

filed in his office as aforesaid and referred to in such certificate and affidavit, the fact of filing such certificate, and the book and page where recorded; and he shall receive from the person offering said certificate for record the fees provided by law for similar services. And such certificate or the record thereof shall, together with such plat, be prima facie evidence, in all cases as to lands covered by said plat.

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

Approved April 10, 1923.

CHAPTER 179—S. F. No. 596.

An act relating to aid and assistance for members of volunteer fire departments and certain dependents in certain cases, and appropriating money therefor.

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

Section 1. **Pensions for members of volunteer fire departments in certain cities and villages.**—Pensions or financial aid shall be paid to each member of any regularly organized volunteer fire department existing in any city, village, borough or town in this state, excepting cities of the first class, who may after the passage of this act be permanently injured while in the performance of his duties as such fireman, and in the event of the death of such fireman so injured, financial aid shall be paid to his widow, and in certain cases to the guardian of his minor children under sixteen years of age as hereinafter specified out of the fund hereinafter provided.

Sec. 2. **Schedule of aid allowed.**—Schedule of aid allowed under this act is as follows:

(a) For total permanent disability there shall be paid to such injured fireman the sum of \$60 per month for and during his life.

(b) For partial permanent disability there shall be paid during life to such injured fireman monthly an amount sufficient to compensate him for loss in earning capacity sustained; provided, however, that the amount paid per month to any injured fireman under this subdivision shall not exceed (\$35.00) dollars.

(c) For death from any cause resulting to such fireman injured in the performance of his duties there shall be paid to his widow \$30 per month so long as she remains unmarried and in addition thereto \$10 per month for each child, of such fireman and such widow, under sixteen years of age; provided, no widow under the provisions of this subdivision shall receive more than \$60 per month.

(d) For death from any cause resulting to such fireman injured in the performance of his duties where his surviving spouse remarries, then and thereafter there shall be paid to her \$5 per

month for each child, of such fireman and such spouse, under sixteen years of age.

(e) For death from any cause resulting to such fireman injured in the performance of his duties where there is no surviving spouse at the time of his death, or such spouse thereafter dies, there shall be paid to the guardian of the children of the deceased fireman so injured \$10 per month for each of his children under the age of sixteen years.

Sec. 3. Duties of insurance commissioner.—The provisions of this act shall be administered by the Commissioner of Insurance, and he shall have power and it is made his duty to prescribe such forms and to adopt such rules and regulations for its proper administration as he may deem necessary. The form, manner of execution and filing of proofs of death or injury shall be prescribed by him, and he shall prepare a suitable number of such forms, which shall be sent on application to claimants. He shall also prepare and send to each volunteer fire department, on its application, a questionnaire, which shall include inquiries as to the name, date, and manner of organization of such fire department, the field of its operations, the number and the names of its members, and also inquiries and all other matters which may be deemed pertinent by him to the question of the regularity of the organization of such volunteer fire department and the eligibility of its members to pensions or financial assistance hereunder.

Sec. 4. Fire departments may share in benefits—Duties of commissioner.—Within sixty (60) days after the passage of this act each volunteer fire department in this state desiring that its members and their dependents shall share in the benefits of this act, shall obtain, execute and file with the Commissioner of Insurance the questionnaire above referred to. Thereafter each such fire department shall, through its proper officer, notify the Commissioner of Insurance on forms prepared by him for the purpose of any change in its membership or in its officers or in its purposes. If the Commissioner of Insurance finds that any volunteer fire department, seeking to comply with the provisions of this act, is a regularly organized volunteer fire department, in a town, borough, village or city of the class specified, he shall notify such fire department that he has found it subject to the provisions of this act, and that its members, as evidenced by the list on file in his office, and their dependents are entitled to pensions and financial assistance according to the terms thereof.

Sec. 5. Eligibility of members.—No member of a volunteer fire department nor his dependents shall be eligible to receive financial assistance or a pension hereunder unless at the time of the injury or death of such member his name appears on file in the office of the Commissioner of Insurance as a member of a regularly organized volunteer fire department in a town, village, borough or city of the class specified. No person who is sixty (60)

years or age or over shall be eligible to receive payments under the provisions of this act.

Sec. 6. Assignments of claim not valid—Transfer a misdemeanor.—No assignment of any right or claim to the benefits herein provided for shall be valid, and any attempt to transfer any such right or claim, or any part thereof, shall be a misdemeanor and shall be punishable accordingly.

Sec. 7. Tax levy authorized—Proceeds to State treasurer.—The proper authorities of each city of the second, third and fourth classes, and of each village and town, in which is maintained a regularly organized volunteer fire department, shall annually vote a tax for the aid provided by this act in an amount equal to two dollars for each member of the volunteer fire department of such city, village or town, and annually after the collection of such tax, the proceeds thereof shall be transmitted by the proper authorities to the state treasurer and shall be accredited by him to a special fund to be known as the "Volunteer Firemen's Aid Fund" and the amount thereof is hereby annually appropriated to the commissioner of insurance for the purposes of this act and shall be disbursed by him in accordance with the provisions hereof.

Sec. 8. Not to affect workmen's compensation act.—This act shall not be construed as abridging, repealing or amending the laws of this state relating to fire department relief associations. Members of volunteer fire departments existing in cities, villages, boroughs or towns shall not be subject to the provisions of Chapter 82, Laws 1921, as amended, commonly known as the Workmen's Compensation Act, nor shall they receive any benefit thereunder.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 10, 1923.

CHAPTER 180—H. F. No. 935.

An act authorizing boards of municipal works of any city in this state created under the provisions of Chapter 165 Laws of Minnesota for the year 1903, and acts amendatory thereof, to issue bonds for the purpose of reconstructing, enlarging and improving the public water works plant in such cities.

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

Section 1. Water works bonds authorized in certain cases.—That the Board of Municipal Works of any city in this state, created under the provisions of Chapter 165, Laws of Minnesota for the year 1903, approved April 10, 1903, and Acts amendatory thereof, are hereby authorized and fully empowered to execute, sign, issue, sell, and deliver the bonds for and in behalf of said city to such amount as in its judgment may be necessary, but not