

by said member at the time of the discharge. In the event such association approves such application, such member shall within 60 days thereafter pay into said association for the pension fund the monthly installments herein provided for the period between his discharge and the time of the first payments. Thereafter, in the event said member shall default in the payment of such monthly assessments and such default shall continue for a period of sixty days, all right hereunder shall cease. *In the event that any member of the police department and of the relief association, regardless of his age, becomes totally disabled from performing any kind of work, labor, or services after he has served as a member of the police department for at least ten years and shall have been discharged or shall have resigned from the police department by reason of disability, he shall be entitled to and paid a pension from the pension fund of the association, the amount of which shall be that proportion of \$100.00 per month which the years of service in the department prior to retirement bear to 25 years, major fractions of years to be treated as one year and minor fractions to be disregarded.*

No such pension for disability shall commence until the association shall have been furnished with satisfactory proof as to the applicant's age, his years of service in the department, and of his disability and causes thereof, The applicant must submit himself to examination by the official physician of the association and to such other doctor as the association may direct and submit to such examination as often as requested by the association, the cost of which is to be paid by the association out of the pension fund. The applicant may submit reports as to his disability from other doctors at his own expense, to the association for consideration but the report of the official physician of the association is the basis upon which the association decides upon the allowance of the disability pension and computes the amounts thereunder. No such pension shall be paid to any person who is receiving compensation under the Workmen's Compensation Act for injury causing such disability.

Approved March 15, 1943.

CHAPTER 117—H. F. No. 97

(AMENDING SECTION 212.28 and 413.01 MINNESOTA STATUTES 1941.)

An act relating to villages; amending Mason's Supplement 1940, Section 601-11(2) and Mason's Minnesota Statutes of 1927, Section 1110; repealing Laws 1857, Chapter 64, Special Laws 1868,

Chapter 30, Special Laws 1871, Chapter 10, Special Laws 1873, Chapter 9, Special Laws 1874, Chapters 9 and 10, Special Laws 1875, Chapters 19 and 23, Special Laws 1876, Chapter 3, Special Laws 1877, Chapter 18, Special Laws 1881, Chapters 15, 19, 36, and 43, and Special Laws 1887, Chapter 27.

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

Section 1. **Law amended.**—Mason's Supplement 1940, Section 601-11(2), is amended to read as follows:

"601-11(2). **Present laws to govern village elections.**—Until reorganized as provided in Mason's Minnesota Statutes of 1927, Section 1110, the boroughs existing at the time of the taking effect of the Revised Laws of 1905 under special legislative charter shall continue thereunder and in all things continue to be governed by such special laws. *The villages existing at the time of the taking effect of the Revised Laws of 1905 under special legislative charter or under any general law and not reincorporated in the manner provided by Mason's Minnesota Statutes of 1927, Section 1110, shall be governed by the provisions of the statutes applicable to villages incorporated under the Revised Laws of 1905, Chapter 9, as amended.*"

Sec. 2. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 1110, is amended to read as follows:

"1110. **Relinquishment of charter—Procedure—Reincorporation.**—Any borough organized under special charter may relinquish the same, and thenceforth be governed as herein provided. The council or other governing body may propose such relinquishment by a resolution ordering a special election thereon, or ordering such proposition to be submitted at the annual *borough* election. Notice of such special election, and the conduct thereof, shall be as prescribed by law for other special borough elections. If submitted at the annual *borough* election, the notice of such election shall contain a notice of the submission of such proposition. The ballots used shall bear the printed words, 'For reincorporation—Yes—No' with a square after each of the last two words, in one of which the voter may insert a cross to express his choice. If a majority of the votes cast upon such proposition be in the affirmative, said governing body shall declare the result by resolution, a certified copy of which shall be filed with the county auditor, and another with the secretary of state. Thereupon the former charter shall cease, and the applicable provisions of this chapter be substituted therefor. But until after the election next ensuing, as herein provided, the officers of such former organization shall continue in the discharge of their official duties, being governed therein, so far as practicable, by this chapter."

Sec. 3. Terms of certain village officers continued.—*In each village heretofore holding its municipal election at a time other than the first Tuesday after the first Monday in December each year, the officers thereof shall continue in office until the first secular day of January, 1944, and be governed in the discharge of their official duties, so far as practicable, by the provisions of the statutes applicable to villages incorporated under the Revised Laws 1905, Chapter 9, as amended. No regular municipal election shall be held in any such village before December 7, 1943. A municipal election shall be held therein on December 7, 1943, under the laws relating to village elections generally, except that in each such village there shall be elected a president for a term of two years, a clerk for a term of one year, a treasurer for a term of one year, one justice of the peace for a term of two years, three trustees and two constables and, if the village is a separate assessment district, an assessor for a term of two years. In each such village the candidate for trustee receiving the highest number of votes at such election shall serve for a term of three years, the candidate receiving the second highest number of votes shall serve for a term of two years, and the candidate receiving the third highest number of votes shall serve for a term of one year; the candidate for constable receiving the highest number of votes shall serve for a term of two years and the candidate receiving the second highest number of votes shall serve for a term of one year. At the election held on December 5, 1944, there shall be elected in each such village one trustee for a term of three years and a clerk, treasurer, constable, and justice of the peace, each for a term of two years. The officers elected under this section shall take office on the first secular day of January in the year following their election and shall serve until their successors qualify.*

Sec. 4. Not to affect pending actions.—*Any proceedings or actions now pending in any village affected by this act shall be completed under the laws under which they were begun. All special assessments heretofore made by any such village shall be collected and the lien thereof enforced as if this act had not been passed.*

Sec. 5. Laws repealed.—*Laws 1857, Chapter 64; Special Laws 1868, Chapter 30; Special Laws 1871, Chapter 10; Special Laws 1873, Chapter 9; Special Laws 1874, Chapters 9 and 10; Special Laws 1875, Chapters 19 and 23; Special Laws 1876, Chapter 3; Special Laws 1877, Chapter 18; Special Laws 1881, Chapters 15, 19, 36, and 43, and Special Laws 1887, Chapter 27, are repealed. This repeal shall not operate as a dissolution of any village originally incorporated under one of the foregoing laws.*

Approved March 15, 1943.