

Sec. 31. Court not to lose jurisdiction by reason of failure to give notice.—In any and every case where a notice is provided for in this act, if the court finds for any reason that due notice was not given, the court shall not thereby lose jurisdiction, and the proceeding in question shall not thereby be void: but the court shall in that case order due notice to be given, and shall continue the hearing until such time as such notice shall be properly given, and thereupon shall proceed as though notice had been properly given in the first instance.

In case any individual appraisal or appraisals, assessment or assessments, or levy or levies, shall be held void for want of legal notice, or in case the board may determine that any notice with reference to any land or lands may be faulty, then the board may file a motion in the original cause asking that the court order notice to the owner of such land or lands given and set a time for hearing, as provided in this act. And in case the original notice as a whole was sufficient, and was faulty only with reference to publication as to certain tracts, only the owners of and persons interested in those particular tracts need be notified by subsequent notice. And if the publication of any notice in any county was defective or not made in time, republication of the defective notice need be had only in the county in which the defect occurred.

Sec. 32. Act to be liberally construed.—This act being necessary for securing the public health safety, convenience, or welfare; and being necessary for its prevention of great loss of life and for the security of public and private property from floods and other uncontrolled waters, it shall be liberally construed to effect the control and conservation and drainage of the waters of this state.

Sec. 33. In case any section is declared unconstitutional, remainder to be unaffected.—In case any section or sections or parts of any sections of this act shall be found to be unconstitutional, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

Sec. 34. This act shall take effect and be in force from and after its passage and approval.

Approved April 23, 1917.

CHAPTER 443—H. F. No. 1116.

An act to authorize the Boards of County Commissioners of any two adjoining counties of this state to issue and sell county bonds for the purpose of constructing or improving, or aiding in the construction or improvement of, roads therein; to authorize such boards to act jointly or concurrently therein,

and to expend the proceeds thereof for said purpose in any one year regardless of existing limitations.

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

Section 1. County boards of adjoining counties authorized to issue bonds for improving roads.—Whenever the boards of county commissioners in any two adjoining counties of this state shall deem it necessary for the public benefit and for the mutual benefit of said counties to raise money for the purpose of constructing or improving, or aiding in the construction or improvement of, any road or roads therein, each said board may issue and sell the bonds of each said county for such purpose in the manner hereinafter set forth.

Sec. 2. To be issued before June 1, 1917, and not to exceed \$20,000.—No such bond shall be issued unless authorized by each said board before the first day of June, 1917; nor shall either such county board issue bonds for the purpose herein authorized in an amount exceeding the sum of twenty thousand dollars; nor shall the aggregate of the bonds issued by both said counties for the purpose herein authorized exceed the sum of thirty thousand dollars.

Sec. 3. May be expended in any one year.—Whenever any such bonds shall be issued hereunder the full proceeds thereof may be expended in any one year notwithstanding the limitations contained in any existing law restricting the sums of money that may be expended for the purpose herein authorized, and the proceeds of such bond issue or issues may be expended in addition to and over and above such limited amount.

Sec. 4. Agreement as to joint construction of roads.—Such county boards may agree each with the other that the road or roads to be constructed pursuant to this act shall be built under the joint supervision and direction of both such boards; and said boards are hereby authorized and empowered to jointly and concurrently advertise for bids, let contracts, and supervise the building of any such road or roads in such manner as such boards may by resolution agree upon, conforming in the matter of letting contracts so far as possible to existing laws; and such boards may by resolution specify the proportions and manner in which estimates shall be allowed and paid by their respective counties during the progress of the work.

Sec. 5. Counties may be sued jointly.—In any action at law, or in equity, arising upon the joint contract permitted to be made under the provisions of this act, such counties may sue and be sued jointly. Any bond to be given to secure the faithful performance of any contract herein authorized shall run to such counties jointly.

Sec. 6. **Bonds to run not longer than 25 years with interest at five per cent, how sold and how signed.**—No bonds shall be issued under the terms of this act to run for a longer period than 25 years, or bearing a higher rate of interest than five per cent per annum, and none of said bonds shall be sold for less than their par value and accrued interest. They shall be sold to the highest responsible bidder or bidders after at least one week's published notice of sale. The place of payment of the principal and interest thereon and the denomination or denominations in which the same shall be issued, and their form, shall be such as may be prescribed by the board of county commissioners. All such bonds shall be signed by the chairman of the board of county commissioners, attested by the county auditor, and shall be sealed with his seal, provided the signatures to the coupons attached to such bonds, if any, may be lithographed thereon.

Sec. 7. **Disposition of money.**—All money realized from the sale of such bonds shall be used exclusively by said boards of county commissioners for the purpose herein specified.

Sec. 8. **Tax levy authorized.**—Each said board of county commissioners, after the issuance of said bonds, shall levy a tax upon the taxable property of such county, in addition to all other taxes levied, sufficient to provide a sinking fund for the redemption of said bonds upon maturity, and shall also provide a sum sufficient to pay the interest accruing semi-annually upon said bonds.

Sec. 9. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved April 20, 1917.

CHAPTER 444.—S. F. No. 1025.

An act permitting purchasers of state timber to remove it from state land after expiration of the permit's second extension.

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

Section 1. **Extension of time for removing timber from state lands.**—The board of timber commissioners is hereby authorized to extend the time within which purchasers of state timber, who at the time of the passage of this act shall have been granted two extensions of one year each under the provisions of section 5278, General Statutes 1913, may remove the same from the state land where cut, such cutting having been done before the expiration of the second extension of the permit. Such