

1944 Supplement
To
Mason's Minnesota Statutes, 1927
and
Mason's 1940 Supplement

Containing the text of the acts of the 1941 and 1943 Sessions 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
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The supervisors shall designate a chairman and may, from time to time, change such designation. The term of office of each supervisor shall be three (3) years, except that the supervisors who are first appointed shall be designated to serve for terms of 1 and 2 years, respectively, from the date of their appointment. A supervisor shall hold office until his successor has been elected or appointed and has qualified. Vacancies in the office of supervisor appointed by the state committee, for an entire term or an unexpired term, shall be filled by the state committee. A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for his services, but he shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his duties if funds are available therefor.

The supervisors may employ a secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and shall determine their qualifications, duties, and compensation. The county attorney of the district in which the major portion of said soil conservation district is located, shall be the attorney for said district, and the supervisors thereof, and the said supervisor may call upon said attorney for the necessary legal counsel and advice and service. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the State soil conservation committee, upon request, copies of such ordinances, rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this act.

The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; the State Comptroller shall annually audit the books of said soil conservation district and its supervisors. Any supervisor may be removed by the State soil conservation committee upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.

The supervisors may invite the legislative body of any municipality or county located near the territory

comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county. (As amended Apr. 2, 1943, c. 274, §3.)

This section provides procedure for holding elections of supervisors after soil conservation districts have been organized. Op. Atty. Gen., (705a-3), May 8, 1941.

Supervisors may hold meetings at points other than at principal office. Op. Atty. Gen. (705a-8), Dec. 5, 1941.

Postage, stationery and printing expenses are proper items of expense, but all printing expense should be incurred by state committee pursuant to regulations of commissioner of administration. Op. Atty. Gen. (705A-8), Jan. 30, 1942.

Soil conservation district supervisor may be reimbursed for travel expense. No deputy supervisor is authorized. Op. Atty. Gen. (705a-8), Nov. 17, 1942.

District supervisors attending a meeting of Minnesota Soil Conservation Association are entitled to reimbursement for expenses necessarily incurred, if funds are available therefor. Op. Atty. Gen. (705a-8), Jan. 5, 1943. Whether attendance at such a meeting is in "discharge of duties" is a question of fact. Op. Atty. Gen. (705a-8), Jan. 16, 1943.

If no election is held, supervisors hold over. Op. Atty. Gen. (705a-8), June 2, 1943.

Persons elected to office should file an oath of office. Op. Atty. Gen. (705a-3), Oct. 21, 1943.

A district has to provide and pay for surety bond. Op. Atty. Gen. (705a), Dec. 8, 1943.

6932-6a. Effective July 1, 1943.—This act shall take effect July 1, 1943. (Act Apr. 2, 1943, c. 274, §4.)

6932-7. Powers of districts and supervisors.

District may acquire coniferous forest planting stock from commissioner of forestry under Laws 1941, c. 84, §1. Op. Atty. Gen. (203H-9), Mar. 7, 1942.

Chairman of board of supervisors of a soil conservation district has authority to administer oath of office to a newly appointed or elected supervisor. Op. Atty. Gen. (705a-8), July 20, 1942.

A supervisor of a soil conservation district may administer oaths of verification on small claims against district, but secretary has no authority to administer oaths. Op. Atty. Gen. (705a-8), July 20, 1942.

Oath of a supervisor of a soil conservation district for expense incurred by him may be taken by another supervisor, but a supervisor cannot administer an oath to himself. Op. Atty. Gen. (705a-8), July 23, 1942.

District may have stationery printed with the name of the district thereon, and containing other information, and may have envelopes printed, and obtain signs to be displayed in front of the office. Op. Atty. Gen. (705a-8), June 2, 1943.

Court may adopt rule requiring claims to be presented in the same manner as is required by villages. Op. Atty. Gen. (705a), Dec. 8, 1943.

6932-12. Cooperation between districts.

Where a farmer owns land located partly in each of two districts, the two districts may enter into a cooperative arrangement and jointly plan conservation program covering entire farm. Op. Atty. Gen. (705a-3), Sept. 8, 1942.

CHAPTER 45

Seals

6933. Private seals abolished.

Requirement of a sealed instrument for conveying easement. 26 IowaLawRev 41.

CHAPTER 46

Notaries Public

6938. Term—Bond—Oath.

Laws 1943, c. 211, legalizes notarial acknowledgments taken last seven months of 1942, by notaries whose term of office had expired.

The only way a personal surety may be relieved of obligations is for him to prevail on notary to secure and file a new bond. Op. Atty. Gen., (320a), Dec. 2, 1939.