

Board or Court shall make its order allowing the Commissioner of Highways to make the alteration or change petitioned for. Upon the making of such order by the County Board or the Court, the Commissioner of Highways may proceed at the sole cost and expense of the State to make such alterations or changes as may be in said order allowed, damages, if any, for any additional lands necessary for such change or alteration being first duly paid or secured. Upon completion of the alteration or change the Commissioner of Highways shall file with the Auditor or Clerk a map drawn to scale showing thereon the change or alteration made and shall also file a profile of all lines of the alteration or change in the ditch showing graphically the elevation of the ground and gradient, whether open or tiled, the size of tile and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof. If the map and profile be filed with the clerk, duplicates thereof shall also be filed with the auditor of each county affected. Upon the completion of the alteration or change herein provided for, the ditch shall thereafter include such alteration or change as a part thereof with the same force and effect as though it had been originally so constructed and established.

[106.493] Sec. 2. **Damage to landowners; recovery.** Within six years after completion of any alteration or change, as provided in section 1 hereof, any owner or owners of lands in the drainage system claiming damages by reason of such alteration or change may bring an action in the district court of the county in which such lands are located to compel the Commissioner of Highways to pay the damages, if any, caused by such alteration or change.

Approved April 8, 1949.

CHAPTER 326—S. F. No. 1342

An Act relating to the distribution of certain funds of dissolved towns; amending Minnesota Statutes 1945, Section 368.49.

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

Section 1. Minnesota Statutes 1945, Section 368.49, is amended to read :

368.49. **Distribution of funds.** *Subdivision 1.* Any funds remaining in, or hereafter coming into, the treasury of the county in which such town shall be located, shall be disposed of in the following manner:

Any road or bridge funds shall be expended by the county board of any such county for road and bridge improvements wholly within the limits of such town; any other funds of such town shall, by the auditor of such county, be credited to the general fund of the county.

Subd. 2. Where any such dissolved township has any unexpended money in its bond and interest funds and there are no bonds or indebtedness outstanding, any such unexpended money shall be spent for road and bridge improvements or other legal expenditures within the said township.

Approved April 8, 1949.

CHAPTER 327—H. F. No. 688

[Not Coded]

An act relating to cities of the first class now or hereafter having a population of at least 100,000 and not more than 250,000 inhabitants, and providing for the use of gas, water, and other municipal utility services to occupants and owners of land outside the city upon certain conditions.

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

Section 1. Duluth; utility services, contracts between city and non-resident. Any city of the first class now or hereafter having a population of at least 100,000 and not more than 250,000 inhabitants may contract for the use of its gas, water and other municipal utility services with the owner or occupant of land outside of the city, which contract shall provide for the payment of an initial fee by such owner or occupant in an amount equal to the benefits to the property to be served, calculated upon a basis comparable to the assessment for benefits to premises within the city for similar municipal utility services before connection may be made with the municipal system, and thereafter payment for the use of such municipi-