

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:

“Section 2. That all moneys so appropriated shall be expended by and under the general direction and supervision of such board of county commissioners in the following manner:

Sec. 2. That in all cases except as hereinafter provided, before expending any 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 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 for repairs and maintenance of roads and bridges or for the protection of travel thereon such sum or sums as such board may appropriate and may employ a repair crew for such purpose for a period not exceeding seven months during any one year, and may purchase and retain the necessary road machinery and tools for the purpose of making such repairs, but such expenditures 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 (500.00) 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 (1,000.00) 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. This act shall apply only to counties having two hundred thousand inhabitants or over.

Approved April 17, 1909.

CHAPTER 209—S. F. No. 527.

An Act legalizing the change of boundaries of certain school districts, and bonds authorized by the legal voters of such districts for the purchase of school site or sites, or building, furnishing or equipping one or more schoolhouses therein.

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

Certain school district boundaries and bonds legalized.—

Section 1. Where steps have heretofore been taken or attempted to be taken under the General Laws to change the boundary or boundaries of any school district heretofore organized, and the proper county board has adopted a resolution making such change, or attempting to make the same, and such school district shall have exercised the powers and franchises of a school district over the territory so added thereto for at least six (6) months continuously before the passage of this act, such change of boundary shall be deemed legal; and where such school district shall have under the provisions of chapter 10 of the Revised Laws of 1905, or under said chapter as amended by chapter 272 of the General Laws of 1905, voted to issue the bonds of the district for the purpose of purchasing a school site or sites, or for building, furnishing or equipping a school house or school houses for said district, or any portion thereof, and said proposition to issue bonds shall have received a majority vote in favor thereof of all votes cast upon said proposition at an election held therein for that purpose, the same are hereby declared to be when issued as provided in said chapter 10, or in said chapter as so amended, the legal and binding obligations of said school district. *Provided*, that this act shall not apply to any suit or action now pending in which the validity of any such proceedings is called in question.

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

Approved April 17, 1909.