

after the entry of such transfer, and shall be over and above the stock owned by the stockholders in such corporation and any amount paid thereon. Any bank heretofore organized under this chapter may come under the provisions of this section as to the liability of its stockholders by amending its articles so as to declare that it adopts and agrees to be subject to this act as to all of its liabilities.

Such amendment shall be adopted and published in the same manner as the original articles. All banks of discount and deposit which do not so amend their articles and become subject to this act within six months after its passage shall thereafter use upon their letter heads and all stationery and advertising matter the words: "Stockholders in this bank subject to single liability only."

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

Approved April 10, 1907.

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CHAPTER 138—H. F. No. 505.

07 C 138  
09 - - 83

*An Act to authorize the alteration of contracts for the construction of drainage ditches in certain cases, and to authorize the modification of the original orders establishing such drainage ditches in certain cases.*

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

**Method of ditch construction may be changed.**—Section 1. 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 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.

**Procedure.**—Sec. 2. *If said contract is so modified or altered the engineer shall report to the board of county commissioners in a county ditch, and to the judge of the district court in a judicial ditch, the difference, if any, in the cost of construction, and the difference, if any, in the benefits that will accrue to benefited lands or public roads, and the difference, if any, in the damages which will result to lands or property by reason of such modification or alteration, and the changes, if any, which should be made in the order establishing said ditch, or in the viewers' report, or in the engineer's report therein, as may be necessary to make the same conform to said modified or altered contract. Such board or judge, as the case may be, shall thereupon cause to be given three weeks' published notice in the official paper of the county or counties, as the case may be, in which the ditch is situated, of the time and place of the hearing to consider the questions and issues involved in said report of said engineer, and to modify as may be necessary the original order establishing the ditch. Said hearing shall be conducted, as nearly as practicable, in the same manner as the hearing for establishing a ditch provided for in chapter 230 of the General Laws of 1905, and such board or the judge, as the case may be, may thereupon make a supplementary order modifying or amending the original order establishing a ditch or the viewers' or engineer's reports therein, or each or all of them as necessity may require, which order shall be supplementary to and amendatory of the original order establishing the ditch, and shall be filed and may be appealed from in the same manner and form as an original order establishing a ditch under said chapter 230 of the General Laws of 1905, and shall have the same force and effect as if a part of the original order establishing such ditch.*

**Acceptance.**—Sec. 3. The engineer shall accept the said ditch or any part thereof constructed under such modified or altered contract in the same manner as is now provided by law for the acceptance of the construction of public ditches under chapter 230 of the General Laws of 1905.

**Agreement to be modified.**—Sec. 4. Nothing herein contained shall in any manner prevent the persons whose lands are affected by the construction of any such county or judicial ditch from uniting in a written agreement with the contractor and his bondsmen for the alteration or modification of any such contract which the engineer may in writing recommend and to which he shall consent, as to the manner or time within which such ditch or drain shall be constructed. Thereupon the contract shall be deemed to be so altered and modified. upon the filing of said agreement and recommendations and consent with such county auditor, or county auditors, or clerk of the district court, as the case may be, and said ditch construction shall thereupon be accepted by said engineer with reference to such altered or modified contract.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 10, 1907.

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CHAPTER 139—S. F. No. 233.

07 C 139 09 C 139  
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*An Act fixing the salaries of county treasurers in counties having or which hereafter may have a population of 150,000 inhabitants or over, and not more than 250,000 inhabitants, and providing help and compensation therefor in county treasurers' offices in such counties.*

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

**Treasurer to receive \$4,500 per annum.**—Section 1. The county treasurer of each county of this state having, or which may hereafter have, a population of 150,000 or over, and not more than 250,000 inhabitants shall be paid a salary of \$4,500 per annum.

**Clerk hire and salaries.**—Sec. 2. The county treasurer of each such county shall appoint and employ one chief deputy who shall be paid the sum of \$1,800 per annum; one