

the forfeiture of its charter, nor shall this act affect any action or proceedings now pending in any of the courts of this state in relation to any corporation described in section 1.

Approved March 6, 1959.

CHAPTER 76—H. F. No. 432

An act relating to public drainage systems; inspection; reports and partial payments to contractors for work performed; amending Minnesota Statutes 1957, Section 106.281.

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

Section 1. Minnesota Statutes 1957, Section 106.281, is amended to read:

106.281 Inspection; partial payments. It shall be the duty of the engineer during the progress of the work to inspect the same and require that it be done in accord with the plans, specifications and contract for construction. Each month during the progress of the work, he shall report in writing to the board or court showing all work completed since the last prior report and all materials furnished, in accord with the provisions of the contract, and shall therewith issue his preliminary certificate for work done and approved or materials delivered. The certificate shall contain the station numbers of the work covered by the certificate and, in case of an open ditch, the actual yardage of the excavation completed, and shall show the total value of all work done and materials furnished according to contract. In judicial ditches the certificate shall further show the percentage of the total value to be paid by each county in the proportion fixed by order of the court. A duplicate of the certificate shall be delivered to the auditor of each county affected. The county or counties shall pay the contractor upon each such certificate 90 percent of the total value of work done and approved and 90 percent of the total value of material furnished and delivered. Such material shall be delivered only as required in the course of construction as authorized by the engineer. Each certificate shall show that no loss will result from the partial payment therein set forth.

Approved March 6, 1959.
