

SEC. 5. Any school district organized under the provisions of this act may include any contiguous territory, whether the same be included in a special, independent or common school district.

Limit as to including school buildings of an existing district.

SEC. 6. No new district, organized under the provisions of this act, shall be so formed as to include the school buildings of any existing district; nor shall any of the territory incorporated into such new district be thereby relieved of any obligation to which it was subject prior to the formation of such new district as part of another district; and where a district from which any portion of such new district shall be detached was prior thereto bonded for school purposes, the real estate embraced in the territory so detached shall be taxed for the payment of such bonds and the interest thereon in the same manner as if such territory had not been so detached. No school district shall hereafter be organized in this state otherwise than in accordance with the provisions of this act.

School districts to be hereafter organized in accordance.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 21, 1891.

CHAPTER 27.

[H. F. No. 127.]

Mutual building associations.

AN ACT TO PROVIDE FOR THE REGULATION AND SUPERVISION OF MUTUAL BUILDING ASSOCIATIONS IN THE STATE OF MINNESOTA.

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

Under control of public examiner.

SECTION 1. To insure the thorough supervision of the affairs and the safety of the funds of mutual building associations in this state, every officer of any such association is hereby made subject to the same duties and penalties made applicable to the officers of public institutions of this state by an act of the legislature of this state, approved March twelve (12), one thousand eight hundred and seventy-eight (1878), entitled "An act to provide for the appointment and to prescribe the duties of a public examiner for the state of Minnesota," and also the acts of said legislature amendatory thereof; and the public examiner of this state is hereby given the same powers and jurisdiction, and there is hereby imposed upon him the same duties relative to mutual building associations or societies as are now imposed upon and granted to the public examiner of this state relative to the several public institutions of this state;

Provided, Nothing in this act shall affect or apply to any society or association which has its principal place of business in a city or village containing less than ten thousand (10,000) inhabitants, and this act shall apply only to local building associations.

Except in cities or villages of less than 10,000 inhabitants.

SEC. 2. After September first (1st), one thousand eight hundred and ninety-one (1891), no building association shall receive any moneys or transact any business in this state, except to settle and close its unfinished affairs, unless it shall have obtained from the said public examiner a certificate stating its compliance with the provisions of this section; and thereafter shall keep said certificate conspicuously posted in the office of said association. Such certificate shall be in force for one (1) year, and for one (1) year only, and a new certificate shall be obtained from year to year, and for each such certificate such building association shall pay into the treasury of the state of Minnesota a license fee of ten dollars (\$10) before receiving the same.

Certificate of examiner to be posted and issued yearly.

In making application for and as a basis for such certificate, the secretary and a majority of the directors of such association shall make out and report under oath to the public examiner a statement showing:

Yearly statement to examiner.

First—The full corporate articles of such association and a full copy of its by-laws then in force.

Second—The name and address of each officer and the salary or fees received by each officer for the twelve (12) months next preceding its last annual meeting.

Third—A copy of its last report.

Within thirty (30) days after receiving the aforesaid statement, the public examiner shall issue the yearly certificate above named; *Provided*, That if it appears from such verified statement that the association applying for such certificate is not complying with the law applicable thereto and such rules as said examiner may adopt for said societies, the public examiner shall refuse to issue such certificate. Said certificate may be recorded in the office of the register of deeds in the county where said society has its regular place of business.

SEC. 3. No corporation doing or claiming to do the business of a mutual building society shall have authority to engage in the business of buying and selling or dealing in real estate; *Provided, however*, That nothing in this section shall be taken as prohibiting any such association from securing the obligations due it and the repayment of its loans by taking mortgages on real estate, as provided by the laws and the statutes of this state; or from purchasing, as provided by law, at any sheriff's, judicial or other sale, public or private, any real estate upon which such association may have or hold any mortgage or judgment or lien or other incumbrance, or in which such association may have an interest, or from selling, conveying, holding, leasing, mortgaging at pleasure any real estate so purchased or

Limit as to buying and selling real estate.

acquired; *Provided also*, That nothing herein contained shall prohibit any such association from obtaining or acquiring title, by deed or otherwise, to real estate on which it may hold any lien or security in whole or in part satisfaction thereof.

Preferred or non-contributing stock prohibited.

SEC. 4. All mutual building associations organized or to be organized under the laws of this state are hereby prohibited from hereafter creating or issuing any preferred or non-contributing stock, except in payment of matured contributing stock, and no stockholder in any such association shall have more than one vote. But this section shall not limit the power of such associations to create and issue different series of stock.

Forfeited stock to be sold monthly at not less than withdrawal value.

SEC. 5. Whenever any mutual building association shall declare any of its stock forfeited for non-compliance of the owner with any of its rules, by-laws or regulations, the said stock shall be sold at a regular monthly meeting of said association to the highest bidder; and it is made the duty of the officers of said association at any such sale to bid in the stock so offered at not less than its then withdrawal value, and thereupon the said stock shall be canceled; but if a higher bid is received the person making the highest bid shall have said stock issued or assigned to him, and no fines or penalties shall be charged against any stock for more than twelve (12) months.

Withdrawal of shares after six months.

SEC. 6. Any shareholder in any such association whose share or shares are not in arrears and not pledged, may withdraw said share or shares from his association, at any time after it is six (6) months old, by giving at least sixty (60) days' notice in writing to the secretary of his intention so to do; and, upon the receipt of such notice by the secretary, the membership represented by the share or shares mentioned in such notice shall cease; *Provided*, Not exceeding one-half (½) of the subsequent monthly receipts of such association shall be used to satisfy withdrawn stock, unless the directors thereof otherwise provide.

All building societies to come under provisions of this law.

SEC. 7. Every corporation hereafter doing business in this state which by its corporate articles or by its by-laws, or printed literature, claims to do or seeks to do the business of a mutual building association, or a mutual building society, shall be held to come under the benefits, provisions and restrictions of this act; *Provided, however*, that nothing in this act shall be taken or construed as in any way changing or affecting Chapter two hundred and thirty-six (236) of the General Laws of this state for the year one thousand eight hundred and eighty-nine (1889), entitled "An act relating to building, loan and savings associations doing a general business."

Compensation to public examiner for services.

SEC. 8. For the services required under this act the public examiner shall receive annually a sum equal to the aggregate amount paid into the treasury of this state under this act, said sum so paid to be in addition to such other

compensation as he may be entitled to receive under any law or laws of this state, the same to be paid by the state treasurer in the same manner as other salaries of state officers are paid.

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

Approved April 20, 1891.

CHAPTER 28.

[S. F. No. 386.]

AN ACT TO PROVIDE FOR LIEN FOR LIVERY AND BOARDING STABLE KEEPERS, AND THE ENFORCEMENT THEREOF.

Lien for livery and boarding stables.

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

SECTION 1. Every farmer, or any other person or keeper of a livery or boarding stable for horses, mules, cattle or stock, who, at the request of the owner or person having lawful possession thereof, shall keep, support or care for any horses, mules, cattle, stock, vehicles or other property used in connection with such horses, mules, cattle, stock or vehicles, shall have a lien on such property so kept, supported or cared for, for his just and reasonable charges therefor; and such person may hold and retain possession of the same until such just and reasonable charges are paid; *Provided*, That the person entitled to the lien herein provided for may file with the clerk of the town, city or village in which the person keeping said property resides, notice of his intention to claim and enforce his lien, which notice may be filed at any time during the keeping of said property, or within five (5) days after he has ceased to keep the same; and *Provided further*, That if any person claiming such lien on any animal mentioned in section one (1) hereof, suffers such animal to be taken out of his possession, he shall within five (5) days thereafter file in the office of the town, village or city clerk where he resides, a verified and itemized statement of his lien, which shall be thereafter a lien on such animals as hereinbefore stated.

Notice of lien to be filed with town or city clerk.

If such charges are not paid within thirty (30) days after the same shall become due, the person having such lien may proceed to sell the property by him so kept, supported or cared for, at public auction, at any place within the county where the same shall have been kept, supported or cared for, by giving public notice of such sale and the time and place thereof, and the amount claimed for such charges, at least ten (10) days before such sale, by advertisement in some newspaper, printed and published in such county, or

Sale of property held after thirty days.