

thirty days after the same is due and payment demanded to pay the agreed price, or the reasonable value if there be no agreement, and the same shall be recovered by action, there shall be allowed to the plaintiff, and included in his judgment, in addition to his disbursements allowed by law, five dollars costs if the judgment be recovered in a justice court and a like sum if the judgment be recovered in a municipal court where no statutory costs are now allowed in such municipal court in such action, and double costs in all other actions wherein costs are recoverable or on appeal."

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

Approved April 15, 1907.

CHAPTER 201—S. F. No. 110.

An Act to require an annual apportionment and account of surplus of life insurance companies as to policies heretofore issued.

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

Mutual life insurance companies to annually apportion surplus.—Section 1. Every life insurance company doing business in this state conducted on the mutual plan or in which policy holders are entitled to share in the profits or surplus shall, on all policies of life insurance heretofore issued, under the conditions of which the distribution of surplus is deferred to a fixed or specified time, and contingent upon the policy being in force and the insured living at that time, annually ascertain the amount of surplus to which all such policies as a separate class are entitled, and shall annually apportion to such policies as a class the amount of surplus so ascertained, and carry the amount of such apportioned surplus, plus the actual interest earnings and accretions of such fund, as a distinct and separate liability to such class of policies on and for which the same was accumulated, and no company or any of its officers shall be permitted to use any part of such apportioned surplus fund for any purpose whatsoever other than for the express purpose for which the same was accumulated.

Sec. 2. This act shall not apply to industrial policies, or to any policy until the same has been in force three years.

Sec. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after Jan. 1, 1908.

Approved April 16, 1907.

CHAPTER 202—S. F. No. 124.

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An Act to promote the safety of employes of common carriers and railway companies, by compelling them to equip the freight cars with automatic couplers and suitable grab irons or hand holds.

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

Railroads to equip freight cars with automatic couplers.—Section 1. That on and after the first day of July, nineteen hundred and eight, it shall be unlawful for any railway company or common carrier, in moving freight between points in the state, to haul or permit to be hauled, or used on its line, any car not equipped with couplers, coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars.

To provide grab irons.—Sec. 2. That on and after the first day of July, nineteen hundred and eight, it shall be unlawful for any railway company or common carrier, in moving freight between points in the state, to use any car that is not provided with secure grab irons or hand holds in the ends and sides of each car for the greater security to men in coupling and uncoupling cars.

Penalty for violation.—Sec. 3. Any railway company or common carrier violating any of the provisions of this act shall forfeit to the state one hundred dollars (\$100) for each and every such violation.

Approved April 15, 1907.