

(k) Any person, firm or corporation who shall split, divide, or share, directly or indirectly any fee, charge, or compensation received from any employee with any employer, or person in any way connected with the business thereof, shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than \$100, and not more than \$1,000, or on failure to pay such fine, by imprisonment for a period not to exceed one year, or both at the discretion of the Court.

Sec. 16. **Sections separable.**—The sections and provisions of this act are separable. In case any section or provision of this act shall be held by any Court to be unconstitutional or invalid, such invalidity shall not affect any other section or provision thereof.

Sec. 17. **Acts repealed.**—Sections 4246, 4247 and 4248, General Statutes 1923, and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

Sec. 18. **Effective July 1, 1925.**—This Act shall take effect and be in force from and after July 1, 1925. Existing licenses unless sooner revoked for cause shall continue in effect until their expiration.

Approved April 24, 1925.

CHAPTER 348—S. F. No. 404.

An act relating to drainage ditches heretofore or hereafter established by any county board of this State, and providing that in cases where portions of such ditch have been constructed and other portions cannot be constructed by reason of physical conditions of the soil, the county board, may upon the petition of an interested party and a due hearing re-asses the benefits and damages, and abandon the portions of such ditch that cannot be constructed, and modify or abandon the contract or contracts for the construction of such portions, and providing further that in case such re-assessment shall reduce the amount realized from such assessments below the amounts expended or to be expended in such proceeding, the county board, shall order the deficiency to be paid out of the general revenue fund of the county.

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

Section 1. **Re-assessment of benefits and damages.**—Whenever any person whose lands have been assessed for the construction of a county ditch, or any contractor for the construction of the same or of any part thereof, shall file a petition with the county auditor of any county, setting forth that certain portions of a county ditch which has been duly established in said county and the contracts for construction thereof duly let, and the construction of a part thereof has been completed, are practically impossible of con-

struction because of certain physical conditions to be specified in said petition, encountered, or which will be encountered in the course of construction thereof, and specifying by station numbers such said parts, and separately, such further parts likewise specifically designated, the utility of which will be impaired or destroyed by an abandonment of construction of any parts, and praying that the construction of such said parts practically impossible of construction shall be abandoned, and the construction of the parts the utility of which will be impaired or destroyed by such said abandonment of construction, be also abandoned or the plans and specifications and contracts for the construction thereof be modified, and that the contract for all such parts as shall be abandoned shall be cancelled and compensation thereunder be adjusted, and assessments of benefits and damages of all lands affected by said ditch and said abandonments and modifications be re-assessed; the county auditor of such county shall thereupon designate a day for hearing on said petition before the county board of such county, and give like notice of such meeting as on the final hearing for the establishment of a county ditch.

Sec. 2. Duties of County Board.—Upon such hearing, if the county board shall find that such county ditch has been in part constructed, that certain parts are practically impossible of construction because of physical conditions encountered or which will be encountered in the course of further construction thereof, and that the construction of such parts should be abandoned; and if the board shall further find that such abandonment of such said parts will impair or destroy the utility of other parts not constructed, and if the contractor for the construction of the parts so found advisable to be abandoned shall file with said board a consent to such abandonment and the board and such contractor shall agree upon the further abandonment or modification of the contract as to such parts the utility of which will be impaired or destroyed as aforesaid, and shall agree upon terms of adjusted compensation with said contractor for such abandonment and modification, if any, the board shall make its formal findings as aforesaid, and its order, particularly specifying such parts so to be abandoned or the construction thereof modified and embodying the plans and specifications as modified, and if the contractor shall file his acceptance thereof, then such abandonment, adjusted compensation, and the plans and specifications for such modification, if any, shall be effective, provided that the cost of construction of such ditch shall not thereby be increased.

Sec. 3. Hearing on re-assessment.—Upon the making of such order and its acceptance as aforesaid, or at such further time to which the board may adjourn, the board shall hear all interested parties whose lands are affected upon the re-assessment of benefits

and damages to lands previously assessed or for which damages were allowed in said ditch proceeding, and upon such hearing shall re-assess the benefits and damages previously assessed or allowed and modify the same in as far as the same are affected by such abandonment, and modification, if any, in accordance with the principles of assessments in the original proceedings; and if such re-assessment shall reduce the amounts realized or to be realized from such assessments below the amounts expended or to be expended in such ditch proceeding, the board shall order the deficiency to be paid out of the general revenue fund of the county.

Sec. 4. Original assessments to be credited.—All original assessments actually paid shall be credited as payments on the benefits as re-assessed hereunder. Where the payments upon the original assessments exceeds the amount of benefits as fixed in such re-assessments made hereunder, the county board shall authorize the county auditor to issue his warrants on the general revenue fund for the amount of such excess payments, to the persons entitled thereto.

Sec. 5. Auditor to file revised lien statement.—Within 30 days after the adoption of such re-assessment, the county auditor shall file with the register of deeds his revised lien statement in accordance with such re-assessment.

Sec. 6. Appeals.—From such re-assessment of benefits or damages an appeal may be taken to the district court in like manner and with like effect as on the original assessments.

Sec. 7. Act not exclusive.—The provisions of this Act shall not be construed as exclusive, but as providing additional and cumulative remedies.

Sec. 8. Application.—The provisions of this act shall not affect any pending actions or proceedings, and no proceedings under this act shall be instituted after June 1, 1925.

Approved April 24, 1925.

CHAPTER 349—S. F. No. 486.

An act to amend Section 3446, General Statutes 1923, relating to beneficiary and fraternal associations.

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

Section 1. Accident and sick benefits.—That section 3446, General Statutes 1923, be and the same hereby is amended so as to read as follows:

"3446. Any beneficiary or fraternal association, as defined in this chapter, may make provisions for the payment of benefits in case of sickness, or temporary or permanent physical disability, as a result of disease, accident or age exceeding seventy years, and