

CHAPTER 468—S. F. No. 545.

An Act entitled "An act to amend sections 2849, 2856, 3015, 3016, 3018, 3019, 3022, 3025 and 3027, chapter 58, Revised Laws 1905," relating to corporations.

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

Name.—Section 1. That subdivision 1 of section 2849, "Revised Laws 1905," be, and it hereby is amended so as to read as follows :

1. The name, the general nature of its business, and the principal place of transacting the same. Such name shall distinguish it from all other corporations, domestic or foreign, authorized to do business in this state, and shall end with 'company,' 'corporation,' 'bank,' or 'association,' or the word 'incorporated.'

Limitations.—Sec. 2. That section 2856, "Revised Laws 1905," be, and it hereby is amended so as to read as follows :

2856. A railroad corporation may be formed for any period specified in its certificate of incorporation. A savings bank shall have perpetual succession. Every other corporation shall be formed for a period not exceeding thirty years in the first instance, but may be renewed from time to time for a further term not exceeding thirty years, whenever a three-fourths vote of the stock represented at any regular meeting, or at any special meeting called for that purpose, which shall have been clearly specified in the call, shall adopt a resolution to that effect, and those desiring it shall have purchased at its value the stock of those opposed thereto.

Regular meetings.—Sec. 3. That section 3015, "Revised Laws 1905," be, and it hereby is, amended so as to read as follows :

3015. There shall be at least one regular meeting of the board of trustees every month for the transaction of business, and five trustees, shall constitute a quorum at any meeting.

Trustees.—Sec. 4. That section 3016, "Revised Laws 1905," be, and it hereby is, amended so as to read as follows :

3016. No trustee shall have any interest whatsoever, direct or indirect, in its profits, or directly or indirectly receive any compensation or reward for his services as such, except as

hereinafter provided; and no trustee or officer, directly or indirectly, for himself or as the agent or partner of others or otherwise, or in any representative or fiduciary capacity, shall borrow any of its funds or deposits, or in any manner use the same, except in current and necessary disbursements previously authorized by specific resolution of the board; nor shall he become an endorser or surety or in any manner render himself liable to it for money loaned or in any other way or respect whatsoever, or without resignation become a trustee, officer, or employe of any other savings bank. Willful violation of any of the foregoing provisions shall vacate his office, and render him thereafter ineligible to election or appointment as trustee or officer of any savings bank. Failure to attend the regular meetings of the board or to perform any other of his duties as trustee for six successive months, without having been previously excused, shall vacate his office as trustee, but such non-attendance merely shall not render him ineligible to election or appointment. Trustees acting as officers whose duties require and receive their regular and faithful attendance at the bank and trustees appointed as a committee whose duties require and receive their actual service, may receive such compensation as a majority of the board of trustees, exclusive of the trustee to whom such compensation shall be voted, may determine.

Receiving deposits.—Sec. 5. That section 3018, "Revised Laws 1905," be, and it hereby is, amended so as to read as follows:

3018. Before receiving any deposit it shall establish reasonable and proper regulations for the conduct of its business, including the receipt, investment and repayment of deposits, and cause the same to be kept conspicuously posted in its banking room, and its regulations shall also be printed in full in all passbooks, or other evidences of deposit furnished its customers, and the same shall be prima facie evidence of the terms and conditions of their mutual transactions.

Joint deposits.—Sec. 6. That section 3019, "Revised Laws 1905," be, and it hereby is, amended so as to read as follows:

3019. Any deposit made in any bank or savings bank, by or in the name of a minor, shall be held for the exclusive right and benefit of such minor, free from the control or lien of all other persons except creditors, and, together with the

dividends or interest thereon, shall be paid to him, and his receipt, check, or acquittance in any form shall be a sufficient release and discharge to the bank for such deposit or any part thereof, until a guardian appointed in this state for such minor shall have delivered to the bank a certificate of his appointment. Whenever any deposit shall be made by any person in trust for another and no other written notice of the existence and terms of any legal and valid trust shall have been given to the bank, in case of the death of such trustee the same or any part thereof, and the dividends or interest thereon, may be paid to the person for whom the deposit was made. And whenever any deposit shall be made by or in the names of two or more persons upon joint and several account, the same or any part thereof and the dividends or interest thereon may be paid to either of such persons or to a survivor of them or to a personal representative of such survivor.

Loans.—Sec. 7. That subdivision 4 of section 3022, “Revised Laws 1905.” be, and it hereby is, amended so as to read as follows :

4. In notes secured by mortgages on unincumbered real estate in Minnesota, Wisconsin, Iowa, North Dakota and South Dakota worth when improved at least twice and when unimproved at least three times the amount loaned thereon. But not more than seventy per cent of the whole amount of the moneys of the bank shall be so loaned, and such investment shall be made only on report of a committee directed to investigate the same and report its value, according to their judgment, and its report shall be preserved among the bank’s records.

Limitations.—Sec. 8. That subdivision 5 of section 3022 be, and it hereby is, amended so as to read as follows :

5. In notes secured by such bonds or mortgages as the bank under this section is authorized to invest in, but no such bond or mortgage shall be taken as collateral security for more than its par value, nor shall the aggregate amount of securities taken be less than the full amount loaned thereon, and no such loan shall be made for a longer time than one year, nor to a greater amount to any one person than three per cent of the total deposits of the bank. No such bank shall loan in the aggregate, on the security specified in this paragraph, more than one-fourth of its deposits.

Interest on deposits.—Sec. 9. That section 3025, “Re-

vised Laws 1905," be, and it hereby is, amended so as to read as follows:

3025. Every deposit and all dividends credited thereto shall be repaid, after demand, in such manner, at such times and after such previous notice as its board shall prescribe, but it shall not be required to pay a greater dividend than four per cent per annum. Depositors shall receive, as nearly as may be, all the profits after deducting necessary expenses, and setting aside annually such sum, as such board deems expedient, for a surplus fund for the security of its depositors, and to meet contingencies, until such fund shall amount to fifteen per cent of its deposits. No interest shall be allowed on any money for a longer time than the same is actually on deposit; except that deposits made not later than the tenth day of the month commencing any semi-annual or quarterly interest period or the fifth day of any other month or withdrawn within the last three days of the month ending a quarterly or semi-annual interest period may be treated as on deposit for the entire period or month in which it was so deposited or withdrawn. No dividend shall be declared, credited, or paid unless authorized by yea and nay vote of its board duly entered upon its minutes, and whenever any dividend in excess of that earned and on hand shall be declared or credited the trustees voting therefor shall be jointly and severally liable to the bank for such excess. The board of every such bank whose surplus amounts to fifteen per cent of its deposits shall, at least once in three years, divide proportionately the excess among its depositors as an extra dividend, and for that purpose may classify them according to character, amount and duration of dealings, and so regulate the dividend that each of the same class shall receive the same ratable proportion.

Trustees—examination.—Sec. 10. That section 3027, "Revised Laws 1905," be, and it hereby is, amended so as to read as follows:

3027. On or before February 1st of each year its trustees shall cause to be made a thorough examination of all its books, vouchers and other papers and of its assets, liabilities and affairs generally by an experienced and competent accountant and make a written report upon the form prescribed by the public examiner, showing accurately its condition at the close of the preceding calendar year and specifying as to such year the amounts and particulars following:

1. The amount loaned upon notes secured by mortgages, with the names of the states or localities in which the mortgaged premises are located and the amounts paid on the principal of mortgage notes and the amount of mortgages, if any, which have been foreclosed.

2. The cost, par value and estimated market value of all bond investments, stated separately, and the amount of principal on bonds received by payment, redemption, sale or otherwise.

3. The amount of all loans upon pledge of securities, with a statement of the nature and amount of such securities and the amount paid upon the principal of such loans.

4. The amount of the notes and of the bonds upon which interest was in default at the close of the preceding calendar year.

5. The amount invested in real estate giving the description and the cost of each tract.

6. The amount of cash on hand and on deposit in banks or trust companies, giving the name of each and the amount of each deposit.

8. Such other information as the public examiner may require.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved April 25, 1907.

CHAPTER 469—H. F. No. 651.

An Act to amend sections 4, 5, 8, 21, 34, 38, 41, 45, 47, 49 and 59 of chapter 344 of the General Laws of 1905, being an act for the preservation, propagation, protection, taking, use and transportation of game and fish and certain harmless birds and animals.

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

Reports—records—sections amended.—Section 1. Sections 4, 5, 8, 21, 34, 38, 41, 45, 47, 49 and 59 of chapter 344 of the General Laws of 1905 be amended to read as follows :

1907 C 469
11 - - 373

13 C 469
- - - 573

07 C 469
09 - - 317