

and write the English language intelligently, and shall hold office subject to the pleasure of the sheriff or the district judge, and their compensation shall be paid monthly out of the county treasury upon the warrant of the county auditor.

Provided, that in counties having a population of twenty thousand (20,000) or less the sheriff may perform the duties of the jailor himself, and shall in such case be entitled to such compensation therefor as the judge of the district court for said county may from time to time determine and allow.

SEC. 2. All acts or parts of acts, whether general or special, inconsistent herewith, are hereby repealed.

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

Approved April 21, 1903.

CHAPTER 379.

H. F. No. 553.

Navigable lakes in part of three or more counties.

An act to authorize the establishment and maintenance of uniform heights of water in the navigable lakes of this state, situated in part of three or more counties, in order to improve navigation therein, or to promote public health and welfare.

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

Applies to counties with less than 150,000 inhabitants.

SECTION 1. It shall be the duty of the county commissioners of each county, in counties having a population of less than 150,000 inhabitants, according to the last state or national census, in which is situated in part a navigable lake that is located in three or more counties, at their first meeting held after the passage of this act, to elect a person to act as a member of a board of navigation for such lake, who shall reside, at the time of the appointment and during the term of his appointment, within five miles of such lake, and that such member of such board shall hold his office until his successor is appointed and qualified.

Board of navigation.

SEC. 2. That at the first regular meeting of said board of county commissioners of said counties occurring in the month of January, 1905, and every two years thereafter, said county commissioners shall elect a member of said board of navigation for such lake, who shall hold his office

for two years thereafter and until his successor is elected and qualified.

SEC. 3. Before entering upon the discharge of his duties he shall take the oath now required of other county officers and give a bond to his respective county in the penal sum of \$500.00 conditioned that he will faithfully and fairly perform all the duties of such office.

Oath and bond.

SEC. 4. Said board of navigation of such lake is hereby authorized and empowered, and it shall be its duty, in order to maintain or improve navigation in such lake and to promote the public health or welfare, to establish and maintain, as herein provided, a uniform height at which the water in such lake shall be maintained, with due regard for the navigation of such lake and the rights of the owners of the land adjacent to the shore of such lake, and if necessary to raise said water to and maintain it at such height as nearly as practicable.

Maintain a uniform height of water.

SEC. 5. To carry out the purposes of this act, such board of navigation of such lake is hereby authorized to acquire by gift, purchase or condemnation, any dam or dams on any streams affecting the level of the water in such lake, and also any land that such board shall deem necessary in order to construct and maintain across any such stream a dam as may be necessary for the purpose of raising such water or maintaining it at the established height, and also to acquire any land necessary for approaches to such dam, and, if necessary or convenient to construct and maintain over such dam a plank roadway, which may be used by the public as a highway, and do any and all things necessary to maintain the water in such lake, as nearly as practicable, at the height so established, and to carry into full effect the purposes of this act.

May acquire dams and land.

SEC. 6. The said board of navigation for such lake, in the matter of acquiring by purchase or condemnation of any dam or lands, shall be governed and follow the provisions of chapter 88 of the General Laws of the State of Minnesota for 1897, and such board shall have the same powers as therein conferred upon the board of county commissioners for such purposes.

SEC. 7. The costs of acquiring such dams or land and maintaining of such heights of water shall be borne equally by the counties and provided for by taxation, or otherwise, and audited and paid as now provided by law for other obligations of such counties.

Cost to be borne equally.

SEC. 8. The title to all property acquired or taken

by condemnation proceedings shall vest in such board of navigation.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 557.

CHAPTER 380.

Public
highways.

An act to amend chapter 13 of the General Statutes of Minnesota of 1878, as amended by chapter 46 of the Laws of 1895, relating to public highways in townships.

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

Abolishment
of overseers
of highways

SECTION 1. That section 1 of chapter 46 of the General Laws of 1895 be and the same is hereby amended so as to read as follows: That whenever petition of at least ten of the resident taxpayers and legal voters of any township in this state shall have been filed with the town clerk of said town at least ten days prior to any town meeting, setting forth that it is deemed expedient to abolish the election of overseers of highways in such township, and to abolish the collection of poll tax therein, the legal voters of such town at any annual town meeting may, by a majority of the votes cast, pass a resolution directing that all roads in any such township and the repairing of the same, and the making of new roads already laid out, or that may hereafter be laid out, and the building and repairing of bridges and the general management and care of the same, shall be under the control and direction of the supervisors of such township, which resolution shall be printed or written, or partly printed and partly written, on ballots, as follows:

“Resolved, That the election of overseers of highways and collection of poll tax be abolished and all roads in this township and the repairing of the same, and the making of new roads already laid out, or that may hereafter be laid out, and the building and repairing of bridges and the general management and care of the same, shall be under the control and direction of the supervisors of this township.”

Form of
ballot.

Each elector voting on such proposition shall make a cross opposite the “Yes” or “No.” *Provided*, that whenever such a resolution is to be voted upon, the town