

business, but no plat of such subdivision or rearrangement shall interfere with the rights and privileges of the several lot owners of said cemetery without their consent, nor need same be filed in the office of the register of deeds; provided that a plat of the same shall be kept for public inspection at such cemetery; and provided further that there shall be placed at the corner of each lot of such subdivision or re-arrangement cement or other non-destructible markers three inches or more in diameter and eight inches or more in length, one of such markers showing the number of the lot.

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

Approved April 19, 1923.

CHAPTER 361—S. F. No. 320.

An act to appropriate money for the use of the forestry board for the payment of claims against the state of Minnesota for fighting forest fires, and expenses incurred in fighting forest fires during the fall of 1922.

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

Section 1. **Deficiency appropriation.**—The sums hereinafter named or so much thereof as may be necessary are hereby appropriated from any moneys in the State Treasury not otherwise appropriated for the purposes specified in the following sections of this act to be available for the year ending June 30, 1923.

Sec. 2. **Appropriation to forestry board.**—To the Forestry Board for the purpose of paying claims of sundry persons for fighting forest fires and expenses incurred in fighting forest fires, Seventy Thousand Dollars, (\$70,000.)

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 19, 1923.

CHAPTER 362—S. F. No. 333.

An act to amend Section 1 of Chapter 246 of the General Laws of 1915 relative to the issuance and payment of county warrants in drainage proceedings.

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

Section 1. **Payment of interest on ditch warrants to be made annually.**—That Section 1 of Chapter 246 of the General Laws of 1915 be and the same hereby is amended so as to read as follows:

Section 1. That in all cases where a warrant *has been or shall be issued* by the auditor of any county under and pursuant to the provisions of Section 5541 of the General Statutes of Minnesota for

the year 1913 or any other section or act relating to proceedings to lay out or construct any drainage system under or pursuant to the laws of this state and there shall be no cash in the fund therein mentioned to pay said warrant when the same is presented, and the county treasurer shall endorse said warrant "not paid for want of funds", and shall date and sign said endorsement as in said act provided, then and in that event the interest on said warrant therein provided shall be paid on said warrant annually on the 1st day of July in each year until said warrant is called in and paid by said treasurer, or bonds are issued by the county to care for said warrants. Provided that in all cases where such warrants are issued and no cash is available in the fund upon which said warrant is drawn to pay the same, then the limitation of the right of action upon such warrant shall not begin to run as provided in Section 7701 of the General Statutes of 1913 until cash is available in such fund for the payment of such warrant.

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

Approved April 19, 1923.

CHAPTER 363—S. F. No. 339.

An act to subject to garnishment money due and owing by the State on account of any employment by or contract with the State Highway Commissioner.

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

Section 1. Money due employes of State highway department subject to garnishment.—Money due or owing any corporation or person by the State on account of any employment, work or contract with the State Highway Commissioner shall be liable to garnishment, except as exempted by law. The garnishee summons may be served upon the highway commissioner by registered mail: and the disclosure shall be made by the commissioner or by some person having knowledge of the facts designated by him. Provided, that the commissioner may in lieu of an appearance transmit, before the day of hearing, to the court or officer before whom such disclosure is to be made a duly verified and authenticated statement of the moneys due and owing the defendant, if any, which statement shall constitute the disclosure, unless the court or justice otherwise orders and by such order appoints a referee to take the disclosure at a time and place specified in such order upon six days notice to the garnishee and the defendant. The examination may proceed without notice to the defendant if it be made to appear to the referee by affidavit that the defendant is not a resident of the State and cannot be found therein. When payment is made pursuant to judgment against said commissioner as garnishee