

to which the school district shall be entitled in the distribution of any state aids that are based upon total valuation per pupil this valuation shall be included.

Approved April 21, 1953.

CHAPTER 475—H. F. No. 85

An act relating to counsel for defense; amending Minnesota Statutes 1949, Section 611.07.

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

Section 1. Minnesota Statutes 1949, Section 611.07, is amended to read:

611.07 Counsel for defense. *Subdivision 1.* When a defendant shall be arraigned upon indictment or information for any felony or gross misdemeanor and shall request the court to appoint counsel to assist in his defense, and satisfied it by his own oath or other required proof that he is unable, by reason of poverty, to procure counsel, the court shall appoint counsel, not exceeding two, for such defendant, to be paid, upon his order, by the county in which the indictment was found. Compensation, not exceeding \$25 per day for each counsel for the number of days he is actually employed in the preparation of the case, and not exceeding \$50 per day for each day in court, together with all necessary and reasonable costs and expenses incurred or paid in said defense, shall be fixed by the court in each case.

Subd. 2. If counsel so appointed shall appeal or procure a writ of error, and after the hearing of the appeal or writ of error the supreme court shall determine that defendant is unable, by reason of poverty, to pay counsel, and that review was sought in good faith and upon reasonable grounds, such counsel may be paid such sum for his services and expenses therein as the supreme court shall determine, to be certified to the county treasurer by the clerk of the supreme court. In any case such compensation and expense shall be paid by the county in which the defendant was accused.

Approved April 21, 1953.

CHAPTER 476—H. F. No. 147

An act relating to requisites of an appeal from the probate court; amending Minnesota Statutes 1949, Section 525.712.

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

Section 1. Minnesota Statutes 1949, Section 525.712, is amended to read:

525.712 **Requisites.** Such appeal may be taken by any person aggrieved within 30 days after service of notice of the filing of the order, judgment, or decree appealed from, or if no such notice be served, within six months after the filing of such order, judgment, or decree. To render the appeal effective (1), the appellant shall serve a *notice of appeal, specifying, the order, judgment, or decree appealed from upon the adverse party who appeared or upon his attorney, personally, and upon each adverse party of record who did not appear by mail at his last address as the same appears in the court's file of the case and upon the probate judge or clerk, personally, for the adverse party who did not appear and whose address is unknown and shall* file in the probate court such notice, *together with proof of service thereof; (2) the appellant shall pay to the probate court an appeal fee of \$3 to apply on the fee for the return; and (3) the appellant, other than the state, the veterans administration, or a representative appealing on behalf of the estate, shall file in the probate court a bond in such amount as that court may direct, conditioned to prosecute the appeal with due diligence to a final determination, to pay all costs and disbursements, and to abide the order of the court therein.*

When a party in good faith gives due notice of appeal and omits through mistake to do any other act necessary to perfect the appeal, the district court may permit an amendment on such terms as may be just.

Approved April 21, 1953.

CHAPTER 477—H. F. No. 158

An act relating to the taxation of insurance companies; amending Minnesota Statutes 1949, Section 60.63.

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

Section 1. Minnesota Statutes 1949, Section 60.63, is amended to read:

60.63 **Taxation of insurance companies.** Subdivision 1. As used in this section "municipality" means a city of any class, a village, a borough, a town, or a township.

Subd. 2. Every domestic and foreign company, except town and farmers' mutual insurance companies and domestic