

called for that purpose, and by and with the consent of the insurance commissioner, reduce its capital stock to an amount not less than one hundred thousand dollars (\$100,000); and in that case none of the preceding provisions of this section shall apply to such company.

Within ten days after such meeting the company shall submit to the insurance commissioner a certificate setting forth the proceedings thereof and the amount of such reduction, and the assets and liabilities of the company, signed and sworn to by its president, secretary and a majority of its directors. The commissioners [commissioner] shall examine the facts in the case, and if same conform to law and in his judgment the proposed reduction may be made without prejudice to the public, he shall endorse his approval upon the certificate. Upon filing the certificate so endorsed with the secretary of the state and paying a fee of five dollars for the filing thereof, the company may transact business upon the basis of such reduced capital as though the same were its original capital, and its charter shall be deemed to be amended to conform thereto; and the insurance commissioner shall issue his certificate to that effect. Such company may, by a majority vote of its directors, after such reduction, require the return of the original certificate of stock held by each stockholder in exchange for new certificates it may issue in lieu thereof, for such number of shares as each stockholder is entitled to in the proportion that the reduced capital bears to the original capital.

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

Approved April 20th, 1899.

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## CHAPTER 335.

S. F. No. 532.

*An act fixing the place of trial of actions brought to recover on any bond for costs given by a non-resident plaintiff in a civil action, or on any security for costs given in justice court.*

Bonds for costs in justice court; actions on.

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

SECTION 1. All actions brought to recover on any bond for costs given by a non-resident plaintiff in any civil action as provided by section 5518 of the General Statutes of 1894, or on any security for costs given in

Actions on to be tried in county where bond is filed; court may change it.

justice court, shall be brought and tried in the county in which such bond for costs, or security for costs, is filed, unless the court for cause other than the place of residence of the defendants change the place of trial to any other county as now provided by law.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20th, 1899.

S. F. No. 400.

### CHAPTER 336.

Annoying  
fences:  
nuisances.

*An act in relation to fences and other structures erected for the purpose of annoying the owners or occupants of adjoining property, and for the abatement of the same as nuisances.*

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

Fence, when  
a nuisance.

SECTION 1. Any fence, or other structure in the nature of a fence, unnecessarily exceeding six (6) feet in height, maliciously erected or maintained for the purpose of annoying the owners or occupants of adjoining property shall be deemed a private nuisance.

Action for  
abatement  
of; damages.

SEC. 2. Any such owner or occupant injured, either in his comfort or in the enjoyment of his estate by such fence, may have an action of tort for the damage sustained thereby, and may have such nuisance abated.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20th, 1899.

S. F. No. 403.

### CHAPTER 337.

Collection of  
vital sta-  
tistics.

*An act to amend sections 437, 438, 439 and 441 of chapter six (6), General Statutes of Minnesota 1894, relating to the collection of vital statistics.*

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