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# GENERAL STATUTES OF MINNESOTA

## SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES  
AND OTHER LAWS OF A GENERAL AND PERMANENT  
NATURE, ENACTED BY THE LEGISLATURE  
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

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## CHAPTER 56A

## HAWKERS, PEDDLERS AND TRANSIENT MERCHANTS

## HAWKERS AND PEDDLERS

## 6090. License, how applied for and issued—

The sureties on the bond of a county auditor are not liable for money paid to the auditor under this section, and converted by him, since the money is not payable to the auditor, and his receipt of the same was not within the scope of his official duties (133-274, 158+394). Counties, [§98\(1\)](#).

## CHAPTER 56B

## TRADE NAMES

## 6107. Commercial business—Trade and individual names—Certificate—129-472, 152+885, Ann. Cas. 1917A, 257.

This act cannot be applied to prevent the enforcement of a contract based on an interstate shipment of goods (133-240, 158+239). Commerce, [§40\(1\)](#); Corporations, [§673](#).

## 6113. Pleading failure to file certificate—Costs—

A plea of violation of this statute, interposed to prevent enforcement of a contract growing out of an interstate shipment of goods, held sham, and properly stricken (133-240, 158+239). Pleading, [§360\(3\)](#).

## CHAPTER 58

## CORPORATIONS

## GENERAL PROVISIONS

## 6136. Public service corporations—

A commercial railroad must first secure a franchise from the city in the manner provided by law before it can construct its tracks in a street; and where it fails to obtain such franchise, and to condemn a right of way in pursuance thereof, an abutting owner may restrain the maintenance and operation of the tracks (131-183, 154+948). Eminent Domain, [§169](#), 276.

The furnishing of electric light and power to the public is a public service, for which land or water may be taken (128-415, 151+198). Eminent Domain, [§35](#).

A public service corporation may take private rights in navigable streams, but cannot interfere with the navigable capacity of the stream (128-415, 151+198). Eminent Domain, [§45](#).

The city of Minneapolis held to have no power to enter into a contract with a commercial railway company, by which the city agrees to pay part of the expense of strengthening a bridge in order that the same may be used by the railway company (124-351, 145+609, 50 L. R. A. [N. S.] 143). Municipal Corporations, [§248\(1\)](#); Railroads, [§75\(3\)](#).

## 6137. State and local control—Eminent domain—

Construction of special charter provision (see 130-71, 153+262, Ann. Cas. 1916B, 286).

St. Paul City Railway Company, held, under its franchise, required to construct extensions as directed by the common council of St. Paul, provided such direction is reasonable (122-163, 142+136). Street Railroads, [§11](#), 28(3).

A railroad company may take property for a side track which is to become a part of its railway system, such use being for a public purpose (135-323, 160+866). Eminent Domain, [§20\(5\)](#).

The rights of a public service corporation to divert water from navigable streams of one drainage basin into those of another drainage basin determined (127-23, 148+561). Navigable Waters, [§34](#).

[6137—]1. Change of harbor lines or river, etc.—Purchase or condemnation—Whenever the United States, the State of Minnesota, or other governmental authority, having jurisdiction so to do, has authorized or may here-