

over the age of forty-five (45) years, either of whom is epileptic, imbecile, feeble-minded, or afflicted with insanity, shall hereafter intermarry or marry, any other person within this state. It is also hereby made unlawful for any person to marry any such feeble-minded, imbecile or epileptic person or anyone afflicted with insanity.

SEC. 2. No officer authorized by law to issue marriage licenses in this state shall hereafter issue such a license to any persons either of whom is afflicted with any of the diseases mentioned in section 1 of this act, knowing them to be so afflicted, unless the female party to such marriage is over the age of forty-five years.

SEC. 3. No clergyman or officer authorized by law to solemnize marriages within this state, shall hereafter perform a marriage ceremony, uniting persons in matrimony, either of whom is afflicted with epilepsy, imbecility, feeble-mindedness or insanity, knowing them to be so afflicted unless the female party to such marriage is over the age of forty-five years.

SEC. 4. Any person violating any of the provisions of this act shall upon conviction thereof be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the state's prison for not more than three (3) years, or by both such fine and imprisonment.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 11th, 1901.

CHAPTER 235.

S. F. No. 232.

An act to appropriate money for the reimbursement of towns, villages, boroughs or cities for expenses heretofore or hereafter to be incurred in the care of person infected with the smallpox or other contagious disease, dangerous to the public health, in such cases, where the state is liable for such expenses, and to create an emergency fund to be distributed under certain conditions by the state board of health.

Contagious diseases. \$25,000 appropriated for expenses of cities and towns, and state board of health.

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

SECTION 1. That the sum of twenty-five thousand dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated, twenty thousand dollars of which shall be a fund to be used for the reimbursement of towns, villages, boroughs or cities in

the State of Minnesota for expenses which have heretofore or may hereafter be lawfully incurred by such towns, villages, boroughs or cities in the care of persons infected with the smallpox or other contagious disease, dangerous to the public health in such cases where the State of Minnesota is liable for such expenses, and five thousand dollars of which shall be at the disposal of the Minnesota State Board of Health to be used upon its order as an emergency fund in dealing with smallpox claims as heretofore and hereafter incurred or asserted.

SEC. 2. That the state auditor be and is hereby directed to draw his warrants upon the state treasurer against such fund in favor of said board of health of any such town, village, city or borough for such sum of money to which such town, village, borough or city shall be entitled for such expenses incurred, after the bills for such expenses have been duly audited and approved by the state board of health and the governor of the state.

SEC. 3. That this act shall take effect and be in force from and after its passage.

Approved April 11th, 1901.

S. F. No. 269.

CHAPTER 236.

Amendment.
Probate code

An act to amend chapter forty-six (46) of the General Laws of 1889, entitled, "An act to establish a probate code."

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

SECTION 1. That section nine (9) of chapter forty-six (46) of the General Laws of the State of Minnesota for the year 1889, entitled, "An act to establish a probate code," being section 4416 of the General Statutes of 1894, as amended by chapter 100 of the General Laws of 1895, and further amended by chapter 145 of the General Laws of 1899, be and the same is hereby amended so as to read as follows:

Compensation of judges.

There shall be allowed and paid to the several judges of probate in this state an annual compensation for their services as follows:

In all counties in which the compensation of judges of probate is not fixed by a special law the annual compensation of the several judges of probate of said counties shall be as follows: In all counties having a population of three thousand (3,000) or less the sum of three hundred (300) dollars; in all counties having a popula-