

Sec. 4. All acts and parts of acts either general or special, except chapter 423 and 424 of the Special Laws of Minnesota for the year 1891 and except subdivision 49 of section 2694 Revised Laws 1905, inconsistent herewith are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 336—S. F. No. 514.

An Act authorizing and directing the state drainage commission to construct a dyke and canal for the purpose of controlling and impounding the waters of Big Stone Lake and the Minnesota and Whetstone rivers so as to prevent the flooding of lands in the Minnesota Valley.

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

To control water of Big Stone Lake.—Section 1. The state drainage commission is hereby authorized to use moneys appropriated by this act in constructing such dykes, dams, canals, locks and gates as they may deem necessary and advisable to control the waters of Big Stone Lake and hold and impound therein the waters of the Whetstone river and the Minnesota river so far as is practicable, and in order to carry into effect the purpose of this act, may to the extent that it may become necessary, expend portions of said money in the vicinity of the south end of said Big Stone lake without the limits of the state of Minnesota when such expenditure is made with the consent and approval of all parties whose property is directly affected thereby.

Provided, that said commission is not hereby authorized to so construct such dyke, gate or dam or reservoir as to raise the waters of said lake at any time beyond the high water mark, and such dykes, canals, gates or dams shall be so constructed as to provide proper facilities for the escape of the waters from said lake so as to protect the lands in that vicinity and to keep the waters of said lake within high water mark and to let out such waters through the natural channel of the Minnesota river during seasons of the year other than the flood stage, so as to keep said lake in normal condition.

Chapter 470, General Laws 1907, to apply.—Sec. 2. Said state drainage commission are hereby authorized to use all powers, authorities and privileges granted them by chapter 470 of the Laws of 1907, in carrying into effect the provisions of this act.

Provided, that in all cases where owners of property across, upon or through which said dyke or canal shall be constructed or upon which any dredging or ditching may be done, shall sign a contract in such form as shall be prescribed by said commission releasing to said commission or the state of Minnesota, all claims for damages of every kind that may arise from the construction of such dyke, canal, gate or other structure, or such ditching or dredging as said commission may deem necessary. Then and in that event no petition as provided for in section 4 of chapter 470 of the Laws of 1907, or any of the proceedings thereunder shall be necessary, but said commission may proceed to construct the improvements provided for in this act the same as though they were constructed under the provisions of said chapter 470, on state lands.

To deepen, widen or straighten Minnesota or Whetstone rivers.—Sec. 3. Said state drainage commission is further hereby authorized to cause the channel of the Minnesota river or the Whetstone river to be deepened, widened or straightened in such manner as they may deem necessary so as to carry into effect the full purpose of this act, and are authorized to cause to be made all surveys and plats that they may deem necessary and proper and to do and perform such other acts and things as may be necessary to enable them to fully effectuate the purpose of this act.

Sec. 4. This act shall take effect and be in force from and after its passage and approval.

Approved April 21, 1909.

CHAPTER 337—S. F. No. 619.

An Act to amend Chapter 455, of the General Laws of year 1907, entitled "An Act to provide for the inspection of canneries, publishing reports of same, and establishing a grade for canned fruits and vegetables."

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

Dairy commissioner to inspect canning factories.—Section 1. That chapter 455, of the General Laws of year 1907, be and the same is hereby amended to read as follows:

Section 1. At such times as the dairy and food commissioner may deem proper and at least annually, he shall cause to be inspected all canning factories where fruits or vegetables are put up and preserved in tin or glass cans or jars, to be sold as food, and may require the correction of all unsanitary conditions, and prac-