

pose for which the work is extended, and may confine any such creek, river or other natural water course by means of dykes, levees and embankments to its natural or artificial bed, as laid out, *and shall also, whenever it shall appear to its satisfaction that the drainage of any territory may be made more effective by the construction and maintenance of dams, or other works, for retaining and controlling the flood waters tributary to such territory, have the power to construct or acquire such dams or other works, and flowage rights therefor, and to maintain and operate the same;* Provided, that when in any such proceedings the waters of any creek, river or other water course are diverted from their natural bed by such artificial ditch or drain, such ditch or drain shall as nearly as practicable follow the general direction of such creek, river or water course, and terminate therein.

And, provided, further, that no meandered lake shall be drained under the authority of this act, except in case such lake is normally shallow and grassy and of a marshy character or except in case such meandered lake is no longer of sufficient depth and volume to be capable of any beneficial public use of a substantial character for fishing, boating or public water supply. Provided, further, that no meandered lake shall be drained or lowered under the authority of this act unless petitioned for by at least sixty per cent of the legal voters residing within four miles of such lake, who are freeholders, whose lands are affected as shown by the viewers' report and filed in the office of the clerk of the district court of the county in which such proceedings are had."

Sec. 2. All the provisions of law applicable to the laying out, establishing and acquisition of the public works authorized by Section 5481 shall apply to the work authorized by said Section 5481 as amended by Section 1 of this act.

Approved April 23, 1915.

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#### CHAPTER 274—S. F. No. 711.

*An Act providing for the issuance of county bonds to defray the expense incurred in connection with the construction of ditches under Chapter 448, General Laws 1907.*

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

Section 1. **Bond authorized for construction of drainage ditches.**—Where the county board of any county of this state, or the judge of any of the district courts of this state, in pursuance of Chapter 448, General Laws 1907, 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 reso-

lution 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 the 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, the county board of any such county is authorized to issue, negotiate and sell the bonds of such county in the manner, to the amount and for the purposes specified in Section 18 of said Chapter 448, General Laws 1907, notwithstanding the repeal of said Chapter 448 and notwithstanding any defects or irregularities in the proceedings for the establishment or construction of said ditch, and any bonds hereafter issued in connection with any ditch so established, authorized or constructed, are hereby declared to be legal and binding obligations of the county issuing the same.

Approved April 23, 1915.

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#### CHAPTER 275—S. F. No. 740.

*An Act empowering cities of the first class, not operating under a home rule charter, to drain or fill in low, marsh and swamp lots and land injurious to the public health and to provide for the payment therefor by assessing the cost thereof upon the property benefited thereby.*

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

**Section 1. Minneapolis given power to drain low land.**—Any city of the first class, not operating under a home rule charter, shall have power and authority to drain or fill any low, marsh or swamp lots and land in said city, which is injurious or detrimental to the public health.

**Sec. 2. Cost to be assessed to lands benefited.**—Whenever the city council or other governing body of said city shall determine that any low, marsh or swamp lots or land, within the limits of said city, is injurious or detrimental to the public health, it may drain or fill such lots and land with earth or other material and assess the cost, or any part of the cost thereof, upon the lots and land benefited thereby.

**Sec. 3. Petition of freeholders and action on the same.**—Whenever twenty-five or more residents and freeholders of said city file with the city clerk of said city a petition to drain or fill any low, marsh or swamp lots and land within the limits of said city, said city clerk shall present said petition to the city council of said city at its next regular meeting. It shall thereupon be the duty of the city engineer of said city to make and file in the office