

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

of this act be deemed to include "state rural highways; the words "county ditch" or "judicial ditch" shall be read as "state rural highway; the survey and report of the engineer shall be of the facts pertinent to the proposed construction or improvement, instead of the facts pertinent to ditches; the last five provisos of section 4 of said chapter are not to be deemed applicable to state rural highways; one-fourth only of the cost of "state rural highways" shall be met by the assessment of lands or property therefor including that of corporations, municipal or private; section 42 of said chapter 230 shall be, and hereby is, amended so as to read as follows:

"The state highway commission shall approve all petitions for state rural highways before the auditor's notice of first hearing thereon shall be served, posted or published; during all the proceedings carried on with and devoted to the construction, or substantial improvement of any state rural highway, the state highway commission shall confer with and give its advice to the court or board in charge of such proceedings; upon notice of the establishment of any such rural highway, or the ordering of the substantial improvement of an existing road into a "state rural highway," the state highway commission shall provide from any funds in its control a sum sufficient to meet one-half of the expense of such highway so established or ordered improved and may direct that such sum be paid in ten annual installments, or that it may be paid as soon as available; the warrant of the state auditor shall be issued upon the order of the state highway commission to the county, or counties, responsible primarily for the expense of such construction or improvement in such amount as said commission shall specify in accordance with the rule as to payment hereinbefore described.

County to be liable for expenses.—Sec. 4. The county, or counties, in which any state rural highway shall be constructed or improved shall be liable primarily for all the expenses of such proceedings, construction, and improvements and for all the damages, if any, to be caused by such construction or improvement of a highway, in such proportion as such counties would be liable under section 33 of said chapter 230 were such liability for the expense of the proceedings for and construction of a ditch and said county or counties shall provide for the prompt payment of all expenses incurred therefor, whether for proceedings, damages, or construction work.

County attorney to attend hearing.—Sec. 5. The county attorney shall, as part of his official duties, attend upon every hearing upon any matter relative to the proceeding for the construction of or improvement of any road as already established or to become a state rural highway whenever the county in which he

is such attorney may be affected by any results or consequences of such hearing. He shall examine each draft of the service of any notice given under the provisions of this act, and shall file a written opinion with the board prior to the time of such hearing as to whether or not the notices of such hearing have each and all been legally served.

Copies of plan and estimate to be attached to petition.—Sec. 6. Copies of the general plan and detailed estimate of the cost of any proposed state rural highway shall be appended to the petition for such highway before the same shall be signed, and copies of the same shall, before the circulation of such petition, be filed with the auditor of each county in which any part of such proposed highway will be. A copy of such plan and estimated cost shall be furnished to the state highway commission before the petition therefor shall be signed. In each notice of a hearing upon such petition there shall appear in capital letters the following notice: "The general plan and estimated cost of the proposed state rural highway are on file in and may be examined at the office of the county auditor." But such plans and estimates shall not be published or posted as a part of the petition, nor need they be served upon any interested party.

State may contribute.—Sec. 7. The state, in addition to the amount hereinbefore provided to be paid by it, or any county, town, or municipal corporation in which said road is in whole, or in part located, or any interested person, may contribute to the establishment, construction or improvement of such road, and may do so by bearing a part of the burden thereof that would otherwise be laid upon any county, or town, or person. The amount of such contribution shall be deducted at the time it is given from the obligation of the county, town or person aided.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

CHAPTER 255—S. F. No. 354.

An Act to amend sub-division 9 of section 434 of Revised Laws 1905, and to authorize counties to condemn lands for the purpose of holding thereon agricultural fairs and exhibitions.

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

Counties may condemn lands for agricultural fairs and exhibitions.—Section 1. That subdivision 9 of section 434 of Revised Laws 1905, be amended so as to read as follows: