

“Section 1995. Road crossings.—Every such company shall construct and maintain in good repair and free from snow or other obstruction, wherever any of its lines shall cross a public road, sufficient crossings, consisting of:

1. Sufficient grades, sixteen feet in width on each side of the center of such road, and of such slope as may be deemed necessary by the officers having charge of the public road;

2. A plank covering of the same width, securely spiked, extending the full length of the ties, the planks not more than one inch apart, the planking not more than two and one-half inches from the rails, and the surface thereof on a level with the top of the rails.

In municipalities such grades and planking shall extend the full width of the street, or of that part thereof graded or used for travel, and like planking shall be placed between all tracks which are not more than fifteen feet apart, and a suitable sidewalk shall be constructed by said company to connect with and correspond to said walks constructed and installed by the municipality or by owners of abutting property, but cement or concrete construction shall not be required in track space actually occupied by the railroad ties if some substantial and suitable sidewalk material is used in lieu thereof. In case of roads newly established, such crossing shall be constructed within thirty days after the service on the nearest station agent or section foreman of such company of a notice, signed by the proper officer or officers having charge of such road, that such crossing is required.”

Approved March 15, 1913.

CHAPTER 79—H. F. No. 228.

An Act to amend Section Sixteen Hundred Forty-Two (1642), Revised Laws Nineteen Hundred Five (1905) as amended by Chapter Four Hundred Forty-Six (446) of the General Laws of Nineteen Hundred Seven (1907) relating to insurance.

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

Section 1. **Policies for \$5,000 or more may contain co-insurance clause.**—That Section Sixteen Hundred Forty-Two (1642), Revised Laws Nineteen Hundred Five (1905) as amended by Chapter Four Hundred Forty-Six (446) of the General Laws of Nineteen Hundred Seven (1907) be and the same is hereby amended so as to read as follows:

Section 1642. Whole amount collectible—Co-insurance, etc.—Every company insuring any building or other structure against loss or damage by fire, lightning, or other hazard, by

the issue of a policy or renewal of one theretofore issued, or otherwise, shall cause such structure to be previously examined, a full description thereof to be made, and its insurable value to be fixed, all by the insurer or his agent, and the amount thereof to be stated in the policy. In the absence of any change increasing the risk, without the consent of the insurer, of which the burden of proof shall be upon it, and in the absence of intentional fraud on the part of the insured, the whole amount mentioned in the policy or renewal upon which the insurer receives a premium, shall be paid in case of total loss, and in case of partial loss, the full amount thereof. If there are two or more policies upon the property, each shall contribute to the payment of the whole or partial loss in proportion to the amount specified. Any policy where the entire risk covered by the same amounts to *Five Thousand Dollars (\$5,000.00) or more* may contain a co-insurance clause, if the insured requests the same in writing, of which fact such writing shall be the only evidence, and if in consideration thereof, a reduction in the rate of premium is made by the company. When so demanded and attached to the policy, said agreement shall be binding upon both insured and the company, and in case of loss the actual cash value of the property so insured at the time of the loss, including the buildings, shall be the basis for determining the proper amount of such co-insurance and the amount of loss, notwithstanding any previous valuation of such building. Every person who solicits insurance and procures an application therefor shall be held to be the agent of the party afterwards issuing insurance thereon or a renewal thereof.

Approved March 15, 1913.

CHAPTER 80—H. F. No. 239.

An Act to amend Sections 7, 8 and 13, Chapter 411, Laws 1909, relating to township mutual fire insurance companies.

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

Section 1. Corporate existence of township mutual fire insurance may be renewed for 30 years—Attempted renewals legalized.—That Section 7, of Chapter 411, Laws of 1909, be amended so as to read as follows:

Section 7. Every corporation organized pursuant to this act shall be for a period not exceeding thirty (30) years in the first instance, and *the corporate existence of any township mutual fire insurance company organized under the provisions of this chapter or any prior act may be renewed from time to time for a further term not exceeding thirty (30) years, by*