (3) to consist of the labor commissioner, who shall be chairman, a member of the board of control, and a citizen of the state engaged or interested in some manufacturing industry, not connected with the state prison, or reformatory; the last two to be appointed by the governor.

*Provided, however,* that this section shall not apply to the number of prisoners employed in the manufacture of binding twine in the state prison at Stillwater, nor shall it apply to the number of prisoners employed in the manufacture of brushes at the state reformatory now at St. Cloud, nor shall it apply to the number of prisoners hereafter employed in the manufacture of binders, mowers and rakes at the state prison at Stillwater, nor shall it apply to the number of prisoners hereafter employed at the state prison at Stillwater in any industry not now carried on in this state, and which may be hereafter inaugurated at said state prison.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1907.

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## CHAPTER 72—H. F. No. 755.

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*An Act to legalize certain proceedings heretofore taken for the drainage of lands in certain cases.*

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

**Legalizing proceedings for drainage.**—Section 1. Where the county commissioners of any county in this state, in pursuance of chapter 258 of the General Laws of 1901, as amended, or in pursuance of chapter 230 of the General Laws of 1905, have located, established and constructed or

attempted to locate, establish or construct any ditch, drain or other water course wholly within such county, and said board shall have found, and by resolution or order adopted by said board have determined, that such ditch, drain or water course will be of public utility and promote or be conducive to the public health, and that the benefits or estimated benefits to be derived from the construction thereof, are greater than the total cost, including damages awarded, and such ditch, drain or water course has been actually constructed, or the county has entered into a contract or contracts for the construction thereof, and the county auditor has executed and filed, in the office of the register of deeds, the tabular statement provided for in said acts, respectively, making assessments for the cost of location, establishment and construction of the same against the lands, corporations and roads benefited thereby, and no appeals have been taken therefrom or from any of such proceedings, then the said proceedings and any assessments or liens so levied or attempted so to be assessed or levied for the actual cost of such work, including damages awarded, are hereby legalized and declared to be valid and in full force and effect until paid, in the time and manner set forth in said acts respectively.

Sec. 2. This act shall not apply to or affect the right of appeal from said proceedings as now provided by law or any actions or appeals now pending in which the validity of said proceedings is called in question.

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

Approved March 28, 1907.

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## CHAPTER 73—H. F. No. 116.

*An Act to authorize the railroad and warehouse commission to fix time when local warehouseman shall keep house open for business.*

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

**Railroad commission to determine hours for opening of warehouses.**—Section 1. The railroad and warehouse commission, after hearing, may determine when it is necessary.