CHAPTER 289—H. F. No. 802.

An Act authorizing cities of this state of over 50,000 inhabitants to issue and sell municipal bonds for the purpose of acquiring, constructing, installing and equipping incinerators at the crematory plants of such city.

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

Section 1. **Minneapolis authorized to issue $18,000 bonds for incineration plant.**—Any city of this state now or hereafter having over fifty thousand inhabitants and not governed by a charter adopted pursuant to section 36, article 4 of the state constitution, in addition to all powers now possessed by such city, is hereby authorized and empowered, acting by and through the city council or common council of such city, by resolution duly passed by an affirmative vote of not less than two-thirds of all members elect of such city council or common council, to issue and sell municipal bonds of such city to an amount not exceeding eighteen thousand dollars ($18,000) in par value and to use the proceeds thereof for the purpose of acquiring, constructing, installing and equipping incinerators at the crematory plants of such city.

Sec. 2. **To be issued regardless of present indebtedness.**—The bonds hereby authorized or any part thereof may be issued and sold by any such city, notwithstanding any limitations contained in the charter of such city or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of such city shall at all times be pledged for the payment of any such bonds issued hereunder and for the payment of the current interest thereon, and the city council or common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **Thirty years at 4% and how signed.**—No bonds shall be issued by any such city under this act for the purposes hereinabove named to run for a longer period than thirty years, or bearing a higher rate of interest than 4 per cent per annum, payable semi-annually, but the place of the payment of the principal and interest thereon and the denominations in which the same shall be issued shall be such as shall be determined by the city council or common council. All such bonds shall be signed by the mayor and countersigned by the city comptroller and attested by the city clerk of such city and shall be sealed with the seal of said city, except that the signatures to the coupons attached thereto, if any, may be lithographed thereon, and none of such bonds shall be sold for less than ninety-five (95) per cent of their par value and accrued interest and then only to the highest responsible bidder therefor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 23, 1915.

CHAPTER 290—H. F. No. 813.

An Act to validate certain bonds heretofore purchased by the state board of investment with the funds of the State of Minnesota.

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

Section 1. **Definition of "municipality."**—The word "municipality" as used herein, shall be held to mean and include the various counties, cities, villages, boroughs, towns and school districts in the state of Minnesota.

Sec. 2. **Certain bonds validated.**—Whenever the state board of investment shall have heretofore purchased with the funds of the state of Minnesota, the bonds of any municipality in this state, the validity of any such bond shall never be questioned, except on the ground that the same and the loan made thereon was not approved by the state board of investment; that the bond in question made the entire bonded indebtedness exceed fifteen (15) per cent of the assessed valuation of the taxable property of the municipality issuing such bonds; that such bonds bear a lower rate of interest than three (3) per cent; that such bonds run for a shorter period than five years, or for a longer period than twenty years; or that the principal thereof was never paid by the state to, or received by, the officers of the municipality issuing the same; and no change of the boundary lines of any such municipality shall relieve the real property therein at the time of the issuing of such lands from any liability from taxation to pay for the same and all such bonds so purchased are hereby declared to be the valid and subsisting indebtedness of each municipality, respectively issuing the same.

Approved April 23, 1915.

CHAPTER 291—H. F. No. 857.

An Act relating to the leasing of streets or alleys, or parts thereof, not used by the public, in cities of the first class, not operating under a home rule charter.

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

Section 1. **Minneapolis council may lease certain streets or alleys.**—Every city of the first class not operating under a home

rule charter is hereby authorized and empowered, in any and all cases where the tracts of ground have, in the platting of land in such city or otherwise, been dedicated to public use, to be used for streets, alleys or other similar public purposes, other than parks or parkways, and such tracts of ground or any part thereof by reason of change of grade of railroads or of other streets or alleys crossing such railroads or in any other way, have become, at least for a number of years in the future, unfitted for use by the public for the purpose for which they were dedicated to public use, to leave to the owner or owners of property abutting thereon the surface of such portion of streets or alleys or tracts of ground as cannot be used by said city for the purposes for which such ground was dedicated, or grant the right in the nature of a lease to erect structures overhead across the same, for a short period or permanently, or under the surface thereof, in the manner and under the conditions hereinafter set forth.

Sec. 2. **Two-thirds vote required.**—Whenever application shall be made to the city council or common council of any such city to lease, or to vacate, any such tract of ground as is hereinbefore referred to, the question of the advisability of said city's making such lease or vacation shall be referred to the appropriate committee of said council; and if after a full consideration of said question, including the viewing of the premises in question by the whole committee in a body, said committee shall report back to said council that it is to the interest of said city, and the citizens thereof, to make the proposed lease, then, and in every such case, if the said council shall by a two-thirds vote of the whole membership of such body, determine to proceed with such lease, the question as to the amount of yearly rental to be charged by said city for the use of such street, alley or tract of ground or portion thereof shall be referred to five commissioners appointed in the same manner as commissioners are appointed to assess benefits and award damages in case of opening new streets or alleys in said city, and such commissioners shall in all such cases receive for their services the same fees as they receive for services in proceedings for the opening of new streets or alleys; provided, that the city council or common council of the city taking proceedings to lease such streets, alleys or tracts of ground or portions thereof, as are referred to in section one of this act shall not be bound to lease for the rental decided upon by such commissioners, but said council may, after hearing the report of said commissioners, by a majority vote, refuse altogether to make such release or may require the person leasing such street or alley or tract of ground to pay such larger sum for such lease as the said council may determine, if in the judgment of a majority of said council a larger rental or price should in any particular case or cases be paid; but no rental

shall in any case be any less than the amount recommended by the commissioners as aforesaid; nor shall such rental in any case be greater than six (6) per centum per annum on one-sixth (1-6) of the value of the fee of the land so leased; and in case of the renting of any such street or alley or tract of ground the city council may impose any such conditions as they, in their judgment, shall deem necessary, relative to reserving rights to put in, at any time, in such street, alley or tracts of ground either sewers or water mains that may be needed, and the necessary manholes, hydrants, and other appliances connected with sewers or water mains, and also any conduits that may be needed by the city itself for wires or cables to conduct electricity for any city purposes.

Sec. 3. **Rental money to be paid into ward fund.**—All money paid for rental under the provisions of this act shall be paid into the ward fund of the ward in which such street, alley or tract is located, or, if located in more than one ward, then into the ward funds of the respective wards in which such street, alley or tract is located in amounts proportionate to the area thereof located in each of such wards.

Sec. 4. **Damages to be awarded.**—If in any case where the lease of any such street, alley or tract of ground is proposed, the use of such street, alley or tract by the general public for which it was dedicated to public use is to all intents and purposes impossible, but nevertheless some persons shall be specially inconvenienced or damaged by such lease, if made, then and in every such case the commissioners referred to in section two hereof shall determine the amount of damages to which each of such persons specially damaged is entitled, and make report to the council; and said council shall require the person to whom said lease is made, and before the same is consummated, to pay to each of said persons specially damaged a sum not less than the amount determined by said commissioners, and such larger sum, if any, as the said council may determine is fairly and justly due as damages to the various persons respectively who may be specially damaged by the lease in question; provided that nothing in this act shall be construed as cutting off or abridging the right of any one damaged by such lease to apply to the courts for damages or for such other relief in such case as the courts may be empowered to grant.

Approved April 23, 1915.

according to the provisions of this chapter; and, when such timber has been sold and removed, the land may be appraised and sold as in this chapter provided. Not more than one hundred thousand acres of school lands shall be sold in one year. *Provided, further, however, that where patent has been issued by the federal government to any school land as above defined previous to 1864, and the taxes thereon have been paid for a period of at least fifty years, that then and in such event the state auditor may in his discretion cause such amount of such taxes to be applied upon the minimum price of $5.00 per acre as above provided, as he may deem proper, in order that the minimum sales price of the land may be so reduced as to make it saleable.*

Approved March 20, 1917.

CHAPTER 77—S. F. No. 737.

An act appropriating the unexpended balance now remaining in the fund appropriated to the live stock sanitary board for payment for animals affected by foot and mouth disease by Subdivision 2, Section 26, General Laws of 1915, and appropriating fifteen thousand dollars ($15,000.00) thereof for payment for any animals killed by order of said board pursuant to the provisions of existing law.

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

Section 1. **$15,000 unexpended balance appropriated for payment of animals killed by order of live stock sanitary board.**—The sum of fifteen thousand dollars, ($15,000.00) of the unexpended balance remaining in the appropriation made by subdivision 2 of section 26, chapter 374, General Laws of 1915, for payment for animals affected with the foot and mouth disease, is hereby appropriated to the live stock sanitary board of the State of Minnesota for the purpose of paying for animals killed by order of the board, to be expended under authority of and pursuant to any of the provisions of law, and the unexpended balance remaining in said appropriation after deducting said fifteen thousand dollars, ($15,000.00) is hereby appropriated for payment for animals affected with the foot and mouth disease killed by order of the live stock sanitary board available for the period ending July 31, 1919.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 20, 1917.

CHAPTER 78—S. F. No. 738.

An act to authorize cities of Minnesota of over 50,000 inhabitants to transfer certain moneys and funds to the sinking fund of the city and to use the same for sinking-fund purposes.

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

Section 1. **Minneapolis city council authorized to transfer certain monies to sinking fund of said city.**—In addition to all other powers by it possessed, the city council of every city of this state now or hereafter having over fifty thousand inhabitants not governed under a charter adopted pursuant to section 36, article 4 of the State Constitution, is hereby authorized and empowered, in its discretion, by resolution duly passed by the city council, to transfer and cause to be transferred to the credit of the sinking fund of such city any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools, public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in such city for any purpose whatever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the city council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 20, 1917.

CHAPTER 79—S. F. No. 829.

An act to amend Section 839, General Statutes 1913, relating to clerk hire for county auditor and county treasurer in certain counties where the salaries of such officers are fixed by special law.

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

Section 1. **$1,200 per annum allowed for clerk hire in offices of auditor and treasurer of certain counties.**—That section 839,

is hereby authorized and empowered, by resolution duly passed by the affirmative vote of not less than two-thirds of all the members of the city council or common council of the city, to issue and sell municipal bonds of such city to an amount not exceeding one hundred thousand dollars ($100,000) for the purpose of defraying so much of the cost of paving and curbs and gutters in such city as is not assessable upon abutting or benefited property, and additional bonds to an amount not exceeding five hundred thousand dollars ($500,000) to aid in defraying the cost of laying and constructing main or trunk line sewers in such city, and additional bonds to an amount not exceeding one hundred and twenty-five thousand dollars ($125,000) for the purpose of acquiring sites for and constructing and repairing fire station houses and buildings and for the purchase of fire equipment and fire alarm and telegraph equipment, in and for such city.

Sec. 2. **To be issued notwithstanding present indebtedness.**—The bonds hereby authorized, or any part thereof, may be issued and sold by any such city notwithstanding any limitations contained in the charter of such city, or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of such city shall at all times be pledged for the payment of any such bonds issued hereunder and for the payment of the current interest thereon, and the city council or common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **To run thirty years at 4 per cent and form of issuance.**—No bonds shall be issued by any such city under this act for the purposes hereinabove named to run for a longer period than thirty years, or bearing a higher rate of interest than 4 per cent per annum, payable semi-annually, but the place of the payment of the principal and interest thereon and the denominations in which the same shall be issued shall be such as shall be determined by the city council, or common council. All such bonds shall be signed by the mayor and countersigned by the city comptroller and attested by the city clerk of such city and shall be sealed with the seal of said city, except that the signatures to the coupons attached thereto, if any, may be lithographed thereon, and none of such bonds shall be sold for less than 95 per cent of their par value and accrued interest and then only to the highest responsible bidder therefor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved March 23, 1917.

CHAPTER 105—S. F. No. 785.

An act relating to and authorizing cities of over 50,000 inhabitants to transfer funds of the city and of its departments and boards in certain cases.

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

Section 1. **Transfer of certain funds in Minneapolis city treasury authorized.**—Whenever in any city of this state having over 50,000 inhabitants and not governed under a home-rule charter adopted pursuant to section 38, article 4 of the state constitution, such city or any department or board of such city shall furnish or deliver to any department or board of such city, any water, gas, heat, light, power, goods, wares, merchandise, supplies or any service whatever, the city council of such city is hereby authorized and empowered to transfer and cause to be transferred and paid into the city treasury, by warrant or otherwise as it may deem best, from any available funds appropriated to the use of such department or board to whom any such water, gas, heat, light, power, goods, wares, merchandise or service is furnished, to the credit of the proper funds of the city, or of the department or board, furnishing the same, the amount of the agreed price or reasonable value of such water, gas, heat, light, power, goods, wares, merchandise or service so furnished and delivered.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 23, 1917.

CHAPTER 106—H. F. No. 405.

An act relating to tax levy for county revenue purposes in counties having an assessed valuation of not more than five million dollars.

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

Section 1. **Eight mills taxed for revenue purposes authorized in counties not having assessed valuation of more than $5,000,000.00.**—The county board of any county may levy for county revenue purposes, such amount in excess of existing limitations as may be necessary to defray county revenue expenses, but the total levy for county revenue purposes shall not exceed 8 mills; provided, however, that this act shall not apply to counties having an assessed valuation of more than five million dollars.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 23, 1917.

to determine, such decision or judgment shall not be held to affect any other paragraph or provision hereof or herein.

Sec. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 7. All existing laws, not hereby expressly repealed, shall be construed in such a way as to effectuate and carry out the terms, conditions, spirit and purpose of this act, and to that end such laws shall be made to conform to and assist in carrying out this act.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved April 10. 1917.

CHAPTER 188—S. F. No. 646.

An act to amend Section 1836, Revised Laws 1905, as amended by Chapter 326, Laws 1907, which section relates to the appointment of members of the soldiers home board, so as to provide for the payment of a fixed sum and actual expense for railroad fare of said members as compensation for their services in attending meetings of the said board.

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

Section 1. **Trustees of Minnesota Soldiers' Home to receive $10 per day and railroad fare for attending called meeting of same.**—That Section 1836, Revised Laws 1905, as amended by Chapter 326, Laws 1907, be and the same is hereby amended so as to read as follows:

Section 1836. Said trustees shall be appointed by the governor with the consent of the senate, each for the term of six years, and until his successor qualifies. Vacancies shall be filled by like appointment for unexpired terms. *They shall receive as compensation for their services in attending regular meetings of the board and regular meetings of the executive committee the sum of ten dollars* ($10.00) *per day for each such meeting day so attended and in addition thereto the sum actually expended for railroad fare in traveling from the place of residence of such member to the place of meeting. Claims for such compensation shall be paid by the state treasurer from the money provided for the support of the Soldiers' Home upon itemized and verified vouchers approved by the president and secretary, after audit by the state auditor.* Not more than four of the trustees shall be members of the same political party, and in the selection of trustees, officers of the home, and employes of the board, preference shall be given to honorable discharged soldiers, sailors and marines. Each trustee shall give a bond to the state in the penal sum of five thousand dollars, conditioned for the faithful discharge of his duties and the economical expenditure of the

funds provided for hereunder. The trustee who shall be selected by the board as treasurer of the home shall give an additional bond to the state in such sum as may be designated by the board of trustees, conditional that such treasurer shall account for and pay over, according to the directions of said board, all moneys or other property which may come into his possession with the consent of the inmates from the inmates of such home as such treasurer. The surety on such treasurer's bond may be any surety company that is authorized to contract as such by the laws of this state, and the cost thereof shall be paid out of the home support fund.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1917.

CHAPTER 189—H. F. No. 59.

An act authorizing and empowering the city council, common council or other chief governing body of any city of this state of the first class not governed by a home-rule charter to refund moneys heretofore advanced for public improvements in the public streets of said city.

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

Section 1. **Minneapolis city council authorized to refund money heretofore advanced for public improvements.**—The city council, common council or other chief governing body of any city of this state of the first class not governed by a home-rule charter is hereby authorized and empowered to refund moneys heretofore advanced by any person for the construction of water mains or other public improvements in the public streets of said city in cases where such water mains or other public improvements were after the advancement of said moneys, actually constructed in such public streets of such cities, but which improvements were not ordered or the assessment therefor against abutting property was not made or levied respectively in accordance with the charter or other governing act of said city, and where it appears that such public improvement is available and can be connected with abutting property and has already been connected with and used by the city for public municipal purposes. Such refundment shall only be made upon verified proofs of such advancement presented to the city council, common council or other chief governing body of such cities, showing that such advancement of moneys has been heretofore made and that such cities have had and retained said moneys.

Sec. 2. **Assessments authorized for improvements.**—The city council, common council or other chief governing body of

such cities are hereby authorized and empowered to levy assessments, in like manner as other assessments for local improvements are made in such city, against the abutting property for the cost of the construction of such water main or other public improvement, notwithstanding the provisions of the city charter or other governing act of such cities to the contrary and whether or not there has been an attempted levy of assessments against such abutting property. Provided however that this act shall not authorize a double assessment against the same property for the same improvement.

The foregoing provisions of this act as to refunding advancements for such public improvements and the right to levy assessments therefor shall not be affected by the lapse of time or the statute of limitations.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1917.

CHAPTER 190—H. F. No. 775.

An act relating to building within certain cities, authorizing inspectors to examine buildings and authorizing and empowering the governing bodies of such cities to provide for inspection and regulation of buildings and construction work.

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

Section 1. **City council authorized to provide regulations and penalties for fire protection.**—That the city council or other governing body of each city in this state which now has or hereafter may have 20,000, and not more than 50,000 inhabitants, is hereby authorized and empowered to enact, adopt, repeal and amend, and to provide penalties for the violation of, any and all regulations, rules, resolutions and ordinances, not inconsistent with the laws of this state, relating to building within such city, and the planning, construction, repair, maintenance, fire protection and all other matters relating to buildings within such city.

For the purposes of this act the population of each city of this state shall be ascertained and determined according to the last census taken under and pursuant to the laws and authority of the state of Minnesota.

Sec. 2. **Inspection authorized.**—Such city council or other governing body of such city shall have power by ordinance to provide for inspection and regulation of any construction work within such city, whether buildings, plumbing, heating, ventilating, wiring or any other construction whatsoever.

Sec. 3. **Appointment of building inspectors and assistants**

authorized and duties of same.—Such city council or other governing body is authorized and empowered to appoint a building inspector and such assistants and employes as may be deemed necessary and define their powers and duties and fix their salaries and terms of service.

Such inspector and his authorized assistants under his direction, shall have power and be fully authorized to enter any dwelling house or other building at all hours between seven o'clock in the morning and six o'clock in the evening and examine all chimneys, stoves, furnaces, pipes and other parts of such buildings, and see that the ordinances of such city respecting the same are enforced.

Provided, however, that no such entry shall be made in any building occupied as a dwelling house without written notice of such entry for the purpose of inspection, served upon an occupant or person in charge of such dwelling house, by such inspector or under his direction at least 24 hours prior to such entry, unless such occupant or person in charge shall consent to such entry.

Sec. 4. **All buildings and structures ordered inspected.**—Under such conditions as such city council or other governing body may prescribe, such inspector shall inspect or cause to be inspected all buildings and structures of any character whatsoever within such city and see that they conform to the laws of the state and the ordinances of such city, and shall enforce all laws of the state and all ordinances of such city applying to buildings within such city, whether relating to their planning, repair, fire protection or any other matter.

Sec. 5. **Powers granted to inspector.**—For a more specific enumeration and definition of some of the powers hereinbefore granted and a fuller exposition thereof and as an additional grant thereto, such city or other governing body shall have the following power and authority:

(a) To regulate the construction, alteration, removal and repair of all structures and the permanent equipment thereof, and to provide for the safety of the occupants of all structures and all property in the vicinity thereof against danger from fire or panic or from methods of construction or installation detrimental to life, health or property, and to prohibit the use of buildings or parts of buildings when dangerous to life from collapse, fire or panic.

(b) To prescribe limits within which all roofs shall be covered by non-combustible material.

(c) To compel the installation in all structures of devices, appliances and arrangements for the preservation of life, health and property.

chief executive officer and such assistants as shall be deemed necessary to carry out the purposes of this act.

Sec. 4. **County child welfare boards.—Appointment of agents.**—The state board of control may when requested so to do by the county board appoint in each county three persons resident therein, at least two of whom shall be women, who shall serve without compensation and hold office during the pleasure of the board, and who, together with a member to be designated by the county board from their own number and the county superintendent of schools, shall constitute a child welfare board for the county, which shall select its own chairman; provided that in any county containing a city of the first class five members shall be appointed by the state board of control. The child welfare board shall perform such duties as may be required of it by the said board of control in furtherance of the purposes of this act; and may appoint a secretary and all necessary assistants, who shall receive from the county such salaries as may be fixed by the child welfare board with the approval of the county board. Persons thus appointed shall be the executive agents of the child welfare board.

Sec. 5. **Agents where no child welfare board.**—In counties where no child welfare board exists the judge of the juvenile court may appoint a local agent to co-operate with the state board of control in furtherance of the purpose of this act, who shall receive from the county such salary as may be fixed by the judge with the approval of the county board.

Sec. 6. **Additional duties of agents.**—Agents appointed pursuant to sections 4 and 5 may also, when so directed by the county board, perform the duties of probation and school attendance officers, and may aid in the investigation and supervision of county allowances to mothers.

Sec. 7. **Expenses of members and agents.**—The traveling and other necessary expense of the several members of the child welfare board, while acting officially as members of such board, and of the executive agents while exclusively employed in the business of the board, shall be paid, so far as approved by the county board, out of the general revenue fund of the county in the same manner as other claims against the county.

Sec. 8. This act shall take effect and be in force from and after the 1st day of January, 1918.

Approved April 10, 1917.

CHAPTER 195—H. F. No. 1251.

An act legalizing the proceedings of any common council or city council of any city of the fourth class, operating under home rule charter, taken for the purpose of providing suitable water supply, sewer system and permanent improvement revolving fund, or any thereof, for said city, and warrants or bonds issued or to be issued therefor in certain cases.

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

Section 1. **Certain fourth class city council proceedings for providing water supply and a sewer system legalized and bonds validated.**—In any case in any city of the fourth class, operating under home rule charter authorizing the construction, maintaining, extending or enlarging and improving of a suitable water plant and sewer system therein, and the establishment and maintaining of a permanent improvement revolving fund therefor, or either of said plants or said revolving fund, where the governing body thereof has determined to extend or enlarge such water plant or sewer system, or both, and has provided for a permanent improvement revolving fund therein, in accordance with the provisions of its charter, and has issued warrants or orders for any of said purposes or all thereof, not exceeding the actual cost of such improvements, the action of such governing body shall be and hereby is ratified and declared effectual, and bonds voted or that may be issued in pursuance of any resolution or ordinance passed by a four-fifths vote of all the members of such governing body, to an amount not to exceed the actual cost of such improvement or improvements, are hereby legalized and declared valid.

Sec. 2. This act shall not apply to or affect any action or appeal now pending in which the validity of such proceedings or of such bonds is called in question.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1917.

CHAPTER 196—S. F. No. 919.

An act to create an organization and a fund for the pensioning of disabled fire insurance patrolmen, and the widows and children of deceased patrolmen, and authorizing the retirement from service and the pensioning of members of the fire insurance patrol in cities, villages, and towns, where the population exceeds 50,000 inhabitants, having a paid fire insurance patrol.

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

Section 1. **Authority for pension fund for disabled fire in-**

surance patrolmen and organization of trustees.—That in all cities, villages, or incorporated towns whose population exceeds 50,000, having a paid fire insurance patrol, a fund shall be created by the board of underwriters of such cities, villages, or towns, for the pensioning of disabled fire insurance patrolmen and the widows and children of deceased patrolmen; to authorize the retirement from service and the pensioning of members of the fire insurance patrol, and for other purposes connected therewith. Such fund shall be controlled and managed by the board of trustees composed of the president, secretary, treasurer, and the superintendent or chief officer of the fire insurance patrol of the board of underwriters of such city, village, or town, under the name of "The board of trustees of the patrolmen's pension fund". The said board shall elect from their number a president, secretary and treasurer.

Sec. 2. **Trustees to have control and given power to assess members for creation of fund—rules to be made by trustees.**—The said board of trustees shall have exclusive control and management of all money donated, paid or assessed for the relief or pensioning of disabled, superannuated and retired members of the fire insurance patrol, their widows and minor children, and shall assess each member of the fire insurance patrol not to exceed one per cent (1%) of the salary of such members, to be deducted and withheld from the monthly pay of each member so assessed. And the treasurer of the board of underwriters of such city, village, or town, shall annually set aside and pay to the treasurer of said board of trustees not to exceed four per cent (4%) of all moneys paid to him by insurance companies for the support of said fire insurance patrol for the first eight (8) years after the passage of this bill, and not to exceed two per cent (2%) of said moneys thereafter, the same to be placed by the treasurer of the board of trustees to the credit of such fund, subject to the order of such board of trustees.

The said board shall make all needful rules and regulations for its government in the discharge of its duties; shall hear and decide all applications for relief or pensions under this act and its decisions on such applications shall be final and conclusive and not subject to review or reversal except by the board of trustees. The said board of trustees shall cause to be kept a record of all its meetings and proceedings.

Sec. 3. **Records, monies, etc., to be paid into pension fund.**—All rewards in moneys, fees, gifts and emoluments that shall be paid or given for or on account of extraordinary services by said fire insurance patrol or any member thereof (except when allowed to be retained by such member, or given to endow a medal or other permanent or competitive award) shall be paid into said pension fund.

Sec. 4. **Investment of funds.**—The said board of trustees may invest such funds or any part thereof, in the name of the board of trustees of the patrolmen's pension fund in such interest-bearing securities as may be approved by the said board of trustees, and all such securities shall be deposited with the treasurer and shall be subject to the order of said board of trustees.

Sec. 5. **Injured patrolmen to be allowed not to exceed $60 per month.**—If any member of the fire insurance patrol of such city, village, or town, shall, while in the performance of his duty, become and be found upon examination by a medical officer, ordered by said board of trustees, to be physically or mentally permanently disabled by reason of service in such department so as to render necessary his retirement from service in said fire insurance patrol, said board of trustees shall retire such member from service in such fire insurance patrol. Upon such retirement, the said board of trustees shall order the payment to said disabled member of said fire insurance patrol, monthly, from such pension fund a sum not to exceed sixty dollars per month.

Sec. 6. **Payments to be made in case of death.**—If any member of such fire insurance patrol, shall, while in the performance of his duty, be killed or die, as the result of any injury received in the line of duty, or of any disease contracted by reason of his occupation, or if any member of such fire insurance patrol shall die from any cause while in said service, or during retirement, or after retirement, after twenty-two years' service, as hereinafter provided, and shall leave a widow or children under sixteen years of age, surviving, said board of trustees shall direct the payment from said pension fund of the following sum monthly, to-wit:

To such widow, while unmarried, $30.00; to the guardian of such minor child or children, $6.00 for each of said children, until it, or they, reach the age of sixteen years. Provided, that there shall not be paid to a family of a deceased member a total pension exceeding one-half of the monthly salary of said deceased member at the time of his decease, or, if a retired member, a sum not exceeding one-half the amount of the monthly salary of such retired member at the date of his retirement.

If, at any time, there shall not be sufficient money in such pension fund to pay each person entitled to the benefits thereof, the full amount per month as hereinbefore provided, then, and in that event, an equal percentage of such monthly payments shall be made to each beneficiary thereof until the said fund shall be replenished to warrant the payment in full to each of said persons.

Sec. 7. **Pension on reaching 50 years of age and having**

served 22 years and not to exceed $60 per month.—Any member of the fire insurance patrol of any city, village, or town, after becoming fifty years of age, and having served twenty-two years, or more, in such fire insurance patrol, of which the last two years shall be continuous, may make application to be relieved from such fire insurance patrol, or if he shall be discharged from such fire insurance patrol, the said board of trustees shall order and direct that such person shall be paid a monthly pension, not to exceed sixty dollars per month. And the said board, upon the recommendation of the superintendent or chief officer of the patrol provided for in this act, shall have the power to assign members of the fire insurance patrol, retired or drawing pensions under this act, to the performance of light duties in said fire insurance patrol. After the decease of such member, his widow, or minor child or children, under sixteen years of age, if any surviving, shall be entitled to the pension provided for in this act. But nothing in this or any other section of this act shall warrant the payment of any annuity to any widow of a deceased member of such fire insurance patrol after she shall have remarried.

Sec. 8. **Application so far as membership is concerned.**—This act shall apply to all persons who are now, or shall hereafter become members of such fire insurance patrol, and all such persons shall be eligible to the benefits secured by this act.

Sec. 9. **Treasurer of board to be custodian of fund and rules for treasurer to observe.**—The treasurer of the board of trustees shall be the custodian of said pension fund and shall secure and safely keep the same subject to the control and direction of the board, and shall keep his books and accounts concerning said fund in such manner as shall be prescribed by the board of trustees; and the said books and accounts shall always be subject to the inspection of the board of trustees or any member thereof. The treasurer shall, within ten (10) days after his election, or appointment, execute a bond to the board of underwriters, with good and sufficient security in such penal sum as the board shall direct, to be approved by the board of trustees. Conditions, for the faithful performance of the duties of his office and that he will safely keep, hold and truly account for all moneys and property which may come into his hands as such treasurer, and that upon the expiration of his term of office, he will surrender and turn over to his successor all unexpended moneys and all property which may have come into his hands as treasurer of such fund. Such bond shall be filed in the office of the board of underwriters, and in case of a breach of the same, or the conditions thereof, suit may be brought on the same in the name of such board of underwriters for the use of such board or of any person or persons injured by such breach.

Sec. 10. **How warrants are to be issued.**—All moneys ordered to be paid from said pension fund to any person or persons shall be paid by the treasurer of said board only upon warrants signed by the president of the board, and countersigned by the secretary thereof, and no warrant shall be drawn except by order of the board of trustees and duly entered in the records of the proceedings of the board. In case the said pension fund, or any part thereof, shall, by order of said board of trustees or otherwise, be deposited in any bank, or loaned, all interest on money which may be paid or agreed to be paid on account of any such loan or deposit shall belong to and constitute a part of such fund. Provided, that nothing herein contained shall be construed as authorizing said treasurer to loan or deposit such fund, or any part of such fund, unless so authorized by the board of trustees.

Sec. 11. **Report to be made to board of underwriters.**—The board of trustees shall make report to the board of underwriters, of such city, village, or town of the condition of such pension fund, as of the first day of June, of each and every year, at the annual meeting of said board of underwriters.

Sec. 12. **Exemption from civil process.**—No portion of said pension fund shall either before or after its order of distribution by such board to such disabled members of said fire insurance patrol, or to the widow or guardian of such minor child or children of deceased or retired member of such fire insurance patrol, be held, seized, taken, subjected to, or detained, or levied on by virtue of any attachment, execution, injunction, writ interlocutory, or other order or decree, or any process or proceeding whatever issued of or by any court of this state for the payment or satisfaction in whole or in part of any debt, damages, claim, demand, or judgment against such member or his widow, or the guardian of said minor child or children of any deceased member, but the said fund shall be sacredly held, kept secure, and distributed for the purpose of pensioning the persons named in this act and for no other purpose whatever.

Approved April 11, 1917.

CHAPTER 197—S. F. No. 95.

An act to authorize the state auditor of Minnesota to cause re-surveys to be made of state lands and to correct errors in state land contracts or certificates in certain cases.

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

Section 1. **Resurvey of lands authorized in certain cases.**—Whenever a tract of land has been sold by the state of Minnesota, according to the United States survey, and the state auditor is of the opinion that an injustice has been done the purchaser because of an incorrect survey, he may cause a re-survey thereof

wnships fifty-six and fifty-seven and east of the range line between ranges seventeen and eighteen and shall be entitled to ect one senator and two representatives.

SIXTY-SECOND DISTRICT.

The sixty-second district shall be composed of the counties f Beltrami and Koochiching and shall be entitled to elect one enator and two representatives.

The representative districts shall be divided as follows:

The county of Beltrami shall constitute one district and shall e entitled to elect one representative.

The county of Koochiching shall constitute one district and hall be entitled to elect one representative.

SIXTY-THIRD DISTRICT.

The sixty-third district shall be composed of the counties of Becker and Hubbard and shall be entitled to elect one senator nd two representatives.

The representative districts shall be divided as follows:

The county of Becker shall constitute one district and shall e entitled to elect one representative.

The county of Hubbard shall constitute one district and shall e entitled to elect one representative.

SIXTY-FOURTH DISTRICT.

The sixty-fourth district shall be composed of the counties of Norman and Mahnomen and shall be entitled to elect one senator and one representative.

SIXTY-FIFTH DISTRICT.

The sixty-fifth district shall be composed of the counties of Pennington, Red Lake and Clearwater and shall be entitled to elect one senator and *two representatives.*

SIXTY-SIXTH DISTRICT.

The sixty-sixth district shall be composed of the county of Polk and shall be entitled to elect one senator and two representatives.

SIXTY-SEVENTH DISTRICT.

The sixty-seventh district shall be composed of the counties of Kittson, Roseau and Marshall and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Kittson shall constitute one district and shall be entitled to elect one representative.

The county of Roseau shall constitute one district and shall be entitled to elect one representative.

The county of Marshall shall constitute one district and shall be entitled to elect one representative.

Sec. 3. **County or township line changes not to affect above districts.**—That in the event of any change in the county or township lines affecting the districts provided in section 2 of this act, the senatorial and representative districts shall not be affected thereby.

Sec. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after January 1st, 1918.

Approved April 14, 1917.

CHAPTER 218—H. F. No. 1042.

An act to authorize cities of the first class to levy taxes for paving arterial streets.

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

Section 1. **Minneapolis council authorized to levy taxes for paving arterial streets.**—The city council, or other governing body of any city of the first class not organized pursuant to section 36, article 4, of the state constitution, is hereby authorized to levy annually, with and as part of the general taxes of each of the years 1917, 1918, 1919, 1920, 1921, and 1922, a tax not exceeding one mill on each dollar of the assessed valuation of all property, real and personal, therein subject to general taxation, for the purpose of constructing permanent roadways not over twenty-four feet in width in arterial streets, as hereinafter defined, but not more than 40% of the expense of paving any street shall be paid out of this fund.

Sec. 2. **Council to designate arterial streets.**—No street shall be deemed an arterial street unless it forms a part of a main thoroughfare leading from the city boundary to the populous districts of the city. Before levying any tax hereunder, the council shall designate the arterial streets upon which the proceeds of the tax may be expended and the streets so designated shall constitute the system of arterial streets on which such taxes may be expended and the system so designated shall not be changed during the life of this act.

Sec. 3. **Certified copy of tax levy to be transmitted to board of tax levy.**—The city council shall on or before the first day of September of each year, estimate the amount of such tax necessary to be levied with the taxes of that year and the amount of

such levy to be expended upon each arterial street and cause a certified copy of such estimate to be transmitted to the board of tax levy. The board of tax levy may fix the maximum rate to be levied for such year and no tax shall be levied except as authorized by the board of tax levy.

Sec. 4. **Copy of resolution levying tax to be transmitted to county auditor.**—A certified copy of the resolution levying such tax shall be transmitted to the county auditor and the amount of the levy shall be included with and as part of the general taxes for the state, city and county purposes for such year and collected therewith and payment thereof shall be enforced in the same manner and with like penalties, interest and costs.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 12, 1917.

CHAPTER 219—H. F. No. 1053.

An act to authorize cities in this state now or hereafter having a population of more than 50,000 inhabitants to issue and sell bonds for improving and acquiring parks and parkways and playgrounds.

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

Section 1. **Minneapolis authorized to issue $100,000.00 park and play ground bonds.**—Any city in this state now or hereafter having a population of over fifty thousand inhabitants is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted by an affirmative vote of not less than two-thirds of all members-elect of such common council, upon request of the board of park commissioners of said city or of such other governing body as may have charge and supervision of the parks and parkways of such city, to issue and sell one hundred thousand dollars ($100,000.00) par value of the bonds of such city for the purpose of improving and acquiring parks, parkways and playgrounds.

Sec. 2. **To be issued regardless of present indebtedness.**—The bonds authorized by section 1 of this act or any portion thereof, may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in any law of this state, prescribing or fixing any limit upon the bonded indebtedness of such city but the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act and for the current interest thereon and the common council of such city shall each year include in the tax levy for such city, a sufficient amount to provide for the

payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **30 years at 4% and to bear certain signatures.**—No bonds shall be issued by any such city for the purpose hereinabove mentioned to run for a longer term than thirty years, or bearing a higher rate of interest than four per cent per annum, but the place of payment of the principal and interest thereof and the denominations in which the same shall be issued shall be such as may be determined upon by the common council and may be in the form of coupon bonds or registered certificates, so-called. All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller of such city and shall be sealed with the seal of such city, except that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon.

And none of such bonds shall be sold at less than ninety-five per cent of their par values and accrued interest and then only to the highest responsible bidder therefor.

Sec. 4. **Application to Minneapolis.**—This act shall not apply to any city operating under a home rule charter, framed pursuant to section 36 of article 4 of the constitution of Minnesota.

Sec. 5. **In addition to other existing powers.**—The powers granted by this act are in addition to all other existing powers of such cities.

Sec. 6 This act shall take effect and be in force from and after its passage.

Approved April 14, 1917.

CHAPTER 220—H. F. No. 1181.

An act to regulate public records concerning illegitimate children by amending Sections 4651, 4652, 4661 and 4662, and by adding three new Sections to Chapter 29, General Statutes, 1913, relating to public health.

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

Section 1. **Certificate of birth—by whom furnished—contents.**—Section 4651, General Statutes, 1913 is hereby amended so as to read as follows:

4651. The physician or midwife attending at the birth of any child, or, if there is no attending physician or licensed midwife, the father or mother, shall, within ten days thereafter, subscribe and file with the local registrar of the district within which the birth occurs, a certificate of birth specifying:

Place of birth including state, county, city, village or town with the street and house number, if any, or in lieu thereof

CHAPTER 2—H. F. No. 68.

An act prescribing the legal qualifications of newspapers published in municipalities which were devastated by forest fire in October, 1918, and legalizing publications heretofore made by newspapers purporting to be published within such forest fire limits.

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

Section 1. **Legal qualifications of newspapers defined in certain cases.**—In all cases where the printing office and plant of a newspaper, formerly situated in a municipality which was destroyed by forest fire in October, 1918, the qualifications prescribed by section 9413, General Statutes of Minnesota 1913, shall apply and govern; provided, that during the year next following such fire all, or any part, of the work in connection with the preparation, printing and publishing of said newspaper may be done and performed at any place, but such newspaper must be mailed from its place of purported publication.

Sec. 2. **Publications legalized.**—All newspaper publication of notices, required by law to be published in legal newspapers, which have been, or shall be, published in newspapers which conform in all respects to the statutes defining legal newspapers, except as above specified and provided, and which are printed, published and mailed as above provided, are hereby legalized and declared to be valid and sufficient for all purposes.

Sec. 3. **Application.**—This act shall not apply to or affect any action now pending in which the validity of such newspaper published notice is called in question.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved January 20, 1919.

CHAPTER 3—S. F. No. 11.

An act legalizing and validating certain obligations and indebtedness incurred and to be incurred by cities of the State of Minnesota now or hereafter having over 50,000 inhabitants and not governed under a charter adopted pursuant to section 36, article 4, of the State Constitution, for the maintenance of the Fire Department, Police Department and other departments of such cities, in excess of the annual appropriations and taxes therefor, and authorizing the issuance and sale of municipal bonds of such cities for the payment of such obligations and indebtedness.

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

Section 1. **Certain obligations in cities of the first class legalized, and $1,000,000 bond issue authorized.**—All obligations and indebtedness incurred during the year 1918 or former years by each city in the state of Minnesota now or hereafter having over fifty thousand inhabitants and not governed under a charter

adopted pursuant to section 36, article 4, of the State Constitution, for the maintenance and cost of maintenance of the fire department, police department and other departments of the city in excess of the annual appropriations therefor made by the city council or other chief governing body of the city, and in excess of the annual taxes levied therefor and all such obligations and indebtedness hereafter to be incurred by such city in excess of the annual appropriations therefor, are hereby legalized and made valid, notwithstanding any existing provisions of law to the contrary, and each such city is hereby authorized and empowered to pay all such obligations and indebtedness in full from any funds of the city available or which shall be made available therefor; and the city council or other chief governing body of the city are hereby authorized and empowered to incur such obligations and indebtedness of the city and make additional expenditures of moneys of the city for the support and maintenance of the police department, fire department and other departments of the city, in excess of the annual appropriations therefor as the city council or other chief governing body of the city may deem expedient and necessary for the best interests of the city, notwithstanding any existing provisions of law to the contrary; and for the purpose of meeting and paying such obligations and indebtedness already incurred and to be incurred, and in addition to all taxes authorized by law to be levied to defray the current expenses of the city, each such city is hereby authorized and empowered, in addition to all the powers now possessed by such city, by resolution duly passed by an affirmative vote of not less than two-thirds of all the members of the city council or other chief governing body of the city, to issue from time to time and from year to year as may be needed municipal bonds of such city to an amount not exceeding in the aggregate $1,000,000.00 in par value, and to use the proceeds thereof in payment of the obligations and indebtedness of the city already incurred and to be incurred for maintaining and defraying the cost of maintaining the fire department, police department and other departments of the city.

Sec. 2. **Issuance of bonds, and levy of taxes for payment of same.**—The bonds hereby authorized or any part thereof may be sold and issued by any such city, notwithstanding any limitations contained in the charter of such city or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of such city shall at all times be pledged for the payment of any such bonds issued hereunder and for the payment of the current interest thereon, and the city council or other chief governing body of such city shall each year include in the taxes levied by such city a sufficient amount in addition to all other taxes to provide for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec 3. **Period of duration, limitation of interest, and signatures to be affixed.**—No such bonds shall be issued by any such city under this act for the purposes hereinbefore named to run for a longer period than ten years or bearing a higher rate of interest than 5 per cent per annum, payable semi-annually. Such bonds may be made payable in series of two or more bonds and from year to year, or any issue of such bonds may be made payable at a stated time, as determined by the city council or other chief governing body of the city issuing the same. The place of the payment of the principal of such bonds and the interest thereon and the denominations in which the same shall be issued shall be such as shall be determined by the city council or other chief governing body of the city. Such bonds shall be signed by the mayor and countersigned by the city comptroller and attested by the city clerk of the city issuing the same and shall be sealed with the seal of such city, except that the signatures on the coupons attached thereto if any may be lithographed thereon, and none of such bonds shall be sold for less than 95 per cent of their par value and accrued interest.

Sec. 4. **Manner of sale.**—Such bonds or any part thereof may be sold upon two weeks' published notice of the sale, or the same may be sold at private sales through such agencies and in such manner and at such times and places and with or without published or other notice of such sales as the city council or other chief governing body of the city shall determine. All sales of such bonds sold at private sales shall be reported to the city council or other chief governing body of the city for confirmation.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved January 22, 1919.

CHAPTER 4—H. F. No. 16.

An act legalizing certain proceedings of the governing body of any county, city, village, Firemen's Relief Association, town or borough, which certain proceedings were taken during the year 1918 for the purpose of providing aid to the tornado sufferers at Tyler, Minnesota, and aid to the fire sufferers in northern Minnesota.

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

Section 1. **Aid to Tyler tornado sufferers legalized.**—In case the governing body of any county, city, village, Firemen's Relief Associations, town or borough in this state did by proceedings during the year Nineteen Eighteen appropriate public funds and cause to be issued warrants or orders, for the purpose of providing aid to the tornado sufferers at Tyler, Minnesota, or aid to the fire sufferers in northern Minnesota, the action of such governing body shall be and hereby is ratified and declared effectual and the warrants or orders so issued are hereby legalized and declared valid.

Sec. 2. **Application.**—This act shall not apply to or effect any action now pending in which the validity of such proceedings or of such warrants or orders is called in question.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved January 29, 1919.

CHAPTER 5—S. F. No. 97.

An act relating to special elections and primaries therefor.

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

Section 1. **Nomination of candidates for special election.**—Whenever after the holding of a general election and before the termination of the next succeeding session of the legislature the governor shall issue a proclamation directing a special election to be held to fill a vacancy in either house of the legislature, candidates for election at such special election shall be nominated at a primary election held on the seventh day before the day appointed for such special election and on said seventh day before such special election there shall be held a primary election for the purpose of selecting two candidates to be voted for at the special election held to fill any such vacancy.

Sec. 2. **Precinct districts, election judges, and registers of preceding election to govern.**—It shall not be necessary to create any new precincts, appoint judges or make new registration of voters for any such special election or any primary therefor, but the registration for the last preceding general election shall be used, the precincts shall be the same as at the last preceding general election, the hours of opening and closing the polls shall be the same as such hours for general elections, the polling places shall be the same, as near as may be, and the judges of election at the last general election in any precinct shall serve as judges of election for such special election and the primary therefor, and vacancies of judges may be filled in the same manner as in the case of general elections and such judges shall have the right to take from the city clerk or other legal custodian and use at such special election, and the primary therefor, the registers used at said last general election, any names thereon being subject to challenge as at a general election. If any person whose name does not appear on said register shall ask to vote at said primary election, his name shall be entered upon such registers upon taking such oath, answering such questions and complying with such other provisions of the existing laws as required for registration.

Constitution, in addition to all other powers now possessed by the city, is hereby authorized and empowered, by resolution duly passed by the affirmative vote of not less than two-thirds of all members of the city council or common council of the city, to issue and sell municipal bonds of the city to the amount of $200,000.00 in par value, for the purpose of defraying the cost of constructing, reconstructing, replacing, and repairing bridges over and across any navigable river or stream running through such city; and additional bonds to the amount of $400,000.00 in par value, for the purpose of defraying so much of the cost of paving and curbs and gutters in such city as is not assessable upon abutting or benefited property; and additional bonds to the amount of $300,000.00 in par value, for the purpose of aiding in defraying the cost of laying and constructing main or trunk line sewers in such city, and additional bonds to the amount of $100,000.00 for the purpose of defraying the cost of constructing new bridges over and across any lake wholly or partly within the limits of such city, and reconstructing, replacing and repairing old bridges over and across any such lake.

Sec. 2. **To be issued regardless of limitation of charter.**—The bonds hereby authorized or any part thereof may be issued and sold by any such city notwithstanding any limitations contained in the charter of such city, or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of such city shall at all times be pledged for the payment of any such bonds issued hereunder and for the payment of the current interest thereon, and the city council or common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **Time of maturity, and form of bonds.**—No bonds shall be issued by any such city under this act for the purposes hereinabove named to run for a longer period than thirty years, or bearing a higher rate of interest than 5 per cent per annum, payable semi-annually, but the place of the payment of the principal and interest thereon and the denominations in which the same shall be issued shall be such as shall be determined by the city council or common council. All such bonds shall be signed by the mayor and countersigned by the city comptroller and attested by the city clerk of such city and shall be sealed with the seal of said city, except that the signatures to the coupons attached thereto, if any, may be lithographed thereon, and none of such bonds shall be sold for less than 95 per cent of their par value and accrued interest and then only to the highest responsible bidder therefor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved January 30, 1919.

CHAPTER 7—S. F. No. 117.

An act to prohibit the cutting, harvesting, taking or obtaining of ice in or from certain waters within the limits of cities of the first class not governed by a home rule charter.

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

Section 1. **Harvesting of ice prohibited in Minneapolis, without permission.**—Except as otherwise provided in section "2" hereof, no person shall cut, harvest, or in any way take or obtain any ice in or from any river, stream, lake, pond, or other body of water, within the limits of any city of the first class not governed by a home rule charter.

Sec. 2. **Governing body to issue permit under certain conditions.**—The governing body of any such city may designate or cause to be designated locations in any river within the limits thereof, in and from which locations ice for cooling and packing purposes only may be cut or harvested. The phrase "ice for cooling and packing purposes," as used in this act, means ice for use where it will not be in proximity to or in contact with or become part of any article of food or drink for human consumption.

Sec. 3. **Penalty for violation.**—Any person who violates any provision of this act is guilty of a misdemeanor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved February 3, 1919.

CHAPTER 8—S. F. No. 35.

An act to repeal chapter 424, Special Laws for 1891, entitled "An act to regulate the salaries, compensation and fees of certain county officers of Polk county, Minnesota."

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

Section 1. **Chapter 424, S. L. 1891, repealed.**—That chapter 424, Special Laws for 1891, be and the same hereby is repealed.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 3, 1919.

CHAPTER 9—S. F. No. 103.

An act relating to public schools in special school districts of not less than 10,000 inhabitants, nor more than 20,000 inhabitants, and to the rate of taxation in such districts.

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

Section 1. **20-mill general school tax, authorized for Mankato district.**—Special school districts now or hereafter having not less than 10,000 inhabitants, nor more than 20,000 inhabitants, are hereby empowered to annually levy for general school purposes a general school tax not exceeding twenty mills on the dollar of

and stocked, stored, handled or deposited thereon; provided, that the rights of the state and of the lessee under the lease herein authorized as to the ownership, lien and right of removal and all other rights in and to the materials placed thereon from the lands under such state mineral lease shall be and remain in all respects the same as though such materials had been stockpiled, stored, handled or deposited on the land covered by such state mineral lease; provided, further, that any such lease shall be made for a term no longer than the then remaining unexpired term of such state mineral lease and shall in any and all events terminate with the termination of such state mineral lease for any cause whatsoever, and any material remaining on such land at the termination of such state mineral lease or at the earlier termination of the lease herein authorized, shall belong to the state of Minnesota; provided, further, that all such leases shall be made subject to leasing the land for mineral purposes under legal provisions.

Sec. 2. **To be placed to credit of certain funds.**—All money received from leases granted under this act shall be credited to the fund to which the leased land belongs and all royalties and proceeds which shall be received by the state for any material stockpiled or stored thereon and later removed shall be credited on the state mineral lease covering the lands from which such ore was originally taken.

Approved April 11, 1919.

CHAPTER 214—S. F. No. 520.

An act authorizing any county of this state which now is or hereafter may be so located with reference to another state, that it is desirable and necessary for the public interests to construct a highway across a portion of such adjoining state, to appropriate and expend county road funds of such county in acquiring a road right of way across such state and constructing and maintaining thereon a highway leading therefrom into this state.

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

Section 1. **Expenditure of county road funds authorized for construction of highways into adjoining states.**—That in any county of this state which now is or hereafter may be so located with reference to another state that the county board of such county shall, by resolution, determine it to be desirable and for the public interest, to construct and maintain a highway across a portion of such adjoining state, in order to properly connect a highway extending from said county into another adjacent county in this state, said county board is authorized to expend county road funds of its county in acquiring the necessary road right of way and constructing and maintaining thereon a public highway through such adjoining state in such manner and to such amount, as to costs, as it

shall deem expedient and necessary. Said county board is hereby authorized to acquire such road right of way in an adjoining state by purchase, condemnation or gift, or to improve any existing highway that said county board shall deem adequate to provide a highway through such adjoining state, connecting the highway extending from its county in this state through said adjoining state, with another highway in an adjoining county in this state.

Sec. 2. **Manner of expenditures.**—That any and all expenses incurred in connection with the acquiring of such road right of way through an adjoining state or the improvement thereof, shall be made in the same manner as other expenditures for highway improvement and construction are now made in this state.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1919.

CHAPTER 215—S. F. No. 573.

An act authorizing cities over 50,000 inhabitants in the state of Minnesota to issue and sell bonds for public school purposes in such cities.

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

Section 1. **$2,750,000 bond issue for Minneapolis authorized.**—Each and every city of the state of Minnesota now or hereafter having over 50,000 inhabitants and not governed under a charter adopted pursuant to section 36, article 4 of the state constitution, is hereby authorized and empowered, acting by and through the city council or other chief governing body of such city, by resolution or ordinance duly passed by an affirmative vote of not less than two-thirds of the members elect of the city council or other chief governing body of the city, to issue and sell bonds of such city.

To an amount not exceeding five hundred thousand dollars in par value, and to use the proceeds thereof for the purpose of improvements and the removal of fire hazards in the grade schools of said city.

To an amount not exceeding two million dollars in par value, and to use the proceeds thereof for the purpose of construction of school rooms, school buildings and for the equipment of the same.

To an amount not exceeding two hundred fifty thousand dollars in par value, and to use the proceeds thereof for the purpose of acquiring new sites, additions to old sites and for permanent improvement to school grounds.

All of said bonds to be made payable in series of two or more bonds and from year to year, as may be determined by the city council or other chief governing body of the city issuing the same, but none of such serial bonds shall be made to become payable more

than thirty years from the date thereof, and such serial bonds shall not bear interest at a greater rate than five (5) per cent per annum, payable semi-annually. Provided, that the maximum amount of such serial bonds issued and sold under this act shall not exceed one million two hundred fifty thousand dollars ($1,250,000.00) on January 1st, 1920.

Two million seven hundred fifty thousand dollars ($2,750,000.00) on January 1st, 1921.

Sec. 2. **Manner of sale—tax levy.**—The bonds authorized by this act or any portion thereof may be issued and sold by any such city, notwithstanding any limitations contained in the charter of such city or in any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the full payment of any bonds issued under this act and for the current interest thereon, and the city council or other chief governing body of such city shall each year include in the tax levy of such city, a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **Place of payment—denominations—for of bonds.**—The place of payment of the principal and interest on the bonds authorized by this act, and the denominations in which the same shall be issued, shall be such as may be determined upon by the city council or other chief governing body of the city, and may be in the form of coupon bonds or registered certificates, so-called. All such bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller, and shall be sealed with the seal of such city, except that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon, and such bonds shall not be sold for less than 95 per cent of their par value and accrued interest thereon, and then only to the highest responsible bidder therefor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 11, 1919.

CHAPTER 216—S. F. No. 1011.

An act authorizing the County Sanitorium Commission in any county in this state, now or hereafter having an assessed valuation of over $250,000,000 exclusive of money and credits and an area of over 5,000 square miles for the purpose of defraying the cost of erecting a new building or buildings for enlarging such sanitorium in the manner now provided by law, to issue properly authenticated vouchers or warrants upon the sanitorium fund of said county, not exceeding the total amount permitted by law to be levied as a tax upon the taxable property of said county for the maintenance of such sanitorium.

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

Section 1. **New buildings authorized for St. Louis county sanitorium.**—That in any county in this state, now or hereafter having an assessed valuation of over two hundred and fifty million ($250,000,000) dollars exclusive of money and credits and an area of over five thousand (5,000) square miles, the county sanitorium commission of said county is hereby authorized to issue its duly authenticated vouchers or warrants drawn upon the sanitorium fund of said county, not exceeding the total amount permitted by law to be levied as a tax upon the taxable property of such county exclusive of money and credits for the purpose of defraying part or all of the costs of erecting and equipping a new and additional building or buildings, for enlarging such sanitorium or improving sanitorium buildings, or for general maintenance purposes, in the manner now provided by law.

Sec. 2. **Tax for funds for maintenance—authority to issue vouchers.**—That said county sanitorium commission shall determine by resolution each year prior to July 1, the amount of money necessary for the maintenance of such sanitorium, including any new buildings or the improvement of any sanitorium building during the current or ensuing year, and a certified copy of such resolution shall be forthwith forwarded to the county board of such county, and such county board may at any time thereafter and prior to July 1, and shall not later than its regular meeting in July of each year, include the properly approved and apportioned amount so certified to it in the annual tax levy of the taxes for said county for the ensuing year, but in no case shall the amount of such levy in any one year exceed one mill on the dollar of the assessed valuation of the taxable property in said county, exclusive of money and credits.

That at any time after the approval by the county board of such amount so certified by the county sanitorium commission to said county board for the purpose of maintenance and erecting and repairing buildings, said county sanitorium commission shall have authority to issue its vouchers or warrants upon said county sanitorium fund not exceeding the amount so certified to and approved by said county board, as hereinbefore provided.

Sec. 3. **In addition to already existing powers.**—That the authority hereby granted shall be in addition and supplemental to all powers heretofore vested by law in any such county board or county sanitorium commission.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 10, 1919.

of itemized and verified accounts, which shall be audited, allowed and paid in the same manner as are ordinary claims against a county.

Sec. 14. **Effective May 1, 1919.**—This act shall take effect and be in force from and after May 1, 1919.

Approved April 11, 1919.

CHAPTER 225—S. F. No. 1038.

An act to amend Section 2 of Chapter 229, Laws 1909 (Section 9330, General Statutes 1913), which section authorizes the board of control to furnish crush rock produced at the state reformatory to the highway department for road purposes.

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

Section 1. **Excess crushed rock from reformatory to be sold to various counties.**—That section 2 of chapter 229, Laws 1909, be and the same is hereby amended so as to read as follows:

Sec. 2. Such crushed rock, in excess of the needs of said reformatory for construction of buildings of said reformatory, and for the making of roads upon the grounds thereof, shall be *sold by the board of control to the several counties of this state for use upon state roads. The same shall be so sold at such price as shall be agreed upon and fixed by agreement of the board of control and the commissioner of highways. The amount received by the board of control shall be used for the maintenance and development of the rock crushing industry at said institution.*

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 11, 1919.

CHAPTER 226—S. F. No. 190.

An act relating to separate primaries and elections in cities of the first class not operating under a home rule charter.

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

Section 1. **City election for Minneapolis biennially commencing with first Monday in June, 1921.**—That in every city of the first class in this state not organized under section 36, article 4 of the constitution of the state of Minnesota, all the elective officers thereof shall be chosen at an election to be held on the first Tuesday after the first Monday in June in the year 1921, and biennially thereafter, and the officers so elected shall take office on the first day of July next succeeding their election, but nothing in this act shall be construed to shorten the terms of office as now fixed by law.

Sec. 2. **Primary election first Monday in May.**—Primary elections shall be held on the first Tuesday after the first Monday in May, 1921, and biennially thereafter to make nominations for such offices.

Sec. 3. **General election laws to govern.**—Such primaries and elections shall be held in accordance with the general laws of the state relating to primaries and elections.

Sec. 4. **Officers to take offices first Monday in July.**—The officers of such cities whose terms of office expire on the first Monday in January, 1921, shall continue to hold their said offices until the first Monday in July, 1921, and until their successors are elected and qualified.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 11, 1919.

CHAPTER 227—S. F. No. 918.

An act authorizing and empowering cities in Minnesota of over 50,000 inhabitants not governed under a home rule charter to use and dispose of its surplus and unused products and furnish fire protection and use of fire apparatus to other municipalities and communities outside of such cities and to provide for and permit other municipalities and communities outside of such cities to make connections with and use the sewers and sewer systems of such cities.

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

Section 1. **Minneapolis authorized to sell water, etc., to adjoining municipalities.**—Each city of this state of over fifty thousand inhabitants not governed under a charter adopted pursuant to the provisions of section 36, article 4, of the state constitution, in addition to all other powers possessed by the city, is hereby authorized and empowered to sell and dispose of to municipal corporations, municipalities and villages outside the corporate limits of such city any or all of the surplus or unused water of such city, and to furnish to such outside municipal corporations, municipalities and villages fire protection and use of the fire apparatus of such city, and to make contracts for the sale of any such surplus or unused water and fire protection, on such terms and for such price and compensation as such city acting through its city council or other proper governing authorities shall deem best and for the best interests of the city, such price and compensation not to be less than the actual cost and expense to the city of furnishing and maintaining any such surplus or unused water and fire protection. No such city shall establish or maintain any permanent fire engine house or stations outside of the corporate limits of such city.

Sec. 2. **To enter into contracts.**—Each and every municipal corporation, municipality or village outside of such city, is hereby

authorized and empowered to make arrangements and contracts with each such city for furnishing surplus or unused water and fire protection and the use of fire apparatus.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 12, 1919.

CHAPTER 228—S. F. No. 897.

An act amending Section 53 of Chapter 264 of the General Laws of Minnesota for 1917, relating to the municipal court of the city of Duluth and the salaries of the judges and clerks thereof.

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

Section 1. **Salaries of judges, assistants, clerks, etc., of Duluth municipal court.**—That section 53, chapter 264, General Laws of Minnesota for the year 1917, be amended so as to read as follows:

Section 53. The salary of the judges of said municipal court shall be three thousand six hundred ($3,600) dollars each, per annum, and the salary of the assistant municipal judge shall be one thousand five hundred ($1,500) dollars per annum. The salary of the clerk of said municipal court shall be two thousand one hundred ($2,100) dollars and the salary of the deputy clerks herein provided for shall be one thousand three hundred and eighty ($1,380) dollars each, per annum. In case additional deputy clerks shall be appointed with the consent and sanction of the council of the city of Duluth, as provided in section 12 of this act, the said city council shall fix the compensation of the deputy or deputies so appointed. The salary of the official stenographic reporter of said court shall be one thousand eight hundred ($1,800) dollars per annum. The city attorney shall receive a salary of six hundred dollars ($600) per annum exclusive of the salary paid said officer by the city council of said city. The salary of each of said officers shall be payable from the city treasury of Duluth in monthly installments, and neither of said officers shall receive any other fee or compensation except as herein otherwise provided.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 12, 1919.

CHAPTER 229—S. F. No. 576.

An act to amend Section 3, Chapter 335, General Laws of Minnesota, 1909, same being Section 238, General Statutes of Minnesota, 1913, relating to the salaries of clerks of the district court in certain counties in this state.

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

Section 1. **Clerks of courts in certain counties to receive at least $2,000 per annum.**—That section 3 of chapter 335, General

Laws of Minnesota, 1909, being section 238, General Statutes of Minnesota, 1913, be and the same hereby is amended so as to read as follows:

238. The several clerks of the district court as aforesaid, shall receive in full compensation for all services rendered by them for their respective counties, except in real estate tax proceedings, in lieu of the fees now provided by law, a yearly salary, payable monthly out of the county revenue fund by the treasurer of the county upon the warrant of the county auditor, as follows: Clerks of court of counties of class "A," six hundred and fifty dollars ($650.00); of class "B," seven hundred and fifty dollars ($750.00); of class "C," eight hundred dollars ($800.00); of class "D," nine hundred dollars ($900.00); of class "E," one thousand dollars ($1,000.00); of class "F," or any counties with a taxable valuation of more than six million dollars wherein during the preceding year the grand jury returned indictments against at least twenty (20) separate defendants, or wherein the district court shall have been held for forty (40) days or more, eleven hundred dollars ($1,100.00). For all services rendered by such clerks except as included in this act the clerk shall receive the same fees and compensation as now provided by law. *Provided that at the end of each year, in all counties having less than forty-five thousand (45,000) inhabitants, upon a showing by the clerk of court to the county auditor by a sworn statement that the salary herein provided, together with all fees and emoluments for official services has not equaled two thousand dollars ($2,000.00), the auditor shall issue to such clerk a warrant for a sufficient amount to make all the returns from said office equal the sum of two thousand dollars ($2,000.00).* Provided, however, that in counties having an assessed valuation of less than seven million ($7,000,000) dollars, where the salary, fees and emoluments have not equaled fifteen hundred dollars ($1,500) the auditor shall issue a warrant for a sufficient amount to make all returns from said office equal the sum of fifteen hundred dollars ($1,500). Whenever it shall appear to the county board of any county *having a* population *of less than forty-five thousand (45,000) inhabitants* upon a showing made by the clerk thereof that the salary herein provided is inadequate for the services performed by such clerk for such county, the county board may increase such salary at any regular meeting of such board to a just and reasonable salary for the services of such clerk. If dissatisfied with the action of the county board any clerk may appeal to the district court within thirty days by filing with the auditor, a notice thereof. The court either in term or vacation and upon eight days' notice to the chairman of the county board, shall hear such appeal and summarily determine the amount of such salary for the term of office by an order, a copy of which shall be filed with the county auditor. Provided, that in counties *of* a taxable valuation of less than six million dollars, the clerk shall be allowed

CHAPTER 396—S. F. No. 698.

An act relating to lost, stolen and unclaimed property in cities of Minnesota having over 50,000 inhabitants and not governed by a home rule charter.

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

Section 1. **Publication of notice of property found or recovered or unclaimed.**—Whenever any lost, stolen or unclaimed property shall be found or recovered by any person in any city of this state now or hereafter having over fifty thousand inhabitants and not governed under a charter adopted pursuant to section 36, article 4, of the state constitution and said property shall come into the possession of the city municipality within the said city through its proper officials shall forthwith make reasonable efforts to find the owner of such property and restore the same to the owner thereof. In case such lost, stolen or unclaimed property is found or recovered under circumstances which do not give the finder or recoverer thereof knowledge or means of inquiry as to the true owner thereof, the said city through its proper officers shall forthwith give notice of the finding or recovery of such property by causing such notice to be published once a week for three successive weeks in a legal newspaper published in the city in which such lost or unclaimed property is found.

Sec. 2. **If unclaimed to be sold at public auction after advertisement—Disposition of proceeds.**—If any such lost, stolen or unclaimed property is not claimed by the owner or his agent within six months next after the finding of such property, such property may be sold at public auction by the said city by its agent or attorney, upon giving three weeks' published notice of the sale thereof, describing in such notice the property found or recovered and to be sold and specifying the time and place of the sale thereof. Such notice shall be published once each week for three successive weeks in a legal newspaper published in the city in which the lost, stolen or unclaimed property has been found or recovered. The proceeds of such sale shall be applied in payment of the expenses of the sale and all necessary costs and charges incurred in relation to such property. The person making such sale shall forthwith pay or cause to be paid the balance of the proceeds of the sale into the treasury of the city in which such sale is made, and at the same time deliver to the city treasurer to whom such balance is paid a statement containing a description of the lost or unclaimed property sold, the gross amount for which sold and the amount of costs, charges and expenses paid to each person. If the owner of the property so sold or his legal representatives shall at any time within five years after such money is deposited in the treasury of the city as herein provided furnish satisfactory evidence of his ownership thereof to the treasurer of the city in the treasury of which such money is deposited, the treasurer shall pay to him the amount so deposited. If such money is not claimed within the time aforesaid, the same shall belong to the city wherein the same is deposited and shall be credited to the general revenue or the current expense fund of such city.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 23, 1919.

CHAPTER 397—S. F. No. 924.

An act to amend Sections 3343 and 3344, General Statutes 1913, which said sections as so amended relate to the taxation of insurance companies.

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

Section 1. **Returns of insurance premiums.**—That section 3343, General Statutes 1913, be amended so as to read as follows:

3343. The commissioner shall include in the blank form furnished to each fire insurance company for its annual statement a list of all such municipalities, and each company shall report therein the amount of *the gross direct premiums, less return premiums, received by it on all direct business during the preceding year, upon property located within the corporate limits of such municipalities, upon policies covering loss or damage by fire, lightning, loss or damage by water to goods and premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires.* Before July 1 following the commissioner shall certify to the state auditor the name of each municipality which has had for not less than one year an organized fire department, and which has been so reported to him, and the amount of *said gross direct premiums, less return premiums, upon property located within the corporate limits of such municipality, received by each fire company upon policies covering loss or damage by fire, lightning, loss or damage by water to goods and premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires,* and taxes paid on account thereof in such year by each company.

Sec. 2. **Payment to be made to treasurer of each municipality.**—That section 3344, General Statutes 1913, be amended so as to read as follows:

3344. At the end of the fiscal year the state auditor shall issue and deliver to the treasurer of every such municipality his warrant for an amount equal to the total amount of the *two per cent tax paid by insurance companies to the state of Minnesota upon premiums received under policies of the classes of insurance as indicated in section 3343, General Statutes 1913, as amended,* and the same shall be paid out of the general revenue fund.

Approved April 23, 1919.

CHAPTER 401—H. F. No. 631.

An act to establish the ninth state fish hatchery, to authorize and direct the state game and fish commissioner to locate and acquire a site therefor and to equip, develop and maintain the same.

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

Section 1. **Ninth state fish hatchery.**—That the ninth state fish hatchery for the propagation and cultivation of fish under the laws of this state shall be, and the same is hereby authorized and established.

Sec. 2. **Management.**—That the said state fish hatchery shall be subject to the management and control of the state game and fish commissioner of Minnesota.

Sec. 3. **Site to be on Rainy lake.**—The said state game and fish commissioner is hereby authorized, empowered and directed, as soon as practicable after the passage of this act, to select, locate and acquire by gift, purchase or condemnation, as provided by the laws of this state, a suitable and convenient site for said state fish hatchery, at some point in the county of Koochiching or Rainy Lake, in the name and on behalf of the state of Minnesota, together with all real property, land, premises, water rights, right of way or easement, public or private, that may be necessary, convenient or proper for the establishment, equipment, maintenance and development of said hatchery and grounds, and for the purpose of receiving and conducting to and from said fish hatchery waters necessary or desirable for the use of said fish hatchery in such manner as the state game and fish commissioner may deem fit.

Sec. 4. **Examination and selection of sites by commissioner.**—As soon as practicable after the passage of this act, said state game and fish commissioner shall, and is hereby directed, to examine all suitable sites for said state fish hatchery and to select the most suitable site, and acquire the same and locate said fish hatchery thereon as hereinbefore provided; and to erect thereon all necessary buildings, equipment, machinery, plants, conduits, dams, and apparatus, and dwellings requisite for the cultivation and propagation of fish, and everything necessary to properly maintain and operate the same in the best and most efficient manner as said commissioner may determine.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 23, 1919.

CHAPTER 402—H. F. No. 905.

An act authorizing cities of Minnesota of over 50,000 inhabitants to issue municipal bonds to the amount of $1,000,000 for the purpose of acquiring, purchasing, constructing, owning, equipping, maintaining and operating public markets in such cities.

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

Section 1. **$1,000,000 public market bond issue authorized for Minneapolis.**—Each city of this state now or hereafter having over fifty thousand inhabitants and not operating under a home-rule charter and not governed under a charter adopted pursuant to section 36, article 4, of the state constitution, in which the proposition that the city shall acquire or construct, and own, maintain and operate a public market or public markets in the city has already been submitted to or shall hereafter be submitted to the qualified electors of the city at a general or special election called for that purpose, and such proposition has already been approved or shall be approved by a majority vote of all electors of the city voting upon such proposition, in addition to all other powers now possessed by the city, is hereby authorized and empowered, by resolution duly passed by an affirmative vote of not less than two-thirds of all the members elect of the city council or other chief governing body of the city, to issue from time to time as may be needed municipal bonds of such city to the amount in the aggregate of not to exceed one million dollars in par value and to use the proceeds thereof for the purposes of acquiring, purchasing, constructing, owning, equipping, maintaining and operating a public market or public markets in such city.

Sec. 2. **To be issued regardless of present indebtedness.**—The bonds hereby authorized or any part thereof may be sold and issued by any such city notwithstanding any limitations contained in the charter of any such city or any law of this state prescribing or fixing any limit upon the bonded indebtedness of the city, but the full faith and credit of the city shall at all times be pledged for the payment of any such bonds issued hereunder and for the payment of the current interest thereon, and the city council or other chief governing body of the city shall each year include in the taxes levied by the city a sufficient amount in addition to all other taxes to provide for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **Length of period, interest and form.**—No bonds shall be issued by any such city under this act to run for a longer period than thirty years or bearing a higher rate of interest than 5 per cent per annum, payable semi-annually. Such bonds may be made in series of two or more bonds payable from year to year, or any issue of such bonds may be made payable at a time stated, as determined by the city council or other chief governing body of the

city issuing the same. The place of the payment of the principal of such bonds and the interest thereon and the denominations in which the same shall be issued shall be such as shall be determined by the city council or other chief governing body of the city. Such bonds shall be signed on behalf of the city issuing the same by the mayor or other chief executive officer of the city, and countersigned by the city comptroller or other like accounting officer of the city, and attested by the city clerk or other like corresponding officer of the city, and shall be sealed with the seal of the city, except that the signatures on the interest coupons attached to such bonds may be lithographed thereon, and none of such bonds shall be sold for less than 95 per cent of their par value and accrued interest thereon. Such bonds or any part thereof may be sold upon two week's published notice of the sale published at least once a week for two successive weeks in the weekly or daily newspaper published in the city issuing such bonds.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 23, 1919.

CHAPTER 403—H. F. No. 1034.

An act to amend Section 1143, General Statutes Minnesota 1913, relating to the keeping without a license of a billiard, pool or pigeonhole table or bowling alley, and to the exhibiting without a license of any circus, theatrical performance or show of any kind, and providing penalties for violations of the provisions thereof.

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

Sec. 1. **License required for circus, show, etc.**—That section 1143, General Statutes Minnesota 1913, be and the same is hereby amended so as to read as follows:

Section 1143. Any person who *shall exhibit any circus, theatrical performance or show of any kind, or who* shall keep a billiard, pool, or pigeonhole table, or a bowling alley in any town, without first obtaining a license therefor as provided in section 1142, shall be guilty of a misdemeanor, and be punished by a fine of not more than two hundred and fifty dollars, or by imprisonment in the county jail for not more than ninety days.

This act shall take effect and be in force from and after its passage.

Approved April 23, 1919.

CHAPTER 404—H. F. No. 1035.

An act to amend the title and Sections 1, 2, 4, and 13 of Chapter 272, Laws 1915, which chapter is entitled an act relating to the duties of coroners and prescribing the manner and procedure of holding examinations and inquests by coroners, in counties having a population of not less than two hundred and twenty thousand (220,000) and not more than three hundred thousand (300,000) inhabitants.

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

Section 1. **Coroner in Hennepin county.**—That the title to chapter 272, Laws of 1915, be and the same is hereby amended so as to read as follows:

An act relating to the duties of coroners and prescribing the manner and procedure of holding examinations and inquests by coroners in counties having a population of not less than two hundred and twenty thousand (220,000) inhabitants.

Sec. 2. **Investigations.**—That section 1 of chapter 272, Laws 1915, be and the same is hereby amended so as to read as follows:

Section 1. It shall be the duty of the coroner, in counties having a population of not less than two hundred and twenty thousand (220,000) inhabitants, to make such investigations as he shall deem necessary and issue his death certificate in all of the following cases and no others: Violent, mysterious and accidental deaths, including suspected homicides, occurring in his county.

Sec. 3. **Disposition of effects.**—That section 2 of chapter 272, Law 1915, be and the same is hereby amended so as to read as follows:

Section 2. It shall be unlawful for any person, in any such county, in any manner, to remove, interfere with or handle the body or the effects of any deceased person subject to an investigation by the coroner, except upon order of the coroner or his deputy, and the coroner shall receive, take charge of and safely keep the effects found on the body of such deceased persons, *such effects to be disposed of by such coroner pursuant to the provisions of sections 7318 and 7319 of the General Statutes of Minnesota for 1913,* and if a crime is suspected the coroner shall have the power to prevent any person or persons from coming into or on said premises, or rooms or buildings thereon, and shall have the custody of any objects that he may deem may be of material evidence in the case.

Sec. 4. **Disposition of bodies.**—That section 4 of chapter 272, Laws 1915, be and the same is hereby amended so as to read as follows:

The coroner shall order an autopsy when and where he deems proper and physicians called by the coroner to make such autopsies shall receive six dollars ($6.00) per day and mileage for such services. He may order a chemical analysis or microscopial examination of any portion of the dead body, or matter or other thing mate-

free admission to any state high or graded school in any other district in which such courses are provided.

For the purpose of securing tuition reimbursement under this act high school courses of instruction shall mean instruction for pupils who have completed the eight grade.

Sec. 2. **Reimbursement from state funds.**—Such state high or grade school district shall be entitled to tuition reimbursement from state funds for each such non-resident pupil at the rate of three ($3.00) dollars per school month, or major fraction thereof, for not to exceed ten (10) months in any school year.

No central school district may claim such tuition reimbursement for any pupil resident in any of its associated school districts.

Sec. 3. **Report to state high school board.**—All claims for tuition reimbursement from state funds shall be reported to the state high school board or the state board of education, which board shall also establish rules for such reporting and shall make provisions for the payment of such tuition from the available current school fund; provided, that in all cases where such non-resident pupil is a resident of a state aided rural district the amoynt provided by the provisions of this act shall, by the disbursing board, be deducted from the aid otherwise going to such rural district in all cases where such state aided rural districts does not levy at least six mills or more upon the property of such district for school purposes.

Sec. 4. **Inconsistent acts repealed.**—Section 2799, paragraph 2, General Stutes 1913; paragraph C, section 13, chapter 296, Laws 1915; all of section 14, chapter 296, Laws of 1915, and all other acts or portions of acts inconsistent herewith are hereby repealed.

Sec. 5. **Effective July 1, 1919.**—This act shall take effect and be in force from and after July 1st, 1919.

Approved April 25, 1919.

CHAPTER 522—H. F. No. 914.

An act authorizing and providing for the establishment of retirement board and for the payment of retirement allowances to employes of cities of the state of Minnesota having over 50,000 inhabitants not governed under a home rule charter, to provide the funds therefor and to define the procedure for the administration thereof.

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

Section 1. **Retirement allowances.**—Each city of the state of Minnesota now or hereafter having over 50,000 inhabitants and not governed under a charter adopted pursuant to section 36, article 4, of the state constitution, in addition to other pow-

ers by it possessed, is hereby authorized and empowered to pay retirement allowances to retired employes thereof as hereinafter specified.

Sec. 2. **Expense and retirement fund.**—For the purpose of this act there shall be created (1) an expense fund and (2) a retirement fund.

(a) The "expense fund" shall consist of such amounts as shall be paid by the city on the basis of statements submitted by the retirement board to defray the expenses of the administration of this act, exclusive of the payment of retirement allowances and of other benefits provided for in this act.

(b) The "retirement fund" shall consist of such amounts as are deposited in the fund by or to the account of city employes and such amounts as shall be constributed by the city, for the purpose of the paying of retirement allowances.

Sec. 3. **Definition.**—The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Service allowance" shall mean the allowance to which an employe may be entitled who retires from the city service after having attained the minimum established age for retirement.

(b) "Disability allowance" shall mean the allowance to which an employe may be entitled who retires from the city service as a result of disability before having attained the minimum established age for retirement.

(c) "Retirement allowance" shall mean either a service allowance or a disability allowance.

(d) "Annuity" shall mean payments for life derived from contributions made by an employe, as provided in this act.

(e) "Pension" shall mean payments for life derived from credits allowed and appropriations made by the city, as provided in this act.

(f) "Supplementary allowance" shall mean the allowance which may be granted to a present incumbent, division "B," in addition to a pension and an annuity.

(g) "Present incumbent" shall mean an employe who is in the service of a city at the date the provisions of this act become effective therein, who elects to become a contributor to and a prospective beneficiary of the fund created by this act.

(h) "Future entrant" shall mean an employe who enters the service of a city at a date subsequent to the date when the provisions of this act become effective therein, who becomes a contributor to the retirement fund.

(i) "Actuarial equivalent" shall mean the annual amount, determined by calculations based on mortality tables, purchasable with a given amount at a stated age.

(j) "Accumulated amount" shall mean the amount to which any given instalment or periodic instalments of money would accumulate when increased by interest additions compounded at regular intervals.

(k) "Net accumulated contributions" shall mean the amount standing to the credit of any contributor after deducting annual premium charges for disability allowances.

(l) "Established age" shall mean the minimum age for retirement of an employe on a service allowance, as specified by the rules of the retirement board.

(m) "Separation refund" shall mean the amount returned to an employe who is separated from the service of the city prior to having become entitled to a retirement allowance, or to his or her heirs, executors or assigns.

(n) "Present worth" of an annuity, pension or retirement allowance shall mean the value or cost price thereof at the date of retirement or other date, when specified.

(o) "Actuarial deficit or surplus" of an allowance or of allowances shall mean the difference between the estimated cost of said allowance or allowances and the actual cost thereof.

(p) "Employe" as herein used shall mean each and every person not an elective officer of said city, paid by the city or any of its various boards, departments, or commissions, and any person employed by any of the various boards, departments or commissions operating as a department of the city government or independently in care of any of its governmental activities, the funds of which board, department, or commission are wholly or in part raised by taxation in such city, and each and all of the employes of such boards, departments, or commissions, the funds of which board, departments, or commissions are raised wholly or in part by taxation upon the property in such city, shall be entitled to all of the privileges conferred by this act to the same extent as persons employed directly by the municipality.

Sec. 4. **When effective.**—Any person who shall have been employed by a city to which this act applies, and who shall have fulfilled the conditions herein specified, shall be entitled to receive a retirement allowance therefrom, as set forth in the provisions of this act; provided, however, that the provisions of the act shall not apply to an employe in the exempt class, except on application of said employe, and with the consent of the retirement board, and provided further that no retirement allowance shall be paid any retired employe of such city prior to the expiration of the calendar year next succeeding the date this act becomes effective therein.

The minimum age for retirement on a service allowance, except as otherwise provided, shall be established by the retirement board, may be greater for men than for women, may differ for different classes or grades of employment, but shall not be less than 60 years for men and 58 years for women, nor greater than 65 years for men and 63 years for women. The ages so established shall not be subject to revision prior to the expiration of a five-year period from the establishment thereof. The ages that are first established shall be the minimum ages for retirement of employes who are then in the service and of future employes who enter the service prior to a revision thereof. Any revised schedule of ages shall be the ages for retirement of employes who enter the service subsequent to said revision and prior to a later revision.

Subject to the limitations stated in this act, any employe not in the exempt class who shall have attained the established age for retirement shall be entitled to retire, and any such employe who shall remain in the service of the city for five years thereafter, shall be retired, and receive a service allowance as specified in this act; provided, that if in not less than 90 days before the arrival of an employe at the age of compulsory retirement, the head of the department, branch or independent board of the municipality in which he or she is employed, certifies to the retirement board that by reason of his or her efficiency and his or her willingness to remain in the service of the municipality the continuance of such an employe therein would be advantageous to the public service, such employe may be retained for a term not exceeding two years upon certification by the retirement board, and at the end of the two years he or she may, by similar certification, be continued for one additional term not to exceed three years.

Sec. 5. **Classification of employes.**—Employes of the city shall be divided into a contributing class, a non-contributing class and an exempt class.

The contributing class shall consist of all employes not included in either of the other two classes, and shall be subdivided into present incumbents, employes in the service of the city at the date this act becomes effective therein, who elect to become contributors to and prospective beneficiaries of the fund created by this act, and future entrants, employes who enter the service of the city subsequent to the date this act becomes effective therein.

The con-contributing class shall consist of all employes, including common laborers, whose individual salaries, pay or compensations do not exceed $750.00 per annum.

The exempt class shall consist of:

(a) Employes who are members of, or who are eligible to become members of, an organization or association on behalf of which a tax is levied against the city for the purpose of

paying retirement allowances to disabled or superannuated employes.

(b) Persons filling elective positions.

(c) Persons serving without pay.

(d) Persons serving on executive boards.

(e) Non-resident employes.

(f) Pupil nurses, interns and staff physicians employed at the city hospitals.

(g) Employes in the service of the city at the time this act is adopted, who, after its adoption, have not given written notice of a desire to accept the provisions of this act.

(h) Persons not citizens of the United States.

The provisions of this act shall not apply to employes in the exempt class.

Sec. 6. **Retirement allowance for employes in the non-contributing class including common laborers.**—A retirement allowance, payable in equal monthly installments, shall be granted to any laborer or other employe in the non-contributing class who satisfies the conditions hereafter specified.

Such retirement allowance shall be the actuarial equivalent of the accumulated amount of monthly installments of $12.50 throughout the period of service of the retiring employe, accumulated to the date of retirement at four per cent compound interest; provided, that no such allowance shall exceed $500.00 per annum.

Upon receipt of proof of death of any common laborer or other employe in the non-contributing class who has fulfilled the minimum age and service requirements for retirement on an allowance, (a) who is employed by the city, or (b) who is temporarily separated from the service of the city, or (c) who has been retired on an allowance, there shall be paid to the heir or heirs of such employe or to such trustee or trustees as the retirement board may select, the sum of $150.00.

In order to be entitled to a retirement allowance, a common laborer or other employe in the non-contributing class shall be a resident of the city, shall have been employed thereby for a period which in the aggregate shall equal 20 or more periods of five or more months each in not to exceed an equal number of years, the last two of which shall have immediately preceded the date of retirement, and in addition thereto shall either (1) have attained the age of 55 years and have been declared by the medical board to be incapacitated for further service to the city or (2) shall have attained the age of 70 years.

(a) The retirement board may require any such beneficiary while still under the age of 70 years, to undergo a medical examination by the medical board once each year. Should the medical board report and certify to the retirement board that such beneficiary is no longer physically or mentally incapacitated for the performance of duty, such retirement allowance shall cease and the head of the department in which such beneficiary was employed at the time of his retirement shall, upon notification by the retirement board, re-employ said beneficiary.

(b) Should any such retired beneficiary, while under the age of 70 refuse to submit to at least one medical examination in any year by a physician or physicians designated by the medical board, his pension shall be discontinued until the withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to the retirement allowance shall be forfeited.

(c) Upon application of any such beneficiary under the age of 70, drawing a pension or a retirement allowance under the provisions of this act, approved by the retirement board, said beneficiary may be restored to active service by the head of the department in which said beneficiary was employed at the time of his retirement. Upon the restoration of a beneficiary to active service, his retirement allowance shall cease.

Sec. 7. **Retirement allowances for employes other than common laborers.**—(a) The retirement allowances for present incumbents in the contributing class who are over 50 years of age at the date this act becomes effective, entitled present incumbents, division "A," shall consist of the allowance provided for the appropriate group in the following schedule:

Class A shall include all employes to whom this act applies who shall have served the city for a total period of thirty years or more.

Class B shall include all employes to whom this act applies who shall have served the city for a total period of 25 years or more.

Class C shall include all employes to whom this act applies who shall have served the city for a total period of 20 years or more, but not less than 25 years.

The service allowance to a retired employe in class A shall equal 60% of such employe's average annual basic salary, pay or compensation from the said city for the 10 years next preceding the date on which he or she retired; provided, that in no case shall a pension in this class exceed $600.00 per annum for persons under 65 years of age, or $660.00 for persons over 65 years of age.

The service allowance to a retired employe in class B shall equal 50% of such employe's average annual basic salary, pay or compensation from the said city for the 10 years next preceding the date on which he or she retired; provided, that in no case shall a pension in this class exceed $500.00 per annum for persons under 65 years of age or $550.00 for persons over 65 years of age.

The service allowance to a retired employe in class C shall equal 40% of such employe's average annual basic salary, pay or compensation from the said city for the 10 years next preceding the date on which he or she retired; provided, that in no case shall a pension in this class exceed $400.00 per annum for persons under 65 years of age or $440.00 per persons over 65 years of age.

(b) The service allowances for present incumbents in the contributing class who are less than 50 years of age at the date this act becomes effective, entitled present incumbents, division "B," shall consist of an "annuity," a "pension" and a "supplementary allowance" as herein defined.

(c) The service allowances for future entrants in the contributing class shall consist of an "annuity" and a "pension" as herein defined.

(d) The annuity shall be the actuarial equivalent of the net accumulated contributions of the retiring employes, calculated at his or her age at the date of retirement.

(e) The pension shall be the actuarial equivalent of the accumulated amount of annual installments of $60.00 throughout the period of service of the retiring employe, not to exceed 25 years, accumulated to the date of retirement at 4% compound interest.

(f) The supplementary allowance shall be the actuarial equivalent of the net accumulated amount of the contributions which a retiring present incumbent, division "B" would have been required to make during the period of employment by the city prior to the date this act became effective therein, had this act been in effect throughout that period, accumulated at 4% compound interest to the date of retirement.

(g) Except as otherwise provided in this act, the amount of service of an employe shall be computed from the date of original appointment and shall include periods of service at different times and service for one or more departments, branches or independent boards of the municipality. It is further provided that in computing length of service of contributing employes for the purpose of this act, periods of separations from the service shall not be included.

(h) Retirement allowance as herein provided shall be paid monthly and checks shall be issued and mailed to the last known address of the beneficiary on the first Wednesday of the month succeeding the month in which the allowances become due; provided, however, that where a beneficiary is laboring under legal disabilities the allowances in such cases may be paid to the duly appointed guardian.

Sec. 8. **Disability allowances.**—Upon the application of the head of the department in which a contributing employe is employed, or upon the application of said contributing employe or of one acting in his behalf, the retirement board shall retire said contributor

for disability, provided the medical board, after a medical examination of said contributor made at the place of residence of said contributor or at a place mutually agreed upon, shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of further service to the city and that said contributor ought to be retired.

(a) Disability of an employe resulting from injury received in the performance of the duties of the city service shall be defined as accident disability. Disability incurred as a result of injury not connected with the performance of such service shall be defined as ordinary diability. In order to be entitled to a retirement allowance for ordinary disability an employe shall have rendered ten or more years of service to the city.

Both the ordinary disability allowance and the accident disability allowance for a present incumbent, division "A" shall equal 30% of such employe's average annual basic salary, pay or compensation from the city for the 10 years next preceding the date on which he or she retires; provided, that in no case shall a disability allowance in this class exceed $360.00 per annum.

The ordinary disability allowance to a retired present incumbent, division "B" and to any future entrant shall be the actuarial equivalent of the net amount to which the contributions already made by the employe and the credits allowed or contributions already made by the city on his or her behalf would accumulate if allowed to remain at 4% compound interest until the earliest permissable date for retirement on a service allowance.

The accident disability allowance to which a retired present incumbent, division "B," or a retired future entrant may be entitled shall equal the actuarial equivalent of the net amount which would be accumulated to the credit of the employe if his or her annual contributions at the time of disability and the annual credits or contributions of the city were continued to the earliest permissable date for retirement on a service allowance, interest for such period being calculated at 4% compound interest.

Any employe eligible to an accident disability allowance who may also be entitled to an allowance under a workmen's compensation act, may elect to accept the latter benefit in place of the former, or vice versa, but shall not be permitted to accept both. In case such an employe accepts the benefits provided under the workmen's compensation act he or she shall be entitled to a refund of his or her net accumulated contributions.

At the close of each fiscal year a charge shall be entered against the account of each contributing employe, which shall be one-half the premium or yearly cost of the risk on behalf of disability retirement.

(b) Once each year the retirement board may require any dis-

ability beneficiary while still under the established age for retirement to undergo medical examination by a physician or physicians designated by the retirement board, said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon. Should the medical board report and certify to the retirement board that such disability beneficiary is no longer physically or mentally in capacitated for the performance of duty, his or her allowance shall be discontinued and the head of the department in which said beneficiary was employed at the time of his retirement shall upon notification by the retirement board of such report of the medical board, re-employ said beneficiary at a rate of salary not less than the amount of his or her retirement allowance, but after the expiration of five years subsequent to the retirement of such beneficiary his restoration to duty, notwithstanding the recommendation of the medical board, shall be optional with the head of the department.

(c) Should any disability beneficiary while under the established age for retirement refuse to submit to at leat one medical examination in any year by a physician or physicians designated by the medical board, his or her allowance shall be discontinued until the withdrawal of such refusal, and should such refusal continue for one year, all his or her rights in and to any retirement or disability allowance constituted by this act shall be forfeited.

(d) Upon application of any beneficiary under the established age for retirement drawing a pension or a retirement allowance under the provisions of this act, approved by the retirement board, said beneficiary may be restored to active service by the head of the department in which said beneficiary was employed at the time of his retirement. Upon the restoration of a beneficiary to active service, his or her retirement allowance shall cease.

(e) The medical board shall consist of the city physician, a physician to be selected by the retirement board, and a physician to be selected by the employe.

Sec. 9. **Optional retirement allowances.**—At the time of his or her retirement any beneficiary may elect to receive his or her benefits in a retirement allowance payable throughout life or may on retirement elect to receive actuarial equivalent at that time of his or her annuity, pension or retirement allowance in a lesser annuity, or a lesser pension, or a lesser retirement allowance, payable throughout life, with the provision that:

Optional 1. If said beneficiary die before receiving in payments the present value of his or her annuity, pension, or retirement allowance, as it was at the time of his or her retirement, the balance shall be paid to his or her legal representatives or to such person, having an insurable interest in his or her life, as said beneficiary shall nominate by written designation duly acknowledged and filed with the retirement board at the time of retirement, or

Option II. Upon the death of the beneficiary, his or her annuity, pension, or retirement allowance, shall be continued throughout the life of and paid to such person, having an insurable interest in his or her life, as said beneficiary shall nominate by written designation duly acknowledged and filed with the retirement board at the time of retirement, or

Option III. Upon death of the beneficiary one-half of his or her annuity, pension, or retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his or her life, as said beneficiary shall nominate by written designation duly acknowledged and filed with the retirement board at the time of retirement, or

Option IV. Other benefit or benefits shall be paid the beneficiary or such other person or persons as said beneficiary shall nominate, provided such other benefit or benefits shall be certified by the executive secretary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board.

Sec. 10. **Refunds.**—(a) In case of an employe to whom this act applies who shall become absolutely separated from the service without being entitled to a retirement allowance the total net accumulated amount of deductions from his or her salary, pay or compensation, made for the purpose of accumulating a fund from which to pay retirement allowances, shall be returned to such employe with accrued interest.

(b) Upon the death of a contributor before retirement there shall be paid to his or her estate or to such person as he or she shall have nominated, the net accumulated salary deductions standing to his or her credit.

(c) Upon reinstatement of a former employe to the service, credit for such past service or for any part thereof shall be granted only upon repayment withing 90 days of such reinstatement of the amount of the separation refund, with interest from the time of separation; provided this provision shall not apply to service rendered prior to the date that this act becomes effective.

Sec. 11. **Contributions from employes.**—(a) Beginning on the first day of the year next succeeding that in which this act becomes effective in any city, and thereafter, throughout the period of employment, there shall be deducted and withheld from the basic salary, pay or compensation of each present incumbent in division "A," $2.00 per month; and from the basic salary, pay or compensation of each future entrant and of each present incumbent, division "B," the following percentage of salary, pay or compensation:

Employes who enter the service at 20 years of age or younger, 3% of salary, pay or compensation; employes who enter the service

at 45 years of age or older, 8% of salary, pay or compensation; employes who enter the service after the age of 20 and prior to age 45, a percentage of salary, pay or compensation, which shall be equal to 3%, plus as many times 2/10 of 1% as the age of the employe exceeds 20 at the time service begins.

Every employe to whom this act applies who shall continue in the service after the passage of this act, as well as every person to whom this act applies who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein, and payment with such deductions, for service, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment; except his or her claim to the benefits to which he or she may be entitled under the provisions of this act.

(b) No present incumbent, in division "A," shall be paid a retirement allowance until he or she has contributed to the retirement fund, in not more than 60 equal monthly instalments, an amount equal to $2.00 per month, with accumulated interest, for the period of service rendered by such employe prior to the date this act became effective in such city, but not to exceed 15 years. In the event that such employe be retired before he or she has paid into the retirement fund the above indicated amount, the instalments of the retirement allowance to which such employe would otherwise have been entitled shall be applied to the payment of such sums as are due and payable to the retirement fund, and such employe shall not receive any money as a retirement allowance under the provisions of this act until all sums due from said employe have been paid in full.

(c) No employe shall be required to contribute to the retirement fund for a period in excess of 30 years; all contributions made thereafter to said fund shall be voluntary.

(d) Subject to such terms and conditions and to such rules and regulations as the retirement board may adopt, any contributor, from time to time may:

(1) Increase or decrease his or her rate of contribution to the retirement fund, but in any event shall the contribution be less than the minimum contribution specified in the provisions of this act.

(2) Withdraw from his or her individual account in the retirement fund the amount in excess of the minimum accumulation resulting from the deductions specified in the provisions of this act.

(3) Withdraw, after having become eligible for service retirement, such part of his or her net accumulated contributions as shall be in excess of the amount necessary to procure the minimum annuity to which he or she would be entitled at the expiration of 30 years of service.

Sec. 12. **Individual record of credits required.**—The city comptroller or other person having supervision of the payment of salaries to employes shall cause the deductions to be withheld from all specific appropriations for the particular salaries or compensation from which the deductions are made from all allotments out of lump sum appropriations for payments of such salaries or compensation for each fiscal year; and a record of said sums shall be entered to the credit of the various employes from whose salaries deductions have been made. The amount of said deductions shall be deposited with the city treasury and credited to the retirement fund.

Salary deductions to the credit of an employe shall bear semi-annual interest, the rate therefor being the average rate of income from the invested portion of the retirement fund; provided, however, that interest shall not be calculated at a rate less than the average rate paid on savings deposits by the bank of the city.

At the end of each calendar year and throughout the first 300 months of actual employment there shall be entered to the credit of each employe from whose salary or compensation deductions are made, a credit of $60.00 per employe, the accumulated amount of which shall be charged to the municipality and payable by the municipality. It shall be the duty of the proper authorities to levy from time to time a sufficient sum in addition to all other sums to be levied by taxation to meet the liabilities against the municipality created thereby.

Sec. 13. **City treasurer to be custodian.**—The city treasurer shall be the custodian of the fund or funds created by this act.

For the purpose of meeting disbursements for retirement allowances and other payments in excess of the receipts, there may be kept an available fund, not exceeding ten per centum of the total amounts in the several funds created by this act on deposit in any bank in the city, organized under the laws of the state of Minnesota or under the laws of the United States, or with any trust company incorporated under any law of the state of Minnesota; provided said bank or trust company shall furnish adequate security for said funds; and provided that the sum so deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company.

Except as herein provided, no trustee or any person connected with the retirement board shall have any interest, direct or indirect, in the gains or profits of any investment made by the retirement board, nor, as such, directly or indirectly, receive any pay or emoluments for his or her services. No trustee or person connected with said retirement board, directly or indirectly, for himself or herself, or as an agent or partner of others, shall borrow any of its funds or deposits, or in any manner use the same, except to make such

current and necessary payments as are authorized by the board of trustees; nor shall any trustee or person connected with said retirement board become an endorser or surety or become in any manner an obligor, for moneys loaned or borrowed of said retirement board.

Sec. 14. **Financial responsibility of city.**—Interest as provided for in this act and the payment of all pensions, annuities, retirement allowances, refunds and death benefits granted by the retirement board under the provisions of this act are hereby made obligations of the city. All income, interest and dividends derived from deposits and investments authorized by this act shall be placed to the credit of the retirement fund.

Prior to August 31st of each successive year the retirement board shall prepare an itemized statement showing (1) the aggregate present worth of all retirement allowances and portions thereof chargeable against the city on behalf of employes who were retired during the twelve months ending with the last preceding month of June, (2) the net aggregate of the amounts credited to the employes and charged to the city during the preceding fiscal year, (3) the actuarial deficit or surplus for the preceding fiscal year and (4) an estimate of the administrative expense of the retirement board for the next succeeding fiscal year. This statement shall be submitted to the board of tax levy or other corresponding body, on or before the first day of the next succeeding month of September, together with such recommendations as the retirement board deem advisable. The said board of tax levy or other corresponding body, shall thereupon make an appropriation for the benefit of the retirement fund which shall be not less than the sum of the estimated administrative expense and the said net present worth of all retirement allowances and portions thereof chargeable against the city on behalf of employes who were granted allowances during the twelve months ending with the last preceding month of June, increased or decreased, as the case may be, by the actuarial deficit or surplus for the preceding fiscal year.

It shall be the duty of the city council or other chief governing body of such city, in addition to all other taxes levied by such city, to annually levy a tax for such purpose and such tax when levied shall be extended upon the county lists and collected and enforced in the same manner as other taxes levied by such city are extended, collected and enforced. The proceeds of such taxes shall be paid into the city treasury to the credit of the retirement fund, which shall constitute and remain a special fund and shall be used only for the payment of obligations created, pursuant to the provisions of this act.

The rate of interest to be used as a basis for calculations, except as otherwise specified, shall be the average rate of interest received

from the invested portion of the retirement fund, but not less than the average rate of interest paid by the banks of the city on savings deposits, calculated to the nearest one-fourth per cent.

Sec. 15. **Retirement board.**—A retirement board of five members is hereby constituted which shall consist of the following:

(a) Mayor.

(b) The city comptroller or corresponding official.

(c) The chairman of the ways and means committee of the city council or corresponding member of the chief governing body of the city.

(d) Two legally qualified voters of the city, residents thereof for the preceding five years, to be chosen by the employes of the city who are contributors to the retirement fund created by this act. Said employers are hereby authorized to form an association for that purpose. The person first selected shall be chosen to serve for one year from the first of the next succeeding January after his appointment, the second for two years from the first of the next succeeding January after his appointment, after the expiration of which times the respective successors in office shall be appointed to serve for a term of two years, and each shall continue to serve until his or her successor is duly elected. The first two representatives chosen in any city shall be chosen during the first week of June after this act becomes effective therein. Thereafter, such selection shall be made by the employes during the first week of December of each year. Vacancies occurring by death, resignation, or removal of such representative shall be filled by representatives chosen by the employes.

Sec. 16. **Board to be trustees of various funds.**—(a) The members of the retirement board shall be the trustees of the several funds created by the act, and shall have exclusive control and management of said funds, and shall have power to invest the same, subject, however, to all the terms, conditions, limitations, and restrictions imposed by law upon savings banks in the making and disposing of their investments; and subject to like terms, conditions, limitations, and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer, or dispose of any of the securities and investments in which any of the funds created by the act shall have been invested as well as of the proceeds of said investments, and of the money belonging to said funds, except that any reserve built up from the city's contributions shall be invested in bonds of that city in preference to other bonds paying an equal or a less rate of interest.

(b) All payments from the funds created by this act shall be made by the treasurer of the city only upon warrant signed by the president of the retirement board and countersigned by the execu-

tive secretary, and no warrant shall be drawn except by order of the retirement board duly entered in the records of its proceedings.

(c) The retirement board is hereby authorized and empowered in carrying out the provisions of this act to establish special funds supplementing individual contributions by the employes and to receive, invest and disburse for such purpose all moneys in the form of donations, gifts, legacies, bequests, or otherwise, which may be contributed by private individuals or corporations or organizations for the benefit of the city employes generally, or any special employe or class of employes of the city.

Sec. 17. **To serve without compensation.**—The members of the retirement board shall serve without compensation but shall be reimbursed for any necessary expenditures and no employe shall suffer loss of salary or wages through serving on the retirement board.

(b) Every member of the retirement board shall take a similar oath of office as taken by other employes of the city, and such oath shall be subscribed to by each member and filed with the city clerk of said city.

(c) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds and accounts created by this act.

(d) The retirement board shall publish annually a report showing the condition of the various funds created by this act, and setting forth such other facts, recommendations, and data as may be of use in the advancement of knowledge concerning employes, pensions, and annuities; and said retirement board shall submit said report to the mayor of the city and shall file at least one copy thereof with each board or department for the use of its members.

(e) The retirement board shall prepare and keep all needful tables, records, and accounts required for carrying out the provisions of this act, including data showing the mortality and disability experience of the officers and employes of the service and the date of withdrawal from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of officers and employes.

(f) Mortality tables shall be adopted as a basis of calculation for retirement allowances, which tables may be modified from time to time. Pending the action of the retirement board, McClintock's tables shall constitute the basis for all calculations.

(g) The retirement board shall perform such other functions as are required for the execution of the provisions of this act.

(h) For the purposes of this act, the retirement board shall possess the powers and privileges of a corporation, and as such may sue and be sued, and shall have the right to issue subpoenas and to compel the attendance of witnesses.

Sec. 18. **Meetings of board.**—(a) The retirement board shall meet on the second Tuesday of each calendar month of each year, and may adjourn from time to time. Special meetings may be held upon the call of the president. At the first regular meeting, which shall be held on the first Tuesday of July following the date this act becomes effective in any city, or as soon thereafter as practicable the retirement board shall appoint an executive secretary who shall have charge of the performance of the duties required by the provisions of this act, and shall appoint other necessary clerical help.

(b) The executive secretary and all other employes under the supervision of the retirement board shall possess all the rights and privileges and be subject to all the obligations and restrictions of other employes of the city. The compensation of all employes of the retirement board shall be fixed by said board.

(c) At the regular meeting in January of each year, the board shall elect one of its members as president, one member as vice-president, and one member as recording secretary, who shall hold office for one year or until successors have been elected and qualified. The president shall preside at all meetings at which he is president. In the absence of the president the vice-president shall preside and shall have all the powers of the president while acting as such. The recording secretary shall keep a record of all proceedings of such board, which shall be open to public inspection. At least one of the officers of said board shall be one of the representatives elected by the employes of said city to said board.

(d) Subject to the limitations of this act and of the law of the state, the retirement board shall from time to time establish rules and regulations for the administration of the fund or funds created by this act and for the transaction of its business. Roberts rules of order shall be the rules of order of the retirement board except as otherwise specifically adopted.

(e) For the purpose of administration, except as otherwise herein provided, the executive secretary, under the direction of the retirement board, shall be, and is hereby authorized and directed to perform or cause to be performed any and all acts and to make such regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Sec. 19. **Membership in independent retirement fund and relief associations.**—In the event that the members of any retirement fund organization or relief association, on behalf of which a tax is levied against the city, surrender its charter or other legal right to demand the levy of such tax and cease to receive further contributions from either employes or from the city, then and in that case the trustees of such organization or association or other legally constituted representatives thereof shall transfer the total assets of

such organization or association to the retirement fund constituted by this act and the city shall thereupon assume and become responsible for the cost of the retirement allowance previously granted by such association or organization. Employes who were members of such organization or association or who were eligible to become members thereof shall thereupon automatically become subject to all the terms imposed by this act on contributing employes, except as hereinafter provided.

Any contributor to the retirement fund who theretofore has been a member of and a contributor to any such retirement fund organization or relief association who claims credit for service during the time of such membership, shall be required to pay into the retirement fund an amount equal to the difference between the accumulated amount that would have been contributed under the provisions of this act and the accumulated cost of membership in said organization or association, not including permissable refunds.

At the time of retirement of an employe on an allowance, any such employe shall be entitled to receive an allowance, in addition to other allowances, which shall be the actuarial equivalent of the net cost of such former membership.

On and after the passage of this act no employe of any city to which this act thereafter applies shall be required to become a member of any retirement fund or relief association or to contribute to any fund established for such purpose except a fund established pursuant to the terms of this act.

Sec. 20. **Retiring employes to apply for allowances.**—No disability or service allowance shall be granted to any employe who may become eligible for retirement as provided in this act until the said employe, or one authorized to act in his behalf, shall have filed with the retirement board, insuch form as may be prescribed by said board, an application for such allowance; no instalment or instalments of any such allowance shall be paid for any period prior to the filing or said application and no instalment or instalments of a service allowance shall be paid for any period prior to the expiration of a period of 60 days subsequent to the filing of such application.

Upon receipt of satisfactory evidence the retirement board shall forthwith adjudicate the claim of the applicant, and, if title to the allowance be established, a proper certificate shall be issued to the retiring employe and such certificate shall become evidence of the right of the retiring employe to the allowance as herein provided.

Sec. 21. **General statutory provisions.**—None of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, attachment, garnishment or other legal process.

Sec. 22. **Subject to supervision of state department of insurance.**—On and after the passage of this act all organizations in any city in the state to which this act applies, existing for the purpose of paying retirement allowances or other benefits to civil employes of such city, and all funds from which such allowances are to be paid shall be subject to the supervision of the state department of insurance.

Section 23. **System to be ratified by voters.**—No such pension system shall be effective until it shall have been ratified by a majority of the votes of the electors of the city cast upon the question at a general or special election. The pension system shall provide for such submission.

Approved April 25, 1919.

CHAPTER 523—H. F. No. 943.

An act to amend Section 1 of Chapter 24, Laws 1907, and Section 8 of Chapter 24, Laws 1907, as amended by Chapter 318, Laws 1913, said Chapter 24, Laws 1907, being entitled, an act creating a fund and providing for the disbursement thereof, for pensions and relief by firemen's relief associations, in cities having a population of more than fifty thousand inhabitants.

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

Section 1. **Service in army to be added to police service for pension purposes.**—That section 1 of chapter 24, Laws 1907, be and the same is hereby amended so as to read as follows:

Section 1. Every firemen's relief association, now or hereafter organized in any city in this state having a paid fire Department and now or hereafter having a population of more than fifty thousand (50,000) inhabitants which is now incorporated, or which may hereafter be incorporated under chapter 58, Revised Laws of Minnesota 1905, may pay out from any funds it may have heretofore received, or which it may hereafter receive, from the state of Minnesota, or any other source, pensions and relief money to any of its sick and disabled members, or for service pensions as hereinafter provided, in such amounts, and in such a manner, as its articles of incorporation and by-laws shall designate, not exceeding, however, the sum of $40.00 per month to any of its pensioned members; provided, however, that any one who has served or is serving, on a paid municipal fire department, shall be placed on the service pension roll, upon his making application for the same, when he has complied with the following conditions: He shall have done active duty for a period of 20 years or more; he shall have arrived at the age of 50 years or more; he shall have been, or shall be, entitled to be retired from the service on the fire department; and, provided further, that no service pension shall be paid to any person while he remains a member of the fire department. *Where any mem-*

ber of any such fire department shall, subsequent to his entry into the service of such fire department, having served in the army, navy or marine reserves or marine corps of the United States or members of the United States army and navy reserves in the world war of 1917 and 1918 and has returned, after his honorable discharge therefrom, to the said fire department, the period that he was in the service of the army, navy or marine corps of the United States shall not be deducted from the period of active duty hereinbefore provided for, but shall be considered as a part and portion of his active duty in such fire department. No such pension shall be paid to any person while he remains a member of the fire department, and no person receiving such pension shall be entitled to other relief from such association. No payments made or to be made by said association to any member of the pension roll shall be subject to judgment, garnishment or execution, or other legal process, and no person entitled to such payment shall have the right to assign the same nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 2. **Special fund for certain payments.**—That section 8 of chapter 24, Laws 1907, as amended by chapter 318, Laws 1913, be and the same hereby is amended so as to read as follows:

Section 8. The amount so paid to any city under the provisions of this act shall be by it set aside as a special fund and may be appropriated and disbursed in the same manner that other funds belonging to such city are appropriated or disbursed but only for the following purpose, viz.:

First—For the relief of sick, injured, and disabled members of any fire department in such city, and their widows and orphans.

Second—For the payment of pensions pursuant to the provisions of section 1 and 2 of this act.

Provided, that in case there exists, or shall exist a fire department relief association, duly organized or incorporated in any such city as aforesaid, shall be paid to the treasurer of such relief association instead of to the treasurer of such city.

But the secretary and treasurer of every such relief association shall prepare annually a report of all receipts and expenditures of such association for the previous year, showing for what purpose the money was paid and expended, and to whom, which report shall be filed in the office of the city clerk of the city in which such association is situated, and a duplicate of such report shall also be filed with the state auditor before any money shall be paid to any such relief association. The money paid to such relief association shall be expended only for the pensioning and relief of sick, injured, disabled and retired members of any fire department in such city, and their widows and orphans, as authorized and permitted by this act.

For the purpose of this act no substitute fireman, or anyone serving on probation, or any fireman in a city having a relief association in its fire department who is not a member of such association, shall be deemed to be a fireman within the meaning of this act.

The term widow shall mean a woman who was the wife of the fireman or pensioner during the time he was an active fireman; provided, that she was married to him three or more years prior to the time when such fireman becomes, or would have become, if he had lived, eligible to receive a service pension.

The term widow shall not include the surviving wife who has deserted a fireman or pensioner, or who has not been dependent upon him for support, nor shall it include the surviving common law wife of such fireman or pensioner.

The treasurer of every such relief association, before entering upon the duties of his office, shall give a good and sufficient bond to said relief association conditioned for the faithful discharge of the duties of his office, and for the safe keeping and paying over, according to laws, of all moneys which come into his hands as such treasurer.

Provided, further, that no such moneys shall be paid to any such relief association hereafter organized, unless such organization is made with the consent of the council of the city to which such organization belongs.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 25, 1919.

CHAPTER 524—H. F. No. 997.

An act authorizing and empowering cities of Minnesota of over 50,000 inhabitants and not governed under a home rule charter to establish, construct, equip, maintain and operate public comfort and toilet stations in such city and to acquire by purchase, lease of condemnation lands, sites and buildings necessary therefor and to make rules and regulations relative thereto and provide penalties for violations of such rules and regulations.

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

Section 1. **Minneapolis authorized to maintain public comfort stations and issue $50,000 bonds for the same.**—Each city of this state now or hereafter having a population of over fifty thousand inhabitants and not governed under a charter adopted pursuant to section 36, article 4 of the state constitution, in addition to all other powers now possessed by the city, is here-

by authorized and empowered to establish, construct, equip, maintain and operate public comfort and toilet stations in the city and acquire lands, sites and buildings therefor, by purchase, lease or condemnation, as it may deem best in each particular case; and each such city is hereby further authorized and empowered, acting by and through its city council or other chief governing body of the city, by ordinance or resolution duly passed by a majority vote of the members elect of the city council or other chief governing body of the city, to issue and sell bonds of the city to an amount not exceeding fifty thousand dollars in par value and so use the proceeds thereof for the purpose of defraying the cost and expense of establishing, constructing, equipping, maintaining and operating public comfort and toilet stations in such city, and for acquiring lands, sites and buildings for such stations.

Sec. 2. **Bonds to be issued regardless of present indebtedness.**—The bonds authorized by section 1 of this act or any portion thereof may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or in any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, and the full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued by it under this act and for the payment of the accruing interest thereon, and the city council or other chief governing body of the city shall each year include in the tax levy a sufficient amount for the payment of such interest as it accrues and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. **30 years, 5%, and form of bond.**—No bonds shall be issued by any such city for the purposes hereinbefore mentioned to run for a longer term than thirty years from the date thereof or bearing a higher rate of interest than 5 per cent per annum. The place of payment of the principal and interest of such bonds and the denominations in which the same shall be issued shall be such as may be determined by the city council or other chief governing body of the city. All said bonds shall be signed by the mayor, attested by the city clerk and countersigned by the city comptroller of the city issuing the same and shall be sealed with the seal of such city, except that the signatures of such officers to the coupons attached to such bonds, if any, may be lithographed thereon. None of said bonds shall be sold for less than 95 per cent of their par value and accrued interest and then only to the highest responsible bidders therefor.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 25, 1919.

CHAPTER 525—H. F. No. 1059.

An act to provide for the erection of armories in cities and villages for use jointly by military organizations quartered in such cities and villages and by the citizens of such cities or villages.

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

Section. 1. **Joint action for construction of armory.**—Whenever a company or battery of the national guard shall be located in a city or village wherein no suitable armory has been provided for its use, an armory may be constructed for use jointly by such company or battery and by the citizens of such community. The mayor or president of the council of such city or village and the commanding officer of the regiment or corps to which such company or battery is attached shall constitute a joint armory commission, with power to purchase, erect or rent a suitable site or building for such armory and to furnish and keep the same in repair.

Sec. 2. **Aid to armory commission.**—Whenever such joint armory commission shall have deposited with the state treasurer at least $1,000 as evidence of good faith and shall have caused to be conveyed to the state of Minnesota by warranty deed, free of encumbrances, the title to the site for an armory, which site shall have been first approved by the board of armory supervisors, such joint armory commission shall be entitled to receive the same amount of state aid as is prescribed by law for other armories, which state aid shall be paid to such joint armory commission in the manner prescribed by and under the provisions of chapter 302, General Laws Minnesota 1911, and acts amendatory thereof and supplemental thereto, which acts are hereby, except insofar as inconsistent herewith, extended and made applicable hereto. The money so paid to the joint armory commission, together with said deposit, shall be used for the purpose of building, erecting and keeping an armory.

Sec. 3. **Commanding officer to have charge.**—The board of armory supervisors shall designate the place needed for drill hall, office, locker rooms, storage and rifle range, and the immediate control of the portions of the armory so designated shall be vested in the commanding officer of the organization quartered therein, and such portion of such armory shall be subject to the laws of this state relating to armories. The control of the other portions of such armory shall be vested in the municipal authorities.

Sec. 4. **Control of buildings.**—The general control of the building as a whole shall be vested in a committee consisting of two persons, one appointed by the military organization in control of a portion of the armory and the other appointed by