

Sec. 2. This Act shall take effect from and after its passage.

Approved April 23, 1925.

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CHAPTER 326—S. F. No. 1072.

*An act relating to costs and disbursements in certain actions brought in the District Courts of the Fourth Judicial District.*

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

Section 1. **Costs and disbursements in District Court.**—In any action commenced in the district court of the fourth judicial district, no costs or disbursements shall be allowed the plaintiff where there is a municipal court in the district where such action is brought, having jurisdiction of the subject matter and in which jurisdiction of the defendant or defendants could be acquired, and in case the amount of recovery by the plaintiff in such an action is less than two hundred dollars, the plaintiff shall pay the defendant's costs and disbursements.

Approved April 23, 1925.

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CHAPTER 327—H. F. No. 546.

*An act to amend Section 1854 and to repeal Section 1855, General Statutes, 1923, relating to the number and appointment of members of the water, light, power and building commission in cities and villages having less than 9,000 and more than 6,000 inhabitants and, not less than \$3,500,000 and not more than \$4,500,000 assessed valuation.*

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

Section 1. **Water, light, power and building commission in certain cities.**—That Section 1854, General Statutes, 1923, be and the same is hereby amended so as to read as follows:

"1854. Said Commission shall consist of three members and shall be appointed by the common council of said city or village, as the case may be, and when first created one shall be appointed for the term of one year, one for the term of two years, and one for the term of three years, and all said commissioners shall hold their office until their successors are appointed and qualified by subscribing to an oath that he will faithfully and impartially perform the duties of this office. *There shall be appointed each year thereafter by the said council one member of the said commission, whose term of office shall be for three years, and each member of said commission shall be president thereof during the last year of the term for which he is appointed; provided, however, that in and as*

*part of the resolution of the common council of any such city or village having more than 6,000 and less than 9,000 inhabitants, and not less than \$3,500,000 and not more than \$4,500,000 of assessed valuation; hereafter accepting the provisions of this act, it may be determined and provided that said commission shall include two additional members to be chosen from the members of said council, whose term of office shall be fixed by said council at the time of their appointment, and shall not in any event extend beyond the time that they shall respectively hold office as such councilors; upon the expiration of the term of office of any member so appointed, the council shall appoint from among its number another member of said commission and shall fix the term of office which shall not extend beyond the time that he shall hold office as such councilor."*

**Sec. 2. Law repealed.**—That Section 1855, General Statutes, 1923, be and the same is hereby repealed.

Approved April 23, 1925.

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#### CHAPTER 328—H. F. No. 885.

*An act to amend Section 5228, General Statutes 1923, so as to make certificates issued thereunder prima facie evidence of the contract of sale of hay covered by such certificates.*

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

**Section 1. Weighers' certificate to be prima facie evidence of facts.**—That Section 5228, General Statutes 1923, be and the same hereby is amended so as to read and be as follows:

"Sec. 5228. Said weighers and inspectors of hay and straw shall give upon request of any person interested certificates under their hand and seal showing the amount of each weight, or if inspected, the grade, number of car or cars weighed or inspected, if any, the initial of said car or cars, hay yard where weighed or inspected, date of weighing or inspecting and contents of car, provided that such certificate of weights shall be admitted in all actions either at law or in equity as prima facie evidence of the facts therein contained, and as prima facie evidence that any contract of sale and purchase of such hay was made upon such weights and grades, but the effect of such evidence may be rebutted by other competent testimony."

Approved April 23, 1925.

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#### CHAPTER 329—H. F. No. 888.

*An act to amend Sections 2274, 2275 and 2276, General Statutes 1923, relating to the taxation of freight line companies.*