

Such gross earnings shall be computed in accordance with the method prescribed by law."

Approved April 19, 1927.

CHAPTER 309—S. F. No. 199

An act relating to the admission of attorneys at law to practice in the State of Minnesota.

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

Section 1. **Attorneys—admission to practice.**—Any adult resident of the State of Minnesota who is a graduate from a law school which is duly approved in any state or territory of the United States, or in the District of Columbia, at the time of the passage of this act, and who served in the military forces of the United States during the World War and received an honorable discharge therefrom, and who has served as an official court reporter in the State of Minnesota for not less than seven years under appointment of the District Judge of said State, and who is recommended for his character, ability and learning by such judge, shall upon furnishing proof of the foregoing facts and payment of the usual fee be on motion before the Supreme Court of this State admitted within six months after the passage of this act to practice law in all the courts of this state without examination.

Sec. 2. This bill shall take effect and be in force from and after its passage.

Approved April 20, 1927.

CHAPTER 310—S. F. No. 277

An act to amend Paragraph (k) of Subsection (1), and Subsections (3) and (6) of Section 27 of Chapter 407, Laws 1925, relating to spark arrester devices on certain boilers and engines and the duties and powers of the Commissioner of Forestry and Fire Prevention in connection therewith.

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

Section 1. **Locomotives to be equipped with spark arrester device.**—That paragraph (k) of subsection (1) of section 27 of chapter 407, Laws 1925, be and the same hereby is amended so as to read as follows:

"(k) Plates used in spark arresters shall not be less than 3/16 of an inch in thickness, except that plates not less than 1/8

of an inch in thickness may be used in spark arresters in certain cases, and in the manner and for the purpose as prescribed in writing by the forester. *After four years from the date of passage hereof* angle irons used in spark arresters shall be of sections in size not less than one-fourth of an inch by two inches by two inches ($\frac{1}{4}$ " x 2" x 2"), on all locomotive engines unless otherwise authorized in writing by the forester. The spacing of rivets, bolts and studs used in spark arresters shall not be greater than set forth in the following specifications:

Fastening screens— $3\frac{1}{2}$ inches center to center.

Fastening angle irons to smoke arch, 8 inches center to center.

Fastening plates—5 inches center to center.

Fastening *angle irons* to flue sheet—8 inches center to center.

Material used in the construction or repair of spark arresters shall be of iron or steel securely bolted or riveted or welded in place. *No cement, putty, asbestos, or other material or substance other than iron and/or steel shall be applied to, laid on, attached to or used in any way in connection with or made a part of spark arresters except upon written approval of the forester.* No opening anywhere in the spark arrester device, other than the openings herein specified for wire screen and perforated plate, shall be larger than $\frac{1}{4}$ of an inch in width."

Sec. 2. **Same.**—That subsection 3 of section 27 of chapter 407, Laws 1925, be and the same hereby is amended so as to read as follows:

"Subsection (3). The master mechanic or corresponding employe shall be held responsible for the good condition of the ash pan and spark arrester device, but without relieving the person owning or operating such locomotive engine from his responsibility hereunder. The word person in this subsection shall not be construed to mean engine crew.

Any locomotive inspector appointed by the forester, is authorized to inspect any locomotive engine, operated in the vicinity of forest, brush, peat or grass lands, and to enter upon any property for such purpose whenever he may deem it necessary in order to see that all the provisions of this act and of other acts relating to the subject matter hereof are duly complied with. Such inspector shall have access to the records of every person operating a railroad for any purpose, and authority to make copies thereof, showing the locations and movements of all locomotive engines within this state, and is authorized to use such methods as he may deem advisable in making up his records and substantiating his findings. No locomotive shall be operated in the vicinity of forest, brush, peat or grass lands after being found defective by such inspector and after notice of such condition has been given to the person in charge thereof, until the repairs specified by the inspector have been

made, except where locomotive is found defective on line it may proceed to the first terminal or point where repairs can be made."

Sec. 3. Same.—That subsection (6) of section 27 of chapter 407, Laws 1925, be and the same hereby is amended so as to read as follows:

"Subsection (6) (a) *Except when the ground is covered with snow, no donkey engine, tractor engine, saw mill engine, threshing engine, steam shovel, railroad ditcher, railroad wrecker, or portable engine or other engine or boiler (except any locomotives conforming to all the requirements of this act) shall be operated in the vicinity of forest, brush, peat or grass lands, unless and until the same is provided with a practical and efficient spark arrester device.*

(b) *No gas tractor or internal combustion engine shall be operated in the vicinity of peat roads or loose peat lands, unless and until the same is provided with a practical and efficient spark arrester device.*

(c) *The person in charge of such engine and/or boiler shall be held responsible for the good condition of the spark arrester device, but without relieving the person owning or operating such engine from his responsibility hereunder. Any locomotive inspector appointed by the forester is authorized to inspect any donkey engine, tractor engine, saw mill engine, threshing engine, steam shovel, railroad ditcher, railroad wrecker, or portable engine or other engine or boiler operated in the vicinity of forest, brush, peat or grass lands and also gas tractors and internal combustion engines operated in the vicinity of peat roads or peat lands and to enter upon any property for such purpose whenever he may deem it necessary in order to see that all the provisions of this act and of other acts relating to the subject matter hereof are duly complied with and is authorized to use such methods as he may deem necessary in making up his records and substantiating his findings.*

(d) *No donkey engine, tractor engine, saw mill engine, threshing engine, steam 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, and no gas tractor or internal combustion engine shall be operated in the vicinity of peat roads or loose peat lands, after being found defective by such inspector and after notice of such condition has been given to the person in charge thereof, until the repairs specified by the inspector have been made.*

(e) *No person operating a donkey engine, tractor engine, saw mill engine, threshing engine, steam 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."

Approved April 20, 1927.

CHAPTER 311—S. F. No. 342

An act relating to petitions for improvements for the cost of which special assessments may in whole or in part be levied therefor in villages, boroughs and cities of the fourth class, however organized, and fixing the time within which to appeal from the findings of the governing body of such village, borough or city of the fourth class as to the sufficiency of the petition for such improvements.

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

Section 1. Percentage of signatures on petition.—When any petition for the making of any improvement in any Village, Borough or City of the Fourth Class, however organized, for the cost of which special assessments may be in whole or in part levied therefor, is presented to the governing body of such municipality, such body shall by resolution determine whether or not the petition has been signed by the required percentage of owners of property affected thereby.

Sec. 2. Appeal to District Court.—Any person, being aggrieved by such determination may appeal to the district court of the county in which said property is located by serving upon the Clerk of the municipality within thirty days after the adoption and publication of such resolution a notice of appeal briefly stating the grounds of appeal and giving a bond in the penal sum of Two Hundred Fifty Dollars (\$250.00), in which the municipality shall be named as obligee, to be approved by the clerk of such municipality, conditioned, that the appellant will duly prosecute the appeal and pay all costs and disbursements which may be adjudged against him, and abide by the order of the court. The clerk shall furnish the appellant a certified copy of the petition, or any part thereof on being paid by appellant of the proper charges therefor. The appeal shall be placed upon the calendar of the next general term commencing more than thirty days after the date of serving the notice and filing the bond as aforesaid and shall be tried as are other appeals in such cases. Unless reversed upon such appeal, the determination of the governing body as to the sufficiency of the petition shall be final and conclusive.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1927.