

Court may upon the application and with the consent of the Trustee, and, upon such notice as said Court may direct, make an order directing that such Trust shall be administered or expended in such manner as in the judgment of said Court will, as nearly as can be accomplished the general purposes of the instrument and the object and intention of the Donor without regard to, and free from any, specific restriction, limitation or direction contained therein, provided, however, that no such order shall be made without the consent of the Donor of said Trust if he is then living and mentally competent. The attorney general shall represent the beneficiaries in all cases arising under this act, and it shall be his duty to enforce such trusts by proper proceedings in the courts.

Sec. 4. **Application.**—Nothing in this act contained shall in any manner impair, limit, or abridge the operation and efficacy of the whole or any part of any existing Statute authorizing the creation of corporations for charitable purposes or permitting municipal corporations to act as Trustee for any public or charitable purpose under any existing Statute. Nothing in this Act shall apply to any gift, bequest, devise, or trust, made, created, or arising by or under the provisions of the will of any person whose decease occurred before this Act takes effect.

Approved April 14, 1927.

CHAPTER 181—H. F. No. 895

An act creating a metropolitan drainage commission to study the subject of sewage disposal of any cities of the first class located upon any natural water course which in whole, or in part, flows through, or adjacent to, two or more of such cities, and in which sewage from such city, or cities, is disposed.

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

Section 1. **Metropolitan drainage commission authorized—appointments.**—Whenever it shall appear that two or more cities of the first class are disposing of sewage into any natural water course which in whole, or in part, flows through, or adjacent to, two or more of such cities, the Governor shall appoint a metropolitan drainage commission. Such commission shall consist of two representatives from each such city, and one person to be selected by the Governor. Within thirty days after taking effect of this act, the city council or other governing body, and the mayor of each such city, shall each select one person and certify their names to the Governor, and the Governor shall, within ten days after the last of said nominations has been so certified to him, appoint said persons so certi-

fied, together with the person selected by him, as the members of such drainage commission. If the city council, or the mayor, of either of said cities of the first class shall fail to certify to the Governor within the time specified herein the names of the persons selected by them as members of the commission, the Governor shall thereupon appoint such members. In his order appointing such commission, the Governor shall declare what cities shall be included within the jurisdiction of such drainage commission and shall fix the time and place for the first meeting of the commissioners.

Sec. 2. Oath of office—compensation.—Each appointee, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed by Section 8 of Article V. of the Constitution and file the same with the Secretary of State, duly certified by the official administering such oath. Each commissioner shall be reimbursed the actual necessary expenses incurred in the performance of his duties, but shall receive no salary or compensation for his services. If a vacancy shall occur on the commission of a representative of any city, the city council or the mayor of such city, as the case may be, shall certify his successor to the Governor in the same manner as in the case of an original selection, and the Governor shall appoint such nominee for the unexpired term. If the city council, or the mayor of either of said cities of the first class shall desire at any time to remove its or his representative on said commission, either may request the Governor, in writing, to remove such representative and to appoint a successor, who shall be named in said written request. The Governor shall thereupon appoint the person so requested to be appointed. Any person so appointed shall become a member of said commission as soon as he qualifies, and the term of the commissioner in whose place he is appointed shall thereupon be terminated. A vacancy occurring in the office of the commissioner appointed by the Governor shall be filled by the Governor.

Sec. 3. Quorum—meetings.—A majority of the commissioners shall constitute a quorum for the transaction of business. As soon as the commissioners first appointed under this section enter upon the duties of their office, they shall organize by electing one of their members Chairman and one a Vice-Chairman, both of whom shall hold office at the pleasure of the commissioners. The Chairman shall preside over all meetings of the commission, and shall perform such other duties as are imposed upon him by this section or that may be assigned to him by the commission. In the absence or disability of the Chairman, the Vice-Chairman shall perform the duties and exercise the powers of the Chairman. The commission shall appoint a Secretary, who may or may not be a member of the commission, who shall be removable at pleasure by the

commission, and who shall receive, if not a member of such commission, such compensation as the commission may determine.

Sec. 4. Rules and regulations.—The metropolitan sewage commission shall hold meetings and shall make rules and regulations governing the transaction of its business. All sessions or meetings of said commission shall be public, and all records shall be public records. The commission shall prepare annually a full and detailed report of its official transactions and expenses, and shall mail such statement to the Governor of the state, the State Board of Health, the Mayor, and the city council or other governing body of each such city of the first class. It may likewise, in its discretion, make other and supplemental reports from time to time, and transmit the same as in the case of its annual report. Said Commission shall not have any jurisdiction to investigate or report as to whether or not any assessment for the cost of sewage disposal shall be borne by any territory, county, city, village or township lying outside of the boundaries of the counties within which are situate said cities of the First Class.

Sec. 5. Powers.—The said metropolitan drainage commission shall have full power to study the subject of sewage disposal and treatment, to make surveys and collect data relating to the methods which might be used in disposing of such sewage or of treating the same so as to protect such water course from pollution, as well as any other water courses or bodies of water lying within the drainage area of which such cities are a part. Said commission shall have power and authority to employ engineers, sanitary experts and such other skilled or technically trained persons as it deems advisable, and shall have power and authority to employ the necessary clerical and office assistants, and to incur such other expenses as may be necessary to carry on its work.

Sec. 6. Expenses—apportionment—tax levy.—The expenses of said commission during the year 1927 shall not exceed the sum of \$30,000.00, and the annual expense thereafter shall not exceed the sum of \$50,000.00. The expenses of said drainage commission shall be apportioned among the cities affected in the same proportion as the last assessed valuation of the real and personal property in each city, excluding moneys and credits, bears to the said total assessed valuation in all such cities. On or before August 1st of each year, the commission shall transmit to each of such cities an estimate of its expenditures for the ensuing calendar year, and each city shall include in its budget a tax levy for such year in an amount equal to its proportionate share of such estimated expenditures. The city treasurer of each such city shall pay the proceeds of such

assessment to the state treasurer for the credit of said commission, and said state treasurer shall, from time to time, against said fund, pay warrants or checks as authorized by said commission and signed by the Chairman and Secretary thereof. The amounts of money paid by any city to the credit of said metropolitan drainage commission, under the terms of this act, shall be excluded from any computation of the costs of government of such city under the terms of its charter limiting its governmental expenditures or cost of government.

Sec. 7. Estimate of expenditures.—In order to provide funds for the expenses of said commission for the year 1927, after said commission shall organize, it shall transmit to each of such cities an estimate of its expenditures for the year 1927, and each such city shall thereupon, through its proper officers, pay its proportionate share to the state treasurer for the credit of said commission; or in the event any such city has not on hand funds available to meet its said proportionate share, it is hereby authorized to borrow the same and to pledge the credit of such city to the re-payment of the indebtedness so created. Any obligation so incurred shall be authorized by vote of its governing board, and any such obligation shall be signed by the mayor and the city clerk under the city corporate seal, shall bear interest at not to exceed five per cent per annum, and shall be payable not more than one year from its date. Such obligations shall be sold in the manner provided by Section 1943 of the General Statutes of 1923.

Approved April 14, 1927.

CHAPTER 182—H. F. No. 914

An act to amend Section 4882, General Statutes 1923, relating to the transportation of live stock and authorizing the live stock sanitary board to make rules and regulations in reference thereto.

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

Section 1. Livestock Sanitary Board to make rules.—That Section 4882, General Statutes 1923, be amended to read as follows:

“4882. The state live stock sanitary board is hereby authorized to make reasonable rules and regulations for the cleaning and disinfection of *railroad* cars used for the transportation of live animals and *poultry* within the state, and also *automobiles, trucks and other vehicles used as public carriers for the transportation of live animals and poultry over the public highways within the state.* The said board shall furnish from time to time to each railway company operating a railroad within this state copies of said rules,