

stood at the time such motion to direct a verdict was made the moving party was entitled to such directed verdict. An order for judgment notwithstanding the verdict may also be made on a motion in the alternative form asking therefor, or if the same be denied, for a new trial. If the motion for judgment notwithstanding the verdict be denied, the supreme court, on appeal from the judgment, may order judgment to be entered, when it appears from the testimony that a verdict should have been so directed; and it may also so order on appeal from the whole order denying such motion when made in the alternative form whether a new trial was granted or denied by such order."

Sec. 2. This act shall take effect and be in force from and after July 1, 1913.

Approved April 11, 1913.

CHAPTER 246—H. F. No. 335.

An Act to locate and establish the fifth state fish hatchery in the county of Yellow Medicine, within the city limits of the city of Granite Falls, or in the county of Chippewa, within the city limits of East Granite Falls, or within either or both, and to authorize and direct the board of game and fish commissioners in the state of Minnesota to acquire a site therefor and to equip, develop and maintain the same and to appropriate money therefor.

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

Section 1. **Fifth state fish hatchery at Granite Falls.**—That the fifth state fish hatchery for the propagation and cultivation of fish under the laws of this state, shall be, and the same is hereby located at or within the city limits of the city of Granite Falls, in the county of Yellow Medicine, State of Minnesota, or within the city limits of East Granite Falls, in the county of Chippewa, State of Minnesota, or within either or both, and the same shall be known as the fifth state fish hatchery.

Sec. 2. **Under control of game and fish commission.**—The said fifth state fish hatchery shall be subject to the management and control of the board of game and fish commissioners of the state of Minnesota, as now exists by virtue of the laws of this state.

Sec. 3. **Commission to secure site.**—The said board of game and fish commissioners are hereby authorized, empowered and directed as soon as practicable after the passage of this act, to acquire by gift, in the name of and on behalf of the State of Minnesota, any real property, lands, premises, right of way or easement, public or private, that may be necessary, convenient

or proper for the establishment, equipment, maintenance and development of said fish hatchery and grounds, and for the purpose of receiving and conducting to and from said hatchery waters necessary or desirable for the use of said hatchery in such manner as the board of game and fish commissioners may deem fit.

Sec. 4. **To erect buildings for pike-perch hatchery, etc.**—The said board of game and fish commissioners are hereby authorized, empowered and directed as soon as practicable after the passage of this act, to erect upon the premises so acquired, a pike-perch hatchery, such buildings and equipments as in its judgment it may deem necessary for the purposes of this act.

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

Approved April 11, 1913.

CHAPTER 247—S. F. No. 352.

An Act to amend Section 2871 of the Revised Laws of 1905, relating to the amendment of certificates of incorporation of corporations.

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

Section 1. **How certificate of incorporation may be amended.**
—That Section 2871 of the Revised Laws of the State of Minnesota for the year 1905 be and the same hereby is, amended so as to read as follows:

“Section 2871. The certificate of incorporation of any corporation now or hereafter organized and existing under the laws of this state may be amended so as to change its corporate name, or so as to increase its capital stock, or so as to change the *number and par value* of the shares of its capital stock, or in respect of any other matter which an original certificate of a corporation of the same kind might lawfully have contained, by the adoption of a resolution specifying the proposed amendment, at a regular meeting or at a special meeting called for that expressly stated purpose, in either of the following ways: (1) by majority vote of all its shares, if a stock corporation; or if not, (2) by majority vote of its members; or, in either case (3) by majority vote of its entire board of directors, trustees, or other managers, within one year after having been thereto duly authorized by specific resolution duly adopted at such a meeting of stockholders or members, and by causing such resolution to be embraced in a certificate duly executed by its president and secretary, or other presiding and recording officers, under