

represented by such permanent stock of at least one hundred thousand dollars, which shall not be paid to the holders thereof so long as such association shall have any other legal obligations outstanding. No such association shall issue any certificates of shares until the terms and conditions thereof shall have been approved by the state examiner.

Approved April 17, 1915.

CHAPTER 171—H. F. No. 921.

An Act to amend Chapter 307 of the General Laws of 1913, entitled "An Act to promote the safety of employees and travelers on railroads by requiring common carriers in operating railroads in the State of Minnesota to establish and maintain a safe and sufficient clearance between structures located on and over their roadways and cars passing over their lines, and for other purposes.

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

Section 1. **Sec. 2, chap. 307, laws of 1913, not to apply to yards and terminals of depot or railway companies.**—Section 2 of Chapter 307 of General Laws of Minnesota for 1913 is hereby amended so as to read as follows :

"**Sec. 2. Unlawful to erect certain structures, etc.**—That on and after the passage of this act, it shall be unlawful for any common carrier, or any other person, to erect or reconstruct and thereafter maintain on any standard gauge road on its line or on any standard gauge side track used in connection therewith, for use in any traffic mentioned in Section one of this act, any warehouse, coal chute, stock pen, pole, mail crane, stand pipe, hog drencher, or any permanent or fixed structure or obstruction, or in excavating allow any embankment of earth or natural rock to remain upon its line of railroad, or on any side track used in connection therewith at a distance less than eight feet measured from the center line of the track, which said structure or obstruction adjoins on standard gauge roads; nor shall any overhead wires, bridges, viaduct or other obstruction passing over or above its tracks as aforesaid be erected or reconstructed at a less height than twenty-one (21) feet, measured from the top of the track rail.

Provided, however, that this act shall not be construed to apply to yards and terminals of depot companies or railway companies used only for passenger service. But, nevertheless in the event of personal injury sustained by any employe of any such company in this proviso mentioned, by reason of non-compliance with the provisions of this act, such employe, or in case of his death, his personal representative, shall have all the rights, privileges and immunities enumerated in Section 9 hereof.

Sec. 2. Section 3 of said Chapter 307 of Laws of 1913, be and the same is hereby amended so as to read as follows:

“Sec. 3. That the railroad and warehouse commission may upon application made, after a thorough investigation *in any particular case or class of cases*, permit any common carrier to which this act applies to erect any overhead or side obstruction at a less distance from the track than herein provided for, when in the judgment of said commission a compliance with the clearance prescribed herein would be *unreasonable or unnecessary.*”

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

Approved April 17, 1915.

CHAPTER 172—H. F. No. 1151.

An Act providing for the abating of penalties and interest on delinquent gross earnings taxes of certain telephone companies under certain conditions.

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

Section 1. **Gross earnings taxes on certain telephone companies cancelled.**—That the penalties and interest accruing on unpaid delinquent gross earnings taxes for the year 1913 and prior years of telephone companies whose gross earnings for said years have not exceeded five hundred dollars (\$500) per year are hereby cancelled and abated, provided such companies pay all of such delinquent taxes into the state treasury on or before July 31, 1915.

Approved April 17, 1915.

CHAPTER 173—H. F. No. 480.

An Act to amend Sections 2750, 2751 and 2752 of the Revised Laws of Minnesota 1905, as amended by the General Laws Minnesota 1913, being the same as Sections 6018, 6019 and 6020 of the General Statutes of Minnesota 1913, relating to the building and maintenance of partition fences.

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

Section 1. **Payment of partition fences to be made by owners of land benefited.**—That sections 2750, 2751 and 2752 of the Revised Laws Minnesota 1905 as amended by the General Laws of Minnesota 1913 being the same as Sections 6018, 6019 and 6020 of the General Statutes of Minnesota 1913, be and the same are amended to read as follows: