

## CHAPTER 43—S. F. No. 164.

*An act authorizing the county board of any county that has heretofore expended funds or incurred indebtedness in the repair, deepening or changing the nature of any public ditch therein, or any branch thereof, to issue bonds therefor in certain cases.*

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

**Section 1. Bond issue authorized for public ditches.**—When the county board of any county in this state has caused any public ditch theretofore constructed therein to be repaired, deepened, or the whole or part or any branch thereof to be changed from an open ditch to a tile ditch, or from a tile ditch to an open ditch, for the purpose of making the same more efficient, and such work has been actually completed in accordance with the plans and specifications or the directions of the civil engineer employed therein, or a contract has been entered into for the completion of such work, in accordance with such plans, specifications or directions, and the county auditor has executed and filed in the office of the register of deeds of said county a tabular statement of assessments for the cost of such work against the lands, corporations and roads benefited thereby, and the time for appeals has expired and no appeals have been taken therefrom or from any such proceedings, or if such appeals have been taken, that the same have been determined before the passage of this act, and said county board has caused county funds to be expended upon such work or has incurred indebtedness therefor, within six (6) years previous to the passage of this act, in an amount exceeding fifteen per cent (15%) of the original cost of the construction of such public ditch; then in any such case, the county board is authorized to issue the bonds of the county in an amount not exceeding the cost of such improvement, payable at such time or times, not exceeding twenty (20) years from their date, and bearing such rate of interest not exceeding six per cent (6%) per annum, payable annually or semi-annually, as the county board shall by resolution determine.

Each bond shall contain a recital that it is issued by authority of and in strict accordance with the provisions of this act, or such bonds may be in such form as the state board of investment may prescribe, and shall be signed by the chairman of the county board, and the county auditor, who shall affix his seal and keep a record thereof, and shall not be sold for less than their par value. The proceeds from the sale of such bonds shall be placed in the general ditch fund, as in the case of county ditch bonds.

**Sec. 2. Application.**—This act shall not apply to or affect the rights of appeals from any such proceeding, as now provided by law, or any actions or appeals now pending in which the validity of said proceedings is called in question.

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

Approved February 27, 1919.