

equivalent of the retirement compensation granted justices of the supreme court under subdivision 2.

Subd. 4. Age limit. Unless at the time of this enactment a justice has already reached the age of 73, he shall not acquire an increase of two and one-half percent of the compensation allotted to his office in his retirement pay, as provided in subdivision 2, after he has reached the age of 73 years.

Subd. 5. Upon retirement of a justice of the supreme court, the court may appoint him a commissioner of that court to aid and assist in the performance of such of its duties as may be assigned to him with his consent.

Subd. 6. Each justice and commissioner of the supreme court who has heretofore retired under the statutes in force at the time of his retirement shall, from the date of retirement, receive retirement compensation at the rate and for the time provided in the statutes in force at the time of retirement.

Sec. 2. Laws 1951, Chapter 455, Section 4, is hereby repealed.

Approved April 15, 1953.

CHAPTER 361—S. F. No. 954

An act relating to attempts to commit crime; amending Minnesota Statutes 1949, Section 610.27.

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

Section 1. Minnesota Statutes 1949, Section 610.27, is amended to read:

610.27 Attempts; punishment. An act done with intent to commit a crime and tending, but failing, to accomplish it, is an attempt to commit that crime; and every person who attempts to commit a crime, unless otherwise prescribed by statute, shall be punished as follows:

(1) If the crime attempted is punishable by life imprisonment, the person convicted of the attempt shall be punished by imprisonment in the state prison for not more than ten years;

(2) In every other case he shall be punished by imprisonment in the state prison for not more than half of the longest term, *not to exceed seven years*, or by fine of not more than half the largest sum, prescribed upon conviction for the commission of the offense attempted, or by both such fine and

imprisonment; but this shall not protect a person who, in an unsuccessful attempt to commit one crime, does commit another and different one, from the prescribed punishment for the crime actually committed.

Approved April 15, 1953.

CHAPTER 362—S. F. No. 955

An act relating to misappropriation of funds and falsification of accounts by public officials; amending Minnesota Statutes 1949, Section 620.01; repealing Minnesota Statutes 1949, Section 620.03.

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

Section 1. Minnesota Statutes 1949, Section 620.01, is amended to read:

620.01 Misappropriation and falsification of accounts by public officials. Every public officer, and every other person receiving money on behalf or for account of the people of the state, or of any department of the state government, or of any bureau or fund created by law, in which the people are directly or indirectly interested, or for or on account of any county, city, village, borough, town, or school district, who:

(1) Shall appropriate to his own use, or the use of any person not entitled thereto, without authority of law, any money so received by him as such officer or otherwise;

(2) Shall knowingly keep any false account, make any false entry or erasure in any account, of or relating to any money so received by him;

(3) Shall fraudulently alter, falsify, conceal, destroy, or obliterate any such account; or

(4) Shall wilfully omit or refuse to pay over to the state, its officer or agent authorized by law to receive the same, or to such county, city, village, borough, town, or school district, or to the proper officer or authority empowered to demand and receive the same, any money received by him as such officer, when it is a duty imposed upon him by law to pay over and account for the same

Shall be guilty of a felony, and shall be punished by imprisonment in the state prison or county jail for from one to seven years, or by a fine of from \$1,000 to \$10,000, or both such fine and imprisonment.