

may sit together in the trial of any cause or matter before the court. If there be a division of opinion, that of the majority shall prevail. If the division be equal, that of the presiding judge, or, if he be not sitting, that of the judge senior in age, shall prevail. In districts composed of more than one county, the presiding judge, at least 30 days before the time appointed by law for holding of a general term of the court in each county, by order filed in the office of the clerk of the court in that county, shall designate and assign one or more of the judges of such district to preside at the term so appointed, and the clerk forthwith shall mail a copy of such order to each judge of the district. If any judge assigned to hold a term of court, as herein provided, is incapacitated by illness or otherwise to preside at such term, another judge shall be designated and assigned in like manner to take his place. The same judge shall not be designated or assigned to hold two consecutive general terms in the same county unless the presiding judge or the judges of the district by order or rule otherwise direct.

Approved May 6, 1963.

CHAPTER 534—H. F. No. 1524

An act relating to savings, building and loan associations; real estate loans; amending Minnesota Statutes 1961, Section 51.43.

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

Section 1. Minnesota Statutes 1961, Section 51.43, is amended to read:

51.43 Savings, building and loan associations; real estate loans. Real estate loans may be made as authorized by this chapter, or upon any other loan plan approved by the commissioner. No real estate loan shall be made until a qualified person, selected by the board of directors, shall have submitted a signed appraisal of the real estate securing the loan, and until approved by the board of directors or a committee authorized by the board. Payments on real estate loans shall be applied first to the payment of interest on the unpaid balance of the loan; next to the payment of any insurance premiums, taxes, assessments, or other advances paid by the association according to its by-laws or the mortgage; the remainder to the reduction of the loan or as payments on loan stock where loans are amortized on the semi-annual basis; provided, that if the loan is in default in any manner, payments may be applied by the mortgagee in the manner provided by the commissioner. Every loan shall be evidenced by a

Changes or additions indicated by italics, deletions by ~~strikeout~~.

~~non-negotiable~~ note or bond for the amount of the loan, and accompanied by a transfer and pledge of the shares of stock of the borrower to the association. The shares so pledged shall be held as collateral security for the performance of the conditions of the note or bond and mortgage; provided, that the shares, without other security, may be accepted, in the discretion of the directors, as security for loans to an amount not exceeding 90 percent of their cash or withdrawal value, as herein provided. Any association may provide, by contract with its borrower, that loans shall be fully paid at a definite period upon receipt of the specified number of payments. No officer or director shall, directly or indirectly, use the funds of the association except in regular association business transactions, and all loans to directors, officers, or agents shall be acted upon in the absence of the applicant and approved by the unanimous vote of the directors. The note or bond shall specify the amount, rate of interest, terms of repayment, and may contain all other terms of the loan contract. Every real estate loan shall be secured by a mortgage, or other instrument constituting a first lien, or the full equivalent thereof, upon the real estate securing the loan, according to any lawful or well recognized practice, which is best suited to the transaction. This mortgage shall provide specifically for full protection to the association with respect to usual insurance risks, taxes, assessments, other governmental levies, maintenance, and repairs. It may provide for an assignment of rents, which assignment shall be valid. Every such mortgage or other instrument shall create, and preserve to the association, a first lien, which shall equally secure the original loan and each and every subsequent advance and loan in any amount and for any purpose by the association to the borrower. No intervening lien shall disturb the first lien of the association as security for every advance and loan made to the borrower. All these mortgages shall be recorded in accordance with the law of this state. An association may pay taxes, assessments, insurance premiums, and other similar charges for the protection of its real estate loans. All these payments shall be added to the unpaid balance of the loan and equally secured by the first lien on the property. An association may require the borrower to pay monthly, in advance, in addition to interest or interest and principal payment, the equivalent of 1/12th of the estimated annual taxes, assessments, insurance premiums, and other charges upon the real estate securing a loan, or any of these charges, so as to enable the association to pay these charges as they become due from the funds so received. The amount of these monthly charges may be increased or decreased so as to provide reasonably for the payment of the estimated annual taxes, assessments, insurance premiums, and other charges. Every association shall keep a record of the status of taxes, assessments, insurance premiums, and other charges on all real estate securing its loans and on all real and other property owned by it.

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Any association, by agreement with the debtor, may modify the terms of any real estate loan so that the loan shall be an amortized loan, and incident thereto may credit on the debt the withdrawal value of mortgage loan shares or accounts pledged as security for the real estate loan.

Approved May 6, 1963.

CHAPTER 535—H. F. No. 1540

An act relating to elections; providing hours for town elections; amending Minnesota Statutes 1961, Section 365, 60.

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

Section 1. Minnesota Statutes 1961, Section 365.60, is amended to read:

365.60 Towns; hours for elections. *Subdivision 1.* At any election of town officers, in a town which is located within 30 miles of a city of the first class having a population of at least 250,000, the polls shall be open no later than ten o'clock A.M. and shall close no earlier than eight o'clock P. M.

Subd. 2. In any election of town officers in a town other than a town described in subdivision 1, the polls shall open no later than ten o'clock A.M. and shall close no earlier than five o'clock P.M., except a town board may by resolution adopted prior to the giving of notice of the election designate a time for closing later than five o'clock P.M. but not later than eight o'clock P.M. Such resolution shall remain in force until revoked by the town board.

Approved May 6, 1963.

CHAPTER 536—H. F. No. 1541

An act relating to false statements to obtain credit or loans, and relating to savings, building and loan associations; providing penalties for violation thereof; amending Minnesota Statutes 1961, Section 620.50.

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

Section 1. Minnesota Statutes 1961, Section 620.50, is amended to read:

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