

upon notification by the adjutant general that a suitable new armory has been constructed and completed upon another site in said city by the Minnesota State Armory Building Commission or other authorized agency.

Approved April 4, 1941.

CHAPTER 122—H. F. No. 770

An act authorizing a city of the fourth class that has entered into a sewage disposal contract with an adjoining city of the first class to collect and certify to county auditor maintenance charge thereunder in same manner as cities of the first class.

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

Section 1. **Cities of fourth class to collect sewage charge in certain cases.**—Any city of the fourth class that has entered into a contract with an adjoining city of the first class for the conveying, treatment and disposal of the sewage of said city of the fourth class, pursuant to Mason's Supplement 1940, Section 1607-23, shall have the same authority to collect and certify to the county auditor the maintenance charge made for the services under said contract as do said cities of the first class pursuant to Mason's Supplement 1940, Section 1607-33.

Approved April 4, 1941.

CHAPTER 123—S. F. No. 570

An act relating to proceedings by the state fire marshal for the demolition or repair of buildings and structures which are fire hazards and dangerous to the life and limb, which buildings are located on state owned property or held in trust by the state, amending Mason's Supplement 1940, Section 5961-1.
Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—That Mason's Supplement 1940, Section 5961-1, be amended so as to read as follows:

"5961-1. **State fire marshal may repair or demolish certain structures.**—The state fire marshal is hereby authorized to petition the district court of any county for an order of condemnation directing the destruction, repair or alteration of any building or structure located on land owned by and/or on land held in trust by the state, which is especially liable

to fire and dangerous to life and limb, within the purview of the provisions of Section 5961, Mason's Minnesota Statutes of 1927. In case the petition is for an order requiring repairs the person or persons authorized by law to make such repairs, and upon whom such order is served, shall make such repairs as thereby directed, and the order may direct that the building or structure be closed and not further used or occupied until such repairs are made. Upon the filing of such petition with the district court wherein any such building or structure is located, the court shall make a temporary order directing the state fire marshal to serve a copy of such petition and a copy of the temporary order upon the Minnesota Tax Commission, and the County Board of the County wherein such lands are situated, and if such lands are situated in cities of the first class, then also upon the assessor of such city of the first class, within such time as may be fixed by the court in said order. If within twenty days no objections are filed to said petition by the parties so served, the court may require the state fire marshal to present sufficient proof to sustain the allegations set forth in his petition, and thereupon the court may or may not make, as the case may require, an order of condemnation and direct the state fire marshal to proceed with the destruction of the building or structure; but if objections are filed and a copy of such objections have been duly served upon the state fire marshal within twenty days of the service of the copy of the temporary order and copy of the petition hereinbefore referred to, the court, upon application by the state fire marshal, shall make its order fixing the time and place for hearing of the matter, which place may be at any convenient point, at any general or special term, or out of the term, or in chambers within the judicial district where such lands are situated, and which time shall be within ten days from the date of the filing of the objections, or as soon thereafter as may be. If upon such hearing the petition shall be sustained the court shall issue an order of condemnation and fix the time within which the building or structure shall be destroyed, repaired or altered in compliance with such order, and that upon failure of the proper person or persons to comply with the said order the state fire marshal shall proceed with the destruction thereof. If upon the hearing the petition of the state fire marshal is not sustained the court shall deny the petition.

"In all cases where the order of the court has not been complied with and the state fire marshal is authorized to proceed with the demolition of any building or structure, the state fire marshal shall sell and dispose of the salvage mate-

rials therefrom at public auction upon three days' posted notice, and all expenses incurred by the state fire marshal shall be paid out of the moneys received from such auction of salvage material and any deficit remaining unpaid thereafter may be paid out of the funds created by and provided for in Section 5973 of Mason's Minnesota Statutes of 1927. Should any surplus remain of the amount received for salvage material after deducting the expenses incurred by the State Fire Marshal such surplus shall be paid to the county treasurer of the county where the property was situated to be distributed by him as provided by law."

Approved April 4, 1941.

CHAPTER 124—H. F. No. 851

An act relating to the term of office of mayor in any city of the fourth class having less than 1,000 inhabitants and not operating under a home rule charter.

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

Section 1. Terms of mayor in certain cities of the fourth class.—In every city having a population of less than 1,000 and not operating under a home rule charter, the term of the mayor shall be two years and until his successor is elected and qualified.

Approved April 5, 1941.

CHAPTER 125—S. F. No. 83

An act to prohibit the sale, offering or exposing for sale of fireworks, and to regulate the manner of their use, and to provide penalties for the violation of the provisions of the act.

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

Section 1. Fireworks defined.—As used in this act the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrack-