

1936 Supplement
To
Mason's Minnesota Statutes
1927

(1927 to 1936)
(Superseding Mason's 1931 and 1934 Supplements)

Containing the text of the acts of the 1929, 1931, 1933 and 1935 General Sessions, and the 1933-34 and 1935-36 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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such license shall be returned to the licensee. (Act Apr. 21, 1933, c. 352, §12.)

2720-135. Suspended licensee may appeal to court.—Any person whose license has been suspended by the Commissioner, may file a petition within thirty days thereafter for a hearing in the matter in the District Court in the County wherein such person shall reside, and in the case of a non-resident, in the District Court in any County, and such court is hereby vested with jurisdiction, and it shall be its duty to set the matter for hearing upon ten days' written notice to the Commissioner and thereupon to take testimony and examine into the facts of the case to determine whether the petitioner is entitled to a license or is subject to suspension of license under the provisions of this Act and shall render judgment accordingly. (Act Apr. 21, 1933, c. 352, §13.)

2720-136. May apply for new license after one year.—Any person whose license has been revoked under the provisions of Section 10 hereof may, after one year from the date of such revocation, petition the district court of the county wherein he resides, or, in case of a non-resident, the district court of any county, for an order directing the commissioner to issue a certificate of license to him. The district court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing upon 10 days' written notice to the commissioner. At the hearing the court shall take testimony and examine into the facts of the case to determine whether the petitioner is entitled to a license and shall make its order, granting or denying the petition. If the petition is granted, the commissioner, upon receipt of a certified copy of the order of the court, shall issue such license: If the petition is denied, no renewal thereof shall be made during the period of one year from the date of the order of the court. (Act Apr. 21, 1933, c. 352, §14.)

2720-137. Misdemeanor to operate motor vehicle after suspension of license.—Any person whose operator's license has been suspended or revoked as provided in this Act, and who shall drive any motor vehicle upon the highways of this state while such license is suspended or revoked or who shall violate any of the other provisions of this Act shall be guilty of a misdemeanor. (Act Apr. 21, 1933, c. 352, §15.)

2720-138. Fees to be paid into state treasury.—All money received under the provisions of this Act shall be paid into the State Treasury and shall be credited to an operator's license fund and the entire amount or so much thereof, as shall be necessary for the expense of the administration of this Act, is hereby appropriated for that purpose. (Act Apr. 21, 1933, c. 352, §16.)

Fees need not be reported under §976 of the statutes. Op. Atty. Gen., July 22, 1933.

Commissioner of highways could purchase equipment and supplies for driver's license division on a deferred payment plan in anticipation of fees to be collected. Op. Atty. Gen., Sept. 12, 1933.

2720-139. Commissioner of highways may appoint agent.—Any duties required of, or powers conferred on the Commissioner of Highways under the provisions of this Act may be done and performed or exercised by any of his duly authorized agents. (Act Apr. 21, 1933, c. 352, §17.)

2720-140. Provisions separable.—If any part or parts of this Act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act. (Act Apr. 21, 1933, c. 352, §18.)

2720-141. Inconsistent acts repealed.—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed. (Act Apr. 21, 1933, c. 352, §19.)

CHAPTER 13A

Vessels Navigating Lakes and Rivers

2740-1. Definition.—The words "motor boat" where used in this act shall include every vessel propelled by machinery, except tug and/or tow boats propelled by steam and operated upon any lakes or streams of this state, except lakes and streams situated in whole or in part north of the north line of township 52 as the same extends due west across the state and excepting likewise all waters constituting the boundary between the State of Minnesota and any other state. (Act Mar. 26, 1931, c. 88, §1.)

2740-2. Speed of motor boats.—No motor boat under the provisions of this chapter shall be operated at a speed greater than is reasonable and proper having due regard to the safety of other boats and persons. (Act Mar. 26, 1931, c. 88, §2.)

2740-3. Must have mufflers.—Every motor boat under the provisions of this chapter propelled by an internal combustion engine shall at all times be so equipped as to completely and effectually "muffle" and silence the sound of the explosions of such engine by diverting its exhaust under water, or otherwise. It shall be unlawful to operate any such motor boat so propelled by an internal combustion engine with the muffler or cut-out open on any navigable or public waters in this state other than international waters, waters constituting the boundary between the State of Minnesota and any other state, except while such motor boat is actually competing in a race licensed to be held pursuant to section 4 [§2740-4] hereof. (Act Mar. 26, 1931, c. 88, §3.)

2740-4. Mufflers may be open in races.—Such motor boats may be operated with mufflers or cut-outs open while actually competing in any race licensed to be held by the council or other governing body of the city, village, or town adjacent or nearest to that portion of the body of water on which such race is to be held. (Act Mar. 26, 1931, c. 88, §4.)

2740-5. Owner to report accidents.—Within 48 hours after a motor boat meets with an accident involving personal injury or loss of life, it shall be the duty of the owner or the person in charge of such motor boat to prepare a written report, setting forth the details of the casualty, which report shall be forwarded by mail or otherwise to the sheriff of the county in which the accident occurred. (Act Mar. 26, 1931, c. 88, §5.)

2740-6. Inconsistent acts repealed.—All prior acts or parts of prior acts inconsistent with the provisions of this act are hereby repealed. (Act Mar. 26, 1931, c. 88, §6.)

2740-7. Violation—penalties.—Any person who violates any section of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or imprisonment not exceeding thirty days, or both. (Act Mar. 26, 1931, c. 88, §7.)

2740-8. Effective July 1, 1931.—This act shall take effect and be in force from and after July 1st, 1931. (Act Mar. 26, 1931, c. 88, §8.)