

## CHAPTER 228.

S. F. No. 351.

*An act to authorize cities and villages in the State of Minnesota, now or hereafter owning and operating water works, to extend their water works and water pipes over, under and along any road, street, alley or public highway in this state, whether within or without the corporate limits of such city or village, and to supply water to the occupants of property adjacent or accessible thereto, whether within or without the corporate limits of such city or village.*

City and village water works.

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

SECTION 1. Any city or village in the State of Minnesota now or hereafter owning and operating water works is hereby authorized to extend its water works and water pipes over, under and along any road, street, alley or public highway in this state, whether within or without the corporate limits of such city or village, and to supply water for a reasonable compensation to the occupants of property adjacent or accessible to the line so extended, whether within or without the corporate limits of such city or village; *provided, however*, this act shall not be construed as granting any rights to any city or village within the corporate limits of any other city or village; *provided further*, that such line shall be so extended as not to interfere with the safety or convenience of ordinary travel over said roads, streets, alleys and public highways.

Authorized to extend water pipes over, under and along roads, streets, etc. Limitations.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.

## CHAPTER 229.

S. F. No. 181.

*An act to continue and provide for the department of insurance in the State of Minnesota, and regulating the compensation and fees of such department and for the repeal of laws inconsistent herewith.*

Insurance department.

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

SECTION 1. That there is hereby established and continued a department of insurance in the State of Minnesota. Its chief officer, to be styled the commissioner of

Chief officer, appointed by governor. Bond. Salary.

insurance, shall be appointed by the governor, with the advice and consent of the senate, for the term of two years beginning the first Monday in January. He shall give bond, with sureties, in the sum of twenty-five thousand (\$25,000.00) dollars, to be approved by the treasurer of the state, for the faithful discharge of his duties and shall receive in full compensation for his services the sum of four thousand five hundred dollars (\$4,500.00) per annum.

Nothing in this section shall affect the term of office of the present commissioner of insurance, except that his salary shall be four thousand five hundred dollars (\$4,500.00) per annum from the beginning of his term of office. "All fees received by said commissioner from and after the time when his salary commenced, as aforesaid, shall be paid by him into the state treasury."

Fees to be paid into state treasury.

Powers and duties—  
deputy—  
clerks—  
salary.

SEC. 2. The commissioner shall exercise the powers and perform the duties imposed and conferred upon him by this act and by any other law of this state. He may appoint a deputy commissioner to assist him in his duties, who shall receive an annual salary of two thousand (\$2,000.00) dollars; an actuary, who shall receive an annual salary of two thousand (\$2,000.00) dollars; a chief clerk, who shall receive an annual salary of fifteen hundred (\$1,500.00) dollars; a bookkeeper and cashier, who shall receive an annual salary of fifteen hundred (\$1,500.00) dollars; one stenographer at an annual salary of twelve hundred (\$1,200.00) dollars; one clerk at an annual salary of twelve hundred (\$1,200.00) dollars, and one clerk at an annual salary of nine hundred (\$900.00) dollars.

Deputy acts in absence of commissioner, actuary duties.

SEC. 3. In the absence or disability of the commissioner of insurance, his duties shall be performed by the deputy. The actuary of such departments shall, under the direction of the commissioner, make the valuations of outstanding policies of foreign life insurance companies doing business in this state, as may be required by law, and shall annually value the outstanding policies of all life insurance companies organized under the laws of this state, and shall perform such other actuarial duties, including visitation and examination of insurance companies, as the commissioner of insurance may prescribe. All fees which may under any law of this state be charged to any insurance company for valuing policies, or the performance of other duties of said actuary, shall be collected by

Fees paid into treasury.

the commissioner of insurance and paid into the treasury of this state. But the actual expenses of the commissioner of insurance, or any other officer or employe of his department, in making any valuation of policies or visitation or examination of an insurance company, shall be upon proper voucher paid by the state to the person so incurring said expenses from the fees so collected.

Actual  
expenses  
paid.

SEC. 4. The commissioner of insurance may, whenever he deems it necessary, employ a competent person to make an examination of the affairs of any insurance company admitted, or applying to be admitted, to do business under the laws of this state. When such person so employed is not a salaried officer of said department, his compensation or per diem for making such examination shall be determined by the commissioner of insurance and the amount thereof, together with all expenses incurred in making such examination, shall be paid by the insurance company so examined to the commissioner and by him paid over to the treasurer of the state, and said treasurer shall pay therefrom, upon the proper voucher, the compensation and expenses of the person so making said examination.

Examination  
of companies  
admitted or  
applying.

Compensa-  
tion.

SEC. 5. When any such visitation or examination is made by a person regularly employed in said department and receiving a salary from the State of Minnesota, the company so examined, except township mutual insurance companies, shall pay as fees to said insurance department the sum of ten (\$10.00) dollars per day for each and every day necessarily occupied by such person in making said examination, which fees shall be accounted for and turned into the treasury of the State of Minnesota. In case of the examination of township mutual insurance companies the actual expenses only thereof shall be charged.

Same.

SEC. 6. In addition to the fees and charges hereinbefore provided for there shall be paid to the commissioner of insurance, and by him accounted for and paid to the State of Minnesota, the following fees:

Fees and  
charges.

1. By township mutual fire companies :  
For filing certificates of incorporation, \$2.  
For filing annual statement, \$1.  
For certificate of authority annually, \$1.

2. By other domestic companies :  
For filing certificates of incorporation and accompanying documents, \$30.

Each company's certificate of authority, \$1.

3. By foreign companies :

For filing certified copy of charter or certificate of incorporation and by-laws, \$30.

For filing statement of financial condition, \$20.

Each company's or agent's certificate of authority, \$2.

4. By all companies (except township mutual) :

For filing amendment to articles of incorporation, \$10.

For filing annual statement, \$20.

For abstracts or summaries of annual statements for publication, when prepared by commissioner, each \$5.

5. General fees :

For each certificate, including certificate of authority renewal, valuation of life policy, corporate condition or qualification, \$1.

For each copy of paper on file in his office, 20c per folio, and \$1 for certifying same.

For license to procure fire insurance in unadmitted foreign companies, \$10.

For each broker's license, \$10.

For receiving and forwarding copy of summons or process served upon commissioner of insurance, as attorney for any insurance company, \$2, which amount shall be paid by the party serving same and may be taxed as other costs in the action.

For valuing policies of life insurance companies, 1c per \$1,000 of insurance so valued.

For receiving and filing certificates of valuation of policies by commissioner of any other state or territory, \$50, *provided*, that when by the laws of any other state or nation any fines, penalties, license or fees additional to or in excess of those imposed by this section upon foreign insurance companies and their agents, are imposed upon insurance companies of this state or their agents, doing business in such state, the same fines, penalties, licenses and fees shall be imposed upon all insurance companies of such state and their agents doing business in this state, so long as such laws remain in force.

SEC. 7. When garnishee process is served upon the commissioner of insurance, as attorney for any insurance company, no garnishee fee shall be paid to such commissioner. After the receipt of copy of such process the insurance company may demand of the attorney of the person making such garnishee the proper fees, and if such demand is not complied with before the day fixed for

Garnishee  
process  
served on  
commissioner

the disclosure of the garnishee, the proceeding may be dismissed.

SEC. 8. There is hereby appropriated from the treasury of the State of Minnesota, out of any moneys not otherwise appropriated, such sum as may be necessary in the aggregate to pay the salaries, expenses and compensation hereinbefore provided for.

Appropriation.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent laws repealed

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 17, 1905.

### CHAPTER 230.

S. F. No. 182.

*An act providing for the drainage of lands and meandered bodies of water in certain cases, providing for the construction and repair of ditches, dykes, roads, drains and water courses, and for the reimbursement in certain cases of owners of lands damaged thereby, providing methods for doing such construction and repair and for such reimbursement, providing for the collection of the costs and expenses of the same, providing for the cooperation of the state drainage board in such construction and repair, prescribing the powers and duties of county commissioners and other officers in the premises, appropriating funds for the payment of assessments against state lands affected thereby, prescribing penalties for the violation thereof, and repealing certain acts therein mentioned and referred to.*

Drainage.

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

SECTION 1. The board of county commissioners of any county shall have power, at any session, when they shall find the conditions stated in the third section of this act to exist, to cause to be constructed as hereinafter provided, any ditch, drain, creek or other water course within said county; and such ditch, drain, creek or other water course may, in whole or in part, follow and consist of the bed of any stream, creek or river, whether navigable or not, or any lake, whether meandered or not, and they may widen, deepen, straighten, change, lower or drain the channel or bed of any creek, river, lake or other natural water course, whether navigable and whether meandered or not, and may follow and extend the same

Powers of Co. Commissioners.