

judge of probate of the county where such guardian resides, a petition in writing, duly verified, setting forth all the facts entitling any such child to such aid. Thereupon the judge of probate shall make an order fixing the time and place of hearing on said petition, a copy of which order, with a copy of the petition, shall be personally served upon such guardian and the superintendent of the insane hospital where such insane person is confined, at least ten days prior to the time fixed for said hearing.

Sec. 3. Hearing by and decree of probate judge.—At the time and place fixed for the hearing, witnesses shall be sworn before testifying, and the certificate of such superintendent shall be admissible in evidence on his signature alone; and if, after full investigation and hearing, the judge of probate shall find that such child is entitled to the aid herein provided, and that the allegations of the petition are true, he may make an order directing such guardian to furnish aid to such child for such time, and in such an amount, as the judge of probate shall deem necessary; provided, however, that in no case shall such aid exceed twenty-five dollars per month.

The aid so furnished shall be allowed in the guardian's annual or final accounts as a part of his lawful disbursements.

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

Approved April 17, 1913.

CHAPTER 341—S. F. No. 798.

An Act to authorize any city in the state of Minnesota now or hereafter having more than ten thousand and not more than twenty thousand inhabitants to control, regulate, prevent and prohibit the emission of dense smoke from any smoke stack or chimney within such city and to declare same to be a public nuisance, and provide for the summary abatement thereof; and to impose a penalty by fine or imprisonment upon the person or persons causing, permitting or allowing such nuisance to exist. Be it enacted by the Legislature of the State of Minnesota:

Section 1. Cities of between 10,000 and 20,000 given power for regulation of smoke nuisance.—That any city in the state of Minnesota now or hereafter having more than ten thousand and not more than twenty thousand inhabitants, in addition to all the powers now possessed by such city, is hereby authorized and empowered, acting by and through the council, common council or city council of such city by ordinance duly enacted by an affirmative vote of not less than two-thirds of all the members elect of such council, common council or city council, to control, regulate,

prevent and prohibit the emission of dense smoke from the smoke stack of any locomotive, engine, stationary engine or building within the limits of any such city, and to declare such emission of dense smoke to be a public nuisance, and to provide for the summary abatement thereof; and in addition thereto to impose such a penalty by fine or imprisonment upon the person or persons who may cause, permit or allow such nuisance to exist, as may be deemed proper, such penalty not to exceed, however, in any case a fine of one hundred dollars, or ninety days imprisonment.

Sec. 2. Application.—This act shall not include or apply to cities now or hereafter governed under a charter adopted pursuant to Section 36, Article 4, of the constitution of this state, and the several acts of the legislature authorizing cities to adopt their own charters.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1913.

CHAPTER 342—S. F. No. 918.

An Act authorizing the board of county commissioners in any county in this state, now or hereafter having a taxable valuation of more than \$250,000,000, to appropriate and expend money from the county road and bridge fund, for the construction or improving of any road, highway or bridge within the limits of any city of the first class in such county, in an amount not to exceed one-half the total sum paid into said fund as taxes levied on the taxable property within such city.

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

Section 1. County board given right to expend money for roads and bridges in city limits.—That in any county of this state, now or hereafter having a total assessed valuation of all its taxable property, as fixed by the state tax commission, of more than \$250,000,000.00 the board of county commissioners shall have the authority to appropriate and expend within the limits of any city of the first class located in such county, such sum or sums of money from the county road and bridge fund, as said board shall deem proper, not exceeding one-half the amount that may have been assessed and collected for such road and bridge fund on the taxable property within said city, for the building, repairing or otherwise improving of any road or highway, including the construction and repairing of any bridge thereon, within the limits of any such city, but said county shall in no event and under no circumstances become liable to keep