

rience as a miner or otherwise engaged as an employee in mines of the state at least six years, or a mining engineer having had previous to his appointment at least two years of practical experience in iron mines and iron mining and having had at least one year of such experience in this state. He shall not while in office in any way be interested as an owner, operator, agent, stockholder, or engineer of any mine. He shall make his residence or have his office in the mining district of the county for which he is appointed. The salary of each inspector of mines and assistant shall be such sum as shall be fixed by the county board not exceeding \$7,500 per annum, and he shall be allowed actual traveling expenses not to exceed \$1,200 in any one year. He shall file with the county auditor an itemized account of his expenses every three months, verified by his affidavit, showing that they have been incurred in the discharge of his official duties. Before entering upon the discharge of the duties of his office, he shall take an oath before some person authorized by law to administer oaths that he will support the Constitution of the United States and the Constitution of the State of Minnesota and that he will faithfully, impartially, and to the best of his ability discharge the duties of his office, and file a certificate of his having done so in the office of the county auditor. He shall give bond, payable to the county board, in the penal sum of \$5,000, with sufficient sureties to be approved by the county board, conditioned that he will faithfully discharge the duties of his office and this bond shall be filed with the county auditor.

Approved April 3, 1957.

CHAPTER 311—S. F. No. 419

An act relating to fiduciaries; amending Minnesota Statutes 1953, Section 48.39.

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

Section 1. Minnesota Statutes 1953, Section 48.39, is amended to read:

48.39. **Trust accounts recorded.** Besides its general books of account, it shall keep separate books of account for all fiduciary accounts. All funds and property held by it in a fiduciary capacity shall at all times be kept separate from its own funds and property, and all fiduciary funds deposited or held as fiduciary by the bank awaiting investment shall be carried in a separate account, and shall not be used by the bank in the conduct of its business, *unless the bank, under*

authorization by its board of directors, first delivers to the Commissioner of Banks, as collateral security: (1) bonds, notes, bills, certificates of indebtedness or other direct obligations of the United States or its instrumentalities, or obligations fully guaranteed by the United States as to principal and interest; or (2) other readily marketable securities of the classes in which said trust companies or state banks exercising trust powers are authorized or permitted to invest trust funds under the laws of this state. The securities so deposited as collateral shall be owned by the bank and shall at all times be at least equal in market value to the amount of the trust funds so used in the conduct of the bank's business, and all deposits made by it of such funds in any other banking institutions shall be deposited as fiduciary funds, to its credit as fiduciary, and not otherwise. Every security or property in which the funds held by it as trustee, executor, administrator, guardian, receiver, or assignee, or in any other fiduciary capacity are invested, shall at once upon receipt thereof be immediately entered in the proper books as belonging to the particular fiduciary account whose funds have been invested therein. Any change in such investment shall be fully specified in and under the account of the particular fiduciary account to which it belongs so that all fiduciary funds and property can be readily identified at any time by any person. It shall be unlawful for any bank to lend any officer, director or employee any funds held as fiduciary under the powers conferred by sections 48.36 to 48.43. Any officer, director or employee to whom such a loan is made shall be guilty of larceny of the amount of such loan from the time of the making thereof. Any state bank, when acting in a fiduciary capacity, either alone or jointly with an individual or individuals, may, with the consent of such individual fiduciary or fiduciaries, who are hereby authorized to give such consent, cause any stocks, securities, or other property now held or hereafter acquired in such capacity to be registered and held in the name of a nominee or nominees of such state bank without mention of the fiduciary relationship. Any such state bank shall be liable for any loss occasioned by the acts of any of its nominees with respect to such stocks, securities or other property so registered.

Approved April 6, 1957.

CHAPTER 312—S. F. No. 902

[Not Coded]

An act to provide for a special federal census under certain circumstances in towns located in certain counties.