

public examiner, except that the expenses thereof shall be subject to the direction and control of the said district court. In case of the death, removal or refusal to act of any such agent or agents, the stockholders, on the same notice as that after which they were elected and in the same way, may elect a successor who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected. Dividends on unclaimed deposits remaining unpaid in the hands of the public examiner for six months after the order for final distribution shall be by him deposited in one or more state banks or trust companies to the credit of the public examiner as such, in trust for the several depositors with and creditors of the liquidated bank from which they were received and to whom they belonged. The public examiner shall report semi-annually in his public report the names of banks so taken possession of and liquidated and the sums of unclaimed and unpaid deposits or dividends with respect to each of them respectively, and also a brief statement of the principal facts as to each such liquidation. The public examiner may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. In cases of doubt or conflicting claims he may require an order of the district court authorizing and directing the payment of such claims. He may apply the interest earned by the moneys so held by him towards defraying the expenses incident to the payment and distribution of such unclaimed deposits or dividends to the depositors and creditors entitled to receive the same, and he shall include in his said public report a statement of the amount of interest earned by such unclaimed deposits and dividends.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 13, 1909.

CHAPTER 180—S. F. No. 808.

An Act relative to special elections in cities of the third class, the nomination of candidates for election and the registration of voters at such elections.

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

City council may order special election.—Section 1. That whenever a special election shall be required in any city of this state having a population of more than ten thousand inhabitants and less than twenty thousand inhabitants, to fill any vacancy in the offices of such city and the charter of such city shall not provide by whom or by what body such special election may or shall

be ordered, then in every such case, such special election may be ordered by the city council of such city.

Primary law not to apply.—Sec. 2. That whenever a special election shall be ordered in any city of this state, having a population of more than ten thousand inhabitants and less than twenty thousand inhabitants, to fill any vacancy in the offices of such city, and the charter of such city shall require such special election to be ordered and held within ten days after such vacancy shall occur, candidates for election at such special election shall not be required to be nominated at a primary election. Candidates for election at such special election may be nominated by delegate conventions called and held in accordance with the laws of this state, relative to the nomination by conventions held to nominate candidates for election at a special election. Candidates for election at such special election may also be nominated by certificates in the manner provided by law relating to nominations by petition or certificates of voters. *Provided*, however, that all certificates of nomination of candidates for election at such special elections shall be filed with, and the nomination fee fixed by law paid to the city clerk of such city on or prior to the third day before the day appointed for holding such special election.

Fees to be paid to city treasurer—Duty of city clerk.—Sec. 3. All nomination fees received by any city clerk under the provisions of this act shall be forthwith paid by him to the city treasurer of such city. Said city clerk shall cause the necessary ballots for use at such special election to be prepared, printed and bound in the form and manner provided by law relating thereto, and shall furnish the same to the judges of election for use at such special election, but such city clerk shall not be required to prepare or post any sample ballot in relation to such special election.

Judges at last general election to preside.—Sec. 4. It shall not be necessary to appoint judges or to make new registers of voters for such special election, but the judges of election at the last general election in any precinct or district shall continue to be judges of election for such special election and vacancies of judges may be filled the same as in case of general elections. Such judges shall constitute the boards of election for their respective election districts for such special elections. They shall meet on the third day, exclusive of any intervening Sunday, before the day appointed for such special election at six o'clock a. m. at the place where the last election was held, or at such other place as may be lawfully designated as the polling place for such district, and there remain in session until nine o'clock p. m. They shall at such session erase from the registers of voters used at the last election held in such district the names of all voters known to

have since died, removed from the district or become disqualified and shall note on such registers opposite each name so erased the reason for such erasure. They shall enter at the proper places in such registers and in the form provided by law relating to the registration of voters, the names of legal voters of said district, who may be lawfully registered as voters at such special election. At the end of said day said board shall compare and correct said registers, shall cause the same to be signed by one of their number at the end of the list on each page thereof, and shall attach certificates to such registers in the form, so far as applicable, required to be attached by boards of registration to registers of voters on completion of the registration of voters in such city. No list of the names of voters appearing on such registers shall be required to be prepared or posted. Before ten o'clock on the next week day, said registers shall be deposited by one of said board in the office of the city clerk, who shall safely keep the same. Such registers shall be used as the registers of voters at such special election.

Compensation of judges and clerks.—Sec. 5. The compensation for services at such special election shall be the same as provided by law for similar services at elections and with other expenses thereof shall be paid as provided by law relating to the payment of expenses at general elections.

General election law to apply.—Sec. 6. Except as otherwise provided in this chapter, or in the charter of the city in which such special election shall be ordered, the nomination of candidates and the registration of voters for such special election and such special election and all things pertaining thereto, shall be in accordance with and controlled by the laws of this state.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 13, 1909.

CHAPTER 181—H. F. No. 32.

An Act limiting the time within which real estate mortgages may be foreclosed.

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

Limitation of time for real estate mortgage foreclosures.—

Section 1. No action or proceeding to foreclose a real estate mortgage, whether by action or advertisement, or otherwise, shall be maintained unless commenced within fifteen years from the maturity of the whole of the debt secured by said mortgage, and