

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

Section 1. Moneys paid to county auditors for tax purposes. Subdivision 1. This act shall apply to any county containing more than 10,000 and less than 15,000 inhabitants according to the 1940 federal census, and containing less than 15 full and fractional congressional townships, and having an assessed valuation of less than \$5,000,000, exclusive of moneys and credits.

Subdivision 2. In all cases where in good faith moneys have heretofore and since January 1, 1943, been paid to the county auditor of any county described in Subdivision 1, in payment for delinquent taxes, state assignment certificates, on confessions of judgment or upon the sale of tax-forfeited lands and where the county auditor has failed to pay and turn over such moneys so received to the county treasurer and has converted the same to his own use, all receipts issued for such payments, with the forged signature of the county treasurer thereon, are hereby ratified, validated, legalized and confirmed with the same force and effect as if the moneys so paid had in fact been paid to the county treasurer, and the state assignment certificates, tax-forfeited land sale deeds and other instruments which have been issued upon such payments, are hereby validated, legalized and confirmed with like force and effect.

Sec. 2. This act shall not relieve any county auditor who has collected and converted moneys paid to him as tax money, as aforesaid, from his obligation to pay to the county treasurer the amount of the moneys so misappropriated by him and the county in which the auditor has so converted funds paid to him shall be entitled to recover the amount thereof from such auditor and the sureties on his official bond.

Approved April 6, 1945.

CHAPTER 238—H. F. No. 957

An act relating to fees for filing amendments to articles of incorporation and amending Minnesota Statutes 1941, Section 300.49, Subdivision 2.

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

Section 1. Minnesota Statutes 1941, Section 300.49, Subdivision 2, is amended to read as follows:

300.49. Filing fees. Subdivision 2. For the purpose of determining the fees prescribed by subdivision 1, but for no other purpose, shares without par value shall be deemed to have a par value of \$10.00 each, unless such shares are entitled to priority over other shares upon liquidation, in which case the involuntary liquidation price stated in the articles of incorporation shall be deemed to be the par value thereof, *or unless the capital stock is reduced pursuant to Sec. 300.39 in which case shares without par value shall be computed at the value, at the time of filing the amendment to the Articles of Incorporation, as shown by a verified statement of assets and liabilities subscribed by the president and the secretary of the corporation.*

Approved April 6, 1945.

CHAPTER 239—H. F. No. 480

An act relating to gross earnings taxation of telephone companies, amending Minnesota Statutes 1941, Section 295.34.

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

Section 1. Minnesota Statutes 1941, Section 295.34, is hereby amended to read as follows:

295.34. Telephone companies to pay tax on gross earnings. *Subdivision 1. Except as provided in subdivision 2 of this act every telephone company shall pay into the state treasury, on or before March first, in each year, beginning with March 1, 1938, the following percentages of its gross earnings of the preceding calendar year derived from business within this state: (a) four per cent of its gross earnings from service to rural subscribers; (b) four per cent of its gross earnings from exchange business of all cities of the fourth class and boroughs and villages having a population of 10,000 or less; and (c) seven per cent of its gross earnings derived from all other business; which shall be in lieu of all other taxes, except the taxes imposed by chapter 290 and by sections 285.01 and 285.02. All moneys paid by a company for connecting fees and switching charges to any other company shall be reported as earnings by the company to which they are paid, but shall not be deemed earnings of the collecting and paying company. For the purposes of this section, the population of any village shall be considered as that stated in the latest federal census.*