

## CHAPTER 82.

H. F. No. 170.

*An act to amend section seven (7) of chapter ninety-eight (98) of the general laws of Minnesota for the year eighteen hundred and eighty-seven (1887), the same being "An act to provide for the formation and organization of drainage districts for the draining of wet and overflowed lands for agricultural and sanitary purposes."*

To amend Sec.  
7 Chap. 98 U. L.  
1887.

95 C 82  
238 - 01

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

SECTION 1. That section seven (7) of chapter ninety-eight (98) of the general laws of Minnesota for the year one thousand eight hundred and eighty-seven (1887), entitled, "An act to provide for the formation and organization of drainage districts for the draining of wet and overflowed lands for agricultural and sanitary purposes, be amended by adding thereto the following words, to-wit:

*Provided*, that if, for any reason the board of drainage commissioners do not order constructed said drain, ditch or embankment so petitioned for, and the expenses of the proceedings under such petition shall exceed the amount of said bond, then in all such cases heretofore or hereafter arising, the board of drainage commissioners are hereby authorized to levy a tax upon the lands described in said petition, sufficient to pay the amount of such expenses, or so much thereof as they may deem it impossible to collect from the bondsmen upon said bond.

Tax for expenses  
of ditch.

*Provided further*, that said levy and assessment shall constitute a lien upon said lands and shall be made as nearly as practicable in the same manner as hereinafter provided by this act.

Lien upon land

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

Approved Feb. 27th 1895.

## CHAPTER 83.

S. F. No. 613.

*An act to amend section 26, of chapter 97, of the general laws of 1887, relating to drainage.*

To amend Sec.  
26 Chap. 97  
G. L. 1887.

95 C 83  
238 - 01

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

SECTION 1. That section twenty-six of chapter ninety-seven of the general laws of the year one

thousand eight hundred and eighty-seven, be and the same is hereby amended so as to read as follows:

Penalty for obstructing ditch.

Sec. 26. If any person shall wilfully obstruct any public ditch, or shall wilfully divert the water from its proper channel, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five dollars (\$5) nor more than fifty (50) dollars, and shall also be liable for any and all damages accruing to any person or persons, or corporation, by such act,

Dams.

*Provided*, however, that the erection of a dam or dams across any public ditch or ditches for the purpose of overflowing and irrigating any lands through which such public ditch or ditches may run, after first obtaining permission from the board of town supervisors of the town in which such proposed dam or dams will be located, to construct such dam or dams, shall not be deemed an obstruction."

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

Approved April 19th 1895.

S. F. No. 83.

## CHAPTER 84.

To amend Secs.  
8, 31 Chap. 97  
G. L. 1887.

*An act to amend sections eight (8) and thirty-one (31) of chapter ninety-seven (97) of the general laws of one thousand eight hundred and eighty-seven (1887), entitled "An act to enable the owners of lands to drain and reclaim them when the same cannot be done without affecting the lands of others; prescribing the powers and duties of county commissioners and other officers in the premises, and providing for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency."*

95 C 84  
258 - 01

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

Points amended in Sec. 8.

SECTION 1. That section eight (8) of chapter ninety-seven (97) of general laws of one thousand eight hundred and eighty-seven (1887) be, and the same is hereby amended by striking out the word "reviewers" where it occurs therein and inserting the word viewers in the place thereof; and that section be further amended by adding thereto the following, viz.;

*Provided* however, that in all cases which are now pending where, for any cause, a defective notice or no notice, has been given as herein provided, such notice if subsequently, given by virtue of any order which the