

be served on such corporation in the manner provided for the service of a summons. The court shall hear said motion in a summary manner on said specification and on the corporation's answer thereto and on such evidence as may be submitted at the hearing, and shall make its findings of facts and conclusions of law therein; and if it be found that such corporation has since the filing of said affidavit directly or indirectly violated any provision of said Section 5168, or has in any way assisted in carrying out any of the purposes of any pool, trust agreement, combination or understanding mentioned in said Section 5168, the court (by a supplementary judgment in said case) shall enter judgment vacating all of said rights, benefits and privileges or impose a fine not less than \$5,000 and not exceeding \$10,000.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 22, 1913.

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#### CHAPTER 379—H. F. No. 835.

*An Act providing for the payment of certain items of cost of public drainage ditches and of including same in the lien statement in certain cases.*

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

Section 1. **Cost of installation of culverts to be added to ditch assessments in certain cases.**—That in all cases in this state where a public drainage ditch has been regularly established by order of the district or a judge thereof, pursuant to the provisions of Chapter Two Hundred Thirty (230) of the General Laws of Minnesota for 1905, and acts amendatory thereof or supplementary thereto, and where (first) in the course of construction of such ditch, it has been found necessary by the engineer in charge of the said ditch to install culverts in the said ditch to protect said ditch against the caving of banks or for any other reason, and (second) where in making his preliminary estimate of the cost and items of said ditch, the engineer making said estimate did not include therein the cost of the said culverts, and (third) where the added cost of the said ditch caused by the installation of said culverts increases by more than ten per centum the total original contract price for the construction of such ditch, and (fourth) where the total cost of the said drainage ditch, including the added cost of such culverts, does not exceed the total amount of the assessment for benefits as returned by the viewers and fixed by the court, and (fifth) where the engineer in the matter of said ditch makes certificate of the facts certifying to the foregoing requirements and files such certificate in the office of the county auditor of each county affected by such public drainage ditch, then and in that

case the county auditor or county auditors shall in making and filing lien against the various lands assessed for the cost of the said ditch, include therein as one of the items of the said lien and of the lien stated, the cost of such installation of said culverts, the same as if said cost of such installation were included in the original estimate of the said engineer in the matter of said ditch.

Approved April 19, 1913.

CHAPTER 380—H. F. No. 893.

*An Act fixing the salaries of clerks and clerk hire in probate courts in the state of Minnesota, in counties having a population of not less than 200,000 inhabitants and not over 300,000 inhabitants.*

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

Section 1. **Salaries of probate judge and office assistants in Ramsey county.**—That the salary of the clerk and employees of probate courts in all counties of this state having according to the then last completed state or national census the population of not less than 200,000 inhabitants and not more than 300,000 inhabitants is hereby fixed as follows: The clerk of probate at the sum of twenty-five hundred dollars (\$2500) per annum, a deputy clerk at the sum of eighteen hundred dollars (\$1800) per annum, one clerk the duties of which shall be to act as secretary to the judge of probate in all matters pertaining to his official duties who shall be paid the sum of fifteen hundred dollars (\$1500) per annum, an inheritance tax clerk at the sum of fifteen hundred dollars (\$1500) per annum, a registration clerk at the sum of fifteen hundred dollars (\$1500) per annum, a file clerk at the sum of twelve hundred dollars (\$1200) per annum, two (2) general clerks at one thousand dollars (\$1000) per annum each; all of said salaries shall be paid in equal monthly installments out of the county treasury of such counties upon warrants of the county auditor.

Sec. 2. **Census to govern act in application to county.**—Whenever according to the then last state or national census the population of any county of this state, which now has a population of less than two hundred thousand inhabitants, shall acquire not less than that number, such county shall at once become subject to the provisions of this act, and whenever, according to such census the population of any county shall exceed three hundred thousand inhabitants or fall under two hundred thousand inhabitants, the provisions of this act at the expiration of ninety days from the final filing of the enumeration of such county shall not longer apply thereto.

Sec. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved April 19, 1913.