

diction of the commission and subject to inspection, exempt from the jurisdiction of sellers of weights and measures. The entire cost of such supervision and inspection shall be a proper charge against the common carriers interested in or owning the several scales, the same to be paid upon a statement rendered by the commission. All moneys collected shall be credited to the grain inspection fund.

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

Approved April 18, 1911.

CHAPTER 253—S. F. No. 276.

An Act providing for and regulating distribution of assets to stockholders in certain cases by corporations organized to do both a title insurance and trust company business.

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

Distribution of assets to stockholders.—Section 1. Any corporation heretofore organized under the laws of this state, transacting both a title insurance and trust company business, which now or at any time hereafter has ceased to do new business by majority vote of its stockholders, or otherwise, and has not issued a policy of insurance for a period of ten years, and has fully executed or surrendered and been discharged from its trusts and has satisfied all obligations on account thereof and all other of its debts and obligations other than its contingent liability on its outstanding policies of insurance, may make distribution of its assets to stockholders by complying with the provisions of this act.

May petition district court.—Sec. 2. Any such corporation may petition the district court of the county of its principal place of business to ascertain and determine the legal nature and character of its liability on its policies of insurance and the amount of securities to be set apart and deposited as a guaranty fund to pay and discharge such liability.

Power of district court.—Sec. 3. Upon the presentation of such petition, the court shall fix a time and place for hearing thereon and order six weeks published notice thereof, to be given and such other notice to parties interested as it may deem proper. At the time and place so fixed, the court shall hear the allegations and evidence of all parties interested and if it shall appear to the satisfaction of the court that such corporation has

ceased to do new business and has not issued a policy of insurance for a period of ten years and has fully executed or surrendered and been discharged from its trusts and has satisfied all obligations on account thereof and all other of its debts and obligations other than its contingent liability on its outstanding policies of insurance, the court shall find and determine the legal nature and character of the liability of said corporation on its policies of insurance and the amount of securities to be set apart and deposited as a guaranty fund to pay and discharge such liability. Evidence as to the percentage of loss to the amount of insurance issued, sustained by other title insurance companies doing business in this state or elsewhere, and evidence of the cost of reinsuring the holders of all outstanding policies of insurance shall be competent evidence at said hearing; the court may require such other and further evidence as to it may seem wise and proper. The court shall make and enter its order and decree upon said petition, authorizing and directing said corporation, upon depositing with the insurance commissioner securities of the character described in subdivisions 1, 2, 3, 4, 7 and 8 of section 3022 of the Revised Laws of the State of Minnesota for 1905, of the market value and in an amount equal to the amount so found and determined by the court to be deposited as aforesaid, to distribute to its stockholders such part of its other assets as its board of directors may, by resolution, from time to time determine.

Certified copy to be filed with insurance commissioner.—Sec. 4. Said corporation shall file with the insurance commissioner a certified copy of the order and decree of said court and shall deposit with said insurance commissioner securities of the character and amount specified in said order and receive therefor the receipt of said commissioner; thereupon it may distribute its other assets, or such part thereof as it may deem proper, to its stockholders. Such deposit of securities shall be maintained by said corporation unimpaired as a guaranty fund for creditors of said corporation and for the holders of all its policies of insurance and for the faithful discharge of all the duties and obligations of said corporation, with the right to collect the income thereof and to substitute from time to time other like authorized securities of equal amount and value.

Decree also to be filed with superintendent of banks.—Sec. 5. Said corporation shall also file with the superintendent of banks a certified copy of the order and decree of said court and the receipt of the insurance commissioner to said corporation for the securities aforesaid; thereupon said superintendent of banks shall return to said corporation all securities which may have been by it theretofore deposited with him under any law of this state.

Liability of corporation and stockholders.—Sec. 6. The liability of such corporation, the liability of any stockholder therein upon any contract or obligation, whether of insurance or otherwise, and the right of the holder of any policy of insurance issued by said corporation, shall not be in any manner affected hereby.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

CHAPTER 254—S. F. No. 350.

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An Act providing for the laying out and construction of highways outside of cities and villages and for the substantial improvement of the same and for the payment for the same by the state and county and by the assessment of benefitted lands. .

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

Highways outside of cities and villages.—Section 1. Highways may be laid out, or constructed, or substantially improved in territory outside of cities and villages by county boards, where they are wholly within a single county, and by the district court, when they extend into more than one county; and such highways shall be known as "state rural highways." Such highways shall be constructed or improved only upon the approval of a petition for the same by the county board or boards as the case may be, and state highway commission and the expense therefor shall be borne one-fourth by local assessment, one-fourth by the county, and one-half by the state.

Establishment of state rural highways.—Sec. 2. State rural highways shall be established, constructed and improved, or either constructed or improved, by a procedure identical with the proceeding prescribed by sections 3 to 52, inclusive of chapter 230 of the General Laws of Minnesota for the year 1905, exclusive of amendments, so far as the same may be made applicable to the laying out, improving and construction of highways and the raising of money therefor and to the assessment of benefits and the payment of damages, if any, incident to such construction or improvement; and said sections of chapter 230 are hereby made a part of this act, except as specified parts thereof are herein excluded or amended to adapt the said law more nearly to the construction or improvement of highways.

Construction of words "ditch, drain of water course."—Sec. 3. Wherever the words "ditch, drain or water course," or either of them, appear in said chapter 230 they shall for the purposes