

as he may deem necessary in making up his records and substantiate his findings.

No steam or internal combustion donkey engine, tractor engine, sawmill engine, threshing engine, shovel, railroad ditcher, railroad wrecker, or portable engine or other engine or boiler, shall be operated in the vicinity of forest, brush, peat or grass lands, after being found defective by the inspector and after notice of such condition has been given the person in charge thereof, until the repairs specified by the inspector have been made. Any violation of the provisions of this paragraph shall be a gross misdemeanor; provided, that the provisions of this paragraph shall not relieve anyone of any duty or liability under any other provisions of any statute.

No person operating a steam or internal combustion donkey engine, tractor engine, sawmill engine, threshing engine, shovel, railroad ditcher, railroad wrecker, or portable engine, or other engine or boiler, shall leave a deposit of fire, live coals, or ashes in the immediate vicinity of forest lands or lands liable to be overrun by fire.

Sec. 3. Minnesota Statutes 1953, Section 88.21, Subdivision 11, is amended to read:

Subd. 11. **Safety devices on engines.** Every person operating a railroad for any purpose who shall fail to equip and use upon each steam or Diesel locomotive engine a practical and efficient ash-pan and/or spark-arrester device, constructed and operated in conformity with all the specifications and requirements set forth in sections 88.03 to 88.21, shall be liable to a penalty of \$500 per day for each and every day on which such defective locomotive is run within this state. Upon receipt of duly verified information disclosing that a violation has occurred, the attorney general may bring suit in the district court of Ramsey county, or of any other county, at his election, for the recovery of these penalties, which, when so collected, shall be credited to the general revenue fund of the state.

Approved March 15, 1957.

CHAPTER 136—S. F. No. 281

An act relating to leases and permits for the use of any state forest lands, and amending Minnesota Statutes 1953, Section 89.17.

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

Section 1. Minnesota Statutes 1953, Section 89.17, is amended to read:

89.17 **Leases granted.** The director, with the approval of the Commissioner, shall have power to grant and execute, in the name of the state, leases and permits for the use of any state forest lands for any purpose which in his opinion is not inconsistent with the maintenance and management of the state forest in which the land is situated, on forestry principles for timber production. Every such lease or permit shall be revocable at his discretion at any time and subject to such conditions and regulations as he may prescribe. The approval of the commissioner of administration shall not be required upon any such lease or permit. No such lease or permit for a period exceeding *ten* years shall be granted except with the approval of the executive council.

Approved March 15, 1957.

CHAPTER 137—S. F. No. 345

An act relating to the abolition of the office of village constable and for the performance of his duties in certain cases; amending Minnesota Statutes 1953, Sections 212.34, 212.35, Subdivision 2, and 412.161.

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

Section 1. Minnesota Statutes 1953, Section 212.34, is amended to read:

212.34 **Elective officers and terms.** *Subdivision 1.* Village elective officers shall consist of the following: in every village, the mayor; *in every village in which the office of constable has not been abolished as provided in Subdivision 3,* two constables; in every village where a municipal court has been organized, municipal judges as provided by law, and in every other village, two justices of the peace; in villages operating under the standard plan of village government, the clerk, treasurer, three trustees and, if the village is a separate assessment district, an assessor; and in *every* village operating under an optional plan of village government, four trustees. Municipal judges shall serve for terms of four years, trustees for terms of three years, and all other officers for terms of two years, each commencing on the first business day of January following the election at which the officer is chosen. All officers chosen and qualified as such shall hold office until their suc-