

thereof. He shall investigate the condition and needs of all persons by or for whom application is made for relief, and report to the board thereon. The board may authorize him to grant temporary relief in cases of emergency, but it shall by resolution limit the amount of relief to be so granted without previous action by the board. The board may employ such other assistance as may be necessary to discharge its duties.

Taxes—how levied.—Sec. 4. On or before October 1, in each year, such board shall determine by resolution the amount of tax to be levied for the ensuing year for the support of the poor, the maintenance of the poorhouse and other places provided for the reception of the poor, and the erection of any buildings or improvements, and the adoption of such resolution shall constitute a levy on the property taxable in the county of the amount named therein; but the amount so levied for all purposes, except for the erection or repair of buildings, shall not exceed an amount equal to six-tenths of one mill on each dollar of assessed valuation. On or before October 5, thereafter, the board shall file a certified copy of such resolution with the county auditor, who shall enter the amount upon the tax lists. Such tax, when collected, shall be credited to the county poor fund.

Sec. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 17, 1907.

CHAPTER 223—H. F. No. 902.

An Act to provide for the creation of a board of court house commissioners to contract for and superintend the erection, construction, completion and furnishing of a court house and jail in any county of this state having at any time a population of over 75,000 inhabitants.

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

Duties of county auditor.—Section 1. Whenever in any county of this state now or hereafter, having a population of more than 75,000 inhabitants, the county commissioners

thereof shall, by appropriate resolution, declare that the existing court house of said county is inadequate for its needs and that a new structure is necessary for the purposes of a court house, for county officers and for jail purposes, or for one or more of said uses, and fixing a sum in their judgment sufficient to cover the cost of a new building and equipment for such uses adequate to the needs of the county, then and thereupon, the county auditor of such county shall, immediately upon the passage of such resolution, forward to the chairman of such board of county commissioners a certified copy thereof, and thereafter all the proceedings with reference to the erection, construction, completion and furnishing of such building or buildings shall be governed by the provisions of this act.

Appointment.—Sec. 2. Immediately upon receiving a certified copy of such resolution, the chairman of said board of county commissioners shall proceed to appoint five men, legal voters of said county, three of whom shall be, at the time of their appointment, members of the board of county commissioners of such county, and not more than one of such members shall be resident within any one city or municipality, and not more than three of such members shall be resident within any one city or municipality in such county, who shall constitute, upon accepting their appointment and upon taking the oath hereinafter provided, a board of court house commissioners, whose duties and obligations shall be those fixed and imposed by the provisions of this act. Each commissioner, before entering upon the duties of his office, shall file with the county auditor a written acceptance of such appointment and shall take and subscribe an oath before one of the judges of the district court of the district in which such county is situated, that he will faithfully and honestly perform the duties of his said office and will support the constitution of the United States and of the State of Minnesota, as one of said commissioners, and that he will not knowingly permit any fraud, dishonest practice or cheating by any contractor or other person doing work or performing in or about the erection or furnishing of any public building contemplated by this act, nor will he knowingly permit any such fraud, dishonest practice or cheating by any person or persons whomsoever.

Duties.—Sec. 3. Such board shall organize at a meeting which may be called by any three members on five days'

notice in writing, to the remaining members. At such meeting such board shall adopt rules for their own government and shall elect a president from their own number. The records of such board shall be public records kept in duplicate, one copy in the office of the county auditor and one copy at such other place as such board shall from time to time designate. All cancelled vouchers and paid bills audited by said board and paid out of the county treasury shall, after such payment, be public records and shall be preserved in the office of the county auditor. Such board shall keep books of account, showing all receipts and disbursements authorized by such board, and the general character thereof. Upon the completion of the work of any such board the duplicate records to be kept as aforesaid, together with the books of account and all other valuable papers and memoranda of such board, shall be deposited with and preserved by the county auditor of the county as a part of the public records thereof. The board may employ competent persons to perform the clerical work of such board, and may also employ a secretary whose duties shall be to perform such portion of the work of such board as is ministerial in its nature and such as may be from time to time fixed by such board, and the secretary may perform said clerical duties if so determined. The salary or salaries of the person or persons so employed may be fixed by the board and when so fixed shall be by such board reported to the county auditor, and paid in monthly installments from the county treasury in the same manner in which other county salaries are paid. A majority of such board shall constitute a quorum, and three votes shall be necessary to authorize any contract requiring the expenditure of money. The members of such board shall receive no compensation for their services, but shall be reimbursed, their expenses necessarily paid or incurred in the discharge of their duties.

Vacancies—how filled.—Sec. 4. Each of said commissioners shall hold said office until a suitable building for the purposes above set forth shall have been built and fully completed and furnished as herein provided, and in case of a vacancy occurring in said board said vacancy shall be filled by appointment in the same manner as the original appointments were made.

Architect.—Sec. 5. It shall be the exclusive duty of said board to superintend the erection and construction of the court house or county building so to be erected for the needs

of such county, to furnish and equip the same, to choose the architect therefor and the superintendent of construction, if one is deemed necessary by them, to let all contracts for such erection or construction, to purchase all material and employ all workmen except where the work and material shall, under the provisions of this act, be let by contract, and in general to have full authority within the limits fixed by this act; to bind the county in and about the construction, erection and furnishing of said building, but the price at which the contract for such construction shall be let by said board of court house commissioners shall not exceed the amount fixed by the board of county commissioners of such county in their said resolution as the proper cost of the same, and no steps shall be taken toward such erection and construction until the site for said building has been determined in the manner provided by this act.

Awards of contract.—Sec. 6. The said board of court house commissioners shall let by contract to the lowest responsible and acceptable bidder or bidders, the contract or contracts for the erection and construction of such building or buildings after notice given in such manner as said board may direct, for the purpose of securing competitive bids; the board, however, to have power and discretion to reject any and all bids. Any work subsequently found necessary and not incurred in such general contracts, may be let by other contracts or completed by day labor or otherwise under the direction of said board, and the furnishing and equipping of said building, after completion, may be contracted for in such manner as to such board of court house commissioners may seem best, but, where practicable, such board shall endeavor to procure competitive bids therefor.

All bills and obligations incurred by the board, in any way connected with the erection, construction, furnishing and completion of such court house and jail, and the improving of the grounds shall be sworn to in like form and manner as are other bills against the county, and shall be audited and approved by such board by resolution thereof, stating the name of the party in whose favor each such bill is allowed, the nature of the claim and the amount of the same. The county auditor shall issue to the persons named in any such resolution at the expiration of ten days from the filing of the duplicate record of such resolution in the office of said auditor warrants or orders upon the county treasurer for the respect-

ive amounts so audited and allowed, which warrants or orders shall, upon presentation, be paid by the county treasurer out of any funds then in his hands available for such purpose, to the person in whose favor the same may be drawn, or to his lawful assignee in writing. When the same are so paid, such warrants or orders shall be received by the person receiving such payment, in which form that the same shall operate, as a voucher to the county from the person so paid. Such payment may be made either in cash or by check of the county treasurer.

At any time within ten (10) days from the date of the passage of any resolution and the filing of the duplicate record thereof, as herein provided, with the county auditor, allowing or disallowing any claim presented under this act, an appeal may be taken from such allowance or disallowance to the district court of the county in the same manner and with like effect as in the case of appeals from the allowance or disallowance of bills against said county allowed or disallowed by the board of county commissioners thereof.

Limitations.—Sec. 7. In no county in this state, having at the time a population of more than seventy-five thousand (75,000) inhabitants, shall there be any new structure or building for the purpose of a court house, county office or county jail, or for one or more of such purposes erected or constructed or a site selected or acquired therefor, save and except in the manner provided.

Funds.—Sec. 8. The board of county commissioners of such county may from time to time increase the amount first fixed by them as the cost of said proposed building or buildings with the same force and effect as if such increased sum was the amount first fixed by the resolution passed prior to the appointment of such board of court house commissioners. As soon as the board of county commissioners are notified in writing by said board of court house commissioners that a contract has been let, requiring or that will require, the expenditure of more money than is then in the hands of the county treasurer available for such purpose, it shall be the duty of said board of county commissioners to forthwith provide at their next regular meeting for the obtaining of such necessary funds in the manner provided by law.

Sec. 9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved April 17, 1907.

CHAPTER 224—H. F. No. 359.

An Act to amend section 2 of chapter 164 of the General Laws of the State of Minnesota for the year 1905, relating to the employment of repair crews on roads and bridges in counties having one hundred and fifty thousand (150,000) inhabitants, or over.

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

Reference.—Section 1. That section 2 of chapter 164 of the General Laws of 1905 be amended so as to read as follows:

Money—how expended.—Sec. 2. That all moneys so appropriated shall be expended by and under the direction and supervision of such board of county commissioners in the following manner:

That in all cases except as hereinafter provided before expending any such money for such purpose or purposes, such board of county commissioners shall require the county surveyor of such county, or his deputy, to furnish to such board a survey of the work for which it is proposed to expend such money, together with suitable plans and specifications thereof and estimated cost thereof, and that upon the receipt of the same by such board it shall be the duty of such board, if it shall deem such expenditure advisable, to invite bids for such work by posting notices for at least fifteen (15) days prior to the letting of the contract for the same in at least three (3) of the most public places in the township wherein such work is to be done, and in case any portion of such work is within the limits of any incorporated village, by also posting notices in three (3) of the most public places in such village, and in all cases there shall be three (3) publications of said notices in the official newspaper, and such notices shall contain a brief description of such work, and shall state the time and place of awarding the contract for the same, and at the time and place mentioned in such notices; it shall be the duty of such board to let such contract to the