

ity to receive on behalf of said municipality any proper donations of statuary, shrubbery, trees, material, or other personal property for use in and about the said parks and boulevards. Said board shall make detailed report of all its doings and proceedings to the council at least once in three months."

Approved April 21, 1931.

CHAPTER 300—H. F. No. 1320

An act relating to the lease, sale, acquisition or use of air rights.

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

Section 1. **Sale and lease of air rights.**—That before any air rights over or affecting the property or easements of any railway company or other public utility company are leased, sold, acquired or used, application shall be made to the Board of Railroad and Warehouse Commissioners for permission to acquire or use such rights and the said Board of Railroad and Warehouse Commissioners is hereby authorized to hear said application and to determine whether or not such permission shall be granted. Provided however, that in all cases where said air rights are within the corporate limits of cities of the first class, said rights shall only be acquired, held or used with the consent of the common council or other governing body of such city.

Approved April 21, 1931.

CHAPTER 301—H. F. No. 1321

An act to amend Mason's Minnesota Statutes of 1927, Section 8976, relating to maximum charge imposed by the state in support of an insane person in certain cases and providing for the disposition of the money.

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

Section 1. **Support of insane persons.**—That Mason's Minnesota Statutes of 1927, Section 8976, be amended to read as follows:

"8976. For the purpose of defraying expenses and cost of maintenance of any inmate in a state asylum, detention hospital or hospital for the insane, the state of Minnesota shall have a valid claim for reimbursement to the extent of \$10.00 per month for each such inmate, for all moneys paid and expenses incurred by the state for such maintenance,—first, against the property or estate of such person so maintained, second, against the relatives of such person in the following order, to-wit: spouse, children and parents provided, that if the state board of control shall determine that the property or estate of any such insane person is not sufficient to more than care for and maintain the wife and minor children of such inmate, or that the means and property of the classes of persons herein secondly charged with the liability and cost of the maintenance of such insane person in said institutions, is not more than sufficient to properly provide for themselves and those otherwise dependent upon them, the said board of control shall relieve the estate of such insane person and the relatives of such insane person from a portion or all of such charge or liability as they in their judgment and upon investigation may deem just and proper. In case of increase or decrease in the estate of such insane person, or in the estates of those persons herein secondarily liable for the cost of the maintenance of an insane person in such institutions, or in case of the death of such persons, or either of them, the board of control is hereby authorized to modify or cancel its previous order made in relation thereto, and from time to time make such other and further order with reference thereto as it may seem just and proper. *Provided, if an inmate has no dependents the Board of Control may fix a charge in excess of \$10.00 per month but not to exceed the per capita cost for the previous fiscal year of the institution of which he is an inmate and the state shall have a valid claim against the property or estate of such inmate for the amount so fixed.*

In all cases under the provision of this act, the property which under the laws of this state, is exempt from attachment, or sale

on any final process, issued from any court, shall be exempt also as to the estates and persons charged with or upon whom any liability is imposed under the provisions of this act."

Approved April 21, 1931.

CHAPTER 302—H. F. No. 1511

An act to amend Laws 1929, Chapter 271, Sections 4 and 5, and repealing Section 6 thereof.

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

Section 1. **Reference.**—That Laws 1929, Chapter 271, Section 4, be amended to read as follows:

"Sec. 4. After the appointment of such referee as herein provided the court may by special order refer to said referee for the respective hearings thereon, each and every issue, other than those issued therein which are heard and decided by the judge of said court, of any matter, cause or proceeding then pending in said court, and the court may by general order refer to said referee for the respective hearings thereon each and every issue, other than those issues which are heard and decided by the judge of said court of any and all matters, causes, and proceedings thereafter coming on for hearing or had before said court during such referee's term of office and each and every such issue of any and all such matters, causes, and proceedings not heard and decided by or had before the Judge of said court, shall without any further order of said court, be thereby referred to such referee."

Sec. 2. **Trial and hearing by referee—powers—duties.**—That Laws 1929, Chapter 271, Section 5, be amended to read as follows:

"Sec. 5. In all matters so referred to him the referee shall find the facts and report the same to the judge of said court. The said referee shall have no power to decide any of the issues involved in the matter so referred to him but shall hear the evidence and report the facts thereof to the judge who shall decide the issue. The referee shall not rule on the admissibility of any testi-