

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 222.42 RAILWAYS, UTILITIES, GENERAL PROVISIONS

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such circuits, tied a rope to a high-voltage wire so as to change the location of the wire to facilitate the topping of a tree and was electrocuted when he reached with his bare hand to remove the rope from the wire, contributory negligence barred recovery. *Beery v Northern States Power Co.*, ..... M ....., 57 NW(2d) 838.

Where power lines are situated on private property and are required to be moved in order to widen the highway, the county is liable to the owners of the power lines for damages. The measure of such damages may be the cost of removing the power lines. OAG Sept. 8, 1953 (377-A-13).

The right of the village council to grant or refuse use of streets and alleys by an electric line must be reasonably exercised. OAG Dec. 3, 1947 (396-G-11).

## 222.42 ACQUISITION OF PROPERTY; EMINENT DOMAIN

Although lands may not be taken by eminent domain unless such taking appears to be necessary, it is well settled in Minnesota that there need be no showing of absolute or indispensable necessity, but only that the proposed taking is reasonably necessary or convenient for the furtherance of the end in view. This rule of reasonable necessity or convenience is made expressly applicable to a public service corporation, which in the exercise of the right of eminent domain for the furtherance of its corporate public purpose is required by section 117.07, to establish that its proposed taking of the land is necessary. *Northern States Power Co. v Oslund*, 236 M 135, 51 NW(2d) 808.

## CHAPTER 223

### COMMISSION MERCHANTS

#### 223.03 LICENSES, APPLICATIONS; BONDS, CONDITIONS

HISTORY. Amended, 1951 c 368 s 1.

## CHAPTER 224

### LIVESTOCK DEALERS, EXCHANGES, COMMISSION MERCHANTS

224.01-224.19 Repealed, 1953 c 554 s 1.

## CHAPTER 225

### PUBLIC STOCKYARDS

225.01-225.13 Repealed, 1953 c 554 s 1.