

CHAPTER 252**SCHOOL FOR THE FEEBLE-MINDED; AND COLONIES FOR THE FEEBLE-MINDED AND EPILEPTICS.****252.01 LOCATION AND MANAGEMENT OF SCHOOL FOR FEEBLE-MINDED.**

Laws 1945, c. 523, does not of itself authorize municipalities to acquire in the first instance the facilities with which the chapter is concerned and if any authority exists by which a municipality may acquire property for the related purpose it must be found in the charters of the municipalities in question. The section confers one authority only, namely to acquire property only by gift to the state. OAG Dec. 6, 1945 (89); OAG Dec. 13, 1945 (59-a-40).

Laws 1945, c. 523, does not authorize a county to make a gift of its established tuberculosis sanatorium to the state for the purpose of establishing a state school for purposes related in chapter 523. OAG Jan. 5, 1946 (556-a-5).

252.04 WHO MAY BE ADMITTED.

Suit by an individual for the value of support furnished a pauper having a settlement for poor relief in the defendant municipality cannot be maintained in the absence of allegations in the complaint that such support was furnished the pauper in an emergency; the pauper being in immediate need of aid before application for relief in his behalf could be made to the municipality. *Jorgenson v City of Northfield*, 211 M 377, 1 NW(2d) 364.

Where a pauper has been adjudged to be feeble-minded, warrant of commitment to a state institution had been issued but had not been executed, the pauper was required to be supported by the town of his settlement, but after commitment section 252.04 applies. OAG April 19, 1943 (339-D-1).

The superintendent for the state school for feeble-minded is not authorized to apply any moneys in the possession of the inmate toward the inmate's care. The director of public institutions may apply to the committing court for an order authorizing him to take possession of the ward's money, and when obtained the money should be deposited in the state treasury to the benefit of the social welfare fund. Such money upon the direction of the director may be used for the support of the inmate. In case the director does not direct the use of the money, an amount not exceeding \$40 per year for the support and maintenance of the feeble-minded person becomes a charge upon the county in which the feeble-minded person had a legal settlement for relief. OAG May 24, 1945 (679-1).

The provisions of section 541.05 (2) bars the claim of the county against the estate of an epileptic for reimbursement of the county on account of money paid to the director of public institutions for support of a ward. OAG April 7, 1947 (107-B-4).

252.06 SHERIFF TO TRANSPORT FEEBLE-MINDED AND EPILEPTIC PERSONS.

Amended by L. 1947 c. 212 s. 1.

The order directing the sheriff to transport persons committed as feeble-minded is directed to the sheriff of the county of commitment and that county must pay the necessary expenses of the sheriff. OAG Feb. 11, 1944 (390-c-4).

252.07 SHERIFF TO RECEIVE EXPENSE ONLY.

Amended by L. 1947 c. 212, s. 2.