

CHAPTER 268—H. F. No. 432.

An act to validate certain debts contracted, and pecuniary liabilities incurred, by the authorities of villages of this state, having a population of less than 3,000 inhabitants, as against the defense or claim that the same were in violation of Section 2058 of the General Statutes, 1913, in certain cases.

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

Section 1. Debts and pecuniary liability incurred by certain villages having less than 3,000 population legalized.—In all cases where heretofore the authorities of any village of this state, having a population of less than three thousand inhabitants, have in good faith contracted debts or incurred pecuniary liabilities, or both, in violation of the provisions of section 2058 of the General Statutes of 1913, and the person or persons so contracting with such authorities, or to whom such pecuniary liabilities were incurred, have in good faith and in reliance thereon fully performed such contracts and furnished full consideration for such pecuniary liabilities, and said village has received and accepted the benefits thereof, and where the claims arising from such transactions have been allowed by the proper authorities of such village, and no appeal taken from the allowance thereof within the time fixed by law, and warrants or orders of such village have been issued therefor, whether such warrants or orders have been paid or not, such transactions are in all respects validated as against the claim or defense that they were in violation of said section 2058.

Sec. 2. Allowance of claims to be prima facie evidence.—In all such cases the allowance of such claims and the absence of any appeal therefrom within the time fixed by law and the issuance of warrants or orders therefor shall be prima facie evidence of each of the facts made conditions to the validating thereof as in section 1 of this act provided.

Sec. 3. Not to affect pending actions.—This act shall not be construed to affect any action now pending wherein such claim or defense is involved, nor the rights or liabilities of any of the parties thereto or parties indirectly affected by the result of such action.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

CHAPTER 269—H. F. No. 554.

An act authorizing counties to pay for extra work performed in construction of drainage ditches in cases where the amount of extras, if paid for at the contract rate, would increase the total cost by more than ten per centum of the total

original contract price, and providing for assessment therefor.

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

Section 1. Certain counties authorized to pay for extra work performed in construction of drainage ditches.—Where the county board of any county of this state, having not less than fifty (50), nor more than sixty (60) congressional townships, in pursuance of chapter 230 of the Laws of 1905, and the acts amendatory thereof or supplemental thereto, has heretofore located and established any ditch and let a contract for the construction thereof and said contract has been completed and the engineer in charge of said work, during the progress of said work, has changed and modified his reports, plans and specifications in order to make said ditch feasible for the purpose intended and where such changes and modifications were necessary to make said ditch feasible for the purpose intended and such changes and modifications increased the total amount of work done so that if the whole thereof had been paid for at the rates specified in said contract the total cost of constructing said ditch would increase the total cost by more than ten (10%) per centum of the original contract price for the construction thereof, and the engineer has filed his final estimate showing the amount of work actually done and the county has allowed and paid to said contractor for said extras an amount equal to ten (10%) per centum of the original contract price, the county board of any such county may, within six months after the passage of this act, allow and order paid, on application by the contractor therefor, pay to the contractor from any fund of said county applicable to such purpose an amount in addition to the amount already paid said contractor for constructing said ditch as will cause said contractor to receive pay for all extras performed as ordered by said engineer at the unit prices therefor specified in said contract. On passage of a resolution by the county board of any such county ordering such payment, the county auditor of such county shall draw his warrant on the county treasurer of such county payable out of any fund applicable to such purpose or out of any fund designated by the county board, payable to any such contractor for the amount so allowed by any county board.

Sec. 2. Auditor to make assessments against respective pieces of land affected.—As soon thereafter as practicable the auditor of any such county shall make in tabulated form a list and statement in accordance with section 19, chapter 230 of the Laws of 1905 for the amount so paid to such contractor, assessing such amount to the respective pieces or parcels of land included in the original assessment for such ditch and apportioning the same according to benefits, providing that the amount

so charged to any piece or parcel of land when added to the original assessment therefor shall not exceed the amount of benefits accruing to said land as shown by the viewer's report, as the same has been adopted and confirmed by the county board, for the construction of said ditch. Said list and statement shall then be filed in the office of the register of deeds, in accordance with the provisions of said chapter 230 of the Laws of 1905, and the respective amounts chargeable to each piece or parcel of land shall be a lien upon said land, in accordance with said chapter 230 of the Laws of 1905 and the same shall be collected as therein provided.

Sec. 3. Not to apply to actions now pending.—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 any of the proceedings relative to such ditch is called in question.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

CHAPTER 270—H. F. No. 1272.

An act to amend Section 1885, General Statutes 1913, so as to permit the purchase of municipal bonds to an amount not exceeding fifteen (15) per cent of the assessed valuation of the property of such municipality.

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

Section 1. Permitting state to purchase municipal bonds to an amount not exceeding 15 per cent of assessed valuation of property of municipality.—That section 1885 of the General Statutes of Minnesota for 1913 be and the same hereby is amended so as to read as follows:

1885. Upon the approval of such application by the attorney general, as to form and execution, and otherwise by said state board of investment, such governing body and the respective officers thereof shall have authority to issue, execute and deliver to the state of Minnesota the bonds of such municipality, in accordance with the vote of said electors, and said state board of investment shall have authority to purchase the same to an amount not exceeding 15 per cent of the assessed valuation of the taxable property of such municipality, according to the last preceding assessment. Such bonds shall not run for a shorter period than five years, nor for a longer period than twenty years. Forthwith upon the delivery to the state of Minnesota of any bonds issued by virtue thereof, the state auditor shall certify to the respective auditors of the various counties wherein are situated the municipalities issuing the