

H. F. No. 396.

## CHAPTER 110.

*An act to amend sections 3237 and 3238 of title 6 of chapter 34 of the General Statutes of Minnesota for the year 1894, and section 3243 of title 6 of chapter 34 of the General Statutes of Minnesota for the year 1894, as amended by chapter 172 of the General Laws of 1901, relating to Township Mutual Insurance companies and regulating insurance by such companies.*

Township  
mutual insur-  
ance compa-  
nies.

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

SECTION 1. That section 3237 of title 6, chapter 34 of the General Statutes of Minnesota of 1894, be and the same is hereby amended to read as follows:

President  
and secretary  
may accept  
applications  
and issue  
policies.

Section 3237. The president and secretary of such company may pass on and accept all applications for insurance and sign and issue the policies, agreeing in the name of the company to pay all losses or damages which may be sustained by fire or lightning, for a term not exceeding five (5) years, by the holders of such policies, and not exceeding the sum named in such policy, and all applications for insurance given to or made to any agent or officer of such company authorized to solicit membership in said company, or to solicit business for the same, shall, until refused and reached by the proper officers of any such company, be deemed to be of the same force and effect as a regularly issued policy and contract of insurance, and from the time of the receipt of any application for insurance by any such officer or agent of any company, the goods and property of the person making the application shall be deemed to be insured against loss and damage by fire or lightning, in the same manner and to the same extent as if covered by a regular policy issued in conformity to the rules and regulations of any such company to the laws of the state; *provided, however,* that there shall be no liability on any such application against any company that has not at an annual or special meeting, by proper resolution, adopted the plan of making all such applications of equal force and effect with regularly issued policies

Application  
taken by  
authorized  
agent ef-  
fective until  
refused by  
proper  
officer.

Exception.

SEC. 2. That section 3238 of the General Statutes of Minnesota for 1894 be, and the same is hereby amended to read as follows:

Section 3238. Every person making application for insurance in any such company shall embody in such application his undertaking binding himself, his heirs and assigns, to pay his pro rata share to the company of all losses or damages by fire or lightning, which may be sustained by any member thereof; and every such application shall, within reasonable time after the execution thereof, be filed in the office of the secretary of said company, and shall remain on file in such office except when required to be produced in court as evidence. He shall, also, at the time of effecting such insurance, pay such percentage in cash, and such reasonable sum for a policy, as may be required by the rules or by-laws of the company.

Application to find heirs and assigns.

Application to remain on file.

SEC. 3. That section 3243 of the General Statutes of Minnesota for 1894 as amended by chapter 172 of the General Laws of Minnesota for 1901 be, and the same is hereby amended to read as follows:

Section 3243. No company formed under this act shall insure any property out of the limits of the town or towns in which such company is located, except as provided in section 3231 of the General Statutes of Minnesota of 1894, or except as hereinafter provided; nor shall they insure any property other than dwellings and their contents and farm buildings and their contents, and live stock, and hay, and grain in the bin or stack, churches or schoolhouses, society and town halls, country blacksmith shops and their contents, parsonages and their contents, and the barns and contents used in connection therewith, and buttermakers' dwelling houses and contents and barns and contents used in connection therewith.

Property out of town limits not to be insured, exceptions.

Class of property to be insured.

SEC. 4. Such town insurance companies may insure joint or partial risks in conjunction with adjoining companies of the same class, and in insuring partial risks such companies are not confined to the town or towns in which they are otherwise authorized to do business; but no such insurance of a joint or partial risk shall be valid or binding upon the company insuring the same until it shall have been approved by any and all such companies holding prior risks on the property so insured, and the total amount of such joint insurance on any one piece of property shall in no case exceed the total percentage of its value for which such property is insurable by such company.

Joint or partial risks.

Approval.

SEC. 5. Any town insurance company may by author-

Emergency  
fund.

ity of its board of directors, collect by advance assessment and maintain in the hands of its treasurer an emergency fund not exceeding in amount two (2) mills on a dollar on the total amount of insurance in force, to be used in payment of losses and for such other purposes as money heretofore collected by assessments may be used for.

SEC. 6. All acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

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

Approved March 31, 1903.

H. F. No. 304.

### CHAPTER III.

Incorporation  
of villages.

*An act to legalize the incorporation of certain villages, attempted under chapter one hundred forty-five (145) of the General Laws of one thousand eight hundred and eighty-five (1885) and the several acts amendatory thereof, and also to legalize the acts of said villages.*

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

Attempted  
incorporation  
legalized.

SECTION 1. That in all cases where there may have been an incorporation heretofore attempted under the provisions of chapter one hundred forty-five (145) of the General Laws of one thousand eight hundred eighty-five (1885) and the several acts amendatory thereof, and the original petition, copy or notice of election, and certificate of the inspectors of election have been heretofore filed in the office of the register of deeds of the proper county, and said village has proceeded to transact and carry on business as an incorporation, and under the corporate name assumed by it, such attempted incorporation of such village, under the name assumed, shall be, and hereby is, legalized in each and every such case and declared a valid and effective incorporation, under the name assumed; and this shall be true notwithstanding the omission of any matter and thing by law required [as] a prerequisite to the incorporation of such village, and notwithstanding any defect in the said petition, notice of election or certificate of inspectors of election; further, that any by-law, resolution or ordinance heretofore adopted by any such village, or corporate act of any character indulged in, is