

CHAPTER XXXI.

AN ACT TO AMEND SECTION 56, OF CHAPTER 34, OF THE
GENERAL STATUTES OF 1866, RELATING TO CORPORATIONS.

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

SECTION 1. That section fifty-six, of chapter thirty-four, of the general statutes of 1866, be and the same is hereby amended so as to read as follows:

Powers.

Sec. 56. Upon filing said articles, the persons named therein and signing the same, become a body corporate, with power to sue and be sued by its corporate name, to have a common seal which may be altered at pleasure, to establish by-laws and to make all rules and regulations deemed expedient for the management of its affairs in accordance with law and not incompatible with an honest purpose, and may in the corporate name and for the use and benefit of the corporation sue and recover judgment for an amount not to exceed twenty dollars (\$20) upon any one share in any one year of subscribed stock in said company after notice of the assessment upon the shares of ten (10) days served upon each stockholder.

When act to take effect.

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

Approved March 6, 1876.

CHAPTER XXXII.

AN ACT IN REFERENCE TO PLEADINGS AND EVIDENCE IN
CERTAIN CIVIL ACTIONS.

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

Corporation—
proof of exist-
ence unnecessary

SECTION 1. In all actions brought by or against a corporation, it shall not be necessary to prove on the trial of the cause the existence of such corporation, unless the defendant shall in his answer expressly aver that the plaintiff or defendant is not a corporation.

SEC. 2. In all actions brought by any persons as co-partners, upon any contract, verbal or written, made or entered into by or between the defendant and the plaintiff as co-partners, it shall

not be necessary to prove on the trial of the cause that the persons named as plaintiffs were, at the time of making such contract, or at any time subsequent thereto, the persons composing such co-partnership; unless the defendant shall in his answer expressly deny that the persons named as plaintiffs are or were such co-partners.

SEC. 3. In all actions brought by any corporation, or by any persons as co-partners, or by the endorsers of any such corporation or co-partners, upon any promissory note, bill of exchange, or other written instrument for the payment of money only, executed and delivered by the defendant to such corporation by its corporate name, or to such plaintiffs or co-partners by their firm name, the production in evidence of the instrument upon which such action is brought shall be *prima facie* evidence of the existence of such corporation, and that the persons named as payees in such written instrument are, and at the time of the execution of said instrument were, such co-partners. Evidence of such existence.

SEC. 4. In all actions herein named, an averment in the answer, upon information and belief, shall not be construed as an express averment that the plaintiff or defendant is not a corporation, or that the plaintiffs are or were not co-partners.

SEC. 5. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 25; 1876.

CHAPTER XXXIII.

AN ACT TO AMEND SECTION SIX OF CHAPTER TWENTY-NINE OF GENERAL LAWS OF THE STATE OF MINNESOTA, ENTITLED AN ACT IN RELATION TO THE FORMATION OF CO-OPERATIVE ASSOCIATIONS, AND TO PRESCRIBE THE DATE OF ANNUAL SETTLEMENTS OF SAID ASSOCIATIONS. 3 75 3 2511

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

SECTION 1. That section six of chapter twenty-nine of general laws of the state of Minnesota, entitled an act in relation to the formation of co-operative associations, be amended so as to read as follows:

Sec. 6. When the association shall have been organized, it shall be the duty of the board of managers to prepare a statement of the condition of the association, containing the amount of the capital stock, the par value of the shares, the number of shares issued, the name and residence of the shareholders, and the Board of Managers to prepare and file statements.