

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 of time which in the aggregate shall equal 20 or more periods of five months each, the last season 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 this 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. 2. That this act shall take effect and be in force from and after its passage.

Approved March 2, 1937.

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#### CHAPTER 54—H. F. No. 235

*An act to amend Special Session Laws 1935, Chapter 79, Section 1, an act fixing the salary and compensation of the judge of probate and the clerk of probate court in all counties now or hereafter containing not less than 19, and not more than 21, whole or fractional*

*organized townships, and which counties now have or hereafter may have a population of not less than 34,000, and not more than 45,000, inhabitants, and having an assessed valuation, including money and credits of not less than \$28,000,000, and not more than \$45,000,000, and repealing inconsistent acts.*

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

**Section 1. Salary of probate court officers in certain counties.**

—That Special Session Laws, 1935, Chapter 79, Section 1 be and the same is hereby amended so as to read as follows :

**Section 1. Salary of probate court officers in certain counties.**

—In all counties in this state now or hereafter containing not less than 19, and not more than 21, whole or fractional organized townships, and which counties now have or may hereafter have a population of not less than 34,000, and not more than 45,000 inhabitants, according to the last federal or state census, and having an assessed valuation, including money and credits, of not less than \$28,000,000, and not more than \$45,000,000, the salary and compensation of the judge of probate and clerk of the probate court shall be as herein-after provided by this act.

**Sec. 2. Salary of judge of probate and clerk of probate court in certain counties.**—The salary of the judge of probate of any such county shall be \$3,000 per annum, and the salary of the clerk of the probate court in any such county shall be not less than \$1,200, nor more than \$1,500, per annum, which said salaries shall be paid in equal monthly installments out of the county treasury of such county, upon warrants of the county auditor.

**Sec. 3. Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved March 2, 1937.

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CHAPTER 55—H. F. No. 221

*An act to amend Mason's Minnesota Statutes of 1927, Section 3821, relating to the manufacture and sale of butter.*

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