

CHAPTER 179—H. F. No. 811

An act to authorize any mutual insurance company organized to write insurance against loss or damage by fire, hail, tornadoes, cyclones and hurricanes, or any of said causes, to reinsure its business in and consolidate with any other mutual insurance company authorized to write insurance against loss or damage from any of said causes.

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

Section 1. **Mutual insurance companies may reinsure.**— Any mutual insurance company organized under the laws of this State for the purpose of insuring property against loss or damage by fire, hail, tornadoes, cyclones and hurricanes, or any of said causes, may at any time reinsure its business in and consolidate with any other mutual insurance company organized under the laws of this State for the purpose of insuring property against loss or damage from any of said causes.

To so consolidate it shall be necessary

(1) That a resolution, reciting the terms and conditions of the proposed contract, be adopted by each of said companies by a two-thirds' vote of its members represented, present and voting at any regular meeting or at a special meeting called for that purpose. Thirty days' printed or written notice shall be previously given to each member of each of such companies of the time when and place where such meeting is to be held, reciting the purpose thereof. Mailing of such notice to the last-known address of the member shall be deemed sufficient notice of such meeting.

(2) That certified copies of such resolutions, together with a copy of such contract, shall be filed with the Commissioner of Insurance. Such contract shall not become effective until approved by the Commissioner of Insurance and such approval shall not be given unless the Commissioner is satisfied that the interests of the policyholders of both of such companies are fully protected and that the contract is just and equitable.

Approved April 16, 1931.

CHAPTER 180—H. F. No. 884

An act amending Mason's Minnesota Statutes of 1927, Section 5598, relating to commercial fishing in international boundary waters.

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

Section 1. Licenses—applications.—That Mason's Minnesota Statutes of 1927, Section 5598, Subdivision 1, be and the same hereby is amended so as to read as follows:

"Subdivision 1. Such license shall be procured from the commissioner. The applicant shall make a written application to the commissioner, stating the location in which he desires to fish, size, and kind of each net he proposes to use, and shall pay the following license fees:

(a) For each pound net, the sum of \$35.00;

(b) For fyke nets with four foot hoop or less, the sum of \$5.00, over four to six foot hoop the sum of \$10.00, over six to eight foot hoop, the sum of \$15.00;

(c) *Provided, that in Lake of the Woods the fees for fyke nets shall be as follows, according to the height of the wings and lead, based on whichever thereof is the highest: four feet or less \$5.00, and an additional \$5.00 for each additional two feet or fraction thereof, but not exceeding \$25.00 for any one net.*

(d) For each 100 feet of gill net, the sum of \$1.50

If a license is revoked or cancelled, it shall not be issued to any other applicant during the year for which it was originally issued. No license herein provided for shall be granted an applicant until the commissioner is satisfied that such applicant has equipped himself in accordance with the requirements of this section as herein-after provided."

Sec. 2. Size of nets.—That Mason's Minnesota Statutes of 1927, Section 5598, Subdivision 2, paragraph entitled "Fyke Nets," be and the same hereby is amended so as to read as follows:

"FYKE NETS: Not less than two inches extension measure. The hoop of such nets shall not be more than eight feet in height. The wings leading from the hoop shall not be more than 100 feet in length and said wings shall not be any higher than the hoop. It shall be optional with the user of fyke nets to use either wings or one lead, or both, but said lead shall not be more than 300 feet in length and no higher than the hoop, provided, that in waters of Lake of the Woods there shall be no restrictions as to height of leads or wings on fyke nets, and leads may be not more than 400 feet in length.

Sec. 3. Limitation of licenses.—That Mason's Minnesota Statutes of 1927, Section 5598, Subdivision 3, be and the same hereby is amended so as to read as follows:

"Subdivision 3. Licenses for more than six pound nets, or for more than 4,000 feet of gill nets or for more than ten fyke nets shall not be issued to any one applicant, provided that license for only 1,000 feet of gill net shall be issued to anyone having a license for 10 fyke nets; provided, however, that a license for only six fyke nets shall be issued to anyone having a license for more than 1,000 feet of gill nets. No licensee shall operate more than one pound net station, nor shall such licensee be interested directly or indirectly, either by contract, lease or otherwise, in the ownership, control or operation of any other station than his own. A pound net station is the buildings, where and in which a pound net licensee keeps his fishing equipment, nets and boats, and sorts or preserves his fish. No pound net license shall be granted until the applicant shall have satisfied the commissioner that he has equipped himself with a pound net station. An applicant may lease a station and equipment from anyone who is not a pound net licensee. No pound net licensee shall use or permit to be used his fishing equipment, nets, or boats at any such station other than his own or the one he operates under a lease, except in cases of emergency. Each licensee shall designate in his application the approximate location at which he intends to set gill, pound or fyke nets and he shall not set the same elsewhere, except with the consent of the commissioner. Licenses shall not be issued in excess of the following for each body of water named:

LAKE OF THE WOODS: 60 pound nets, 90,000 feet of gill nets, 100 fyke nets.

RAINY LAKE: 20 pound nets, 20,000 feet of gill nets.

KABETOGAMA LAKE: 10 pound nets, 10,000 feet of gill nets.

NAMEKAN LAKE: 5 pound nets, 12,000 feet of gill nets.

No person shall be granted licenses to fish both pound and gill nets, or pound and fyke nets, but holders of gill net licenses may be licensed to fish fyke nets. All licenses for pound, gill, or fyke nets shall become void, and nets used under such license shall be subject to seizure and confiscation, and license revert to the state, except as hereinafter specified unless the licensee devotes his personal attention to fishing under such licenses. Unless a licensee begins fishing his nets within 30 days after the opening of the season, his license shall be cancelled by the commissioner. Personal attention to fishing is hereby defined to mean that the licensee shall, in person, attend to the sorting, caring for, and packing of fish caught in his nets in the station to which said fish are first brought, and to the marketing thereof, with such assistance as he may need to carry on his fishing enterprise. The provisions of this paragraph relating to the holding of both pound, gill and fyke nets by the same licensee, shall not apply to Rainy Lake, and tributary waters thereof.

No license issued hereunder shall be transferable, and an assignment or attempted transfer of any rights under such license shall subject it to cancellation. No licensee shall assign, transfer, or attempt so to do, any license or any rights therein issued to him. A commercial fisherman holding a license to fish shall not sell in his own name any fish caught by another such licensee, or caught by anyone not holding such a license."

Approved April 16, 1931.

CHAPTER 181—H. F. No. 1101

An act to amend Mason's Minnesota Statutes 1927, Section 10933, Sub-Division 14, relating to Published and Posted Notices.

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

Section 1. Published and posted notices.—That Mason's Minnesota Statutes 1927, Section 10933, Sub-division 14, be amended to read as follows:

"14. Unless otherwise specially provided, the words 'Published notice,' when used in reference to the giving of notice in any proceeding or the service of any summons, order or process in judicial proceedings, shall mean the publication in full of the notice or other paper referred to, in the regular issues of a qualified newspaper, once in each week, and at uniform intervals, for the number of weeks specified. Provided, however, that when one of the regular publication days for such notice, summons, order or process shall fall upon Thanksgiving Day or upon any legal holiday then and in that case it shall be a compliance with the law to have said notice, summons, order or process published either the day before or the day after Thanksgiving Day or such legal holiday. And a 'qualified newspaper' shall be one published in the county wherein the action or proceeding is pending or in which the thing to which such notice relates is to occur or be done, and conforming to the requirements of §10935; or, if there be none in such county, then in an adjoining county. The term 'posted notice', when similarly used, shall mean the posting, at the beginning of the prescribed period of notice, of a copy of the notice or document referred to, in a manner likely to attract attention, in each of three of the most public places in the town, city, district or county to which the subject matter of the notice relates, or in which the thing