

tached to such bonds, if any, may be lithographed thereon, and none of such bonds shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor.

Not to apply to city operating under home rule charter.—Sec. 4. This act shall not apply to any city operating under a home rule charter.

Sec. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

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

Approved April 17, 1909.

CHAPTER 207—S. F. No. 506.

An Act amending Chapter 470 of the General Laws of Minnesota for the year 1907 relating to the State Drainage Commission, its powers and duties.

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

State drainage commission given enlarged powers.—Section 1. That chapter 470 of the General Laws of Minnesota for 1907 be and the same hereby is amended by adding thereto a section to be numbered 36, and the same to read as follows:

Section 36. The state drainage commission, in addition to its other powers hereinbefore enumerated, shall have the power, whenever the same will be of public benefit and utility and will promote the public health and welfare,

First. To clean out, repair, extend or otherwise improve any state ditch heretofore or hereafter constructed and to determine and decide whether or not any other public ditch shall empty therein, and if allowed so to do, to determine and prescribe upon what terms and conditions it be allowed so to empty into such state ditch.

Second. To make surveys of rivers, creeks or streams within this state for the improvement thereof and to widen, deepen, straighten, change the course of, clean out, or otherwise improve any river, creek or stream in this state whenever the same shall have overflowed or shall hereafter overflow by reason of the water or sediment from any public drainage ditch or ditches, emptying therein, or otherwise by reason of said drainage ditches, and causing damage to abutting or adjacent lands.

Provided, that the said state drainage commission shall, as a condition precedent to the making of any of said improvements,

or to the exercise by said commission of any of the powers conferred by this section, require that any portion of the cost or expense to be incurred thereby shall be paid by the town or county or by the person or persons benefited or liable to be benefited by such improvement, and the said state drainage commission, in carrying out the provisions of this section is hereby authorized to enter into any necessary contract with any such town, county, person or persons.

Said state drainage commission shall also have the power to acquire title to any private property necessary for any of its authorized purposes, by purchase or by the exercise of the right of eminent domain, and in such last mentioned case the said commission may request the attorney general of this state to take proceedings for that purpose, and it shall thereupon be the duty of the attorney general of this state to proceed to acquire the necessary title to said private property in the manner and according to the provisions of chapter 41 of the Revised Laws of 1905 and acts amendatory thereof, anything therein contained to the contrary notwithstanding and the use of said lands for the purposes aforesaid, or either of them or otherwise, by the state drainage commission in the furtherance of its lawful projects is hereby declared to be a public purpose.

Said commission shall also have the power to let contract for all such work and to change the plans thereof when necessary and to supervise, control and accept the same when complete and to cause the same and all preliminary expense in connection therewith to be paid for out of any funds appropriated to the use of the said state drainage commission.

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

Approved April 17, 1909.

CHAPTER 208—S. F. No. 516.

An Act to amend Section 2 of Chapter 164 of the General Laws of the State of Minnesota for the year 1905, relating to the employment of repair crews on roads and bridges in counties having one hundred fifty thousand (150,000) inhabitants or over.

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

To apply to counties having 200,000 inhabitants.—Section 1. That section 2 of chapter 164 of the General Laws of 1907 be amended so as to read as follows: