1940 Supplement

To

Mason's Minnesota Statutes

1927

(1927 to 1940)

(Superseding Mason's 1931, 1934, 1936 and 1938 Supplements)

Containing the text of the acts of the 1929, 1931, 1933, 1935, 1937 and 1939 General Sessions, and the 1933-34, 1935-36, 1936 and 1937 Special Sessions of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with digest of all common law decisions.

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of a former soldier while such is being hospitalized and afterwards during such period as is necessary.

(e) Act as guardian for minors and incompetent persons receiving moneys from the United States government when no other suitable person will consent to act.

(f) Co-operate with United States government agencies providing compensation, pensions, insurance or other benefits provided by federal law, by supplementing the benefits prescribed therein, when exceptional conditions in an individual case make it necessary.

CHAPTER 25A
Board of Visitors for State Institutions

4609 to 4609. [Repealed.]
Repealed Apr. 20, 1929, c. 268.

CHAPTER 26
Schools for the Deaf and the Blind

4611. School for the deaf—Who may be admitted, expenses.

The ordinary laws relating to poor relief have no application to the placing of a deaf girl in the State School for Deaf at Faribault, and the county of residence and not the county of settlement is liable for the maintenance of the child. Op. Atty. Gen., Sept. 3, 1931.

Cost of emergency operation performed on deaf child in state school for deaf is chargeable to municipality in which child has his settlement for poor relief purposes. Op. Atty. Gen., Dec. 12, 1933.

Where minor was admitted to school for deaf from one county and thereafter parents separated and father took up residence in another county, where child visited him in summer time, latter county was liable for support of child, father being indigent. Op. Atty. Gen., June 11, 1939.


County in which parent of child committed to state school for deaf has settlement is liable for support of child, whether under county or township system of poor relief. Op. Atty. Gen. (338d), Aug. 29, 1935.


Payment by county must be used for pupil while in school and not for pauper relief purposes after child has left school. Op. Atty. Gen. (88a-5), June 24, 1936.

4613. Blind student to receive expenses while at certain schools.—That any blind person who is, and for five years immediately preceding the making of his application for aid under this act has been a resident of this state, and who is a regularly enrolled student pursuing any course of study, profession, art, or science in any university, college, or conservatory of music approved by the board of directors of the Minnesota School for the Blind, and in the discretion and under direction of said board, receive a sum or sums of money not exceeding $300 in any one year, for the purpose of defraying his necessary expenses, including those of a reader, while in attendance upon such university, college, or conservatory, such expenditures to be made from the appropriations for the current expenses of the Minnesota School for the Blind, provided that not more than ten such blind persons shall receive such aid in any one year. (15. c. 387, §1; Apr. 24, 1929, c. 387, §1.)

4615. Certain children required to attend.—Every parent, guardian or other person having control of any normal child between six and twenty years of age, too deaf or unable to make articulate sounds to be properly benefited by the methods of instruction in vogue in the public schools, shall be required to send such child or youth to the School for the Deaf at the City of Faribault, Minnesota, during the scholastic year of that school. Such child or youth shall attend such school year after year, until discharged by the superintendent upon approval of the State Board of Control.

Such Board may excuse attendance when satisfied:

1. That the child is in such bodily or mental condition as to prevent his attendance at school or application to study for the period required.

2. That he is afflicted with such contagious or offensive disease or possesses such habits as to render his presence a menace to the health or morals of other pupils, or for any reason deemed good and sufficient by the superintendent with approval of the State Board of Control.

3. That the child is efficiently taught for the scholastic year in a private or other school, or by a private tutor, the branches taught in the public schools so far as possible.

Any such parent, guardian or other person failing to comply with the foregoing section shall, upon conviction thereof before the justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five (5) nor more than twenty (20) dollars for the first offense, nor less than ten (10) nor more than fifty (50) dollars for the second and every subsequent offense, with costs in each case. Any person who induces or attempts to induce any deaf or unable to make articulate sounds child to absent himself or herself unlawfully from school, or employs or harbors any such child unlawfully from school, while said school is in session, shall, upon conviction thereof, before justice of the peace, or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five (5) nor more than twenty (20) dollars for the first offense, nor less than ten (10) nor more than fifty (50) dollars for the second and every subsequent offense, with costs in each case. The principal teacher of every public school in the counties, and the truant officers of the cities of St. Paul, Minneapolis and Duluth, shall, within 30 days before the close of the school year succeeding the passage of this act, and at corresponding period each succeeding year thereafter, furnish the county superintendent of schools or the Board of Education of the cities of St. Paul, Minneapolis and Duluth, as the case may be, with the name, age, sex and address of parent or guardian of all normal children who are too deaf or
unable to make articulate sounds to be educated in the public schools between the ages of six and twenty years, inclusive, living within the boundaries of his or her school district and who do not attend school. And the county superintendent of schools, or the Board of Education of the city of St. Paul, Minneapolis and Duluth, shall certify forthwith the names of all such deaf children, with address of parent, age and sex, to the superintendent of the Minnesota School for the deaf at the city of Faribault.

It shall be the duty of the county attorney to at once prosecute any case of parent or others unlawfully responsible, directly or indirectly, for the failure to place a deaf child or youth in a school for the deaf, when such case shall have been reported to him. So far as the same are applicable all the provisions of this section shall be construed to include children who are too blind or defective of sight to be materially benefited by the methods of instruction in vogue in the public schools, for the purpose of securing their attendance at the state school for the blind.

(E. L. '29, §3199-74a; '37, c. 487, §1; '39, c. 255, §1; G. S. '37, §3199-74a; '39, c. 460; '41, c. 456; '46, c. 346, §8; Mar. 21, 1951, c. 92.)

4616. Duties of state board of control.

See §3199-60 herein.

4617. Payments by State Board of Control.—The State Board of Control is hereby authorized to defray the necessary expenses of said board, provided, that in any county of this state now or hereafter having a population of over one hundred fifty thousand (150,000) inhabitants and an assessed valuation of over Two hundred million ($200,000,000) Dollars, including money and credits, the county board of said county is hereby authorized to defray part or all of the necessary expenses of maintaining said work within said county from the general revenue fund of said county, not exceeding the total sum of Three thousand six hundred ($3,600) dollars, in any one calendar year, and in carrying on said work may appoint and employ an assistant to the said field agent for the blind in said county, who shall work under the direction of said agent in said county. The portion of the salary of said field agent and of any assistant to be paid by said county, shall be fixed by the county board at its first meeting after the taking effect of this act and thereafter at its first meeting in January in each year, and such salary of said field agent and said assistant, shall be paid in the same manner as the salary of other county officers and employees are paid. All necessary expenses of said agent and assistant in carrying on said work in said county, not paid by the State Board of Control, shall be paid by said county board as other claims against said county are paid. That any and all payments heretofore made under said law by such county are hereby legalized. (13, c. 488, §5; G. S. '13, §4512; '17, c. 136, §1; '17, c. 346, §6; '21, c. 24, §1; '23, c. 236, §2; Mar. 2, 1933, c. 45, §1; Apr. 29, 1935, c. 307.)

See §3199-69 herein.

The operative effect of this section is suspended during the continuance of payments of federal aid under the Social Security Act (Mason's U. S. Code Anno., title 42, c. 7). See §3199-65 herein.

CHAPTER 27
State Public School

4618. Location—Purpose.

State board of control abolished and functions and powers transferred to director of public institutions by Act Apr. 22, 1939, c. 451, Art. 6, §§4, ante §3199-103, 3199-104.

4619. Commitments of school by juvenile courts.

A feeble-minded, dependent child who has been committed to the state control of the state board of control or not admitted to a state institution unless otherwise provided by the state. County of Stearns v. P., 203 Minn. 553, 277 N.W. 798, 321 N.W. 204, cert. denied 290 U.S. 666, 54 S. Ct. 223, 78 L. Ed. 504, Jan. 12, 1937.


4617-1. [Repealed.]

Repealed Apr. 21, 1937, c. 324, §27, post, §3199-85, effective as provided in §3199-5.

The operative effect of this section is suspended during the continuance of payments of federal aid under the Social Security Act (Mason's U. S. Code Anno., title 42, c. 7). See §3199-65 herein.

CHAPTER 28
Railroads, Warehouses and Grain

RAILROAD AND WAREHOUSE COMMISSION

4628. Election, etc.


4629. Vacancies.

"Next general election" means one occurring after the most recent general election. Vacancies may be removed by law that vacant office is to be filled at election. State v. A., 202 Minn. 307, 277 N.W. 357. See Dun's Dig. 7948 (27).