

village, town, or county is authorized to acquire real property for public purposes, other than street purposes, or, if there be no such law, in the manner provided for and subject to the provisions of the condemnation law.

39. Every city, village, or town, and the Board of County Commissioners of any county which acquires, leases, controls or sets apart property of any kind for an airport, landing field or other facilities for the use of any type of aircraft or purposes so to do, may establish, construct, reconstruct, erect, alter, expand, enlarge, improve, equip, maintain, protect, police, repair and operate the same, and may lease the same, in whole or in part, or grant any right or interest therein or thereon, to any person or corporation on such terms and conditions as it may deem proper, or may vest jurisdiction or authority to exercise or perform any or all of the foregoing powers in any suitable officer, board, body, commission, or other agency of such city, village, town, or county, and any such city, village, town, or county is hereby authorized to create any such agency for such purposes. The expenses and costs incurred in connection with doing or performing any or all of the above mentioned acts or things shall be a city, village, town, or county charge, as the case may be. Every city, village, or town, and the County Commissioners of any county may establish fees or charges for the use of such airports, landing fields or other facilities for the use of any type of aircraft, or for any right or interest granted therein or thereon, or may authorize an officer, board, body, commission or other agency of such village, city, town, or county having jurisdiction to establish such fees or charges.

41. The powers conferred upon cities, villages, towns and County Commissioners by Sections 35 to 40, inclusive, shall include acquisition of property, including air rights or interests, for an airport, landing field or other facilities for the use of any type of aircraft to be maintained by any common carrier or carriers of passengers or freight by air; and when any such city, village, town or Board of County Commissioners has contracted with any such common carrier to acquire any such airport, landing field or other facilities for the use of any type of aircraft and sell the same to such common carrier, it may borrow not exceeding the amount of the purchase price under said contract and use said moneys for acquisition of said property by purchase, condemnation or otherwise.

SEC. 2. *And be it further enacted,* That should any section, or part of any section, of this Act be held invalid