

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.

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(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.) [181.59]

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 [Repealed.]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., 206M331, 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 [Repealed.]

Adoption of primary election system for nomination of candidates for village offices did not make applicable provisions of corrupt practices act requiring candidates to file verified itemized statements of their expenditures. Aura v. Brandt, 211M281, 1NW(2d)381. See Dun. Dig. 2994.

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.

Sections 317-1 to 317-6 were repealed by Laws 1939, c. 345. Op. Atty. Gen. (472t), Oct. 21, 1943.

CORRUPT PRACTICES

556. Statements of disbursements. [Repealed.]

Provisions of this section were not continued in new act so far as requiring candidates for village offices to

file verified statements of expenditure. Aura v. Brandt, 211M281, 1NW(2d)381. See Dun. Dig. 2994.

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 plebescite 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., 206M290, 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., 206M331, 288NW 579. 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., 206M290, 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. Holm, 208M589, 296NW30. See Dun. Dig. 2915a, 2927b, 2928, 2929.

Statutory regulation of the election franchise must be so construed as to insure, rather than defeat, full exercise thereof when and wherever possible. Flakne v. Erickson, 213M146, 6NW(2d)40. See Dun. Dig. 2915.

Statutes relating to primaries and elections do not confer right on qualified persons to become candidates for office but merely regulate the exercise of such right in an orderly way. Id.

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., 208M557, 294NW 839. See Dun. Dig. 2981.

Where failure of election officials to comply with requirements of election laws designed to give notice of election results in but a few out of a large number of voters exercising right to vote at time and place

designed by law, there is no election, and there was no election of a village assessor where there was no indication on ballot that an assessor was to be elected, due to misconstruction of law by village election officers. State v. Turnbull, 212M382, 3NW(2d)674. See Dun. Dig. 2960, 2960a.

As a general rule an election shall be decided by required majority of votes cast, irrespective of number of persons entitled to vote, and qualified voters who fail to vote are bound by expressed will of those who do. Id. See Dun. Dig. 2968.

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)ee. Same—"Political party".

Where regular nomination for Congress by a particular party fails for lack of required votes by that party at primary in a district, certificates of nomination of candidate for that office may carry the political appellation of the party which failed to nominate candidate at the primary, but not names of other party successful in nominating candidate. Op. Atty. Gen. (28b-3), Sept. 28, 1942.

601-1(1)i. Same—"Village".

Candidate for office in borough of Belle Plaine, incorporated under special laws, should be nominated by filing