

CHAPTER 247—S. F. No. 769.

A bill for an act to amend section 4635, General Statutes, Minnesota, 1913, as amended by Chapter 299, Session Laws of Minnesota, 1917, and Chapter 136, Session Laws of Minnesota, 1919, relating to the fees to be paid for examinations of state banks, trust companies, savings banks and local and general building and loan associations.

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

Section 1. Fees for examination of banks, etc.—That Section 4635, General Statutes, Minnesota, 1913, as amended by Chapter 299, Session Laws of Minnesota, 1917, and as amended by Chapter 136, Session Laws of Minnesota, 1919, be and the same hereby is amended so as to read as follows:

4635. Each bank, trust company, savings bank, local or general building and loan association organized under the laws of this state, shall pay into the state treasury for each authorized regular or special examination made at any time by the superintendent of banks of such institution, a fee to be determined as follows:

In case of state banks, trust companies, or savings banks, for each examination a minimum fee of \$37.50 plus an amount equal to three cents for each \$1,000 of assets in excess of \$25,000, and not exceeding \$5,000,000, and plus an amount equal to one and one-half cents for each \$1000 of assets over \$5,000,000, and in the case of trust companies an additional amount equal to one and one-half cents for each \$1000 value of properties held in trust for the benefit of others.

In the case of local or general building and loan associations, for each examination, a minimum fee of \$15.00 plus an amount equal to 2c for each \$1,000 of assets in excess of \$15,000 and not exceeding \$5,000,000 and plus an amount equal to 1c for each \$1,000 of assets over \$5,000,000.

Said fees shall be paid by the institution examined within twenty days after a statement of the amount thereof shall have been rendered the institution examined by the superintendent of banks, and if not so paid shall bear interest at the rate of six per cent per annum.

Sec. 2. Inconsistent acts repealed.—All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 12, 1923.

CHAPTER 248—S. F. No. 1063.

An act providing for the payment of certain items of cost of

public drainage ditches and for spreading the same as special benefits to the land benefited and for including the same in the auditor's tabular lien statement in certain cases, and confirming and legalizing all proceedings in connection therewith.

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

Section 1. **Ditch liens in certain cases.**—That whenever the engineer in charge of the county ditch proceedings instituted under Section 5523, General Statutes of Minnesota for 1913 and acts amendatory and supplementary thereto, at the request of the land owner whose land is assessed for benefits for defraying a part of the cost of constructing any such county ditch, has let or caused to be let a contract for the laying of a tile drain or open ditch over and across said land as a part of said county ditch system although not included in the engineer's report thereon, and the cost of doing said work is in excess of 10% of the total original contract price for the construction of said ditch, and said additional ditch has actually been constructed, and the person, firm or corporation so requesting such additional ditch improvement to be made shall file in the offices of the Register of Deeds of said County and of the County Auditor of said County within which such improvement is made, a written consent and agreement by the owner of said land and any mortgagee or mortgagees holding mortgages thereon to have such entire cost of such additional improvement assessed as a benefit and to be and to stand as a first and prior lien until fully paid against said land across which said tile drain or open ditch is laid, including any and all additional engineering expenses required by such additional improvement, in all respects as though said additional improvement had been included in the engineer's report on said ditch and said improvement had been included in the contract awarded by the County Auditor for the construction of said ditch, said County Auditor on the filing in his office of a verified, itemized claim with the engineer's written approval of the correctness thereof, by the party with whom the engineer contracted for the making of said improvement, stating that said improvement has been made according to said contract and the actual cost thereof, is hereby authorized and directed to issue his warrant drawn upon the said county ditch fund in favor of the person, firm or corporation with whom said engineer entered into said contract and who actually performed the work and furnished the material for the making of each additional improvement, for the total cost thereof as set forth in said verified claim. And said County Auditor is further authorized and directed to amend the viewers' report of benefits and damages by assessing as benefits against the land so benefited by such additional improvement, the entire cost thereof, and to amend the orders of the County Board accepting and confirming said viewers' report and ordering the establishment of said ditch, by adding thereto as an additional assessment against the lands across which said additional

improvement is laid, the entire costs thereof, and shall include in the Auditor's tabular lien statement if not already filed in the office of the Register of Deeds, and if filed at the time of the taking effect of this act shall make and file in the office of the Register of Deeds of said County an additional or supplementary lien statement required by Section 5543, General Statutes of Minnesota for 1913, showing the entire cost of such additional improvement as a lien against the land upon and across which said improvement has heretofore been constructed and said lien statement when so filed and recorded shall be and constitute a valid and prior lien upon said land, in all respects as though originally included in the viewers' report as confirmed by the County Board of said County, and said lien shall be paid at the same time, in the same manner and be in force in all respects in the same way as other liens for benefits resulting from the construction of said ditch. The total cost of said additional improvement shall be paid by the owner of the land across which said additional improvement is constructed in conformity with the statutory requirements for the payment of such lien as set forth in the order of the County Board confirming and accepting said viewers' report and establishing said ditch.

Sec. 2 This act shall take effect and be in force from and after its passage.

Approved April 12, 1923.

CHAPTER 249—S. F. No. 1081.

An act amending Section 1 of Chapter 73, Laws 1921, fixing the time of holding general terms of the district court in and for the Eighth Judicial District.

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

Section 1. Terms of court in 8th Judicial District.—That section 1 of chapter 73, Laws 1921, be and the same hereby is amended so as to read as follows:

Section 1. That the general terms of the district court, to be held each year in the several counties constituting the eighth judicial district of Minnesota, shall be held, commencing on the day hereinafter stated, as follows, to-wit:

In Carver County, on the second Monday in March and on the second Monday in October.

In Le Sueur County, on the third Monday in February and on the third Monday in September.

In McLeod County, on the second Monday in May and the second Monday in November.

In Scott County, on the first Monday in April and the fourth Monday in October.