

heat, power and water to enable the said State to conduct its said experimental station, and

WHEREAS the said University Experimental Station has outlived its usefulness, and

WHEREAS the said Albert Lea Dairy Association is desirous that said property be re-conveyed to it,

NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Governor and State Auditor to convey certain lands.—The Governor and the State Auditor are hereby authorized and directed to convey on behalf of and in the name of the State of Minnesota to the Albert Lea Dairy Association, a corporation under the laws of the State of Minnesota, all that tract or parcel of land, lying and being in the County of Freeborn and State of Minnesota, described as follows, to-wit:

Beginning at a point 32 rods and 10 feet north of the center of Section 9, Township 102 north, of range 21 West of the Fifth Principal Meridian, thence north (variation seven degrees twenty-five minutes east) 7 rods and 13 feet, thence north 52 degrees 24 minutes west 11 rods, thence north 82 degrees 34 minutes west 1 rod, 14½ feet, thence south along public highway 27 degrees 6 minutes west, 16 rods and 8 feet, thence north 89 degrees 45 minutes east 18 rods 5½ feet to place of beginning and containing about 1.02 acres of land in SE¼ of NW¼ of Section 9, Township 102 North of Range 21 West.

Also the following described goods, chattels and personal property, to-wit: All personal property upon said premises, not used by the State of Minnesota in connection with the experimental creamery station.

Sec. 2. Liability of state terminated.—That each and every liability of the state, so far as the foregoing described real and personal property is concerned, definitely terminates upon the execution and delivery of the instruments referred to herein.

Approved April 10, 1933.

CHAPTER 203—H. F. No. 1269

An act to amend Laws of 1921, Chapter 462, Sections 8, 10, 15, 20, 21, 22, and 39 relating to the incorporation, organization, and government of cities of ten thousand inhabitants or less.

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

Section 1. **Law amended.**—Laws of 1921, Chapter 462, relating to the incorporation, organization, and government of cities of ten thousand inhabitants or less, is hereby amended at Sections 8, 10, 15, 20, 21, 22, and 39 to read as follows:

"Section 8. **Elective officers.**—The elective officers of each city shall be Mayor, Treasurer, Recorder, and one Justice of the Peace, who shall be styled City Justice, all of whom shall be qualified voters of the city and two aldermen in each ward who shall be qualified voters therein. All officers for said city shall be appointed by the Common Council unless otherwise provided and all said officers shall hold their offices for two years and until their successors are elected and qualified.

"Section 10. **Vacancies.**—Whenever a vacancy shall occur in the office of Alderman by death or removal or resignation or otherwise, the common council shall have power and it shall be their duty to declare the office vacant by resolution entered upon their minutes. Such vacancy shall be filled by a new election, *held only in the ward which has been deprived of representation on the council by the creation of such vacancy*, which shall be ordered by the common council within 10 days after said vacancy is declared, and held within 20 days after such declaration, and reasonable notice of such election shall be given. Any vacancy *occurring in any other office* shall be filled by a *resolution of the common council adopted by a majority vote of the remaining members of the council within 15 days after such vacancy occurs* unless otherwise provided for. A person elected or appointed to fill a vacancy shall hold his office and discharge the duties thereof, for the unexpired term and with the same rights and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

"Section 15. **Special election.**—Special elections for any purpose shall be held and conducted in the same manner and the returns thereof made in the same form and manner as in general and biennial elections and within such time as may be prescribed by resolution of the common council.

"Section 20. **Duties of Mayor.**—The mayor shall *preside at all council meetings at which he is present and shall have an equal vote with other members of the council on any matter coming before that body. He shall have no veto power.*

"*He shall take care that the laws of the state and the ordinances of the city are duly observed and enforced, and that all other executive officers of the city discharge their respective duties. He*

shall from time to time give the common council such information and recommend such measures as he may deem advantageous to the city. The mayor shall be the chief executive officer and head of the police of the city, and shall appoint such police officers and watchmen, except when otherwise provided for.

"And in case of a riot or other disturbances, he may appoint as many special or temporary constables as he may deem necessary; and any police officer or watchman, appointed by the mayor as aforesaid, may be discharged from office by him whenever in his opinion the welfare of the city may demand it, or a reduction of their number renders it necessary.

"Section 21. **Same—ordinances.**—All ordinances and resolutions shall, before they take effect, *and after receiving a required majority vote in the council*, be presented to the mayor, and he shall sign the same. *Unless a special meeting is called to reconsider any such ordinance or resolution as provided in this chapter, it shall be the duty of the mayor to return the said ordinance or resolution to the city recorder with his signature within ten days after the meeting at which the same was adopted by the council. The city recorder shall sign, attest and duly file and preserve ordinances or resolutions when the same are returned to him.*

"Section 22. **Meetings of council—organization.**—The common council shall biennially on the first Tuesday after the first Monday in January next succeeding the city election, organize and at the time of its organization, proceed to elect from their number a Vice-president for the ensuing two years and such other officers as may be necessary for the transaction of their business, except assessor, who shall be elected annually in the month of March. Such elections shall be by ballot and the affirmative vote of the majority of all the members elected shall be necessary to elect. The Mayor shall preside over the meetings of the common council and during *his* absence from the city or his inability from any cause to discharge the duties of his office, the said *vice*-president shall exercise all the powers and discharge all the duties of the mayor. The *acts of the vice*-president of the common council, while performing the duties of mayor as aforesaid, shall have the same force and validity as if performed by the mayor. The mayor and vice-president of the common council shall have the right to administer oaths and affirmations.

"Section 39. **Common council.**—The *mayor and aldermen* shall constitute the common council, and the style of all ordinances, shall be, "The common council of the city of do ordain" &c. The common council shall meet at such time and

place as they by resolution may direct. A majority of the *council* shall constitute a quorum."

Sec. 2. **Inconsistent acts repealed.**—All Acts or parts of Acts inconsistent herewith are hereby repealed.

Sec. 3. **Present terms of office extended.**—This Act shall take effect and be in force from and after its passage, but the present incumbents in all offices shall remain in office and continue to exercise the regular duties of said offices as heretofore provided until the expiration of their present terms of office, and thereafter no successor to the president of the council shall be elected.

Approved April 10, 1933.

CHAPTER 204—H. F. No. 1289

An act to amend Mason's Minnesota Statutes of 1927, Section 8641, as amended by General Laws 1931, Chapter 82 and Chapter 250 and Mason's Minnesota Statutes of 1927, Sections 8644, 8660 and 8671, relating to dependent, neglected and delinquent children.

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

Section 1. **Probate court as juvenile court—record—appeal.**—That Mason's Minnesota Statutes of 1927, Section 8641, as amended by General Laws 1931, Chapter 82 and Chapter 250, and Mason's Minnesota Statutes of 1927, Sections 8644, 8660 and 8671, be and the same hereby are amended so as to read as follows:

"8641. In counties of not more than 40,000 population and in all counties in the 7th Judicial District, the judge of probate shall provide himself with a suitable book, at the expense of the county, in which he shall enter minutes of all proceedings of the court in each case; he need not record any evidence taken except as it shall seem to him proper and necessary and he shall record therein all orders, decrees and judgments made by this court except non-appealable orders. The reasons for appointing a guardian shall be entered therein and any parent or the attorney for any child may appeal from the final disposition of the guardianship matter by complying with the law regulating appeals from probate courts. When acting under the provisions of this Act the probate court may for convenience be called the juvenile court of the appropriate county.

8644. The court shall have authority to appoint one or more persons of good character to serve as probation officers during