

S. F. No. 166.

CHAPTER 57.

Authorizing municipal courts to issue writs of execution upon judgment.

An act authorizing and empowering the various municipal courts of this state to issue writs of executions upon their judgments and determinations, and regulating the issuance of the same; and relating to the issuance of transcripts of their judgments in connection therewith.

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

By judge or clerk.

SECTION 1. The judge or clerk of each and every municipal court in this state shall upon application by the prevailing party at any time after judgment is duly entered and docketed in any of the said municipal courts, as provided by law, and before same may have been transcribed to any district court in this state, as provided by law, issue a writ of execution thereon against the goods, chattles, cho(o)ses in action and personal property of the judgment debtor, returnable within thirty days after the issuance thereof, upon the payment to the said judge or clerk of the sum of fifty (50) cents.

No transcript to issue while writ of execution is outstanding.

The judge or clerk of said court shall not issue any transcript of any judgment so entered and docketed in said court, while a writ of execution is outstanding in the hands of an officer or otherwise; and when a transcript has been issued on any judgment, the judge or clerk shall note on the record of said judgment the fact that such transcript has been given, and shall not thereafter issue any writ of any execution on said judgment.

Court may prescribe rule.

SEC. 2. The form of process may be prescribed by the court by rule or otherwise, and such forms may be changed by the court from time to time, and any form so prescribed shall be sufficient and valid; but in the absence of such prescribed forms, the form of process in use in the district courts of this state may be used and adapted to the style of the municipal courts, and used at the discretion of the court.

Under seal of court.

The process so to be used shall be under the seal of the court, subscribed by the judge or clerk, tested in the name of the municipal judge, or if there be more than one judge, then in the name of the senior judge, endorsed by the attorney for the party applying therefor, and addressed to the sheriff or any constable of the county or the chief of police or any police officer of the city wherein the said court may be located; and said writ of execution may be executed and returned in like manner and form as a writ of execution issued out of the dis-

strict courts of this state, save that said writ of execution shall be returned to the court from whence the same was issued within thirty days after the issuance of the same.

SEC. 3. It is *further provided*, that nothing in this act shall be construed to authorize or empower any municipal court in this state to issue any writ of *habeas corpus, quo warranto, ne exeat, mandamus, prohibition* or injunction.

Exceptions.

SEC. 4. All acts or parts of acts inconsistent with this act are hereby repealed.

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

Approved March 20, 1897.

CHAPTER 58.

S. F. No. 13.

An act to amend section 36 of chapter 175 of the laws of 1895, authorizing the organization of mutual creamery fire insurance companies.

Creamery fire insurance companies.

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

SECTION 1. That section 36 of chapter 175, general laws of 1895, be amended to read as follows:

SEC. 36. No policy shall be issued by a purely mutual fire insurance company hereafter organized until not less than seven hundred and fifty thousand dollars of insurance, in not less than three hundred separate risks, upon property located in Minnesota has been subscribed for and entered on its books; *provided*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon creamery buildings and their contents exclusively, may and are hereby authorized to issue policies when not less than one hundred thousand dollars of insurance, in not less than fifty separate risks, upon creamery buildings or their contents located in the state of Minnesota, has been subscribed for and entered upon such company's books. Such companies shall be designated as "Mutual Creamery Fire Insurance Companies," and shall issue no policy except upon buildings used for creamery purposes and their contents. No officer or other person whose duty it is to determine the character of the risks, and upon whose decision the application shall be accepted or rejected by a mutual fire insurance company, shall receive as any part of his compensation a commis-

\$750,000 insurance and 300 risks necessary.

Exception.

No officer to receive commission on premiums.