

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

Approved April 19, 1921.

CHAPTER 368—S. F. No. 429.

An act relating to the safety of highway bridges over railroads and providing for the condemnation and reconstruction of such existing bridges as may be deemed unsafe.

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

Section 1. Commissioner of highways may condemn bridges—Hearing.—Upon the complaint of the commissioner of highways as to trunk highways, the county board of any county as to state aid and county roads, the town board of any town as to town roads, filed with the railroad and warehouse commission, that any highway bridge over any railroad is unsafe for the accommodation of the travel thereon on account of the strength or width thereof, the width, manner of construction or grade of the approaches thereto, the clearance thereof above the rails or for any other cause, the commission shall forthwith proceed to investigate the matters contained in the complaint, giving the complainant and railroad company an opportunity to be heard, at a time and place to be fixed by the commission, after such notice as the commission may deem reasonable. Upon such hearing, or any appeal from the order of the commission made thereon, a certified copy of any order of the commissioner of highways or resolution of the county board or town board, as the case may be, condemning such bridge on account of its noncompliance with the provisions of any existing law relating to the construction of bridges on highways, shall be deemed prima facie evidence of the facts therein recited, and that such bridge is unsafe for travel.

Sec. 2. May order bridges reconstructed.—Upon such hearing the commission shall decide the matters set forth in the complaint, and make a report in writing thereof, including the findings of fact. If it finds the facts set forth in the complaint to be true, it shall make its order directing the railroad company within a time set forth therein to reconstruct or repair such bridge in such manner as the commission may direct.

Sec. 3. Appeal.—Any railroad company, or the commissioner of highways, or the county or town making the complaint, may appeal from an order of the commission to the district court of the county in which such bridge is located, and in case of such appeal, the same proceedings shall be had as is now provided by law for an appeal from orders of the commission, except as herein otherwise provided.

Sec. 4. Failure to comply—Penalty.—Any railroad company

failing to comply with any order of the commission shall be liable to a penalty of \$50.00 for each and every day of such non-compliance, to be collected by the attorney general for the trunk highway fund in the case of a bridge on a trunk highway, and by the county attorney for the county road and bridge fund in the case of a bridge on a county or town road.

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

Approved April 19, 1921.

CHAPTER 369—S. F. No. 506.

An act relating to the appointment of women as special deputy sheriffs and bailiffs in certain cases, prescribing their qualifications and duties and fixing their compensation.

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

Section 1. Women may be appointed deputy sheriffs.—The presiding judge of any district court at any time before the return of a verdict by a petit jury composed of both men and women, serving upon a case pending therein, by order issued to the sheriff and entered upon the minutes of the court, may direct the sheriff to appoint a female legal voter of the county as special deputy sheriff or bailiff to serve until the discharge of such jury from further service upon the pending case. The appointment shall forthwith be made and entered upon the minutes of the court and before entering upon the performance of her duties, the person so appointed shall take and subscribe the oath by law required of deputy sheriffs and file the same with the clerk.

Sec. 2. To have charge of juries when.—Upon taking the oath by law required by officers in charge of petit juries the person so appointed may be directed by the court to have charge of such jury conjointly with the male deputy sheriff or bailiff performing such duty. Female special deputy sheriffs and bailiffs so appointed shall in all things perform the duties and be subject to the penalties by law prescribed for other officers having charge of petit juries.

Sec. 3. Compensation.—Each such deputy shall receive as compensation three dollars per day while in attendance upon the court in charge of such jury.

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

Approved April 19, 1921.

CHAPTER 370—S. F. No. 652.

An act to amend Section 9105, General Statutes, 1913, relating to service as jurors.