

130278

1941 Supplement

To

Mason's Minnesota Statutes

1927

1939 to 1941

(Supplementing Mason's 1940 Supplement)

Containing the text of the acts of the 1941 Session of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with Law Review Articles and digest of all common law decisions.

Edited by
the
Publisher's
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MASON PUBLISHING CO.

SAINT PAUL, MINNESOTA

1941

CHAPTER 5C

Public Contracts in General

254-101. Mandatory nondiscriminatory provisions—Civil rights of employees protected.—Every contract for, or on behalf of, the state of Minnesota, or any county, city, borough, town, township, school, school district, or any other district or districts, in the state of Minnesota, for materials, supplies, or construction, shall contain provisions by which the contractor agrees:

(a) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract hereunder, no contractor, material supplier, or vendor, shall by reason of race, creed or color, discriminate against the person or persons who are citizens of the United States who are qualified and available to perform the work to which such employment relates.

(b) That no contractor, material supplier, or vendor, shall in any manner, discriminate against, or intimidate, or prevent the employment of any such person or persons, or on being hired, prevent, or conspire to prevent, any such person or persons from the performance of work under and contract on account of race, creed or color.

(c) Any violation of this Act shall be a misdemeanor.

(d) That this contract may be cancelled or terminated by the state, county, city, borough, town, township, school board, or any other person or persons authorized to grant contracts for such employment, and all money due, or to become due hereunder, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract. (Act Apr. 16, 1941, c. 238, §1.)

CHAPTER 6

Elections

(This chapter is re-enacted under Chapter 6A.)

NOMINATION BY DIRECT VOTE

294. Political party defined. [Repealed.]

Section does not prevent a candidate stating his party affiliations except with reference to filing for nomination and upon the ballot. Moon v. H., 288NW579. See Dun. Dig. 2929.

Section does not prohibit a candidate for a non-partisan elective office from procuring the indorsement and support of his candidacy from a political party, or prevent him from engaging in political activities. Id.

317-1. Primary election in certain villages. [Repealed.]

A primary election should be held in advance of village election in Nashwauk. Op. Atty. Gen. (186E), Oct. 27, 1939.

Attorney general will abide by declaratory judgment of district court in St. Louis county that Laws 1939, chapter 271, amending this section, is unconstitutional because of an improper classification. Op. Atty. Gen. (472t), Nov. 14, 1939.

Names of candidates on primary election ballots in village of Hibbing should be rotated, notwithstanding Laws 1939, chapter 345, part 11, chapter 2, §4. Op. Atty. Gen. (186E), Nov. 20, 1939.

CORRUPT PRACTICES

563. Contributions by corporations prohibited. [Repealed.]

See 601-10(1)o.

Bar association organized as a social and charitable corporation is doing business within state within meaning of corrupt practices act, and can not contribute money, property or services to any political party, organization, committee or individual for political purposes, but expenditures to defray expense of a plebiscite and furnishing services of officers in managing the same in connection with election of judicial officers does not constitute contribution of money or services. La Belle v. H., 288NW788. See Dun. Dig. 2994.

570. Contest on ground of violation of act. [Repealed.]

See 601-7(1).

Section does not prevent a candidate stating his party affiliations except with reference to filing for nomination and upon the ballot. Moon v. H., 288NW579. See Dun. Dig. 2929.

Section does not prohibit a candidate for a non-partisan elective office from procuring the indorsement and support of his candidacy from a political party, or prevent him from engaging in political activities. Id.

PENAL PROVISIONS

601. Certain corporations not to contribute—Penalty. [Repealed.]

See 601-9(1)s.

La Belle v. H., 288NW788; note under §563.

CHAPTER 6A

Minnesota Election Law

PART ONE

CHAPTER 1.—DEFINITIONS

601-1(1). Short title of act.

A person may be a candidate in an election only for an office which is to be filled at the election. Howard v. H., 296NW30.

An election may be held only under constitutional or statutory authorization. Id. See Dun. Dig. 2915.

601-1(1)a. Definitions—"Election".

District court has no jurisdiction of a contest of a school district election. Johnson v. D., 294NW839. See Dun. Dig. 2981.

Act is not applicable to school district elections, except where made applicable by reference by some other special act. Op. Atty. Gen., (28C-7), April 15, 1940.

601-1(1)i. Same—"Village".

Candidate for office in borough of Belle Plaine, incorporated under special laws, should be nominated by filing affidavit of candidacy or otherwise as provided by general election law and not as provided in incorporation act. Op. Atty. Gen., (472h), Jan. 9, 1941.

601-1(1)n. Same—"Voter".

A commutation of sentence to a term of 4½ months, with reservation of right to revoke commutation for misconduct, does not restore civil rights. Op. Atty. Gen. (68h), Sept. 13, 1940.