

1915, and July 31, 1916, and unpaid on account of lack of funds, to be available at once.

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

Approved February 28, 1919.

#### CHAPTER 48—H. F. No. 251.

*An act to provide for the payment of additional preliminary estimates on certain judicial ditch contracts from retained balances due thereon.*

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

Section 1. Additional payments authorized on certain judicial ditch contracts.—That 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 lies wholly in one county and is an open ditch and for which the cost of construction as provided in the contract exceeds three hundred five thousand dollars but does not exceed three hundred ten thousand dollars, and where more than seventy-five per cent of the entire contract has been completed and the contract is not in default, upon written application of the contractor, duly approved by the district judge and the engineer in charge of such drainage proceeding, and the county auditor, of the county in which such ditch is situated, the engineer in charge 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 moneys 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 issue to the contractor forthwith, 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. The surety on the contractor's bond shall be thereby released from all liability except as to the uncompleted portion of such contract, and the bond reduced accordingly.

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

Approved March 4, 1919.