

and improvement of roads and the drainage and reclamation of wet or overflowed lands.

It shall not be construed as repealing any drainage law except as herein expressly provided.

**Sec. 37. Record as evidence.**—The record of every order of the board laying out and establishing any ditch or refusing to establish the same under the provisions of this act and the record of every judgment on appeal or a certified copy of such record shall be prima facie evidence of the facts therein stated and of the regularity of all the proceedings prior to the making of said order or judgment.

**Sec. 38. Orders and notices—How served.**—All orders, judgments and notices herein prescribed, not otherwise provided for, shall be served by any constable or other disinterested person designated by the town clerk or by the court, and such constable or other person so designated shall be paid the same fees by the petitioners as are allowed by law for similar service.

**Sec. 39. Repeal.**—Chapter 191 of the General Laws of Minnesota for 1907 is hereby repealed.

Approved March 29, 1909.

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#### CHAPTER 128—H. F. No. 104.

*An act to appropriate money to pay the expense of preventing and suppressing forest and prairie fires in 1908.*

WHEREAS, the appropriation of five thousand dollars for the present fiscal year provided by section 1784 of the Revised Laws of Minnesota, 1905, to enable the forestry commissioner to prevent or suppress forest and prairie fires in a season of unusual drought, has become exhausted and accounts of various persons for services in suppressing, principally forest fires in such season in 1908, to the amount of twelve thousand, four hundred and two dollars and five cents, (\$12,402.05) are unpaid, therefore

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

**\$12,600 appropriated for paying of claims for suppressing forest fires.**—Section 1. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of twelve thousand and six hundred dollars (\$12,600) or so much thereof as may be necessary, to pay. *Provided*, that before any of the funds provided for hereunder, shall be paid to any person claiming the same, the state auditor shall satisfy himself that the alleged services were actually rendered and were of the value

claimed, for services in preventing and suppressing forest or prairie fires during the season of unusual drought in 1908.

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

Approved March 30, 1909.

#### CHAPTER 129—H. F. No. 122.

*An act to amend section 2712, Revised Laws 1905, relating to fees of jurors.*

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

**Grand and petit jurors to receive \$3 per day.**—Section 1. That section 2712, Revised Laws 1905, be and the same is hereby amended so as to read as follows :

Section 2712. Fees of Jurors—Each grand and petit juror shall receive three dollars (\$3.00) per day, including Sundays for attendance in district court, and ten cents for each mile traveled in going to and returning from court, in counties having a population of less than 200,000 and two dollars per day in counties having more than 200,000 population, the distance to be computed by the usually traveled route, and paid out of the county treasury.

The clerk of the district court shall deliver to each juror a certificate for the number of days' attendance and miles traveled for which he is entitled to compensation.

Talesmen actually serving upon any petit jury shall receive the sum of \$2.00 per day.

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

Approved March 30, 1909.

#### CHAPTER 130—S. F. No. 252.

*An act to appropriate money for the purpose of constructing and equipping a Sanitarium and school building or buildings for the indigent, crippled and deformed children of the State of Minnesota, and for the care and education of such indigent, crippled persons as may be admitted to such Institution by the State Board of Control.*

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

**\$55,000 appropriated for constructing a sanitarium and school building for indigent, crippled and deformed children.**—Section 1. That the sum of fifty-five thousand (55,000) dollars