

pany. The provisions of section thirty-six (36) do not apply to township mutual fire insurance companies. And *provided, further*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon the stock in trade, tools and fixtures of retail hardware dealers or upon the store buildings containing the same when such building is owned by the owner of such stock, tools and fixtures, or upon both such stock, tools, fixtures and buildings, may and are hereby authorized to issue policies when not less than five hundred thousand (500,000) dollars of insurance or not less than two hundred (200) separate risks upon such property located in the State of Minnesota, has been subscribed for and entered upon such company's books. Such companies shall be designated as "mutual retail hardware fire insurance companies," and shall issue no policy except upon the stock in trade, tools and fixtures or upon the building containing the same, when the building is owned by the owner of such stock, tools and fixtures or upon both such stock, tools, fixtures and building.

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

Approved April 13, 1899.

CHAPTER 199.

H. F. No. 273.

An act establishing a board of appeals for the inspection of grain, and prescribing its duties.

Grain inspection, board of appeals.

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

SECTION 1. The governor shall appoint six (6) suitable, competent persons, on or before July fifteenth (15th), eighteen hundred and ninety-nine (1899), after the passage of this act, three (3) of whom shall constitute a board of appeals for the inspection of grain at Minneapolis, and the other three (3) to constitute a similar board at Duluth, each respective board to consist, so far as may be, of one (1) practical or representative producer of grain, one (1) practical or representative grain commission merchant, and one (1) practical or representative grain merchant, exporter or miller; not more than two (2) members of either of said boards of appeals shall belong to the same political party, whose terms of office shall commence August first (1st), eighteen hundred and

Governor to appoint two boards of six persons. Their qualifications, etc.

ninety-nine (1899), and who shall hold their office for a period of two (2) years, and until their successors are appointed and qualified.

Appointments to be made every two years.

Every two (2) years thereafter, and within thirty (30) days prior to the expiration of their terms of office, the governor shall appoint six (6) such suitable, competent persons, to succeed those whose terms will expire on August first (1st), who shall hold their office for two (2) years, and until their successors are appointed and qualified.

Vacancy to be filled by governor.

Any vacancy which shall occur in the office of any member of said respective boards of appeals shall be filled by the governor for the remainder of the term, when a successor shall be appointed for the full term of two (2) years.

Governor has power of removal.

The governor shall have power, in his discretion, to remove from office any member of said respective boards of appeals at any time, and fill vacancies thus created by the appointment of any suitable person or persons.

In cases of doubt or dissatisfaction, appeal to board.

SEC. 2. In all matters involving doubt on the part of any grain inspector as to the proper grade of any lot of grain under the standard or rules of inspection, or in case any owner, consignee or shipper of grain, or any warehouse manager shall be dissatisfied with the decision of the chief inspector or any of his chief deputy inspectors, or other inspectors, an appeal may be made to the said board of appeals, in the district where the inspection was first made, and a decision of a majority of the said board of appeals shall be final. The railway and warehouse commissioners are authorized to make all necessary rules governing such appeals and to fix the fees for the same. All notices requiring the services of the board of appeals shall be filed in the office of the chief deputy inspector, in whose district the grievance or dispute arises, who shall in turn deliver the same promptly to said board.

Fee of \$1.00 to be paid on appeal.

Provided, however, that the party appealing shall pay to the chief deputy inspector, with whom he serves notice of appeal, a sum not to exceed one (1) dollar per case before said appeal be entertained, which sum shall be refunded should such appeal be sustained.

Entire board to meet once a year to prescribe grades, etc.

SEC. 3. The entire six (6) members constituting the two (2) boards of appeal shall meet together, or a majority of said six (6) members, not later than September fifteenth (15th) each year, and prescribe or designate standards for grades, and when grades are so prescribed, designated and published, the same shall not be changed during the crop year, or from one annual meeting until the next, except on approval of at least five (5) members of the two (2) joint boards.

SEC. 4. It shall be the duty of either branch of the board of appeals, when of the unanimous opinion that any inspector is incompetent, indifferent, intemperate or untrustworthy, to report such fact to the railway and warehouse commission.

Board to report incompetent inspector to railway and warehouse commission.

SEC. 5. Either branch of the board of appeals shall hear, and it is hereby made the duty of either branch to whom an appeal shall be made, to hear and determine all questions at issue as to grades of grain, made by any inspector, or made against any public country warehouse. All such appeals shall be made to either branch of the board of appeals, hereby created in section one (1) of this act.

Duty of board of appeals to hear and determine all questions.

SEC. 6. Each of the members of the said board of appeals shall, before entering upon the duties of their office, take an oath of office as in the case of other state officers, and shall execute a bond in the penal sum of five thousand (5,000) dollars, to the State of Minnesota, with good and sufficient sureties, to be approved by the governor, conditioned that they will faithfully and impartially discharge the duties of their office, according to law, such bonds to be filed with the secretary of state.

Members of board of appeals to give bonds. Terms of bonds.

The sureties required by this section shall not be interested in, nor connected with any elevator, or grain commission business, firm or corporation, and surety bonds may be received from any surety company, approved by the governor, which is authorized to do business in this state.

No member of such board of appeals shall be a member of any board of trade or other grain exchange or grain firm, nor shall he in any way be engaged in, or interested in the business of buying or selling grain.

Members not to be interested in grain business.

SEC. 7. The salaries of the members of the said boards of appeals shall be fixed by the railway and warehouse commissioners by consent of the governor, and shall be paid from the grain inspection fund, and all necessary expenses incurred in carrying out the provisions of this act shall be paid out of the said grain inspection fund, upon the order of the railway and warehouse commissioners.

Compensation of board, how fixed.

SEC. 8. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 13, 1899.