

one the judgment shall direct the return of the whole deposit to the depositor unless the claimant obtains judgment against such depositor personally, and in such case such judgment shall be paid as hereinbefore specified.

Sec. 3. Effective July 1, 1921.—This act shall take effect and be in force from and after July 1, 1921.

Approved April 25, 1921.

CHAPTER 522—S. F. No. 1034.

An act relating to the reimbursement to counties for moneys expended by them subsequent to February 1, 1919, or hereafter expended by them in permanently improving roads described in article 16 of the constitution of the state of Minnesota, and to be hereafter more definitely fixed and determined by the commissioner of highways.

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

Section 1. State to reimburse counties for money expended on trunk highways.—That the State of Minnesota hereby agrees to reimburse, to the extent hereinafter provided, all counties for moneys expended by them subsequent to February 1, 1919, or hereafter to be expended by them under the provisions of this act in permanently improving roads described in Article 16 of the Constitution of the State of Minnesota, and to be hereafter more definitely fixed and determined by the Commissioner of Highways.

Sec. 2. Manner and time of reimbursement.—That said reimbursement shall be made only in the manner, at the time, and to the extent herein provided:

(a) To the extent that the proceeds derived from the issuance of bonds by any counties under Chapter 265, Laws of Minnesota for 1919, or any other general law of this state, shall have been heretofore so expended, the State of Minnesota hereby agrees to pay out of the Trunk Highway Fund, and only out of that fund, the principal of such bonds at maturity, and it shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the Commissioner of Highways on or before August 1, 1921, full data concerning such bonds on blanks prepared and furnished by said Commissioner, setting forth the date of issue and sale, the date of maturity, the amount, rate of interest, and such other facts as may be required by said Commissioner.

The State of Minnesota hereby agrees to reimburse said counties for all interest accruing on said bonds subsequent to February 1, 1919, and paid by said counties, and for all interest

hereafter to accrue thereon, but if the rate of interest on said bonds exceeds five per cent per annum such reimbursement shall be computed on the basis of five per cent, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of said bonds. The county auditor of any county claiming such reimbursement for interest shall certify to said Commissioner, on blanks to be prepared and furnished by him, complete data showing that the county is entitled to the reimbursement for interest as hereby provided. Said interest certificates shall be filed in the office of said Commissioner, to be numbered in the order of such filing, and be paid in the order of filing out of that portion of the Trunk Highway Fund set aside for payment of interest and for refundment purposes. Interest shall not be allowed or paid on said interest certificates. The moneys so paid to any county shall be credited to the fund out of which such interest was paid by such county.

(b) To the extent that moneys derived from taxes, State Highway aid, or temporarily transferred from any bond, interest, or sinking funds, shall heretofore have been by any county so expended in such road work, the State of Minnesota hereby agrees to reimburse such county out of the Trunk Highway Fund, and only out of that fund, for the moneys thus expended, together with interest thereon as included in the principal of bonds issued under this sub-division. Warrants both paid and unpaid which evidence such expenditure shall be included in such reimbursement. It shall be the duty of the county board of any county, desiring such reimbursement, to issue bonds of the county in an amount equal to the amount thus expended, including interest thereon from the respective dates of such expenditures to the date of such bonds, at the rate of five per cent per annum. Such bonds shall mature in not less than ten, nor more than twenty years and bear interest at not more than six per cent per annum, payable semi-annually, and shall be sold conformably to Section 1856, General Statutes 1913. Such county board is hereby authorized to issue and sell such bonds without regard to said county's net indebtedness. The State of Minnesota hereby agrees to pay out of the Trunk Highway Fund, and only out of that fund, the principal of such bonds at their maturity. When such bonds, shall have been so issued, it shall be the duty of the county board so issuing said bonds to certify to the Commissioner of Highways, full data concerning such bonds on blanks to be prepared and furnished by said Commissioner, setting forth the date of issue and sale, the date of maturity, the amount, rate of interest, and such other facts as may be required by said Commissioner. The State of Minnesota hereby

agrees to reimburse said counties for all interest accruing on said bonds, but if the rate of interest on said bonds exceeds five per cent per annum, such reimbursement shall be computed on the basis of five per cent per annum, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of said bonds. Thereupon the county auditor shall certify to the Commissioner, on blanks to be prepared and furnished by said Commissioner, complete data showing that the county is entitled to the reimbursement of interest as herein provided. Said interest certificates shall be filed in the office of said Commissioner, be numbered in the order of such filing, and be paid in the order of such filing out of that portion of the Trunk Highway Fund set aside for the payment of interest and for refundment purposes. Interest shall not be allowed or paid on such interest certificates. The proceeds derived from the issuance and sale of such bonds shall be placed in the fund of said county out of which the original expenditure was made, but shall first be applied to the payment of any outstanding unpaid warrants referred to in this sub-division and sub-division (f) hereof and issued or to be issued for so permanently improving roads. No bonds shall be issued or sold by any county under the provisions of this section until the Commissioner of Highways shall have certified that said bonds are such as will be paid by the state at their maturity.

(c) To the extent that moneys derived from taxes shall have been by any county so expended, and thereafter funding or refunding bonds shall have been issued by such county to pay warrants covering such expenditures, the State of Minnesota hereby agrees to pay out of the Trunk Highway Fund, and only out of that fund, the principal of such funding or refunding bonds at maturity, and it shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the Commissioner of Highways on or before August 1, 1921, full data concerning such bonds on blanks to be prepared and furnished by such commissioner, setting forth the date of issue and sale, the date of maturity, the amount, rate of interest and such other data as may be required by said Commissioner. The State of Minnesota hereby agrees to reimburse said counties for all interest accruing on said bonds subsequent to February 1, 1919, and paid by said counties, and for all interest hereafter to accrue thereon, but if the rate of interest on said bonds exceeds five per cent per annum, such reimbursement shall be computed on the basis of five per cent, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with

the terms of said bonds. Thereupon the county auditor shall certify to the said Commissioner, on blanks to be prepared and furnished by said Commissioner, complete data showing that the county is entitled to the reimbursement herein provided. Said interest certificates shall be filed in the office of said Commissioner, be numbered in order of such filing, and paid in the order of such filing out of the portion of the Trunk Highway Fund set aside for the payment of interest and refundment purposes. Interest shall not be allowed or paid on such interest certificates. The moneys so paid to any county shall be credited to the fund out of which such principal or interest was paid by such county.

(d) To the extent that the proceeds derived from the issuance and sale of bonds heretofore authorized prior to January 1, 1921 by any counties under Chapter 265 of the Laws of Minnesota, 1919, or any other law of this State, shall be hereafter so expended under the direction, approval and supervision of the Highway Commissioner upon contracts made by any county with the express approval of the Highway Commissioner, the State of Minnesota agrees to pay out of the Trunk Highway Fund, and only out of that fund, the principal of such bonds, at maturity. It shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the Commissioner of Highways within six months after said proceeds shall have been so expended, full data concerning such bonds on blanks to be prepared and furnished by said Commissioner, setting forth the date of issue and sale, the date of maturity, the amount, rate of interest, and such other facts as may be required by the Commissioner. The State of Minnesota hereby agrees to reimburse such counties for all interest accruing on such bonds and paid by such counties, but if the rate of interest on such bonds exceeds five per cent per annum, such reimbursement shall be computed on the basis of five per cent per annum, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of said bonds. Thereupon the county auditor shall certify to the said Commissioner on blanks to be prepared and furnished by said Commissioner complete data showing that the county is entitled to the reimbursement herein provided. Said interest certificates shall be filed in the office of the Commissioner, be numbered in the order of such filing, and be paid in the order of such filing out of the portion of the Trunk Highway Fund set aside for the payment of interest and refundment purposes. Interest shall not be allowed or paid on such interest certificates. The moneys so paid to any county shall be credited to the fund out of which such principal or in-

terest was paid by such county. Provided that the total amount of bonds for which the State of Minnesota shall be liable for reimbursement under the provisions of the foregoing Subdivision "d" on contracts not yet entered into, shall not exceed the sum of nine Million Dollars (\$9,000,000).

(e) To the extent that the proceeds of any bonds hereafter issued and sold by any county under the provisions of any existing law shall be so expended for the purpose of completing only under the direction and supervision of the Commissioner of Highways, the permanent improvement of such portion of any Trunk Highway heretofore partially improved by such county for the expenditure on which as already made by such county it shall be entitled to reimbursement under the foregoing provisions of this act, the State of Minnesota hereby agrees to pay out of the Trunk Highway Fund, and only out of that fund, the principal of such bonds provided that none of such bonds shall mature in less than five nor more than twenty years from the date of issue.

It shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the Commissioner of Highways within six months after the completion of any such work full data concerning such bonds on blanks to be prepared and furnished by the Commissioner, setting forth the date of issue and sale, the date of maturity, the amount, rate of interest, and such other facts as may be required by said Commissioner.

The moneys paid to all counties hereunder shall be credited to the fund out of which such principal was paid by any such county.

(f) Moneys actually paid out by any counties in so permanently improving roads subsequent to February 1, 1919, but in accordance with the terms and provisions of contracts dated prior to February 1, 1919, shall not for the purposes of this act be regarded as moneys expended by such counties. Except in so far as the State Highway Commissioner shall specifically so order in the interests of the Highway system. Moneys hereafter to be paid out by any counties in accordance with the terms and provisions of contracts heretofore, but subsequent to February 1, 1919, entered into by such counties for so permanently improving roads shall be regarded as money heretofore expended within the meaning of this act.

(g) The foregoing provisions shall not include reimbursement for any moneys so expended by any counties and derived from Federal aid.

(h) The moneys paid out by any county to any township, borough, village or city, in reimbursing such township, borough,

village or city for so permanently improving roads or any part thereof described in Article 16 of the Constitution of the State of Minnesota, heretofore and subsequent to February 1, 1919, shall be regarded and dealt with as moneys expended by such county in permanently improving roads or any part thereof; provided, such work shall have been done in accordance with plans and specifications approved by the Commissioner of Highways. Before any payment shall be made by any county, to any such township, borough, village or city, the plans and specifications for such work, the work done and the contract price paid therefor, shall be first approved by the Commissioner of Highways, by order made and filed in his office, a certified copy of which order shall be filed with the county auditor of any such county. That thereafter the county board of any such county shall authorize the county auditor to issue his warrant on the road and bridge fund of such county in the amount so approved by the Commissioner of Highways to such township, borough, village or city. Any such warrants paid, or warrants so issued and not paid for lack of funds, may be funded or refunded by such county in the manner provided herein for the funding and refunding of moneys expended by such county derived from taxes or other funds.

(i) Whenever the words "permanently improving" are used in this act they shall be construed to mean permanently improving any road described in Article 16 of the Constitution of the State of Minnesota, in accordance with plans and specifications therefor approved by the Commissioner of Highways.

(j) In the event that any provision or paragraph or part of this act shall be questioned in any court and shall be held to be invalid, the remainder of the act shall not be invalidated, but shall remain in full force and effect.

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

Approved April 25, 1921.

CHAPTER 523—S. F. No. 258.

An act to regulate the practice of architecture, professional engineering and land surveying.

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

Section 1. **Architects, engineers and surveyors to be registered.**—In order to safeguard life, health and property, any person practicing or offering to practice as an architect, a professional engineer or a land surveyor in this State shall hereafter be required to submit evidence that he is qualified so to