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# 1941 Supplement

To

# Mason's Minnesota Statutes

1927

1939 to 1941

(Supplementing Mason's 1940 Supplement)

Containing the text of the acts of the 1941 Session 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 Law Review Articles and digest of all common law decisions.

Edited by  
the  
Publisher's  
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St. Paul, Minnesota*

MASON PUBLISHING CO.

SAINT PAUL, MINNESOTA

1941

**4439. Money of inmates.**

Though purchases for inmates at state prison and state reformatory are made by division of purchases of department of administration, requirement of reorganization act of competitive bidding is not applicable, stores being owned and operated by inmates. Op. Atty. Gen. (980B-22), July 10, 1940.

**4451. Indigent blind infants—Duties of board of control.**

A blind child is subject to compulsory education law, and it is duty of county attorney to bring appropriate proceedings to compel parents to send a blind child to the state school for the blind. Op. Atty. Gen., (482a), Dec. 6, 1939.

**ILLEGITIMATE CHILDREN****4454. Board of control may have legal guardianship of children. [Repealed.]**

Repealed. Laws 1941, c. 159.

**STATE TRAINING SCHOOL****4470. Location and management.**

Act Mar. 13, 1941, c. 63, authorizes sale of certain lands belonging to state known as the Minnesota State Training School for Boys.

**4472. Duties of board—Girls—Discharge.**

Powers and duties respecting children committed to state training school for boys and Minnesota home school for girls vested in state director of public institutions, state board of parole, director of social welfare, or any other state agency are transferred to the director of public institutions. Laws 1941, c. 356. See §§3199-106a and 3199-106b.

**4473. Duties of board.**

Powers and duties respecting children committed to state training school for boys and Minnesota home school for girls vested in state director of public institutions, state board of parole, director of social welfare, or any other state agency are transferred to the director of public institutions. Laws 1941, c. 356. See §§3199-106a and 3199-106b.

**HOSPITALS AND ASYLUMS FOR THE INSANE****4508. Location—Superintendents.**

Director of public institution may permit men who die at Homeless Men's Camp to be interred in burial plot at Hastings State Hospital. Op. Atty. Gen. (89), Jan. 22, 1941.

**4524. Discharge of patients.**

Parole or discharge of patients with psychopathic personality is governed by same provisions as dangerously insane. Op. Atty. Gen., (248B-11), March 19, 1940.

**STATE SANATORIUM FOR CONSUMPTIVES****4544. Buildings—Superintendent.**

State Sanatorium cannot sell telephone equipment at private sale to telephone company, which will install new equipment, and if it did sell the equipment it could not retain the money received and use it to help defray expenses on telephone service to be rendered, authority to sell obsolete and surplus property being in the com-

missioner of administration, and sale on basis of competitive bids being necessary, and the proceeds thereof would go to general revenue fund of the state. Op. Atty. Gen. (640), Oct. 22, 1940.

**MINNESOTA GENERAL HOSPITAL****4579. Officers to report case needing hospital care.**

The \$5.00 fee to be paid an examining doctor under Laws 1921, c. 411, §3, is applicable to Laws 1935, c. 355, §2, and examination under the 1935 law entitles doctor to flat fee of \$5.00, providing examining doctor was appointed by judge of probate court. Op. Atty. Gen., (1001c), Dec. 11, 1939.

Laws 1935, c. 359 (§§3164-19 to 3164-22), was passed as a supplemental measure to §§4577 to 4585, and did not amend this section, and gives county option of sending its patients to Minnesota General Hospital or to some other hospital. Op. Atty. Gen., (1001c), March 8, 1940.

Five dollar fee is proper charge against county of residence of patient, whether there is county or township system of poor relief. Id.

Probate court jurisdiction in proceeding under §§4577 to 4585 is transferred to county board, and if proceeding is under Laws 1935, c. 359 (§§3164-19 to 3164-22), county board has jurisdiction. Id. But see §4590.

Cost of hospitalization is paid by county of residence rather than county of settlement so in proper case reimbursement may be had from county of legal settlement. Op. Atty. Gen. (339g-2), July 19, 1940.

**4580. Transportation of patients to hospital, etc.**

Cost of hospitalization is paid by county of residence rather than county of settlement so in proper case reimbursement may be had from county of legal settlement. Op. Atty. Gen. (339g-2), July 19, 1940.

**4584. Expenses paid by counties.**

State has no authority to reimburse county for charges to patients referred to Minnesota General Hospital, which was unable to receive them, necessitating treatment in other hospitals. Op. Atty. Gen., (1001c), Dec. 9, 1939.

University of Minnesota hospital expense may be paid by county from welfare fund. Op. Atty. Gen., (905B), May 14, 1940.

Where poor person residing in one county was subjected to an emergency appendectomy and hospitalized, and proper local authorities of county of settlement ratified hospitalization and medical care, county in which operation and hospitalization were had could pay the bill and recover from county of settlement, notwithstanding that it had an arrangement whereby cases taken care of in the hospital were in lieu of hospitalization in University Hospital. Op. Atty. Gen., (339g-2), May 31, 1940.

Cost of hospitalization is paid by county of residence rather than county of settlement so in proper case reimbursement may be had from county of legal settlement. Op. Atty. Gen. (339g-2), July 19, 1940.

**4590. Certain powers of judges of probate transferred to County Board.**

Probate court does not retain jurisdiction in proceeding under §4577 to §4585. Op. Atty. Gen., (1001c), March 8, 1940; note under §4579.

**STATE SOLDIERS WELFARE FUND****4605-1 and 4605-2. [Repealed.]**

Repealed. Laws 1941, c. 548.

**CHAPTER 26****Schools for the Deaf and the Blind****4610. Location—Organization.**

Name of state school for the blind at Faribault, changed to, The Minnesota Braille and Sight Saving School. Act Apr. 21, 1941, c. 332, §1.

**4613. Blind student to receive expenses while at certain schools.**

Under laws relating to dependent, neglected, and delinquent children, a probate court has power to commit a blind boy to state school for blind at Faribault. Op. Atty. Gen., (482a), Dec. 28, 1939.

**4615. Certain children required to attend.**

A blind child is subject to compulsory education law, and it is duty of county attorney to bring appropriate proceedings to compel parents to send a blind child to the state school for the blind. Op. Atty. Gen., (482a), Dec. 6, 1939.

Boy's failure to attend school is sufficient proof that he is a delinquent child. Op. Atty. Gen., (482a), Dec. 28, 1939.

**CHAPTER 27****State Public School****4618. Location—Purpose.**

State public schools with approval of director of division of public institutions may permit use of auditorium

by private organizations for a theatrical performance. Op. Atty. Gen. (345c), Aug. 21, 1940.