

ginia, at the village of Hibbing, or the city of Ely in accordance with such written consent; but no officer having in his custody any of the public records of St. Louis county shall be required to produce such record at the trial of any action not on trial at the county-seat, save upon the order of the court providing for the production of such record and its immediate return to the officer producing it, upon its introduction as evidence in such cause.

Subd. 3. Special terms of said district court shall also be held at the city of Virginia at least once in each month, and at the village of Hibbing at least once in each month, on such days and at such times as the court may designate by order, for the hearing of such matters as are usually heard at special terms and at chambers in the district court, and the court may, by order, provide for holding special terms of court at the city of Ely at any time when in the judgment and discretion of the court it shall deem it expedient so to do, for the hearing of such matters as are usually heard at special terms and at chambers, in the district court, and may in such order, if it deem it expedient, provide for the trial of issues of fact and law in cases where such action is to be tried by the court without a jury or a jury has been waived by the parties to the action, and such waiver has been filed with the clerk of court.

Approved March 22, 1949.

CHAPTER 170—S. F. No. 764

An act relating to the crime of arson and the punishment therefor; amending Minnesota Statutes 1945, Sections 621.02 and 621.03.

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

Section 1. Minnesota Statutes 1945, Section 621.02, is amended to read as follows:

621.02. **Arson; first degree.** Every person who shall wilfully burn or set on fire, in the night-time:

(1) A dwelling house in which there shall be at the time a human being; or

(2) A car, vessel, or other vehicle, or a structure or building other than a dwelling house, in which, to the knowledge of the offender, there shall be at the time a human being—

Shall be guilty of arson in the first degree and punished by imprisonment in the state prison for not less than *five*, nor more than *forty*, years.

Sec. 2. Minnesota Statutes 1945, Section 621.03, is amended to read as follows:

621.03. **Arson; second degree.** Every person who:

(1) Shall commit an act of burning in the daytime which, if committed in the night-time, would be arson in the first degree;

(2) Shall wilfully burn or set on fire in the night-time a dwelling house in which there is not at the time a human being;

(3) Shall wilfully burn or set on fire in the night-time a building not inhabited but adjoining or within the curtilage of an inhabited building, in which there shall be at the time a human being so that the inhabited building shall be endangered, even though it be not in fact injured by the burning; or

(4) Shall wilfully burn or set on fire in the night-time a car, vessel, or other vehicle, or a structure or building ordinarily occupied at night by a human being, although no person be in it at the time—

Shall be guilty of arson in the second degree, and punished by imprisonment in the state prison for not less than *one*, nor more than *15*, years.

Approved March 22, 1949.

CHAPTER 171—S. F. No. 827

[Not Coded]

An act authorizing the county treasurer in counties having a population of more than 300,000 and less than 450,000 inhabitants to destroy certain records over ten years old.