

Further power
of viewers.

provements, and give location of each share, its length in feet and the estimated number of cubic yards of earth to be removed therefrom, and the price per cubic yard, and the cost of construction of each share or allotment separately when allotments shall have been made, and specify the manner in which the work shall be done; and they shall have power, when they find it necessary, to provide for running said ditch under ground, through drain tiles or other materials, as they deem best, by specifying the size and kind of tile or other material to be used in such underground work, and shall estimate the cost of the same as a part of the total cost of the work, and they shall accurately describe, as the same is described on the county tax duplicate, each parcel of the land to be assessed for the construction of said ditch, giving the number of acres in each tract assessed and the estimated number of acres benefited, the amount that each tract of land will be benefited by the construction of said work, and the amount that each tract is assessed therefor. And they shall, in tabular form, give the depth of cut, width at the bottom and width at the top, at the source, outlet, and at each one hundred (100) foot stake or monument, when the same shall have been erected, of said ditch, drain or water course. And they shall also ascertain and give the names of the owners of the lands that are assessed for the construction of said ditch, drain or water course, as far as they can be ascertained with reasonable inquiry and search of the public records, and report, also, whether or not the proposed ditch, drain or water course will be of public utility.

When act to
take effect.

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

Approved March 2, 1885.

CHAPTER 52.

AN ACT TO AMEND SECTION TWO (2) OF CHAPTER ONE HUNDRED AND THIRTY-EIGHT (138) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-THREE (1883), RELATING TO CHAMBERS OF COMMERCE AND BOARDS OF TRADE.

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

SECTION 1. That all that part of section two (2) of chapter one hundred and thirty-eight (138) of the general laws

of one thousand eight hundred and eighty-three (1883) which precedes subdivision third (3d) of said section (2), be and the same is hereby amended so as to read as follows:

Sec. 2. All persons so associating shall proceed in accordance with the provisions of title one (1) of chapter thirty-four (34) of the general statutes of the State of Minnesota, so far as the same are or may be applicable, and every such corporation shall be endowed with the following in addition to its ordinary power, viz.: First. Said corporation may constitute and appoint committees of reference and arbitration, and committees of board of appeal, who shall be governed by such rules, by-laws and regulations as may be prescribed by said corporation, for the settlement of such matters of difference as may be voluntarily submitted for arbitration by members of the said corporation or by other persons not members thereof. The acting chairman of either of said committees or boards, when sitting as arbitrators, may administer oaths to the parties and witnesses; and upon request of any party to such arbitration any clerk of any court of record, on payment of his fees therefor, shall issue subpoenas for the attendance of witnesses and production of papers before said committees, and the same may be served and obedience thereto enforced in like manner as process requiring attendance before the court issuing the same. Second. When any such submission shall have been made in writing pursuant to the rules and by-laws of such corporation and no appeal therefrom taken within the time fixed by said rules or by-laws, or when a final award shall have been rendered on appeal duly taken, such submission, with the award, and, in cases of appeal, the final award, may be filed in the office of the clerk of the district court in and for the county in which such corporation is located, and thereupon the prevailing party may, upon notice of at least eight (8) days, apply to said court, at any general or special term thereof, for an order confirming such award and directing judgment to be entered thereon. Upon such hearing, if the application be opposed, like proceedings shall be had as are provided in sections eleven (11) to eighteen (18) inclusive of chapter eighty-nine (89) of the general statutes of Minnesota relating to arbitrators, and except as otherwise herein provided, all provisions of said chapter subsequent to the filing of the award in the office of the said clerk shall be applicable to awards rendered by said committees and boards created pursuant to this act. No such submission shall be made respecting the claim of any person to any real estate or any interest therein or lien thereon. Neither party shall have power to revoke a submission made under the rules of said corporation without the consent of the other, and after due submission, if either neglects to appear before said committees and prosecute or defend, as the case may be, according to said rules, the committee or board may proceed to hear

Additional power granted to said corporations.

May administer oaths to witnesses.

Submission of awards may be filed in the office of the clerk of the district court.

Claim not to affect interest in real estate.

Form of sub-
mission—how
prescribed.

and determine the cause on the evidence produced by the other party. The form of submission and the mode of procedure until the filing of the award in the office of the clerk of said court shall be substantially such as are prescribed by the rules and by-laws of such corporation; *Provided, always,* Such submission shall be in writing, signed by both parties, and set forth in plain and concise language the facts on which the controversy depends; and when they are not agreed upon the facts the submission may be in the form of a complaint and answer, and if needful, a reply. The filing of such pleadings, signed by the party, with the secretary of such corporation, shall be deemed a submission on the part of the party filing the same.

What deemed to
be a submission.

When act to
take effect.

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

Approved March 9, 1885.

CHAPTER 53.

AN ACT TO BE ENTITLED AN ACT TO AMEND SECTION THIRTY-SIX (36) OF CHAPTER SEVENTY-THREE (73) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO THE TESTIMONY OF WITNESSES.

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

By insertion.

SECTION 1. That section thirty-six (36) of chapter seventy-three (73) of the general statutes of one thousand eight hundred and seventy-eight (1878) be amended by inserting the words "within or" after the word "person" where it occurs in the second line of said section.

When act to
take effect.

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

Approved February 26, 1885.