

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*

adopting a resolution expressing such proposed renewal by a two-third (2-3) vote of all its members present and voting at any regular meeting of such corporation, or at any special meeting called for that purpose, the notice for which shall clearly specify the object of the meeting.

When any such resolution for renewal shall be adopted the same shall not take effect until a copy thereof, duly certified to by the president and secretary of such corporation, under its corporate seal, if it have one, shall have been approved, filed and recorded in the same manner as is provided herein in case of the original certificate of incorporation.

Any township mutual fire insurance company which has heretofore attempted to extend or renew its corporate existence by filing a resolution so providing with the commissioner of insurance shall be deemed and considered to have extended and renewed its corporate existence to all intents and purposes as fully as though such action had been taken subsequent to the passage of this act and such attempted extension or renewal of corporate existence is in all things legalized.

Sec. 2. Amendments to certificate of incorporation of township mutual fire insurance companies.—That Section 8, of Chapter 411, Laws of 1909, be amended so as to read as follows:

Section 8. The certificate of incorporation of *any township mutual fire insurance company* may be amended in respect to any matter which the original certificate of incorporation might lawfully have contained, *or which is authorized by the provisions of this chapter*, by the adoption of a resolution specifying the proposed amendment at the regular meeting or a special meeting called for that expressly stated purpose, by a majority vote of its members present and voting; or by a majority vote of its entire board of directors, within one year after having been thereby duly authorized by a specific resolution duly adopted at such meeting of the members, and by causing such resolution to be embraced in a certificate duly executed by its president and secretary under the corporate seal of the company, if it have one, and approved, filed and recorded in the manner prescribed *by this chapter* for the approval, filing and recording of the original certificate.

Sec. 3. Personal property temporarily outside of territory may be insured, including automobiles and farm produce.—That Section 13, of Chapter 411, Laws of 1909, be amended so as to read as follows:

Section 13. No township mutual fire insurance company heretofore organized and no company organized pursuant to this act shall insure any property outside of the limits of the town or towns in which such company is authorized by its certificate or articles of incorporation to transact business, *except personal property temporarily outside of such authorized territory and*

except as hereinafter *further* provided; nor shall any township mutual fire insurance company insure any property other than dwellings and their contents, farm buildings and their contents, live stock, farm machinery, *automobiles*, *farm produce anywhere on the premises*, churches, schoolhouses, society and town halls, country blacksmith shops and their contents, parsonages and their contents, and the barns and contents used in connection therewith, buttermakers' dwelling houses and contents, and barns and contents used in connection therewith.

No such company shall insure any property within the limits of any city or village except that located upon lands actually used for farming or gardening purposes, but whenever the dwelling house of any person insured is within the limits of a town where the company is authorized to do business, and the farm on which such dwellings is situated is partly within and partly without such town, it may include in such insurance any out buildings, *farm produce*, stock or other farm property on such farm outside of such limits.

Approved March 15, 1913.

CHAPTER 81—H. F. No. 766.

An Act to amend Section 2 of Chapter III of Chapter XXXI of the General Laws of Minnesota for 1870 relating to "An Act to authorize the incorporation of cities" and fixing the duties of mayor of such cities.

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

Section 1. Mayor may vote in case of tie in common council where all aldermen are present and voting.—That Section 2 of Chapter III of Chapter XXXI of the General Laws of Minnesota for 1870, be and the same is hereby amended so as to read as follows:

Section 2. The mayor shall take care that the laws of the state and the ordinances of the city are duly observed and enforced, and that all other executive officers of the city discharge their respective duties. He shall from time to time give the common council such information and recommend such measures as he may deem advantageous to the city. The mayor shall be the chief executive officer and head of the police of the city, and shall appoint such police officers and watchmen, except when otherwise provided for; and in case of a riot or other disturbances, he may appoint as many special or temporary constables as he may deem necessary; and any police officer or watchman, appointed by the mayor as aforesaid, may