

## CHAPTER 107.

H. F. No. 802.

*An act to amend chapter ten (10) of the general laws of A. D. eighteen hundred and eighty-seven (1887); entitled "An act to regulate common carriers and creating the Railroad and Warehouse Commission of the State of Minnesota, and defining the duties of such commission in relation to common carriers," as amended by chapter one hundred and six (106) of the general laws of A. D. eighteen hundred and ninety-one (1891.)*

R. R. and warehouse commission.

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

SECTION 1. That subdivision "(D)" of section fifteen (15) of chapter ten (10) of the general laws of eighteen hundred and eighty-seven (1887), as amended by section three (3) of chapter one hundred and six (106) of the general laws of A. D. eighteen hundred and ninety-one (1891) be and the same is hereby amended to read as follows:

"(D.)" Any railroad company or common carrier, affected by any order of the commission except administrative orders hereinafter referred to "may at any time within the period of thirty (30) days after the service of it upon him or it of such order, appeal therefrom to the district court of the county in which the complainants or a majority thereof, reside, or have a legal existence, by the service of a written notice of such appeal on some member or the secretary of such commission.

"And upon the taking of such appeal and the filing of the notice thereof, with the proof of service, in the office of the clerk of the district court, there shall then be pending in such district court, a civil action of the character and for the purposes mentioned in sections eight (8) eleven (11) and fifteen (15) of chapter ten (10) of the general laws of one thousand eight hundred and eighty-seven (1887), as amended by this act. Upon such appeal, and upon the hearing of any application by the commission or by the attorney general, for the enforcement of any such order made by the commission, the district court shall have jurisdiction to, and it shall, examine the whole matter in controversy, including matters of fact as well as questions of law, and to affirm, modify or reverse such order in whole or in part, as justice may require; and in case of any order being modified, as aforesaid such modified order shall for all the purposes contemplated by this act, stand in place of the original order so modified and have the same force and

Amendment as to appeals.

effect throughout the state as the orders of said commission. Appeals referred to in this act shall not apply to administrative orders made in pursuance to section ten (10) of chapter ten (10) of the general laws of eighteen hundred and eighty-seven (1887).

No appeal as aforesaid shall stay or supersede the order appealed from unless the court hearing and deciding such case, upon application and notice to the other party, shall so direct.

The remedies herein provided for shall be in addition to all existing legal and equitable remedies.

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

Approved April 25th, 1895.

S. F. No. 742.

## CHAPTER 108.

B. & L. associations (general.)

*An act to amend chapter 131 of the general laws of 1891, relating to building, loan and savings associations doing a general business.*

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

SECTION 1. That chapter one hundred and thirty-one (131) of the general laws of 1891 be and the same is hereby amended by inserting therein after section twenty-seven (27) the following section, to be known as section twenty-seven and one-half (27½):

Contingent fund required.

Sec. 27½. Every association shall, in addition to the contingent fund provided for by section twenty-seven (27) of this act, set apart out of the net profits of each year, for a contingent or reserve fund, a sum not less than five (5) per centum and not to exceed ten (10) per centum of such net profits for that year *Provided*, that such contingent or reserve fund shall not at any time exceed the sum of five (5) per centum of the total assets of such association, the same to be used for the purposes of making good any loss by depreciation of stock and not otherwise.

SEC. 2. That section thirty-five (35) of said chapter one hundred and thirty-one (131) be and the same is hereby amended so as to read as follows:

Members—how taxed.

Sec. 35. The amount standing to the credit of each member of any such association, upon its books; shall be considered and held as the individual credit of such member, and each member shall list the shares held by him for taxation at their real value in money in the county of his residence, the same as other credits are listed.