

Also a triangular piece of land in the southeast quarter of the northwest quarter of section 33, described as follows:

Commencing at the center of section 33; thence west along the east and west quarter line 660 feet; thence northeasterly to a point on the north and south quarter line distant 660 feet from the center of section 33; thence south along the north and south quarter lines to the place of beginning.

Also all of the southeast quarter of section 32.

The above described land being in township 161 north, range 46 west.

Also that portion of section 5, township 160 north, range 46 west; lying north of the right of way of the present trunk highway No. 59.

Containing 711.76 acres, more or less."

Approved March 8, 1945.

CHAPTER 71—S. F. No. 433

An act relating to improvement of public drainage systems, assessment of benefits determined and collection thereof, and repealing Minnesota Statutes 1941, Section 106.49.

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

Section 1. Repair or improvement. Subdivision 1. Before any public drainage system theretofore established and constructed shall be improved by deepening, widening or extending, the following procedure shall be observed. In the case of the improvement of a ditch system lying wholly within the county, a petition signed by not less than 26 percent of the owners of the property affected thereby or by the owners of not less than 26 percent of the property affected shall be filed with the county auditor. In the case of a drainage system affecting two or more counties, such petition shall be filed with the clerk of the district court of any county affected. If it appears from the petition that lands not assessed for the original construction of the ditch have been subsequently found to be benefited thereby and that such lands or other lands not assessed for such original construction will be benefited by the proposed improvement, then and in such case a petition signed by 26 percent of the owners of the property

affected by and assessed for the original construction of the ditch shall be sufficient. If the ditch proposed to be improved consists of a main ditch and laterals or lateral system or of more than one main ditch with separate outlets, and if the petition be for the improvement of specified laterals or lateral systems or a separate main ditch not affecting the entire ditch system, then and in such case a petition signed by 26 percent of the owners of the property affected by such laterals or lateral systems or separate main ditch, as the case may be, shall be sufficient. The provisions of Minnesota Statutes 1941, Section 106.03, relative to signature of public and corporate officials shall apply to this section. The petition shall designate the drainage system proposed to be improved by number or other description sufficient to identify the same and set forth that the ditch is of insufficient capacity or needs deepening, widening or extending so as to furnish sufficient capacity or a better outlet, with a description of the starting point, general course and terminus of any extension, and that the proposed improvement will be of public utility and promote the public health. The petition shall contain an agreement by the petitioners that they will pay all costs and expenses which may be incurred in case the proceedings are dismissed.

Subd. 2. Upon the filing of such petition it shall be the duty of the county auditor, in the case of a drainage system lying wholly within the county, to present the same to the county board at its next meeting, and of the clerk of the district court, in case of a system affecting two or more counties, to present the same to the judge of the court within ten days of the filing thereof. Thereupon it shall be the duty of the county board or the judge of the district court, as the case may be, to appoint a competent engineer, who may be the county highway engineer, to examine the drainage system and to make report thereon to the board or the court, as the case may be. Thereafter the proceedings shall be as set forth in Minnesota Statutes 1941, Section 106.50, et seq.

Subd. 3. Upon the filing of a petition for the improvement of a drainage system and before any action is taken thereon, one or more of the petitioners shall furnish a bond conditioned to pay all costs and expenses which may be incurred in case the proceedings are dismissed. The amount of the bond shall be fixed by the county auditor, in the case of proceedings before the county board, and by the clerk of the court, in case of proceedings before the judge of the district court.

Sec. 2. Repeal. Minnesota Statutes 1941, Section 106.49, is repealed but the repeal thereof shall not affect any proceedings commenced thereunder prior to the effective date of this act.

Approved March 8, 1945.

CHAPTER 72—S. F. No. 620

An act providing for the protection of state banks against loss by reason of the unlawful acts of their officers and employees and amending Minnesota Statutes 1941, Sections 48.12 and 48.13.

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

Section 1. Minnesota Statutes 1941, Sections 48.12 and 48.13, are amended to read as follows:

48.12. Bonds of officers and employees. Every state bank shall be protected against loss by reason of the unlawful act of any of its officers or employees by a *surety bond in an amount approved by the board of directors, issued by a solvent corporate surety in good standing authorized to do business in this state, or by a fidelity insurance policy written by a solvent insurance corporation in good standing authorized to do business in this state. The commissioner of banks or the board of directors of such bank may require an increase of the amount of such bond whenever either deems it necessary.* This shall not require the bonding or insuring of officers or directors of a bank not having active management or control thereof, or employees of a bank not holding positions of trust. *Any bond given or contract of insurance secured shall be in favor of the bank.*

Approved March 8, 1945.

CHAPTER 73—S. F. No. 636

An act relating to the limit of deposits to be accepted by banks and trust companies, amending Minnesota Statutes 1941, Sections 48.27 and 48.28, as amended by Laws 1943, Chapter 342.