

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

Approved March 17, 1939.

CHAPTER 64—S. F. No. 388

An act to make uniform the law on fresh pursuit and authorizing this state to co-operate with other states therein.

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

Section 1. **Uniform law on fresh pursuit.**—Any member of a duly organized state, county or municipal peace unit of another state of the United States who enters this state in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a felony in such other state, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized state, county or municipal peace unit of this state, to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this state, provided, however, the rights extended by this section shall be extended only to those states granting these same rights to peace officers of this state who may be in fresh pursuit of suspected criminals in such reciprocating states.

Sec. 2. **Arrest—Hearing.**—If any arrest is made in this state by an officer of another state in accordance with the provisions of Section 1 of this act he shall without unnecessary delay take the person arrested before a magistrate of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the Governor of this state, or admit him to bail for such purpose. If the magistrate determines that the arrest was unlawful he shall discharge the person arrested.

Sec. 3. **Construction of act.**—Section 1 of this act shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.

Sec. 4. **State shall include District of Columbia.**—For the

purpose of this act the word "State" shall include the District of Columbia.

Sec. 5. Definition.—The term "fresh pursuit" as used in this act shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

Sec. 6. Secretary of State to certify copies to other states.—Upon the passage and approval by the Governor of this act it shall be the duty of the Secretary of State (or other officer) to certify a copy of this act to the Executive Department of each of the states of the United States.

Sec. 7. Provisions severable.—If any part of this act is for any reason declared void, it is declared to be the intent of this act that such invalidity shall not affect the validity of the remaining portions of this act.

Sec. 8. Uniform Act on Fresh Pursuit,—to be known as.—This act may be cited as the Uniform Act on Fresh Pursuit.

Section 9. This act shall take effect immediately.

Approved March 17, 1939.

CHAPTER 65—S. F. No. 275

An act authorizing the payment of retirement allowances in certain cases to employees of any city of the first class, which now is paying, or hereafter may pay, retirement allowances to its employees as provided by Mason's Minnesota Statutes of 1927, Sections 1442-11 to 1442-34, inclusive.

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

Section 1. Retirement allowance in certain cases.—In all cases where the retirement board of any city which has adopted a plan of, and is paying, retirement allowances to employees pursuant to Mason's Minnesota Statutes of 1927, Sections 1442-11 to 1442-34, inclusive, and acts amendatory thereto, is