

**158.11 INMATES OF STATE INSTITUTIONS MAY BE ADMITTED**

Where a county operates under the county system, if a pauper is hospitalized the hospital is entitled to the reasonable value of the services rendered. OAG Nov. 28, 1951 (1001-D).

**158.19 DISCHARGE, TRANSFER**

When a county board provides hospitalization in hospitals within the county and elsewhere, or within the state, to any person, pursuant to the provisions of the general hospitalization law, the hospital furnishing such hospitalization is restricted in its charges therefor in an amount not to exceed the full rates fixed and charged by the University Hospitals; but where a "poor person" is furnished hospitalization pursuant to the Poor Law, the hospital furnishing such hospitalization is not restricted in its charges therefor to the rates fixed and charged by the University Hospitals. OAG June 17, 1949 (339-G-2).

The test of eligibility for hospitalization under the University of Minnesota Hospital Law, or under the general hospitalization law, is one of indigency or financial inability to pay for the care; and that is the measure the board of county commissioner's must follow in contracting for hospitalization for indigent persons. Section 256.18 deals with the granting of old age assistance and has no connection with the hospital law. OAG June 25, 1949 (339-G-2).

**CHAPTER 159****VOLUNTARY NONPROFIT MEDICAL SERVICE PLAN CORPORATIONS****159.01 PURPOSE**

Laws 1945, Chapter 255, is an enabling act proposed by the state medical association providing for the incorporation and regulation of voluntary nonprofit medical service plan corporations to furnish medical service on much the same plan that hospitalization is now provided by the nonprofit "Blue Cross" organization. 32 MLR 387.

Corporation in medicine; the medical cooperative. 35 MLR 373.

**159.02 INCORPORATION AND ORGANIZATION**

HISTORY. 1945 c 255 s 2; 1953 c 89 s 1.

**159.03 CONTENTS OF ARTICLES**

HISTORY. 1945 c 255 s 3; 1953 c 89 s 2.

**159.06 WORKING CAPITAL; CONTRACTS FILED WITH INSURANCE COMMISSIONER**

HISTORY. 1945 c 255 s 6; 1953 c 89 s 3.

**159.07 CONTRACTS; SUBSCRIBER TO RECEIVE COPY; CONTENTS; SUBSCRIBER'S RIGHT TO CHOOSE DOCTOR**

HISTORY. 1945 c 255 s 7; 1953 c 89 s 4.

**159.08 CONTRACT BETWEEN SUBSCRIBER AND PHYSICIAN**

HISTORY. 1945 c 255 s 8; 1953 c 89 s 5.

**159.09 EMERGENCY SERVICE**

HISTORY. 1945 c 255 s 9; 1953 c 89 s 6.

**159.10 CLASSES OF SERVICE**

HISTORY. 1945 c 255 s 10; 1953 c 89 s 7.

**159.12 SERVICE IN ACCORDANCE WITH PREVAILING PRACTICE**

HISTORY. 1945 c 255 s 12; 1953 c 89 s 8.

**159.18 CORPORATION NOT TO PRACTICE**

HISTORY. 1945 c 255 s 18; 1953 c 89 s 9.

**HIGHWAYS; ROADS****CHAPTER 160****ROADS, GENERAL PROVISIONS****160.01 SCOPE OF ACT; DEFINITIONS**

NOTE: See Minnesota Constitution, Article XVI, adopted Nov. 2, 1920.

Plaintiff was a guest-passenger in an automobile which, on a misty, hazy night, in the face of lights which blinded the driver, struck the center pier of a railroad overpass on which there were warning signs in the form of diagonal black and white stripes and a reflector "keep to right" sign. In absence of evidence that four reflectors, installed more than ten years previously by the state highway department in the prow of the base of the center pier, were operative, the trial court properly directed a verdict for defendant owner of the overpass. Proximate causes of injury to plaintiff were blinding lights of oncoming traffic and a misty, hazy night.

The commissioner of highways had power under section 106.04 to grant a private mining corporation the right to maintain an overhead railroad bridge at the place here involved. The words "railroad company" in that statute apply without restriction of their meaning to those railways engaged in common carriage. In this record, there is no evidence that the mining company was committing a nuisance or trespassing on the highway. *Willoughby v Duluth Ry.*, 229 M 160, 38 NW(2d) 186.

The term "county road" as defined in section 160.01, subdivision 4, and as used in M.S.A., chapter 164, includes those which have heretofore been or which hereafter, as provided in chapters 160, 161, 162, 163, and 164, may be, established, constructed, or improved under the authority of the several county boards, except those heretofore designated as state roads; and also all roads lying within the county or on the line between counties, established by judicial proceedings. OAG Nov. 6, 1948 (642-A-12).

**160.02 WIDTH OF ROADS**

Where adjoining landowners jointly lay out a way between their lands, each devoting a part of his land to that purpose, the use of the way by the respective parties, for the prescriptive period, raises a presumption of the granting of an easement on the theory that each party by his use thereof has continuously asserted an adverse right in a portion of the way lying on the other's land. The parol conveyance of an easement, whether it be pursuant to a fiction of a lost grant or pursuant to an actual parol agreement void under the statute of frauds, will, if followed by an adverse user for the prescriptive period, establish an easement by prescription. *Alstad v Boyer*, 228 M 307, 37 NW(2d) 372.