

on the North by a line parallel with said center line of Main Street, extended east as aforesaid, and three hundred and seventy-five (375) feet North therefrom; on the East by the said United States Harbor line; on the West by a line parallel with Front Street, as dedicated by the West Duluth Land Company and the Northern Pacific Railway Company, and fifteen (15) feet easterly therefrom, containing twenty-six (26) acres more or less, and all rights, privileges and easements appurtenant thereto, including any slip or slips adjacent thereto.

Section 2. **Attorney General to examine title.**—The Attorney General of the State of Minnesota will examine or cause to be examined the title to the tract last above described, and if and when a good and sufficient deed transferring marketable title thereto to the State of Minnesota is delivered to the Railroad and Warehouse Commission, the said Railroad and Warehouse Commission will execute and deliver a good and sufficient deed to the grantor of the other tract. The dock site acquired by the state in such exchange shall be conveyed by deed to the State of Minnesota, and shall in all things be subject to the provisions of the Laws of 1893, Chapter 30.

Approved April 24, 1937.

CHAPTER 411—H. F. No. 709

An act to amend Laws 1933, Chapter 170, Section 1, Subsection (g), Sections 5, 13 and 18, providing for the supervision and regulation of the transportation of property by motor vehicle on the public highways by contract carriers and by common carriers not operating over a regular route, providing for the payment of annual fees by contract carriers and by common carriers not operating over a regular route and by auto transportation companies subject to Laws 1925, Chapter 185, and defining the powers of the Railroad and Warehouse Commission for the purpose of enforcing this act.

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

Section 1. **Definitions.**—That Laws 1933, Chapter 170, Section 1, Subsection (g), be and the same hereby is amended so as to read as follows:

“(g) The term ‘contract carrier’ means any person engaged in the business of transporting property for hire over the public highways of this state, other than as a common carrier.

The terms ‘common carrier’ and ‘contract carrier’ shall not apply

to any person engaged in the business of operating motor vehicles in the transportation of property exclusively within the zone circumscribed by a line running parallel to the corporate limits of any city or village or contiguous cities and/or villages and 35 miles distant therefrom when such person resides within said zone. *The terms 'common carrier' and 'contract carrier' shall not apply to a person engaged in agricultural pursuits who owns and uses a truck either for the purpose of transporting products of his farm or occasionally transporting the property of others for hire, nor shall the terms 'common carrier' and 'contract carrier' apply to a manufacturer, producer, dealer or distributor who, in the pursuit of his business, owns and uses a truck, or trucks, either for the purpose of transporting his own products or occasionally transporting the property of others for hire.*

Section 2. Law amended.—That Laws 1933, Chapter 170, Section 5 be and the same hereby is amended so as to read as follows:

“Section 5. License fees for truck trailers.—That applicant at the time of filing the petition for said permit shall pay into the treasury of the State of Minnesota a fee in the sum of \$7.50 where but one vehicle is to be operated. When more than one vehicle is to be operated under the permit, an additional fee of \$7.50 shall be paid for each of such vehicles *in excess of one. Truck-tractors used by applicant exclusively in combination with semi-trailers shall not be counted as vehicles in the computation of fees under this section, provided applicant obtains permits for such semi-trailers.* Distinguishing plates shall be prescribed and furnished by the Commission and shall be at all times displayed on each vehicle and the place of residence of the owner of the vehicle shall be stenciled in a conspicuous place on said vehicle. No permit granted under this Act shall be effective after the first day of January of the year following the year of its issue. Renewals shall be issued upon application made in accordance with this Act and upon the payment of the fees prescribed for the original application; *provided that in the event a permit has been suspended or revoked the Commission may order a hearing upon an application for a renewal thereof or upon an application for a permit to be issued to the holder of such suspended or revoked permit and may grant or deny such renewal or permit. On or before January 1, 1938, and of each year thereafter every carrier holding a permit under this Act and every Auto Transportation Company subject to Chapter 185, Laws of 1925, shall pay a fee of \$7.50 and an additional fee of \$7.50 for each vehicle operated in excess of one.*”

Section 3. Law amended.—That Laws 1933, Chapter 170, Section 13, be and the same hereby is amended so as to read as follows:

"Section 13. **Must obtain permit for common carrier.**—No person shall operate as a contract carrier or common carrier exclusively engaged in transporting property in interstate commerce, or property between any point in the State of Minnesota and the Dominion of Canada, without a permit from the Commission so to do, in accordance with the provisions of this Act. Any person desiring a permit to operate as such contract carrier or common carrier shall file a petition therefor with the Commission, which petition shall set forth the names and addresses of its officers, if any, full information concerning the financial condition and physical properties of the applicant; the nature of the transportation in which the applicant wishes to engage; the kind of property which it is proposed to transport; substantially the territory in which it is proposed to operate; a description of each vehicle which the applicant intends to use, including its size, weight and cubical contents; and such other information necessary to the enforcement of this Act as the Commission may, by order, require.

At the time of filing petition the applicant shall pay into the Treasury of this State a fee in the sum of \$7.50 for the issuance of such permit where but one vehicle is to be operated. Where more than one vehicle is to be operated under this permit, an additional fee of \$7.50 shall be paid for each of such vehicles *in excess of one*. Distinguishing plates shall be prescribed and furnished by the Commission and shall be at all times displayed on each motor vehicle authorized by the Commission to operate under this Act.

Before a permit shall be issued, such applicant shall also secure and file with the Commission public liability and indemnity insurance satisfactory to the Commission and in such amount as it shall prescribe, covering injuries and damage to persons and/or property occurring on the highway other than to employes of such carrier or the property being transported thereby. Such insurance shall be subject to cancellation for non-payment of premiums or withdrawals from service of a vehicle or vehicles covered thereby upon 15 days' written notice to the insured and to the Commission. Such insurance and/or bond may, from time to time be reduced or increased by the Commission. The Commission may, if so desired by the applicant, accept in lieu of said bond and/or insurance such other form of security as may be satisfactory to the Commission.

Upon compliance with the provisions of this Section, the Commission shall forthwith issue said permit.

No permit granted under this Act shall be effective after the first day of January of the year following the year of its issuance. Renewals shall be issued upon payment of the fees hereinbefore provided.

No permit issued under the provisions of this Act shall be assigned, or transferred. The Commission may for a good cause upon not less than 10 days' notice to the holder thereof suspend or revoke such permit for any violation of any provision of this Act or any law of this State or any order or regulation of the Commission."

Section 4. **Law amended.**—That Laws 1933, Chapter 170, Section 18, be and the same hereby is amended so as to read as follows:

"Section 18. **Oath and bond of inspectors.**—That inspectors of the Commission, for the purpose of enforcing this Act but for no other purpose, shall have all the powers conferred by law upon *peace officers*, and it shall be the duty of the State Commissioner of Highways upon written request of the Commission to require the State Highway Patrol to assist in the enforcement of this Act. *Every inspector of the Commission, before entering upon his duties, shall take and subscribe the oath of office and furnish a bond to the state in the sum of \$2000.00 conditioned as provided by Section 905 Mason's Minnesota Statutes 1927 to be approved by and filed in the office of the Secretary of State.*"

Section 5. This Act shall take effect and be in force from and after its passage.

Approved April 24, 1937.

CHAPTER 412—S. F. No. 684

An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this state anyone engaged in the business of