

89022

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

COMPILED BY

FRANCIS B. TIFFANY



WEST PUBLISHING CO.

1918

the price of tools or machinery sold to the contractor and which become a part of his equipment, although the same are sold for the particular contract and are necessary and appropriate for that purpose (133-336, 158+432). Highways, ~~§~~113(5).

Subrogation by surety—A surety on a contractor's bond, who has paid the claim of the creditor under compulsion, is entitled to subrogation to the rights of such creditor in the fund retained by the state, and such right was superior to the rights of a bank which had loaned money to the contractor (126-188, 148+55). Subrogation, ~~§~~7(2), 33(2).

8249. Limit of time to bring action—

The notice required by this section is not applicable to a drainage contractor's bond given under §§ 5497, 5537, ante (133-90, 157+998). Drains, ~~§~~49.

This section held not applicable to a bond given by a contractor to a city before the amendment of 1909, and which bond was governed by a provision of the city charter as to notice to the contractor and surety before action on the bond, though such charter provision was repealed during the life of the bond (134-121, 158+802). Municipal Corporations, ~~§~~49, 348.

This section has no application to the bond of a ditch contractor given under § 5537 (126-435, 148+454). Drains, ~~§~~49.

[8252—]1. **Subrogation of surety, etc.**—Whenever the surety upon the bond of any state officer shall have fulfilled the conditions of such bond and compensated the state for any loss occasioned by any act or omission of such officer, such surety shall be subrogated to all the rights of the state and if there shall be any property, evidence of indebtedness, or other obligation, or evidence thereof, in the possession of any official of the state and which shall have been received in connection with the transaction wherein such loss shall have occurred, the governor upon satisfactory proof that such loss has been so paid and the obligation of such bond fulfilled by said surety, shall thereupon by sufficient instruments of transfer, assign, transfer or convey to such surety any such property, evidence of indebtedness or obligation. ('17 c. 492 § 1)

CHAPTER 86

ACTIONS TO VACATE CHARTERS, ETC., AND TO PREVENT USURPATIONS

8254. To vacate charter, etc.—

Where corporation's officers conduct its affairs in exclusive interest of stockholders electing them, and wrongfully exclude other stockholders, without statutory authority, court of equity, at suit of other stockholders, may wind up its affairs, appoint a receiver, and order a distribution (162+1056). Corporations, ~~§~~553(6).

Dissolution of corporation at suit of minority stockholders (see 134-148, 158+820). Corporations, ~~§~~614(1).

8256. To vacate letters patent—

135-408, 161+156; note under § 5237, ante.