

tinue for a period longer than the life or lives of specified persons in being at the time of its creation, and for twenty-one years after the death of the survivor of them, and that the free alienation of the legal estate by the trustee is not suspended for a period exceeding the limit prescribed in chapter 59."

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

Approved March 18, 1931.

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#### CHAPTER 66—H. F. No. 145

*An act to amend General Statutes 1923, Section 8098, relating to express trusts.*

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

Section 1. **Trust interest—assignable when.**—That General Statutes 1923, Section 8098, is hereby amended to read as follows:

"8098. No person beneficially interested in a trust for the receipt of rents and profits of the lands can assign, or in any manner dispose of, such interest; *provided, the power to sell and/or assign and/or transfer such beneficial interest shall in no manner be abridged or curtailed, where such beneficial interest in the first instance shall have been acquired by purchase; but the rights and interest of every person for whose benefit a trust for the payment of a sum in gross is created are assignable.*"

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

Approved March 18, 1931.

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#### CHAPTER 67—H. F. No. 150

*An act relating to the reimbursement to counties for moneys expended by them through boroughs, villages or cities heretofore and subsequent to April 1, 1929, in permanently improving roads described in Article 16 of the Constitution of the State of Minnesota, and providing for the disbursement of the moneys so reimbursed.*

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

Section 1. **Counties to be reimbursed from trunk highway funds.**—That the State of Minnesota hereby agrees to reimburse

out of the trunk highway fund and only out of that fund, to the extent and in the manner hereinafter provided, all counties for moneys expended by them under the provisions of this act in permanently improving roads described in Article 16 of the Constitution of the State of Minnesota as the same have heretofore been or will hereafter be definitely located and designated by the Commissioner of Highways.

**Sec. 2. Reimbursement for roadways only.**—The moneys paid out by any county to any borough, village or city in reimbursing such borough, village or city for so permanently improving roads or any part thereof described in said Article 16, under contracts therefor entered into by such borough, village or city heretofore and subsequent to April 1, 1929, shall for the purpose of reimbursement under the provisions of this act be regarded and dealt with as moneys expended by said county in permanently improving such roads or any part thereof, provided such work shall have been done in accordance with the plans and specifications approved by the Commissioner of Highways prior to the commencement of work under such contract; but such reimbursement shall be made only to the extent of the proportionate cost of a 20-foot roadway upon such road, exclusive of gutters and curbs. The amount of such reimbursement shall be the reasonable value of such improvement, and shall be on the basis of the prevailing cost at the time of construction of the types of pavement now in general use by the Minnesota Highway Department on trunk highways according to the Minnesota Highway Department's standard specifications therefor, including engineering expense, on the basis of prevailing costs at the time of the letting of such contract, but the amount of such reimbursement shall in no case exceed the amount expended for said improvement, including engineering expense.

**Sec. 3. Commissioner of highways to make order.**—Before any payment shall be made by any county to any such borough, village or city, the Commissioner of Highways shall by order determine the amount in which such borough, village or city is entitled to reimbursement. A certified copy of such order and a certified copy of the order of the Commissioner of Highways approving the plans and specifications under which such improvement was made shall be filed with the county auditor of the county by which such payment is to be made. Thereupon the county board of such county shall authorize the county auditor to issue his warrant on the road and bridge fund of such county in the amount so specified by the Commissioner of Highways to such borough, village or city. Any such warrants paid or warrants so issued and not paid for lack of funds may be funded or refunded by such county in the manner provided by Subdivision (b) of Section 2 of Chapter 522, General Laws 1921. All of the provisions of said subdivision (b) shall

apply to the issuance of such bonds and to the payment of the principal and interest thereof; provided, however, that such bonds shall be in such form and denomination, shall mature at such times, and shall be sold in such manner as the county board and the Commissioner of Highways shall determine, and provided, further, that the county board may if it so elects sell such bonds to the State Board of Investment without calling for bids, provided, however, that such reimbursement may at the option of the Commissioner of Highways be made in cash out of the Trunk Highway Fund without the issuance of bonds by the county.

**Sec. 4. Distribution of money.**—The moneys thus paid to any borough, village or city shall be credited to the fund out of which the cost of such improvement was paid; provided, however, that in the event any portion of such cost shall have been assessed against property benefitted thereby or paid by any county, township, borough, village, city or school district, the governing body of such borough, village or city shall equitably apportion said moneys according to the amounts so contributed, in cash or by assessment, to the cost of said improvement, either by cash reimbursement or by reduction of such assessments.

Approved March 18, 1931.

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#### CHAPTER 68—H. F. No. 356

*An act to amend General Statutes 1923, Section 8967 and Section 8968 relating to the settlement of a defective.*

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

**Section 1. When resident of another county.**—That General Statutes 1923, Section 8967, be amended so as to read as follows:

“Section 8967. Whenever the alleged defective is found to have his *settlement* as defined in Section 3161 of the General Statutes 1923 in some other county he may nevertheless be examined and if found to be defective committed in like manner as a *person having a settlement* in the county. The necessary costs and expenses of such examination and commitment shall be certified by such court to the auditor of the county in which the examination is held, who shall certify the same to the county auditor where the said alleged defective is found to *have a settlement* and shall be paid as other claims against such county.”

**Sec. 2. Proceedings when residence is questioned.**—That General Statutes 1923, Section 8968, be amended so as to read as follows: