

CHAPTER 350—H. F. No. 271.

An act to amend Section 5601 of the General Statutes of Minnesota, for 1913, relating to drainage.

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

Section 1. **Change of method of construction or alteration or location of drainage ditches and proceeding for same.**—That section 5601 of the General Statutes of Minnesota for the year 1913, be amended so as to read as follows:

5601. Whenever proceedings have been or hereafter shall be taken to lay out a drainage ditch according to law and the same has been or hereafter shall be laid out and established, and the contract for the construction thereof let, and it has been or thereafter shall be found to be impossible, by reason of unfavorable weather or other good cause, for the contractor to construct the same, and the engineer in charge of such ditch concludes after examination, that better results can be obtained by a different method of construction, thereupon, upon a petition of not less than seventy-five per centum of the owners of the land affected by the construction of such drainage ditch, as shown by the viewers' report in such proceedings, and upon the filing with the county auditor of the county where such proceedings are pending in case of a county ditch, or with the clerk of the district court where such proceedings are pending in case of a judicial ditch, by said contractor and his bondsmen of an agreement in writing consenting thereto, the said county auditor or county clerk or county auditors, as the case may be, may alter or modify the contract theretofore entered into with such contractor as to the manner, method or time within which such drainage ditch shall be constructed, in accordance with the recommendation of the engineer in charge thereof, upon the filing of such recommendation with such auditor, or auditors, or clerks as the case may be.

Provided further, that if, after the establishment of any county or judicial ditch, and before the completion thereof, it shall become apparent that said ditch or any of the branches thereof should be enlarged, deepened or otherwise changed or that a change or alteration in the location should be made for the better service thereof, the county board in case of a county ditch or the court in case of a judicial ditch may authorize such change or changes as the engineer shall recommend. Provided, however, that before any action shall be taken by the court or the county board, as the case may be, a petition signed by twenty-five per cent of the resident owners of lands affected by said ditch as named in the order establishing said ditch not exceeding in any case more than fifty such resident owners shall be filed with the county auditor if a county ditch, or with the clerk of court if a judicial ditch, setting forth the necessity for the

changes or alterations in said ditch, and at the time of filing such petition one or more of such petitioners shall give a bond with good and sufficient freehold sureties payable to the county to be approved, including amount and sureties, by the court or the county auditor, as the case may be, conditioned to pay all expenses in case the county board or the court shall fail to make the alteration or change prayed for in said petition. The same notice shall be given as is given on the filing of an original petition for a new ditch. If upon the hearing of said petition the county board or the court, as the case may be, from the evidence considers it necessary or advisable that changes or alterations be made in said ditch, either in size, location or otherwise, the county board or the court, as the case may be, shall have authority to resubmit the same to the engineer who had charge of said ditch or appoint a new engineer to re-examine said ditch and make report as to changes or alterations he may deem necessary for the betterment of said ditch. Said engineer shall within thirty (30) days make report thereon as to the changes and alterations thereon for the improvement of said ditch. If changes and alterations are recommended by the engineer in said ditch, the viewers shall re-examine said ditch with the proposed changes and alterations and shall within twenty (20) days, after the filing of said engineer's report, file with the auditor or with the clerk of said court, as the case may be, their amended viewers' report.

Upon the filing of the amended viewers' report with the county auditor in the case of a county ditch or with the clerk of the district court in the case of a judicial ditch, the county auditor or clerk of court, as the case may be, shall give the same form of notice as was given on the filing of the original viewers report, and thereupon procedure identical with the proceedings of sections 5531, 5532, 5557 and 5558, General Statutes of Minnesota, for year 1913, and amendments thereto, as the case may be, shall be had and followed, and the court or the county board, as the case may be, shall have the same powers as provided by law as upon the hearing of the original viewers' report thereon.

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

Approved April 17, 1917.

CHAPTER 351—H. F. No. 364.

An act to amend Section 8207, General Statutes 1913, as amended by Chapter 209, General Laws 1915, relating to the liability of employers to compensate employees for personal injury, and fixing a scale of compensation therefor.

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

Section 1. Schedule of compensation for disability.—That