

SEC. 5. That section eight (8) of article two (2) of said code be amended by striking out all the words after the words "inferior in rank to said officer," and by adding the words "should the said board report that the person so elected or appointed is incompetent to perform the duties of the office to which he shall have been elected or appointed, the commander-in-chief shall have power to annul said election or appointment.

Commander-in-chief may annul elections or appointments.

SEC. 6. That section one (1) of article six (6) of said code be amended by adding after the word "Artillery" the words "And troop of cavalry." Also strike out the word "Seven" and inserting the word "Ten."

SEC. 7. That section two (2) of article six (6) of said code be amended by striking out the words "Officer and" wherever they occur together in said section.

SEC. 8. That section four (4) of article six (6) of said code be amended by striking out the word "Actual" and inserting the word "Any."

SEC. 9. That the sum of ten thousand (10,000) dollars be and is hereby appropriated out of the general fund for the current fiscal year and annually thereafter for the purpose of carrying out the provisions of the said military code of one thousand eight hundred and eighty-three (1883) and amendments thereto. Such sum to be in addition to all appropriations heretofore made for the purposes aforesaid.

Appropriation for military purposes.

SEC. 10. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 28th, 1887.

CHAPTER 96.

[S. F. No. 312.]

AN ACT TO AMEND SECTION ONE (1) CHAPTER NINETY-NINE (99) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885) TO CHANGE THE TIME OF THE JULY MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF YELLOW MEDICINE COUNTY.

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

SECTION. 1. That section one (1) of chapter ninety-nine (99) of the general laws of one thousand eight hundred eighty-five (1885) be and the same is hereby amended

Time of meeting of county commissioners of Yellow Medicine county.

by inserting the word "Yellow Medicine" in the fourth (4th) line of said section after the word 'Sibley' therein so as to change the July meeting of said board of county commissioners from the fourth Monday of July to the second Monday of July in each year.

When act to take effect.

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

Approved March 7, 1887.

CHAPTER 97.

[S. F. No. 420.]

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.

148-97
108 . 91
97
162 . . . 93
40-M . 237
87 C 97
105-M - 26
116-NW 1028
01 - - 258
05 230 \$18
07 367 \$ 3
09 469 \$ 7
117-M - 54
134-NW 226
Supp. 265101

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

Co. Commissioners may cause ditches, etc., to be constructed.

SECTION 1. That the board of county commissioners of any county, shall have power, at any session, when the same shall be conducive to the public health, convenience or welfare, or when the same will be of public benefit or utility, to cause to be constructed, as hereinafter provided, any ditch, drain or water course within said county.

Petition to be filed with county auditor

SEC. 2. That before the board of commissioners shall establish any ditch, drain or water course, there shall be filed with the auditor of such county a petition signed by one (1) or more of the land owners whose lands will be liable to be affected by, or assessed for the expense of the construction of the same, setting forth the necessity thereof, with a general description of the proposed starting point, route and terminus; and such petitioner or petitioners shall give a bond with good and sufficient freehold sureties, payable to the county, to be approved by the auditor, conditioned to pay all expense, in case the board of Commissioners shall fail to establish said proposed ditch, drain or water course; and said petitioner or petitioners shall file proof satisfactory to the board of com-

Petitioners shall give bond.