

CHAPTER 10—S. F. No. 31.

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 awards in ditch proceedings in certain cases.—

Section 1. Where the county commissioners of any county in this state or the judge of any of the district courts of this state, in pursuance of chapter 230 of the General Laws of 1905, or in pursuance of said chapter as amended by the General Laws of 1907, or chapter 448 of the General Laws of 1907, or any of them, or partly under one of said acts and partly under another thereof, have located and established, or attempted to locate and establish any ditch, drain or other water-course wholly within any county of this state, or partly within one or more counties thereof, and it has been determined by resolution adopted by said board or order made by said judge that such ditch, drain or water-course will be of public utility, and promotive of 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, or county auditors, as the case may be, or any of them, have executed and filed in the office of the register of deeds the tabular statement provided for in said acts, or any thereof, respectively, making assessments for the cost of the location, establishment and construction of the same within such county against the land, corporations and roads benefited thereby, and no appeals have been taken therefrom or from any of such proceedings, or if such appeals have been taken, that the same have been determined before the passage of this act, then the said proceedings and all assessments or liens so levied or attempted 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.

Right of appeal given.—Sec. 2. This act shall not apply to or affect the right of appeal from such 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 February 8, 1909.