

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

section 8207, General Statutes 1913, as amended by chapter 209, General Laws 1915, be and the same is hereby amended so as to read as follows:

Section 13. Following is the schedule of compensation; (a) For injury producing temporary total disability *sixty* per centum of the wages received at the time of the injury, subject to a maximum compensation of *twelve* (\$12.00) dollars per week and a minimum of six and one-half (\$6.50) dollars per week; provided, that if at the time of injury the employe receives wages of less than six and one-half (\$6.50) dollars per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks. Payments to be made at the intervals when the wage was payable, as nearly as may be.

(b) In all cases of temporary partial disability the compensation shall be *sixty* per cent of the difference between the wage of the workman at the time of the injury, and the wage he is able to earn in his partially disabled condition. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks, payment to be made at the intervals when the wage was payable as nearly as may be and subject to the same maximum as stated in clause (a).

(c) For the permanent partial disability, the compensation shall be based upon the extent of such disability. In cases included by the following schedule the compensation shall be that named in the schedule, to-wit:

For the loss of a thumb, *sixty* per centum of daily wages during *sixty* (60) weeks.

For the loss of a first finger, commonly called index finger, *sixty* per centum of daily wages during *thirty-five* (35) weeks.

For the loss of a second finger, *sixty* per centum of daily wages during *thirty* (30) weeks.

For the loss of a third finger, *sixty* per centum of daily wages during *twenty* (20) weeks.

For the loss of a fourth finger, commonly called little finger, *sixty* per centum of daily wages during *fifteen* (15) weeks.

For the loss of the first phalange of the thumb, or of any finger, shall be considered equal to the loss of one-half of such thumb, or finger, and compensation shall be paid at the prescribed rate during one-half the time specified above for such thumb or finger.

The loss of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

For the loss of a great toe, *sixty* per centum of daily wages during thirty (30) weeks.

For the loss of one of the toes other than a great toe, *sixty* per centum of daily wages during ten (10) weeks.

The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be paid at the prescribed rate during one-half the time specified above for such toe.

The loss of more than one phalange shall be considered as the loss of the entire toe.

For the loss of a hand, *sixty* per centum of daily wages during one hundred and fifty (150) weeks.

For the loss of an arm, *fifty* per centum of daily wages during two hundred (200) weeks.

For the loss of a foot, *sixty* per centum of daily wages during one hundred and twenty-five (125) weeks.

For the loss of a leg, *sixty* per centum of daily wages during one hundred and seventy-five (175) weeks.

For the loss of an eye, *sixty* per centum of daily wages during one hundred (100) weeks.

For the complete permanent loss of hearing in both ears, *sixty* per centum of daily wages during one hundred and fifty-six (156) weeks.

For the loss of an eye and a leg, *sixty* per centum of daily wages during three hundred and fifty (350) weeks.

For the loss of an eye and an arm, *sixty* per centum of daily wages during three hundred and fifty (350) weeks.

For the loss of an eye and a hand, *sixty* per centum of daily wages during three hundred and twenty-five (325) weeks.

For the loss of an eye and a foot, *sixty* per centum of daily wages during three hundred (300) weeks.

For the loss of two arms other than at the shoulder, *sixty* per centum of daily wages during four hundred (400) weeks.

For the loss of two hands, *sixty* per centum of daily wages during four hundred (400) weeks.

For the loss of two legs, *sixty* per centum of daily wages during four hundred (400) weeks.

For the loss of two feet *sixty* per centum of daily wages during four hundred (400) weeks.

For the loss of one arm and the other hand, *sixty* per centum of the daily wages during four hundred (400) weeks.

For the loss of one hand and one foot, *sixty* per centum of the daily wages during four hundred (400) weeks.

For the loss of one leg and the other foot, *sixty* per centum of the daily wages during four hundred (400) weeks.

For the loss of one leg and one hand, *sixty* per centum of the daily wages during four hundred (400) weeks.

For the loss of one arm and one foot, *sixty* per centum of the daily wages during four hundred (400) weeks.

For the loss of one arm and one leg, *sixty* per centum of the daily wages during four hundred (400) weeks.

Where an employe sustains concurrent injuries resulting in concurrent disabilities, he shall receive compensation only for the injury which produced the longest period of disability; but this section shall not affect liability for the concurrent loss of more than one member, for which members compensations are provided in the specific schedule and in sub-section (e) below.

In all cases of permanent partial disability, it shall be considered that the permanent loss of the use of member shall be equivalent to and draw the same compensation as the loss of that member; but the compensation in and by said schedule provided, shall be in lieu of all other compensation in such cases.

In cases of permanent partial disability due to injury to a member, resulting in less than total loss of such member not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the respective member, which the extent of injury to the member bears to its total loss.

All compensations provided in clause (c) of this section for loss of members, or loss of use of members are subject to the same limitations as to maximum and minimum as are stated in clause (a).

In all other cases of permanent partial disability not above enumerated the compensation shall be *sixty* per centum of the difference between the wage of the workman at the time of the injury and the wage he is able to earn in his partially disabled condition, subject to a maximum of *twelve dollars* (\$12.00) per week. Compensation shall continue during disability not, however, beyond three hundred (300) weeks.

(d) For permanent total disability as defined in sub-section (e), below, *sixty* per centum of the wages received at the time of the injury, subject to a maximum compensation of *twelve* (\$12.00) dollars per week and a minimum compensation of six and one-half (\$6.50), dollars per week, provided, that if at the time of injury the employe was receiving wages of less than six and one-half (\$6.50) dollars per week, then he shall receive the full amount of his wages per week. This compensation shall

be paid during such permanent total disability, not exceeding five hundred and fifty (550) weeks; but in all such cases drawing more compensation than six and one-half (\$6.50) dollars per week, the payments after the first four hundred (400) weeks, shall be reduced to six and one-half (\$6.50) dollars per week for the remainder for the five hundred and fifty (550) weeks, while the permanent total disability continues; payment to be made at the intervals when the wage was payable as nearly as may be. The total amount of compensation payable under this sub-section shall not exceed five thousand (\$5,000) dollars in any case. Provided, however, that in case an employee who is permanently and totally disabled, becomes an inmate of a public institution, then no compensation shall be payable unless he has wholly dependent on him for support a person or persons named in sub-sections (1), (2), and (3), of section 14, (whose dependency shall be determined as if the employee were deceased); in which case the compensation provided for in this sub-section shall be paid for the benefit of said persons so dependent, during dependency, in such institution.

(e) The total and permanent loss of the sight of both eyes or the loss of both arms at the shoulder, or complete and permanent paralysis, or total and permanent loss of mental faculties, or any other injury which totally incapacitates the employee from working at an occupation which brings him an income, shall constitute total disability.

(f) In case a workman sustains an injury due to accident arising out of and in the course of his employment, and during the period of disability caused thereby, death results proximately therefrom, all payments previously made as compensation for such injury shall be deducted from the compensation, if any, due on account of death.

Approved April 17, 1917.

CHAPTER 352—H. F. No. 1223.

An act to amend Sections 3362 and 3365 of the General Statutes of Minnesota for 1913 relating to reserves and deposits under certain classes of indemnity contracts.

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

Section 1. Amount of reservations and deposits which must be kept on hand for certain classes of indemnity contracts.—That section 3362 of the General Statutes of Minnesota for 1913 be and the same is hereby amended so as to read as follows:

Section 3362. Such subscribers so contracting among themselves shall through their attorney file with the insurance commissioner of this state a declaration verified by the oath of such attorney, setting forth: