

thereof within the class designated in said chapter 265 other than that so specified; and any such use of such proceeds heretofore made by any county in the construction of such highway other than that so specified is hereby legalized and made valid in all respects.

Approved April 10, 1923.

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#### CHAPTER 195—S. F. No. 540.

*An act requiring a school district issuing bonds in excess of fifteen per cent of its assessed valuation to provide for the levy of an annual tax to pay interest and create a bond sinking fund.*  
Be it enacted by the Legislature of the State of Minnesota:

Section 1. School districts to create sinking fund in certain cases.—At or before the issuance of bonds by a school district which bonds together with the bonds of said school district then outstanding including bonds issued to the State of Minnesota will be in excess of fifteen per cent of its last assessed valuation the school board shall by resolution provide for the levy of an annual tax to pay the interest and create a bond sinking fund which annual tax shall be not less than an amount sufficient to pay the interest due the following year on all bonds of said school district then outstanding, excluding bonds issued to the State of Minnesota, and an amount not less than four per cent of the face value of said proposed bond issue and all other bonds of said school district then outstanding, excluding bonds issued to the State of Minnesota. A certified copy of said resolution shall be filed with the county auditor who shall include the levies provided for in the annual tax levies of said school district. The tax levy herein provided for shall be in addition to the tax levy required by Section 1878, General Statutes 1913, to pay the principal and interest of bonds issued to the State of Minnesota. Provided, however, that the sinking fund herein provided for shall be invested in accordance with the provisions of Section 1867 General Statutes 1913 or in obligations of the United States.

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

Approved April 10, 1923.

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#### CHAPTER 196—S. F. No. 585.

*An act to appropriate money to defray the cost of the publication of the proposed amendments to the Constitution during the month of October, 1922.*

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

Section 1. Appropriation for publication of constitutional amendments.—That the sum of \$11,159.10 be and is hereby appropriated out of any funds in the treasury, not otherwise appropriated for the payment of the publication of the proposed amendments to the constitution in various newspapers of the state during the month of October, 1922.

Approved April 10, 1923.

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#### CHAPTER 197—S. F. No. 590.

*An act providing for arbitration of controversies between the State of Minnesota and public contractors arising out of any building or construction contract entered into with the state of Minnesota by and through the Board of Control or any other body or agency of the state clothed with power to make such contracts on behalf of the state.*

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

Section 1. Board of arbitration authorized in certain cases.—Any controversy arising out of any building or construction contract of any kind between the state of Minnesota and any public contractor shall be submitted to arbitration if the parties can not otherwise agree. Three persons shall compose the arbitration board unless a lesser number is agreed on. If a lesser number is not agreed on, each party shall name one arbitrator, and these two shall name a third.

The party desiring arbitration shall make a written demand therefor and shall in such demand name the arbitrator by him selected. He shall also in such demand set forth all the controversies and claims which he desires to submit to arbitration. Such demands shall be immediately served upon the opposite party, who shall within five days name an arbitrator on his part, and shall set forth in writing any additional claims or controversies which he desires to submit to arbitration on his part.

The two persons so named shall immediately meet and designate a third arbitrator. If they cannot agree within five days, either party to a controversy may apply to the district court of the county where the building or other construction or improvement is being made for the appointment of such third arbitrator.

When such board of arbitration shall have been appointed, an agreement shall be executed as provided by Section 8017 General Statutes 1913. The arbitrators shall thereupon proceed to hear and determine claims and controversies between the parties and make an award thereon. The proceedings on the hearing and award shall be governed by the provisions of Sections 8017 to 8022 inclusive of the General Statutes, 1913.

Provided further that if either party refuses to sign the agree-