

*the amount or value of his property, or the amount or value of the combined property of a married couple, in any old age assistance proceeding, the claim shall be allowed by the probate court as a preferred claim and shall have preference to the extent of such enhancement over all other claims, excepting only claims for expenses of administration, funeral expenses and expenses of last sickness. If the value of any such estate, exclusive of household goods, wearing apparel and a burial lot, is more than the value of the property of such person, as disclosed by the applicant in any old age assistance proceeding, it shall be prima facie evidence that the value of such estate was enhanced by the payment of old age assistance to the extent of the excess, but not exceeding the total amount of old age assistance paid to such person or persons. The statute of limitations which limits the county agency or the state agency, or both, to recover only for assistance granted within six years shall not apply to any claim made under this act for reimbursement for any assistance granted hereunder."*

**Sec. 2. Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby modified and amended so as to conform hereto.

Approved April 14, 1939.

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#### CHAPTER 243—S. F. No. 685

*An act relating to and regulating marriage licenses and to amend the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 8569.*

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

**Section 1. Marriageable age of females.**—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 8569 is hereby amended so as to read as follows:

"8569. Application for a marriage license shall be made at least five days before a license shall be issued. The clerk shall examine upon oath the party applying for license relative to the legality of such contemplated marriage, and if, at the expiration of said five-day period, satisfied that there is no legal impediment thereto, he shall issue such license, with his official seal attached, and make a record thereof, provided that in case of emergency, or extraordinary circumstances, the judge of the probate court or any judge of the district

court of the county in which the application is made may authorize the license to be issued at any time before the expiration of said five days. If any person intending to marry shall be under *the age of twenty-one if a male and under the age of eighteen if a female*, and shall not have had a former husband or wife, such license shall not be issued unless the consent of the parents or guardians shall be personally given before the clerk, or certified under the hand of such parents or guardians, attested by two witnesses, *and duly verified by an officer duly authorized to take oaths and duly attested by a seal, where such officer has a seal.* The clerk shall be entitled to a fee of two dollars for administering the oath, and issuing, recording, and filing all papers required. Any clerk who shall knowingly issue or sign a marriage license in any other manner than in this section provided shall forfeit and pay for the use of the parties aggrieved not to exceed one thousand dollars."

Approved April 14, 1939.

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#### CHAPTER 244—H. F. No. 529

*An act relating to hunting within two miles of corporate limits of certain cities; and amending the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 5509.*

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

**Section 1. Hunting within two miles of certain cities.**—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 5509, is hereby amended so as to read as follows :

"5509. No person shall hunt or have in possession for the purpose of hunting, within two miles of the corporate limits of any city having a population of 50,000 or more, any gun, rifle or other firearm, *provided, however, that upland game birds and migratory waterfowl may be taken in said area by means of shotguns when such taking is done not closer than 500 feet of any structure inhabited by human beings or domestic stock, or not closer than 500 feet of any stockade, corral or enclosure used for the purpose of confining domestic stock.* Target practice *with the use of rifles* on duly established and properly guarded rifle ranges *anywhere within two miles of the limits prescribed, outside of the 500 feet set forth* and trap shooting or *shot gun* practice by members of duly organized gun clubs of *ten or more members* on lands owned or leased or occupied for that purpose by such clubs *within*