

## CHAPTER 454—H. F. No. 804.

*An act to limit the power of borough, cities or villages to impose wheelage taxes.*

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

Section 1. **Cities may impose wheelage tax—Limit.**—Any borough, city or village may impose a wheelage tax upon motor-vehicles using the public street or highways, provided that:

Subd. 1. No wheelage tax imposed by any borough, city or village shall exceed a sum equal to twenty per cent tax imposed by the state in lieu of all other taxes, except such wheelage tax, upon motor-vehicles using the public streets or highways.

Subd. 2. No borough, city or village shall impose a wheelage tax upon the vehicle of any person not a resident of such borough, city or village, unless such vehicle shall be used principally upon the streets or highways of such borough, city or village.

Subd. 3. No such wheelage tax shall be imposed upon any vehicle used upon the public streets or highways solely for the purpose of selling or peddling the products of the farm or garden occupied and cultivated by the owners of such vehicles.

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

Approved April 23, 1921.

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CHAPTER 455—H. F. No. 809.

*An act relating to habitual offenders and providing punishment for the third offense committed by such offenders.*

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

Section 1. **Habitual offenders defined—Penalties.**—Every person who shall hereafter be guilty of being a vagrant or of unlawfully selling, giving to another or using any drug or narcotic, or of any unlawful, lewd or lascivious behavior or public indecency, or of any criminal offense against women or children as defined in Section 8666 or 8667 of the General Statutes for 1913, or of any misdemeanor or gross misdemeanor involving moral turpitude, who within the previous period of five years shall have been twice convicted in this state of one or more of the offenses hereinbefore named shall be guilty of being a habitual offender and shall be punished for such third offense, if a woman by imprisonment in the State Reformatory for Women, and if a man between the ages of eighteen and thirty years by imprisonment in the State Reformatory at St. Cloud, and if a man above the age of thirty years by imprisonment

in the State Prison at Stillwater, for a term not exceeding three years.

**Sec. 2. Certified copy of record to be prima facie evidence.**—A duly certified copy of the record of a conviction and judgment of any court in this state against the person indicted or complained of shall be prima facie evidence of such former conviction, and may be used in evidence against such person.

**Sec. 3. Prisoners subject to parole.**—Any person so committed to the State Reformatory for Women or the State Reformatory at St. Cloud, or the State Prison at Stillwater, shall be subject, except as herein otherwise provided, to parole and discharge by the State Board of Parole as in the case of other persons subject to parole and discharge by said Board.

**Sec. 4. Not to be paroled nor discharged until examined.**—No person convicted hereunder shall be paroled or discharged until he shall have been first examined by a licensed physician, and if it appears that such person has a venereal or other infectious disease, the board of parole in granting a parole or discharge, shall include in the conditions of said parole or discharge, a condition requiring suitable medical treatment of such person by a duly licensed physician under a supervision of the State Board of Health.

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

Approved April 23, 1921.

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#### CHAPTER 456—H. F. No. 855.

*An act legalizing contracts entered into, certificates of indebtedness issued and proceedings had and taken by a city of the fourth class operating under a home rule charter under and pursuant to the provisions of Chapter 65, Laws 1919.*

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

**Section 1. Certain contracts legalized.**—In all cases where a city of the fourth class operating under a home rule charter availed itself of the benefits of chapter 65, Laws 1919, by appropriate ordinance duly passed by the governing body thereof and having entered into contracts for the improvements authorized to be made by that statute and issued certificates of indebtedness to cover the cost of such improvements as therein provided, such contracts, certificates of indebtedness and all proceedings had and taken in connection therewith are legalized and made valid. But this act shall not apply in the case of contracts, certificates of indebtedness or proceedings, the validity of which has been called in question in an action now pending.