

CHAPTER 17—S. F. No. 149.

An Act to amend Sections 3, 4, 19 and 21, Chapter 288, General Laws of Minnesota, 1907, relative to Hospital Farm for Inebriates, its maintenance, and commitments thereto.

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

Section 1. That sections 3, 4, 19 and 21, chapter 288, General Laws of Minnesota, 1907, be, and the same are, hereby amended so as to read as follows:

Sec. 3. Governor to issue proclamation.—Upon the completion and equipment of said buildings and the appointment of the superintendent, the state board of control shall report such facts to the governor, stating the class of patients the institution is prepared to receive: when the governor shall forthwith issue a proclamation giving public notice that the said hospital for inebriates is prepared to receive such class of patients. A copy of said proclamation shall be forwarded by mail to each of the judges of the probate courts of this state.

Sec. 4. Petition for inquiry—Warrant.—Upon filing in the probate court a verified petition setting forth that a person in the county is an inebriate and in need of care and treatment, or that it is dangerous for said person to remain at large, and also stating therein the relationship of the petitioner, if any, to the alleged inebriate, and the evidence of his inebriety or lack of capacity to control his appetite for alcoholic beverages or the drugs enumerated, and praying that the court will make due inquiry into the matter, the court shall direct that such alleged inebriate person be brought before it, and when from the evidence in the petition it appears necessary, the court may issue a warrant, under its seal, directed to the sheriff or any constable in the county, or to any other person named therein, requiring him forthwith to bring such person before the court for examination as to his inebriety; *provided*, that whenever, after the passage of this act, any person shall have been within three years three times convicted of drunkenness in a court of competent jurisdiction, the justice of the peace holding such court, or the clerk of such court, if there be a clerk, shall file in the probate court of the county a certificate showing the dates of such convictions; and thereupon the probate court shall proceed to make inquiry and deal with said person as provided in this act, without the filing of a verified petition. The inability of any person to control his appetite for intoxicating liquor shall be a ground for the appointment of guardians of his person, and such guardians may be the superintendent of the hospital farm for inebriates and the state board of control.

Sec. 19. Two per cent. tax on license fees—Certificates of indebtedness.—For the building and maintenance of said hospital a tax of 2 per cent. is hereby levied upon all license fees for the sale of intoxicating liquors under the laws of this state, and whenever a license is granted, by any city, village, county or municipality, for the sale of intoxicating liquors, 2 per cent. of the amount charged for such license shall be set aside by such city, village, county or municipality issuing such liquor license for the payment of the tax specified in this section, and shall be immediately remitted by draft to the state treasurer, who shall credit the same to a fund known as the inebriate fund. The costs and expenses of the maintenance of said hospital shall be paid from the inebriate fund, if sufficient, and any deficit shall be paid from the appropriations made by the legislature of this state. Any moneys now or hereafter in the said inebriate fund are hereby appropriated for the erection and equipment of buildings and other necessary improvements and for the payment of the current expenses of said hospital farm for inebriates, and, pending the collection of said moneys as herein provided, the said state board of control is hereby authorized and empowered, if said state board of control deems it necessary or desirable so to do, to issue and sell, as funds are needed for construction purposes, certificates of indebtedness, to be known and classed as Minnesota Inebriate Hospital Certificates of Indebtedness, at not less than par value thereof, earning interest after the issuance and sale thereof, payable annually, at a rate not greater than 5 per cent. per annum, in such form and upon such terms and conditions as the said state board of control may determine, in an aggregate amount not exceeding one hundred thousand (100,000) dollars, *provided* that said certificates shall be issued in demonimations of not less than five hundred (500) dollars, and *provided* that the first right of investment therein is reserved to the state, and *provided* that such of said certificates as are not purchased by the state shall, in such way and manner as the said state board of control may deem best, be offered to the general public for investment.

Sec. 21. Examination of inebriates.—The probate judge or court shall notify the state board of control in all cases when an alleged inebriate is brought before it for examination, and no person shall be committed to said hospital until notice is received by the court from said state board of control that there is room in said hospital to receive him. Whenever a probate judge or court commissioner orders an examination of any inebriate, he shall notify the county attorney, who shall appear and take such action as may be necessary to protect the rights of such inebriate, if he has no counsel, and the interests of the county, and upon

the request of the county attorneys the judge of probate or court commissioner shall issue subpoenas for witnesses.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1911.

CHAPTER 18—H. F. No. 570.

An Act fixing the times of holding general terms of the District Court in the Fourteenth Judicial District of Minnesota.

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

Fixing general terms of the district court in fourteenth judicial district.—Section 1. The general terms of the district court shall be held each year in the several counties constituting the fourteenth judicial district of Minnesota at the times herein prescribed as follows:

Kittson county, on the second Monday in January and the second Monday in December.

Marshall county, on the fourth Monday in May and the fourth Monday in November.

Mahnomen county, on the fourth Tuesday in October.

Norman county, on the second Monday in May and the second Monday in November.

Polk county, on the first Monday in June and the first Monday in December.

Pennington county, on the fourth Monday in January and the fourth Monday in June.

Red Lake county, on the fourth Monday in March and the second Monday in November.

Roseau county, on the third Monday in May and the fourth Monday in October.

Sec. 2. All acts and parts of laws inconsistent herewith are hereby repealed.

Approved March 6, 1911.

CHAPTER 19—H. F. No. 28.

An Act to appropriate money to refund amounts paid for peddlers licenses.

WHEREAS, The supreme court of the State of Minnesota in the case of ex rel. F. R. Mudeking vs. W. R. Parr (page 147, vol.