

be paid during such permanent total disability, not exceeding five hundred and fifty (550) weeks; but in all such cases drawing more compensation than six and one-half (\$6.50) dollars per week, the payments after the first four hundred (400) weeks, shall be reduced to six and one-half (\$6.50) dollars per week for the remainder for the five hundred and fifty (550) weeks, while the permanent total disability continues; payment to be made at the intervals when the wage was payable as nearly as may be. The total amount of compensation payable under this sub-section shall not exceed five thousand (\$5,000) dollars in any case. Provided, however, that in case an employee who is permanently and totally disabled, becomes an inmate of a public institution, then no compensation shall be payable unless he has wholly dependent on him for support a person or persons named in sub-sections (1), (2), and (3), of section 14, (whose dependency shall be determined as if the employee were deceased); in which case the compensation provided for in this sub-section shall be paid for the benefit of said persons so dependent, during dependency, in such institution.

(e) The total and permanent loss of the sight of both eyes or the loss of both arms at the shoulder, or complete and permanent paralysis, or total and permanent loss of mental faculties, or any other injury which totally incapacitates the employee from working at an occupation which brings him an income, shall constitute total disability.

(f) In case a workman sustains an injury due to accident arising out of and in the course of his employment, and during the period of disability caused thereby, death results proximately therefrom, all payments previously made as compensation for such injury shall be deducted from the compensation, if any, due on account of death.

Approved April 17, 1917.

#### CHAPTER 352—H. F. No. 1223.

*An act to amend Sections 3362 and 3365 of the General Statutes of Minnesota for 1913 relating to reserves and deposits under certain classes of indemnity contracts.*

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

Section 1. Amount of reservations and deposits which must be kept on hand for certain classes of indemnity contracts.—That section 3362 of the General Statutes of Minnesota for 1913 be and the same is hereby amended so as to read as follows:

Section 3362. Such subscribers so contracting among themselves shall through their attorney file with the insurance commissioner of this state a declaration verified by the oath of such attorney, setting forth:

(a) The name or title of the office at which such subscribers propose to exchange such indemnity contracts. Said name or title shall not be so similar to any other name or title previously adopted by a similar organization or by any insurance corporation or association as in the opinion of the insurance commissioner is calculated to result in confusion or deception.

(b) The kind or kinds of insurance to be affected or exchanged.

(c) A copy of the form of policy contract or agreement under or by which such insurance is to be affected or exchanged.

(d) A copy of the form of power of attorney or other authority of such attorney under which such insurance is to be effected or exchanged.

(e) The location of the office or offices from which such contracts or agreements are to be issued.

(f) That applications have been made for indemnity upon at least one hundred separate risks aggregating not less than one and one-half million (\$1,500,000.00) dollars, as represented by executed contracts or bona fide applications, to become concurrently effective, or, in case of liability or compensation insurance, covering a total pay roll of not less than one and one-half million (\$1,500,000.00) dollars.

(g) That there is on deposit with such attorney and available for the payment of losses a sum of not less than twenty-five thousand (\$25,000.00) dollars.

Provided, however, that in case of *employers' liability or workmen's compensation insurance* all subscribers shall be engaged in the same class of business and have an annual pay roll in Minnesota of not less than four million (\$4,000,000.00) dollars and a deposit with such attorney and available for the payment of losses of not less than one hundred thousand (\$100,000.00) dollars.

*Provided further, that in the case of automobile liability insurance, covering damage to persons or property of others, the subscribers to such contracts shall have on deposit with such attorney and available for the payment of losses not less than one hundred thousand (\$100,000.00) dollars.*

**Sec. 2. Reserve fund based on policies in force and failure to result in revoking of license by insurance commissioner.**— That section 3365 of the General Statutes of Minnesota for 1913 be and the same is hereby amended so as to read as follows:

Section 3365. There shall at all times be maintained as a reserve a sum in cash or convertible securities equal to fifty per cent of the net annual deposits collected and credited to the accounts of the subscribers on policies *in force* having one year or less to run and pro rata on those for longer periods. Net an-

nual deposits shall be construed to mean the advance payments of subscribers after deducting therefrom the amounts specifically provided in the subscribers' agreements, for expenses. Said sum shall at no time be less than twenty-five thousand (\$25,000.00) dollars, and if at any time fifty per cent of the deposits so collected and credited shall not equal that amount, then the subscribers shall make up any deficiency.

*In case of the failure of any such reciprocal or inter-insurance exchange to comply with any of the provisions of this act, it shall be the duty of the insurance commissioner to immediately declare its license revoked, and in case of such revocation, said reciprocal or inter-insurance exchange shall not be again licensed to transact business in this state for the period of one year from the date of such revocation.*

Approved April 18, 1917.

#### CHAPTER 353—S. F. No. 39.

*An act to prevent persons guilty of felonious homicide from inheriting property of persons whose lives they take:*

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

**Section 1. Persons guilty of felonious homicide from inheriting property of persons whose lives they take—procedure of insurance companies.**—No person who feloniously takes or causes or procures another so to take the life of another shall inherit from such person or receive any interest in the estate of the decedent as surviving spouse, or take by devise or legacy from him and portion of his estate, and no beneficiary of any policy of insurance, or certificate of membership issued by any benevolent association or organization, payable upon the death or disability of any person, who in like manner takes or causes or procures to be taken the life upon which such policy or certificate is issued, or who causes or procures a disability of such person, shall take the proceeds of such policy or certificate; but in every instance mentioned in this act, all benefits that would accrue to any such person upon the death or disability of the person whose life is thus taken or who is thus disabled, shall become subject to distribution among the other heirs of such deceased person according to the law of descent and distribution in this state, in case of death, and in case of disability the benefits thereunder shall be paid to the disabled person.

Provided, however, that an insurance company shall be discharged of all liability under a policy issued by it upon payment of the proceeds in accordance with the terms thereof, unless before such payment the company shall have knowledge that such beneficiary has taken or procured to be taken the life