

shall also be entitled to mileage at the rate of ten (10) cents per mile for every mile necessarily traveled in attending meetings of the county board, not to exceed twelve meetings in any one year. In addition to the foregoing compensation the chairman of the county board shall receive ten (10) cents per mile for going to and returning from the county seat, to sign warrants during any recess of the county board.

Sec. 2. **Application.**—This law shall not apply to any county where the salary of county commissioners is now fixed by special law.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved February 20, 1919.

CHAPTER 24—S. F. No. 118.

An act to amend section 64 of chapter 235, Laws 1913, which section relates to the powers and duties of town and county boards and the audit and payment of damages after the determination of an appeal in proceedings for the establishment, alteration or vacation of public highways.

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

Section 1. **County board authorized to proceed in vacating road pending an appeal.**—That section 64 of chapter 235, Laws 1913 (section 2551, Statutes of 1913), be and the same hereby is amended so as to read as follows:

Section 64. When on appeal the determination of any town or county board is reversed or altered, the board from whose determination such appeal was taken shall proceed to establish, alter, or vacate such road, in conformity with the decision of such appeal; and the proceedings thereon shall be the same as if they had originally so determined to establish, alter or vacate such road, *provided, however, that where an appeal is or has been taken involving only the amount of damages awarded by a county board, the county board may, in its discretion, notwithstanding such appeal, proceed forthwith to establish, alter or vacate such road and open, construct, alter or change the same as though no such appeal had been taken but in such case the county shall forthwith upon the final determination of such appeal pay to the person entitled thereto such damages and costs, as shall be awarded on such appeal.* The amount of damages finally determined and awarded, whether by the town or county board, or by the court or jury, together with the charges of officers and other persons necessarily employed in establishing, altering or vacating any road, shall be audited by the board making the original assessment. Such board shall, in its report of such audit, specify the amount of damages, and charges due each individual, and such amounts shall be certified to by the board so auditing the same, and,

in case of town roads, deposited with the town clerk, and paid by the town, and in case of county roads, with the county auditor, and paid by the county. Before any town road is opened or used an amount of town orders equal to the damages assessed for each individual shall be duly issued and deposited with the town clerk for the use and benefit of said individual, and delivered to him on demand. The issuing and depositing of said orders shall be deemed to be sufficient security for the payment of said damages.

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

Approved February 20, 1919.

CHAPTER 25—S. F. No. 167.

An act authorizing the State Treasurer and State Auditor to make temporary transfers of money in the State Treasury not needed for immediate disbursements to the State Prison Revolving Fund and providing for the return thereof with interest to the funds, from which the transfers are so made.

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

Section 1. Transfer of funds in state treasury, to prison revolving fund and return of same.—Whenever the board of control and the warden of the state prison shall certify to the state auditor and state treasurer, that in their judgment it is necessary to borrow a specified sum of money in order to meet the current demands on the revolving fund of the state prison, the state treasurer and state auditor may, in their discretion, transfer and credit to the revolving fund, from any moneys in the state treasury not required for immediate disbursement, the whole or such part of the amount so certified as they deem advisable, which sum so transferred shall be repaid by the board of control from said revolving fund to the fund or funds from which the same was transferred, at such time as shall be specified by said state treasurer and state auditor, together with interest thereon at such rate as shall be specified by the state auditor and state treasurer, not exceeding four per cent per annum. When any transfer shall so have been made to the revolving fund of the state prison the state treasurer and state auditor shall notify the board of control and the warden of the state prison of the amount so transferred to the credit of said revolving fund, the date when the same is to be repaid and the rate of interest so to be paid.

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

Approved February 20, 1919.