

(2) That such person is not committed or detained by virtue of any process, judgment, decree, or execution, as hereinbefore specified;

(3) The cause or pretense of such confinement or restraint, according to the knowledge or belief of the party verifying the petition;

(4) If the confinement or restraint be by virtue of any warrant, order, or process, a copy thereof shall be annexed to such petition and there shall also be attached to such petition copies of all papers which are attached to or accompany such warrant, order, or process, including in those cases where such confinement results from conviction of a crime and sentence therefor a transcript of the proceedings taken and had at the time of arraignment and sentence in the court which imposed the sentence, or it shall be averred that, by reason of such prisoner being removed or concealed before application, a demand of such copy could not be made, or that such demand was made, and the legal fees therefor tendered to the officer or person having such prisoner in his custody, and that such copy was refused;

(5) If the imprisonment is alleged to be illegal, the petition shall state in what the illegality consists;

(6) *If the imprisonment which is claimed to be illegal is pursuant to a district court judgment or sentence, the judge before whom such petition is pending may in his discretion examine the official files and records of the court issuing the warrant of commitment, including any official transcript of the proceedings taken and had at the time of the arraignment and sentence, and any such official records or transcript shall be deemed properly before the court when determining the sufficiency of the petition or the propriety of issuing such writ of habeas corpus.*

Approved April 20, 1961.

CHAPTER 614—H. F. No. 1099

[Not Coded]

An act relating to the public employees retirement association; providing retirement benefits for certain eligible members who obtained refunds through error.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

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

Section 1. **Public employees retirement; benefit.** Notwithstanding any provision in Minnesota Statutes 1957, Chapter 353, and any act amendatory thereof to the contrary, a member of the Public Employees Retirement Association, eligible for retirement benefits, who retired from public service on or before June 7, 1959, and who applied for a refund of contributions in error on or before October 1, 1959, in lieu of applying for retirement benefits, may nonetheless apply for and receive retirement benefits as provided by law, providing the refund of contributions is repaid to the Public Employees Retirement Fund, together with interest on the amount thereof at 4 percent per annum, compounded annually. Such retirement benefits shall begin on the first day of the month following such repayment to the fund.

Approved April 20, 1961.

CHAPTER 615—H. F. No. 1101

[Not Coded]

An act authorizing independent school district No. 694, state of Minnesota, located at Buhl, to issue bonds for betterment of its buildings and for certain changes therein, and to levy taxes for payment thereof in excess of existing limitations.

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

Section 1. **Independent school district No. 694, building bonds.** Independent School District No. 694, state of Minnesota, located at Buhl, may issue and sell in accordance with Minnesota Statutes 1957, Chapter 475, its general obligation bonds prior to January 1, 1963, in an aggregate principal amount not exceeding \$40,000 and use the proceeds thereof for betterment of its buildings and to pay the cost of changes made in its buildings to comply with the requirements of state agencies. Taxes levied for payment of principal of and interest on the bonds shall not be subject to any limitation as to rate or amount nor shall they be included in computing any limitation on any other taxes of the school district. The authority granted by this act shall be in addition to and not a limitation upon any other power of the district with respect to issuance and payment of bonds.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.