

of real estate shall be conducted as are other civil actions, and the right to a second trial of such actions as heretofore allowed by the laws of this state is hereby abolished.

Certain sections repealed.—Sec. 2. Sections 4430 and 4431 of the Revised Laws of Minnesota of 1905 are hereby repealed.

Not to affect proceedings now pending.—Sec. 3. This act shall not affect any action or proceeding now pending in court or commenced prior to the passage thereof.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 13, 1911.

CHAPTER 140—S. F. No. 426.

An act to amend sections 1953, 1956 and 1959 of the Revised Laws of 1905, relating to the Railroad and Warehouse Commission.

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

Six year terms for railroad commissioners.—Section 1. That section 1953, Revised Laws of 1905, be and the same is hereby amended so as to read as follows :

Section 1953. Election, etc.—The general supervision of railroads and express companies doing business as common carriers, and of public warehouses, is vested in a board of three railroad and warehouse commissioners, which shall be known as the "Railroad and Warehouse Commission." At the general election to be held in 1912 there shall be one commissioner elected for a term of four years, and one commissioner for a term of six years and at each biennial election thereafter there shall be one commissioner elected for a term of six years and until their successors qualify.

Salary \$4,500 per year.—Sec. 2. That section 1956 of the Revised Laws of 1905 be and the same is hereby amended so as to read as follows :

Section 1956. Oath,—Bond.—Salary.—Before entering upon the duties of his office, each commissioner shall take, subscribe and file with the secretary of state an oath as follows :

"I do solemnly swear that I will support the constitution of the United States and the constitution of this state, and that I will faithfully discharge my duties as a member of the railroad and warehouse commission of the State of Minnesota, according to the best of my ability, and that I am not in the employ of or holding any official relation to, any common carrier

or grain warehouseman, nor am I in any manner interested in any stock, bonds, or other property of any such common carrier or warehouseman."

He shall also give a bond to the state, to be approved by the governor, in the sum of twenty thousand dollars, conditional for the faithful performance of his official duties. He shall devote his entire time to the duties of the office. His salary shall be four thousand five hundred dollars per annum, payable in the same manner as that of other state officers.

Appointment of secretary and employes, and fixing of salaries.—Sec. 3. That section 1959 of the Revised Laws of 1905 be and the same is hereby amended so as to read as follows:

Section 1959. Secretary—Employes—Standing Appropriations.—The commission shall appoint a secretary, not a member, and such additional help as may be necessary to carry out the provisions of this chapter, and fix their compensation. The secretary shall also act as registrar. He shall also take, subscribe and file an oath similar to that required of the commissioners, and a like bond, in the sum of ten thousand dollars. All expenses of the commission and its employes, including all necessary expenses for transportation incurred by the commissioners and their employes, under their order, in making any investigation or performing any other duties in any place except St. Paul, shall be allowed and paid by the state on presentation of itemized vouchers therefor, approved by a member of the commission and the state auditor, and there is hereby annually appropriated for the use and purposes of the commission thirty thousand dollars, or so much thereof as may be necessary.

Sec. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after August 1st, 1911.

Approved April 13, 1911.

CHAPTER 141—S. F. No. 496.

An Act to authorize the formation of public corporations, under certain circumstances, in order to secure and provide electrical energy, at approximate cost, for cities and any state institution in any such city.

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

Formation of public corporations for development of water power.—Section 1. Any city situated upon a river where there may be secured a developed water power conveniently near for