

CHAPTER 138.

AN ACT ENTITLED AN ACT TO AUTHORIZE THE INCORPORATIONS OF PERSONS AS A CHAMBER OF COMMERCE OR A BOARD OF TRADE; AND TO LEGALIZE CORPORATIONS ALREADY ORGANIZED UNDER EXISTING OR AMENDED LAWS.

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

SECTION 1. That any number of persons, not less than three (3), in any city or town in this state having a population of three thousand (3,000) souls, or upwards, or in any county in this state, may associate themselves and become incorporated as either a chamber of commerce, or as a board of trade or both, for the purpose of advancing the commercial, mercantile, manufacturing or agricultural interests of such county, city or town; for inculcating just and equitable principles of trade, for establishing, maintaining and enforcing uniformity in the commercial usages of such county, city or town, for acquiring, possessing and disseminating useful business information, and for adjusting the controversies and misunderstandings which may arise between individuals engaged in trade, and for promoting the general prosperity of such county, city or town.

Chamber of
commerce and
board of trade.

SEC. 2. All persons so associating, shall proceed in accordance with the provisions of title one (1), of chapter thirty-four (34), of the general statutes of the State of Minnesota, so far as the same are or may be applicable, and every such corporation shall be endowed with the following, in addition to its ordinary power, viz:—*First.* Said corporation may constitute and appoint committees of reference and arbitration, and committees of board of appeal, who shall be governed by such rules and regulations as may be prescribed in the rules, regulations or by-laws, for the settlement of such matters of difference as may be voluntarily submitted for arbitration by members of the said association or by other persons not members thereof. The acting chairman of either of said committees or boards, when sitting as arbitrators, may administer oaths to the parties and witnesses, and issue subpoenas and attachments, compelling the attendance of witnesses and the production of papers the same as justices of the peace, and in like manner directed to any sheriff, constable or police officer to execute. *Second.* When any submission shall have been made in writing, and a final award shall have been rendered thereon, and no appeal taken within the time fixed by the rules or by-laws, or when a final award shall have been rendered upon appeal duly taken,

How organized—
powers, etc.

Committees of
arbitration—
powers, etc.

then upon filing such submission, award or final award with the clerk of the district court for the county in which such association is located, such clerk shall enter a judgment thereon, and such judgment shall thenceforth have the same force and effect as a judgment entered in a civil action in such court between the parties to such submission, and the same may be docketed and execution issued thereon in all respects as upon a judgment in a civil action under the laws of this state. *Third.* Said corporation shall have power to appoint one (1) or more persons, as they may see fit, to examine weights, scales and measures, to weigh, gauge or inspect flour, grain, produce, provisions, liquor, lumber or any other article of produce or traffic commonly dealt in by the members of such corporation, and the certificate of such person or inspector as the quality, quantity, grade or condition of any such article, or the brand or mark upon it, or upon any package containing such article, or upon any car or other vehicle of transportation thereof, shall be evidence between buyer and seller of the quantity, grade, quality or condition of the same, or of any part of the same, and shall be binding upon the members of said corporation, or others interested, and requiring or assenting to the use or employment of such weights, measures, gauges, scales or inspectors. Nothing herein contained, however, shall compel the employment by any one of any such appointee, nor shall any person, not a member of such corporation be held to have assented to the provisions of this section, or to the rules and by-laws of any such corporation, or the employment of any person or inspector named in this section, unless such assent shall have been in writing, and subscribed by the party or person, or the agent of such party or person to be affected thereby. *Fourth.* Said corporation may inflict fines upon any of its members, and collect the same for breach of its rules, regulations or by-laws; said fines may be collected by action of debts before a justice of the peace, or in any court of record having jurisdiction of the amount of the fine, in the name of the corporation, or by temporary suspension or permanent removal from membership or removal from office therein. *Fifth.* Said corporation shall have full power and authority to bargain for, purchase, take, hold and acquire, by gift, devise or otherwise, and use, improve, rent, mortgage, lease, sell and convey any real estate or personal property whatever, in any manner considered by such corporation most conducive to the interests and prosperity of such corporation to the same extent as natural persons. It may prescribe the terms and conditions of its membership, the mode of admission of members, the number and mode of election of its officers, the appointments of its agents and employees, and their functions and duties, and generally as to the management and transaction of its business and affairs,

Inspectors to examine weights and measures.

Fines—how collected.

May hold real estate, etc.

either by by-laws or resolutions, and when the business of the corporation is managed by or through a board of directors or other body, such board or body shall be considered as vested with, and may exercise all the powers of the corporation unless otherwise limited and restricted by the by-laws of such corporation, and such board of directors or other body, whenever by it deemed necessary, may raise money for the purposes of the corporation by assessments upon the members thereof; and the payment of such assessments may be enforced by a sale or forfeiture of the membership of any member failing to pay the same in such manner as the by-laws or rules may provide; but the aggregate of all assessments made in any one (1) year, shall not exceed the sum of one hundred dollars (\$100) upon each member, unless a majority of the members of the corporation shall vote in favor of such extra assessment.

Board of directors, powers and duties.

SEC. 3. The articles of association of any corporation organized under this act, or of any association heretofore organized, or attempted to be organized under the laws of this state, whether existing or repealed, may be amended so as to conform to this act or in any manner consistent with this act by the resolution of such corporation, or of its board of directors or other managing board; the said resolution shall be certified by the president or other chief executive officer of such corporation, and also by the secretary; and such certificate shall specify the time when, and the respect in which such articles were so amended; and the said certificate and resolution shall be filed, published and recorded in the same manner as herein provided for the said original articles of association, and thereupon such amendments shall be and become a part of the articles of such body corporate, with the same force and effect as if such amendments had been adopted as part of such original articles. *Provided always*, that corporations heretofore organized for the purposes contemplated by this act, or hereafter organized under the same, may from time to time, amend their articles of association, either in relation to the qualification of or admission to membership, or the number, or election of its officers, or their duties, by a resolution of its board of directors or other managing body, without the filing, record or publication of such resolution.

Existing organizations may conform to this act

SEC. 4. Chapter twenty (20) of the general laws of one thousand eight hundred and sixty-eight (1868), the same being sections one hundred and ninety-seven (197), one hundred and ninety-eight (198) and one hundred and ninety-nine (199) of the general statutes of Minnesota, and chapter thirty-seven (37) of the general laws of one thousand eight hundred and eighty-one (1881), are hereby repealed, saving all existing rights; but this repeal shall not affect any corporation or corporations heretofore organized or attempted to be organized under said acts, and any corporations

Repealing clause does not affect existing organizations.

heretofore organized or attempted to be organized under said acts are hereby legalized, and shall have all the power, authority, rights and jurisdiction herein conferred upon associations to be organized under this act the same as though regularly organized hereunder, to the extent of the county in which they may have been organized or attempted to be organized.

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

Approved February 27, 1883.

CHAPTER 139.

AN ACT TO PROVIDE FOR THE DRAINING OF SHALLOW, GRASSY, MEANDERED LAKES.

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

SECTION 1. That for the purpose of providing for the draining of shallow, grassy lakes, and making the same productive, and removing certain causes of malaria, the county commissioners, or a majority of them, of the county in which such lake is situated or a major part thereof, shall be authorized and empowered to grant permission for such drainage upon the presentation of the petition of all the parties living on land bounded in part by said lake, praying that the same may be drained along its natural outlet, at their, said petitioners, cost and expense. *Provided*, that before any lake shall be drained under the authority of this act, all persons owning lands adjacent or contiguous to the lake mentioned and described in their petition, or the outlet thereof, so far as opened, shall file their deed of consent to such drainage in the office of the register of deeds in and for the county in which such lake is situated, which deed shall be acknowledged as deeds of real estates are by law now required to be acknowledged; and, *provided further*, that no lake shall be so drained which is free from grass or other vegetable growths, or that contains water of a greater depth than four (4) feet; and, *provided further*, that this bill shall only apply to meandered lakes.

Approved March 2, 1883.

County commissioners may grant permission to drain shallow lakes.