

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.

number of shares owned by each, and the same shall be filed and recorded in the office of the clerk of such city or town in which the association proposes to do business; and such association shall have an annual settlement in each year, the time of which shall be prescribed by the by-laws of such association. And the board of managers shall prepare a like statement, as herein set forth, of the same facts as they exist on the first day of the month preceding their annual settlement, with a statement of the kind and amount of property of the association on that day, and all debts and liabilities of every kind, and the same shall be filed and recorded in the office of the clerk of each city, town or village in which the association does business. All statements provided for in this section shall be signed and sworn to by a majority of the board of managers.

Statements to be sworn.

When act to take effect.

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

Approved March 6, 1876.

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## CHAPTER XXXIV.

AN ACT TO AMEND CHAPTER 34 OF THE GENERAL STATUTES, RELATING TO CORPORATIONS, (BEING CHAPTER 17 OF THE STATUTES AT LARGE.

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

SECTION 1. That section ninety of chapter thirty-four of the general statutes, (being section 182 of chapter 17 of the statutes at large,) be and the same is hereby amended by adding thereto the following as a separate paragraph. "The members of any church or religious society, not less than three, who, by its discipline cannot properly organize and become incorporated under the foregoing provisions of this chapter, may organize and become a body corporate, capable of suing and being sued, holding, purchasing, receiving, and conveying property, real or personal, by adopting and signing articles containing—

Religious societies may become corporations.

Articles to be signed and recorded—to contain what.

*First.*—The name of the corporation, its general purpose and plan of operation and its place of location

*Second.*—The terms of admission and qualification of membership, and the selection of officers and the filling of vacancies; and the manner in which the same is to be governed and managed. Such articles shall be recorded in the office of the register of deeds in which the corporation is located, and in the office of the secretary of state; and thereupon such corporation will have