

section 1092, General Statutes of 1913, be and the same is hereby amended so as to read as follows:

Section 1092. In all counties of this state now or hereafter having a population of 300,000 or more, no contract for the purchase of goods, materials, or supplies of any kind for the county, the estimated cost of which exceeds *five hundred dollars*, shall be made by the county board without first giving at least seven days' published notice that bids or proposals will be received therefor, stating the time and place. All such contracts shall be let to the lowest responsible bidder, shall be approved by resolution of the board, and signed by its chairman. In case no satisfactory bid is received, the board may re-advertise: *Provided, that by unanimous approval of the board recorded in its official proceedings, contracts may be made for the purchase of goods, materials, or supplies where the estimated cost thereof does not exceed one thousand dollars, without first advertising for bids;* provided, further, that in cases of unforeseen breakages or injuries in or connected with public buildings, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids, but in such case the action of the board shall be recorded in its official proceedings.

Sec. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 22, 1919.

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CHAPTER 356—H. F. No. 493.

*An act to amend Laws 1913, Chapter 467, Section 33, being General Statutes 1913, Section 8229, (2), relating to workmen's compensation.*

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

Section 1. **Deductions which employer may make in settlement under compensation act.**—Laws 1913, chapter 467, section 33, being General Statutes 1913, section 8229, (2), relating to workmen's compensation, is hereby amended to read as follows:

(2) That where the injury or death for which compensation is payable under part 2 of this act was caused under circumstances also creating a legal liability for damages on the part of any party other than the employer, such party not being subject to the provisions of part 2 of this act, legal proceedings may be taken by the employe or dependents against such other party to recover damages, notwithstanding the payment by the employer, or his liability to pay compensation hereunder. But in such case, if the action against such other party is brought by the injured employe or in case of his death by his dependents, and judgment is obtained and paid, or settlement is made with such other party, either with or without suit, the employer shall be entitled to deduct from the

compensation payable by him, the amount actually received by such employe or dependents *after deducting costs, reasonable attorney's fees, and reasonable expenses incurred by such employe or dependents in making such collection or enforcing such liability*; provided, that if the injured employe or in case of his death his dependents shall agree to receive compensation from the employer *or* shall institute proceedings to recover the same, or accept from the employer any payment on account of such compensation, such employer shall be subrogated to all the rights of such employe or dependents and may maintain, or in case an action has already been instituted, may continue the action either in the name of the employe or dependents, or in his own name against such other party for the recovery of damages, but such employer shall, nevertheless, pay over to the injured employe or dependents all sums collected from such other party by judgment or otherwise in excess of the amount of such compensation payable by the employer under part 2 of this act, and costs, reasonable attorneys' fees, and reasonable expenses incurred by such employer in making such collection or enforcing such liability; provided, that in no case shall such party be liable to any person other than the employe or his dependents for any damages growing out of or resulting from such injury or death.

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

Approved April 22, 1919.

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#### CHAPTER 357—H. F. No. 652.

*An act to legalize acknowledgments taken by notaries public who are members of the legislature at the time of taking such acknowledgments, together with the record of instruments bearing such acknowledgments.*

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

Section 1. *Certain acknowledgments by members of legislature legalized.*—That all acknowledgments taken by any member of the legislature of this state as a notary public, who at the time of taking such acknowledgment was a member of said state legislature, are hereby legalized and made valid and effectual in all particulars, together with the records thereof where the instrument bearing such acknowledgment has been recorded as provided by law; provided, that this act shall not extend to any action or proceeding now pending.

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

Approved April 22, 1919.