

heretofore rendered against said highway commissioner in any such action, which said amounts are to be paid out of highway patrol fine funds.

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

Section 1. **Law amended.**—Laws 1937, Chapter 480, Section 2, is hereby amended so as to read as follows:

“Section 2. **May bring action against state.**—*Said claimants may severally bring action against the state within six months from the date of enactment of this statute, notwithstanding any other statute of this state. Such actions shall be brought in the District Court in the county wherein such damage occurred. Service of summons shall be in accordance with Mason’s Minnesota Statutes of 1927, Section 9230. In case a verdict or judgment is rendered against the State, the state auditor, shall, upon receiving receipt and discharge of such verdict or judgment in full, pay to the judgment creditor the amount of any such verdict, or judgment out of the trunk highway fund or out of funds from highway patrol fine collections.*”

Sec. 3. **Law amended.**—Laws 1937, Chapter 480, Section 3, is hereby amended so as to read as follows:

“Section 3. **Commissioner may compromise claims.**—The commissioner of Highways is hereby authorized to pay, compromise, adjust or settle any or all of the respective claims herein referred to in any amount not to exceed the amounts respectively authorized herein *out of the trunk highway fund or out of funds from highway patrol fine collections.*”

Approved March 31, 1939.

CHAPTER 114—H. F. No. 505

An act defining farm tractor fuel, regulating the sale thereof, and exempting the sale of such farm tractor fuel from the Minnesota state gasoline tax.

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

Section 1. **Definitions.**—The words, terms and phrases in in this act are for the purpose hereof defined as follows:

(a) “Farm tractor fuel”, by whatever name called, means and includes any liquid prepared, advertised, offered for sale, sold for use as or used for the generation of power for the pro-

pulsion of tractors, that when tested by the methods of the petroleum division of the bureau of mines, United States Government, and the American Society for Testing Material (A. S. T. M.) meets the following specifications:

1. Shall be free from water and suspended matter.
2. The initial boiling point shall not be lower than 225 degrees Fahrenheit.
3. When ten per cent has been recovered in the receiver the temperature shall not be lower than 276 degrees Fahrenheit.
4. When 95 per cent has been recovered in the receiver the temperature shall not be lower than 464 degrees Fahrenheit.
5. The end point shall not be higher than 540 degrees Fahrenheit.
6. The color of farm tractor fuel shall be not lighter than minus sixteen Saybolt. If the natural color of the product is less than this reading a sufficient quantity of suitable dye shall be added to give the required color as herein prescribed.

Sec. 2. Oil inspection division to make rules and regulations.—The oil inspection division of the department of agriculture, dairy and food, shall have the power and authority to make all reasonable rules and regulations necessary for the enforcement of this act.

Sec. 3. Farm tractor fuel to be inspected.—All farm tractor fuel, as defined herein, shall be subject to the laws of the state of Minnesota with reference to the inspection of petroleum products, and shall be subject to the same fees for inspection as is provided for in the inspection of gasoline and kerosene.

Sec. 4. Not to be subject to tax.—Farm tractor fuel, as herein defined, may be inshipped into and sold in the state of Minnesota and shall not be subject to the Minnesota state gasoline tax; provided, however, that when any such tractor fuel is used to propel any vehicle upon the highways of the state of Minnesota, or for use in machinery operated for the purpose of constructing, reconstructing, or maintaining the public highways, the product will then be considered gasoline for purposes of taxation and shall be taxed in accordance with existing laws and/or rules and regulations issued by the chief oil inspector.

Sec. 5. Blending prohibited.—Blending of this fuel with taxable petroleum products is prohibited.

Sec. 6. Violations—penalties.—Failure to comply with the provisions of this act shall be deemed a gross misdemeanor and also sufficient cause for cancellation of the distributor's license.

Sec. 7. Effective April 15, 1939.—This act shall take effect and be in force from and after April 15th, 1939.

Approved March 31, 1939.

CHAPTER 115—H. F. No. 481

An act to extend the time for closing the affairs and disposing of the property of certain corporations whose existence has been terminated by forfeiture or otherwise, not including, however, corporations having the power of eminent domain.
Be it enacted by the Legislature of the State of Minnesota:

Section 1. Time of closing affairs of certain corporations extended.—Where any corporation, other than a corporation having the power of eminent domain, whose existence was terminated on or before July 1, 1936, by forfeiture or by expiration of its period of duration as fixed by its charter or otherwise, did not or shall not fully close its affairs and convey all of its property within the period of three years succeeding the date of such termination, and where such corporation has or claims or appears to have or claim any interest in or to any property, the time limit for so closing its affairs and disposing of its property is hereby extended for two years from and after the passage of this act for the purpose of permitting any such corporation to close its affairs and dispose of its property, and said extension hereby made shall also apply for the purpose of authorizing and permitting service of process in actions at law or in equity in order that any such corporation may prosecute and defend actions and be served with process therein.

Sec. 2. May convey property.—Any such corporation during such two year period when authorized by a majority vote of its board of directors and the written consent of the holders of a majority of the shares of stock of the company, issued and outstanding, having voting power, may transfer and convey all or any part of its property to a trustee or trustees with power of sale in trust for the benefit of all of the stockholders of such corporation.

Sec. 3. Transfers legalized.—Any and all transfers and conveyances of property by any such corporation and the service of process by or against any such corporation, made or done