

## CHAPTER 51—S. F. No. 322.

*An Act to exempt members of the legislature, during the session thereof, from attendance in court.*

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

**Members of legislature exempted from attendance in court in certain cases.**—Section 1. No member of the legislature shall be compelled to attend as a witness in any court of this state during the session of the legislature; unless the court in which the action is pending upon sufficient showing shall otherwise order, and no cause or proceeding, civil or criminal, in which a member of the legislature is a party, attorney whose retainer antedates the beginning of the legislative session or necessary witness shall be tried during such session of the legislature, but shall be continued until the legislature shall have adjourned, unless the court in which the action is pending upon sufficient showing shall otherwise order. Such member of the legislature may, with the consent of the body of which he is a member, waive such privilege and in such case such cause may be tried in its regular order.

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

Approved March 10, 1909.

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CHAPTER 52—S. F. No. 13.

*An Act to prohibit any school board of any public school in any city having a population of twenty thousand or more inhabitants, to use basement rooms for grade school purposes and fixing the punishment for the violation thereof.*

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

**Prohibiting the use of basement rooms for graded school purposes.**—Section 1. It shall be unlawful for any school board of any public school in any city having a population of twenty thousand or more inhabitants, to maintain or allow any basement room to be used for grade school purposes, except rooms used exclusively for the purpose of teaching domestic science, manual training or physical culture; *provided*, however, that two basement rooms, during the year 1910, and one basement room, during the years 1911-1912, may be used in any one building.

**Basement room defined.**—Sec. 2. For the purpose of this act a basement room shall mean any room, the floor of which is below the surface of the surrounding ground on all sides of said room

**Misdemeanor prescribed.**—Sec. 3. Any such school director of any public school violating section one of this act shall be guilty of a misdemeanor for each and every offense.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved March 12, 1909.

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#### CHAPTER 53—S. F. No. 14.

*An Act to amend section 3666 Revised Laws of Minnesota, 1905, relating to wills.*

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

**Revocation of wills by marriage and divorce.**—Section 1. That section 3666, Revised Laws of the State of Minnesota, 1905, be amended so as to read as follows:

“Section 3666. If, after making a will, the testator marries the will is thereby revoked, and if the testator after making the will is divorced from the bonds of matrimony, all provisions in such will in favor of the testator's spouse, so divorced, are thereby revoked.”

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

Approved March 12, 1909.

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#### CHAPTER 54—S. F. No. 96.

*An Act to permit the use of seines in the taking of certain fish.*

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

**Commission may issue license.**—Section 1. That the State Game and Fish Commission may, in its discretion, issue to any proper person a license to fish for and take, catch or capture with seines carp, dogfish, garfish, sheephead, buffalo and suckers in any of the waters under the jurisdiction of this state, except that portion of the Mississippi river and Lake St. Croix which form the boundary between the states of Minnesota and Wisconsin.

*Provided*, however, that such person using or operating such nets or seines for the taking of such fish shall do so only under the direction and personal supervision of a duly commissioned game warden. Every person obtaining such license shall pay to