

ing compensation in any form, or sick benefit, from any county, city, village, township or other political subdivision of the state, or to any person after he removes his residence from the United States, or to any person who shall have been convicted of a felony for which he shall have been adjudged to be imprisoned, or who is an habitual drunkard, or to any person receiving a pension or sick relief from any other public relief association.

When any member retires from said service who either is not entitled to, or does not care to accept a pension, he may withdraw all moneys deducted from his salary, namely, the three percent thereof, minus any moneys that have been paid out of such fund for his benefit for hospitalization or doctors' services, or in insurance premiums therefor.

These monthly payments may be increased by adding thereto an amount not exceeding \$5.00 per month for each year of active duty over 20 years of service before retirement not to exceed five years for purposes of pension computation. No such pension shall be paid to any person while he remains a member of the police department and no person receiving such pension shall be entitled to any other relief from the association. The association may deny the pension provided for in this act to any eligible member who separates himself from the service of the police department for the purpose of taking other employment.

Sec. 2. *This act shall become effective only after its approval by a majority vote of the city council of the city of Chisholm.*

Approved April 10, 1959.

CHAPTER 212—S. F. No. 976

An act to amend Minnesota Statutes 1957, Section 373.09 relating to claims against counties.

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

Section 1. Minnesota Statutes 1957, Section 373.09 is amended to read:

373.09 Claims against counties; appeal. When any claim against a county is disallowed by the county board, in whole or in part, a claimant may appeal from its decisions to the district court by causing a written notice of such appeal to be filed in the office of the auditor within 15 days after writ-

ten notice mailed to the claimant by the county auditor showing the disallowance of the claim and giving security for costs, to be approved by the auditor, who shall forthwith notify the county attorney thereof. When any claim against a county shall be allowed, in whole or in part, by such board, no order shall be issued in payment of the same or any part thereof, until after 15 days from date of the decision; and the county attorney may, on behalf and in the name of such county, appeal from such decision to the district court, by causing a written notice of such appeal to be filed in the office of the auditor within 15 days after date of the decision appealed from; or any seven taxpayers of the county may, in their own names, appeal from such decision to the district court by causing a written notice of appeal, stating the grounds thereof, to be filed in the office of the auditor within 15 days after the date of the decision appealed from, and giving to the claimant security for his costs and disbursements, to be approved by a judge of the district court; and thereafter no order shall be issued in payment of any such claim until a certified copy of the judgment of the court shall be filed in the office of the auditor. Upon filing of such notice of appeal, the court shall acquire jurisdiction of the parties and of the subject matter, and may compel a return to be made as in the case of an appeal from a judgment of a justice of the peace. In any county subject to the provisions of Laws 1941, Chapter 118, in which a claim has been audited and certified by the county auditor as required by Laws 1941, Chapter 118, Section 5, or whose population now or hereafter exceeds 250,000 but is less than 450,000 and in Hennepin County such claim may be paid not earlier than the third day after allowance by the county board.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of the County of Hennepin.

Approved April 10, 1959:

CHAPTER 213—S. F. No. 977

[Not Coded]

An act relating to maximum age of firemen entering into fire department employment in the City of Minneapolis.

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

Section 1. Minneapolis, firemen, employment of. In