

## CHAPTER 470—H. F. No. 1147.

*An act providing for a clerk for the judge of the juvenile court, or if there is more than one judge; for each of the judges of the juvenile court, in counties now or hereafter having a population of 400,000 or more inhabitants.*

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

Section 1. **Salary of deputy clerk of juvenile court.**—In counties now or hereafter having a population of 400,000 or more inhabitants the deputy clerk assigned to the juvenile court shall receive a salary of two thousand (\$2,000.00) dollars per annum payable monthly. When not engaged in the duties pertaining to the juvenile court the deputy shall do such work in the clerk's office as the clerk may direct. In counties where more than one judge of the juvenile court has been designated a deputy clerk may be assigned for each judge. The clerk of said district court may from time to time change the assignment of such deputy or deputies with the approval of the judge or judges as the case may be.

Sec. 2. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved April 23, 1921.

## CHAPTER 471—H. F. No. 1148.

*An act to amend Chapter 49, Special Session Laws 1919, entitled "An act to provide relief and assistance for certain officers, soldiers, sailors, marines, nurses, dietitians and the surviving wives of certain deceased officers, soldiers, sailors, marines, nurses, dietitians providing for issuance of certificates of indebtedness for the raising of necessary funds therefor, and for the retirement of the same by money raised from a tax levy provided therefor, and the creation of a board to issue such certificates and supervise the expenditure and disbursement of funds, and appropriating \$20,000,000.00 therefor, and making it a misdemeanor for any claimant to transfer or to attempt to transfer his right or claim and for any other person to acquire or to attempt to acquire any interest therein before the issuance of the auditor's warrant therefor."*

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

Section 1. **Laws amended.**—That Sections 1 to 9, inclusive, of Chapter 49, Special Session Laws 1919, be amended to read as follows:

Section 1. **Who are "soldiers."**—That the word "soldier" as used in this act shall mean any officer, soldier, sailor, marine, nurse, student nurse, or dietitian who has been or is a part of the military or naval forces of the United States or of any nation associated with

the United States in the war with Germany, and who was a resident of the state of Minnesota at the time he was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who entered such service prior to November 11 1918, or who, having enlisted or been inducted prior to November 11, 1918, acquired an active duty status on or after such date, and who has been or may be given an honorable or ordinary discharge or release from such service; or who may still be in such service under honorable conditions, at the time of making application for the benefits of this act; provided, however, that the word "soldier", as used in this act shall not be construed to mean, and shall not include any person who, at any time during the period of the war with Germany, sought to avoid service because of conscientious objections thereto, or because of alienage, or who has been at any time guilty of fraud or violation or evasion of the Selective Service Act or of the rules or regulations of the War Department in force thereunder, or any person in such service during a period of enlistment, re-enlistment, extended enlistment or other service which began after November 10, 1918; provided, that where discharge was given for the purpose of allowing promotion and acceptance of a commission and continuous service was performed thereunder, such subsequent service shall not be deemed to be a period of service beginning after November 10, 1918. Any person who, while in such service, received pay as a civilian employe shall not be entitled to the benefits of this act for the period of such employment. No person shall be deemed to have sought to avoid service on the ground of alienage, who voluntarily entered the military or naval service of the United States after having been exempted from service because of alienage under the provisions of the selective service act; No person shall be deemed to have sought to avoid service on the ground of alienage who was entitled to exemption therefrom as an alien of a neutral country, but who performed honorable service in the military or naval service of the United States and was at the time of his discharge from the service a citizen of the United States; or who after receiving an honorable discharge and before the passage of this act has become a citizen of the United States; except as above provided no person who shall have at any time declared his intention of becoming a citizen of the United States and who thereafter sought to avoid service on the ground of alienage shall receive a bonus. No person shall be deemed to have attempted to evade the Selective Service Act who claimed exemption on the ground of marriage, which marriage occurred after being rejected for enlistment or induction into the military or naval service subsequent to April 6, 1917. The term 'alien of a neutral country' shall be construed to mean the subjects or citizens of countries that did not at any time during the war with Ger-

*many participate therein either before or after the entry of the United States into such war.*

The term "Honorable Discharge" contained in this act shall not be construed to include any person *who was in the military service of the United States and who was released from such service on account of alienage, whether such person served in the army or navy, or otherwise.*

**Sec. 2. Soldiers to receive bonus.**—That any soldier shall be entitled to receive from the State of Minnesota from a fund hereinafter created and called "The Soldiers' Bonus Fund," the sum of fifteen dollars (\$15.00) for each and every month and fraction thereof of service given by him as such soldier subsequently to April 6, 1917, and prior to *July 31, 1920*; provided that the amount received hereunder by any such soldier shall not be less than fifty dollars (\$50.00); and provided, that any sums *allowed a soldier as and for tuition under the provisions of Chapter 338, General Laws 1919, of the State of Minnesota, before approval of his claim under this act,* shall be deducted from *said claim, except that if said claim be allowed for less than Two Hundred Dollars (\$200.00), a sum shall be deducted therefrom sufficient to make the total of the claim and the amount previously allowed for tuition equal to said sum of Two Hundred Dollars (\$200.00), but if the combined amounts of the two shall be less than Two Hundred Dollars (\$200.00) the claim shall be paid in full;* and provided further that if any soldier is paid any sum under the provisions of this act and shall *thereafter* make application for any sum as and for tuition under any act heretofore enacted, the sum *so paid to such soldier under the provision of this act shall be deducted from and charged against the amount to which such soldier would have been entitled as and for tuition if he had not received any sum hereunder. If any soldier has failed to receive the proper amount due him under the provisions of Chapter 49, Laws of 1919, Extra Session, because of the language used in Section 2 thereof relative to deduction for tuition, the Soldiers' Bonus Board shall pay such soldier any additional amount due him under the provisions of this amendment.*

**Sec. 3. Application for bonus.**—That before receiving any sum under the provisions of this act, said soldier shall file with the clerk of the district court of the county in which he resides or resided at the time of induction into service, or with the adjutant general, application therefor on forms provided by the adjutant general; provided, that when such application is filed with the clerk of the district court it shall be the duty of the said clerk to transmit said application to the adjutant general forthwith. Such application shall state facts sufficient to establish the status of such applicant as soldier as defined herein, and shall be duly verified. *In case the soldier is still in such service at the time of making application, the application shall be accompanied by an official certificate of his com-*

*manding officer, showing the duty status of the applicant covering the period from April 6, 1917, to July 31, 1920, and the character of his service, together with such other proofs as may be required by the bonus board. Applications for the benefits of this act shall be made and filed on or prior to December 31, 1921, or be forever barred.*

**Sec. 4. Bonus board.**—There is hereby created a board to be known as "The Soldiers' Bonus Board," to consist of the state auditor, the state treasurer, and the adjutant general. It shall be the duty of the said board to appoint a chief executive deputy who shall examine into such applications and shall make any other examination necessary to establish facts, and report the same to such board which shall thereupon approve or disapprove the same. *All applications submitted prior to May 1, 1921, shall be before July 1st, 1921, either approved, disapproved or set apart as held for lack of facts sufficient to establish the status of the applicant. All applications received after May 1, 1921, shall be so classified within sixty days after receipt thereof.* Whenever any such applications is approved by said board it shall prepare a voucher and transmit the same to the State Auditor; said auditor shall issue a warrant for the amount approved as stated therein, and the state treasurer shall pay such warrant out of said soldiers' bonus fund. No assignment of any right or claim to benefits hereunder made prior to the issuance of the state auditor's warrant herein provided for, shall be valid, and any transfer or attempt to transfer any such right or claim or any part thereof by any beneficiary prior to the issuance of such warrant and the acquiring or attempting to acquire by any other person of any interest in or title to such claim prior to the issuance of such warrant shall be a misdemeanor and punishable as such. *Whenever any such application is set apart for lack of facts sufficient to establish the status of the applicant, notice shall be given by mailing a notice addressed to the applicant at his last known post-office address. If facts sufficient to establish the status of such applicant as a soldier shall not be proved to the satisfaction of the board for two months thereafter, such application shall be disapproved. Whenever any application is disapproved by said board a statement of the reason for such disapproval shall be filed with the application and notice thereof mailed to the applicant at his last known post-office address. Within three months after such notice of such disapproval the applicant, may make application to establish any facts necessary to entitle him to a bonus. If in the opinion of the Bonus Board such facts as adduced might cause the Board to approve such claim it shall set a date within fifteen days thereafter for the presentation of such evidence and may after receiving the same approve the application. Notice of such date or of the fact that such evidence would be insufficient to cause approval of the claim shall be mailed to the*

applicant at his last known post-office address within three days after the receipt of the petition.

Sec. 4 (a). **Soldiers' Bonus Board of Review created.**—There is hereby created a "Soldiers' Bonus Board of Review" to consist of three persons to be appointed by the Governor to hold office during his pleasure from July 1st, 1921, to March 1st, 1922, and to sit during such times ordered by the Governor, the members of which shall receive a compensation of \$10.00 per day and necessary personal and traveling expenses, during the time they shall be actually engaged in fulfilling their duties as such board members. Such board shall have power to re-examine, hold hearings and approve applications either disapproved or set apart by the Soldiers' Bonus Board because of insufficient facts to establish the status of a soldier or applications which are not approved within sixty days after the filing thereof; provided that before any disapproved claim shall be reviewed by the Board of Review the applicant shall apply for such review. Upon receiving such application for review the Bonus Board shall deliver to a member of the Board of Review, upon receipt therefor, the files in the case. Such Board of Review shall return the same within forty-five days, with a memorandum of any action taken thereon. The said Board of Review shall have full power to determine all questions of facts which determine the status of a soldier. All approvals of claims and determinations of fact by such Bonus Board or Board of Review which establish the status of an applicant to be that of a soldier under the terms of this act shall be final and conclusive. All disapprovals or setting apart of claims because of lack of sufficient proof to establish the status of an applicant shall be subject to review. One member of the said Board of Review may hold hearings and any two may approve a claim. Whenever the number of applications for review in any locality and the circumstances of the cases shall warrant, the Board of Review or a member thereof may hold hearings in any parts of the state. The Bonus Board may with the consent of the Board of Review refer to such Board of Review any applications which would not otherwise be subject to review by such Board.

Sec. 5. **Bonus board to issue \$20,000,000.00 certificates of indebtedness.**—The soldiers' bonus board is hereby authorized and empowered to issue and sell certificates of indebtedness to make funds available for the purpose of carrying out the provisions of this act. Said certificates shall draw interest at a rate not to exceed five per cent per annum payable semi-annually, except the interest due in 1920, which shall be paid in one installment; and shall not be sold for less than the par value thereof. The proceeds of the sale of such certificates, from time to time, shall be paid into a fund hereby created, which fund shall be known as "The Soldiers' Bonus Fund." Said certificates shall mature not more than twelve (12) years from the date thereof, and be in such form and on such

terms and conditions, other than those herein specified, as the said board may determine, but such certificates shall be issued in an aggregate amount not exceeding the sum of twenty million dollars (\$20,000,000.00). Said certificates shall be signed by the members of said board and shall be attested by the state auditor under the seal of his office. The state auditor shall keep a record showing the number, amount, date of issue and date of maturity of each such certificate and the proceeds of the sale thereof shall be deposited with the state treasurer to the credit of the said soldiers' bonus fund. Redemption of said certificates and payment of the interest thereon shall be made from said fund, and any excess remaining in or accruing to said fund after payment in full of all such certificates shall be credited to the revenue fund.

Sec. 6. \$20,000,000.00 appropriated to pay soldiers' bonus.—That the said sum of twenty million dollars (\$20,000,000.00), or as much thereof as may be necessary, is hereby appropriated out of the said soldiers' bonus fund for carrying out the provisions of this act.

Sec. 7. Tax levy to pay certificates of indebtedness.—That for the purpose of providing funds with which to pay said certificates of indebtedness as they mature and the interest thereon, the state auditor is hereby authorized and directed to levy and collect in the same manner as other state taxes are levied and collected, for the taxable year of 1919, and for each and every succeeding year, for nine (9) years a sum not exceeding two million dollars (\$2,000,000.00) per year and such additional sums as may be needed to meet the interest on such certificates of indebtedness. The sum so levied and collected shall be placed in the said soldiers' bonus fund.

Sec. 8. Employees of bonus board.—That the Soldiers' Bonus Board, is hereby empowered to employ such assistance and to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this act; *provided, however, that all employes shall be hired weekly, bi-weekly or monthly and that no "over-time" so-called or extra compensation shall be paid to any such employe for services rendered under his employment,* and the funds necessary for such administration and carrying out of the provisions of this act shall be expended from said soldiers' bonus fund; such assistants as said board may determine shall give bond in such amount as may be fixed by said board, and shall, whenever practicable, be soldiers as defined in section 1 of this act.

Sec. 9. Heirs or dependents entitled to bonus when.—Where any soldier, as herein defined, died while in the service and left him surviving a widow, or children under eighteen years of age, or a widowed mother, such widow, if still single, or if there be no widow still single, such children, if still under eighteen years of age, or if there be neither, then such widowed mother shall be entitled to and shall be paid out of the soldiers' bonus fund the amount which such

deceased soldier would have received hereunder for the period of his active service, if living. Where any soldier shall have died after being discharged from the service and has not received the full benefits provided for under the provisions of Chapter 49, Special Session Laws, 1919, or of this act, leaving neither a widow nor children as herein defined, him surviving, but leaving a father or mother, then in that case the sum to which such soldier would have been entitled for the period of his active service, if living, shall be paid to such mother, if living, and if there is no mother, to such father.

Sec. 10. **Bonus board to finish work by July 1, 1922.**—The Soldiers' Bonus Board shall conclude its duties under the provisions of this act and go out of existence June 30, 1922. All office equipment in the custody of the Board at that time shall be delivered to the Board of Control, receipt being taken therefor, and such Board is hereby authorized to allot such equipment for the use of other departments of the state. All files of the Bonus Board relating to bonus applications shall be deposited with the Adjutant General and shall become a part of his permanent records.

Sec. 11. **Application.**—*The provisions of this act shall not be construed as an amendment or modification of any of the provisions of Chapter 14, Laws 1921, or Chapter 51, Laws 1921.*

Sec. 12. This act shall take effect and be in force from and after its passage.

Approved April 23, 1921.

#### CHAPTER 472—H. F. No. 1159.

*An act relating to the regulation of the operation of certain vehicles upon the public highways and number plates to be displayed thereon and the registration thereof and the regulation of the lights thereon and relating to certain rules of the road and to amend Sections 2626, 2628, 2631, 2633, and 2634, General Statutes 1913, and 2632, General Statutes 1913, as amended by Chapter 391, Laws 1919, and to repeal the following sections of General Statutes, 1913, namely, Sections 2620, 2622, 2623, as amended by Section 2, Chapter 33, Laws 1915, Sections 2624, 2625, 2627, 2629, as amended by Section 3, Chapter 33, Laws 1915, Sections 2630 and 2642 as amended by Section 6, Chapter 33, Laws 1915, Section 7, Chapter 33, Laws 1915, Chapter 134, Laws 1919, Chapter 510, Laws 1919; and to repeal all acts and parts of acts inconsistent herewith.*

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

Section 1. All motor vehicles must be registered and carry number plates.—Section 2626, General Statutes 1913, is hereby amended to read as follows :