

619.15 Manslaughter in first degree. Such homicide is manslaughter in the first degree when committed without a design to effect death:

(1) By a person engaged in committing or attempting to commit a misdemeanor affecting the person or property, either of the person killed or of another;

(2) In the heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon.

Sec. 2. Minnesota Statutes 1953, Section 619.18, is amended to read:

619.18 Manslaughter in second degree. Such homicide is manslaughter in the second degree when committed without a design to effect death:

(1) By a person committing or attempting to commit a trespass or other invasion of a private right, either of the person killed or of another, not amounting to a crime;

(2) In the heat of passion, but not by a deadly weapon or by use of means either cruel or unusual;

(3) By any act, procurement, or culpable negligence of any person, which, according to the provisions of this chapter, does not constitute the crime of murder in the first or second degree, nor manslaughter in the first degree; or

(4) *By shooting another with a gun, firearm or other deadly weapon when resulting from carelessness in mistaking the person shot for a deer or other animal.*

Approved April 1, 1957.

CHAPTER 269—H. F. No. 754

[Not Coded]

An act relating to the powers and duties of city council; amending Laws 1895, Chapter 8, Sections 61 and 117.

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

Section 1. Laws of 1895, Chapter 8, Section 117, is amended to read:

Sec. 117. **Passage of ordinances and resolutions.** Every ordinance, order and resolution, except as in this act otherwise provided, shall be passed by a majority vote of the members of the city council, taken by yeas and nays, which shall be

entered upon its journal. It shall then forthwith, before it takes effect, be presented to the mayor for his approval as herein provided. Every ordinance shall be published in the official newspaper of the city before it takes effect. No vote of the city council shall be reconsidered or rescinded at a subsequent meeting unless at such a meeting there are present as large a number of its members as were present when said vote was taken.

Sec. 2. Laws 1895, Chapter 8, Section 61, is amended to read:

Sec. 61. **Time limited for approval by mayor.** No ordinance shall be signed by the mayor within four days after the same is presented to him, and if the same shall not be returned by him on the tenth day (Sunday excepted) after it shall have been presented to him, it shall have the same force and effect as if approved by him.

Approved April 1, 1957.

CHAPTER 270—H. F. No. 889

An act relating to length of motor vehicles; amending Minnesota Statutes 1953, Section 169.81, Subdivision 3.

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

Section 1. Minnesota Statutes 1953, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. **Length of combination.** No combination of vehicles coupled together unladen or with load, including truck trailers and semi-trailers, shall consist of more than two units and no such combination of vehicles shall exceed a total length of 45 feet, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles or piling, and subject to the following further exceptions: *except that unenclosed transport carriers used exclusively for hauling new and unused motor vehicles from factory to distributor or dealer shall be allowed a total length tolerance of not to exceed 36 inches beyond a length of 45 feet to accommodate the hauling of motor vehicles of recent manufacture.* Said length limitations shall not apply to (a) vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transporta-