

## CHAPTER 171—S. F. No. 776.

*An act relating to payment on drainage contracts in certain cases.*

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

Section 1. **Payment of drainage contracts in certain cases authorized.**—In any case in which a contract has heretofore been let for the construction of a drainage ditch in a judicial ditch proceeding in which the entire ditch to be constructed is an open ditch and in which the cost of construction as provided in the contract exceeds three hundred thousand dollars and the excavation work thereof is forty per cent or more completed and the contract of construction is not in default, upon the written application of the contractor and the consent of the surety or the bond endorsed thereon first filed in the office of the county auditor, the engineer may issue the usual preliminary certificate or certificates and recommend for payment and the auditor shall cause to be paid to the contractor from the twenty-five per cent reserved from all previous estimates and retained under the contract, an additional amount equal to seventy-five per cent of such reserve, any limitation contained in the general drainage laws of the state to the contrary notwithstanding, and the auditor shall forthwith issue to the contractor his warrant for such amount to be so paid by the county, which warrant shall be payable in the usual course provided for the payment of other warrants issued in part payment of such contract.

Approved April 9, 1917.

## CHAPTER 172—H. F. No. 546.

*An act authorizing villages and cities of the fourth class to sell, lease or abandon water works and lighting plants or any part thereof, or water works or lighting plants owned by such village or city of the fourth class, or any department thereof, and providing for the submission of any such proposition to the voters of such village or city for approval or disapproval.*

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

Section 1. **Leasing, selling or abandoning of water works and lighting plants authorized under certain conditions in cities of fourth class.**—Any village or city of the fourth class in this state wherein there is constructed and in operation water works and lighting plant or water works or lighting plant for supplying water and light, or either of them, for public purposes or for the private use of its inhabitants or both, owned by any such city or village, may by resolution or ordinance of its governing body, passed and adopted in the usual manner, sell, lease or abandon any such plant or any specific part thereof; if a specific

part of such plant is to be sold, leased or abandoned, such resolution shall state the specific part to be so sold, leased or abandoned. Before any such resolution or ordinance shall become effective, the same shall be submitted to the legal voters of such village or city at a regular village or city election or special election therein and approved by a two-thirds vote of the electors voting thereon at any such election. The ballots at any such election shall be printed and contain in full the resolution or ordinance to be voted upon and thereon immediately following the resolution or ordinance, there shall be printed in appropriate manner the words "yes" and "no" on separate lines and every voter desiring to vote in favor of such proposition shall thereupon make his cross (X) mark opposite the word "yes" and every voter desiring to vote against such proposition shall make such mark opposite the word "no." In case of villages such election shall be conducted and the votes cast thereat shall be canvassed and the result thereof certified in like manner as in case of an election for village officers, and in case of cities of the fourth class, such election shall be conducted and the votes cast thereat shall be canvassed and the result thereof certified in like manner as in case of an election for city officers in the respective cities of the fourth class according to the law or charter governing such city.

Sec. 2. **Proper officers to carry out proposition after adoption by voters.**—Thereupon if any such proposition shall be declared adopted and carried at any such election, the proper officers of any such village or city of the fourth class shall forthwith proceed to carry out the same according to such resolution.

Sec. 3. **Application.**—This act shall apply to all villages in this state and to all cities of the fourth class however organized and whether operating under general or special laws or home rule charters, or otherwise.

Sec. 4. **Chapter 79, General Laws 1915, repealed.**—Chapter 79 of General Laws of 1915 is hereby repealed.

Sec. 5. This act shall take effect and be in full force from and after its passage.

Approved April 9, 1917.

#### CHAPTER 173—H. F. No. 1236.

*An act to legalize proceedings heretofore had for the annexation of unorganized territory to school districts in certain cases, and legalizing certain school board actions had and tax levies heretofore made.*

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

Section 1. **Proceedings for annexation of territory to school**