

1941 Supplement
To
Mason's Minnesota Statutes, 1927
and
Mason's 1940 Supplement

Containing the text of the acts of the 1941 and 1943 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 Law Review Articles and digest of all common law decisions.

Edited by
the
Publisher's
Editorial Staff

MINNESOTA STATE LAW LIBRARY

MASON PUBLISHING CO.
SAINT PAUL 1, MINNESOTA

1944

~~PROPERTY OF
MAHONIN LAW LIBRARY
ASSOCIATION~~

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.

Payment of traveling expenses is mandatory upon county board, but it cannot be made until an itemized claim is filed with board and allowed by them. Op. Atty. Gen., (1001c), June 10, 1941.

Cost of hospitalization in Minnesota General Hospital to be paid by county of residence rather than county of settlement of poor person. Op. Atty. Gen., (1001c), Jan. 6, 1943.

Matter is a legislative and not an executive or judicial question. Op. Atty. Gen. (1001c), Feb. 9, 1943.

County operating under town system of poor relief may not require or permit town to pay any portion of hospitalization of patients sent to the Minnesota general hospital. Op. Atty. Gen. (1001c), Apr. 30, 1943.

Where one receiving old age assistance moved to another county and later was sent to the University Hospital by the authorities of the latter county, the county of his residence and not the county of his settlement was liable for the hospital bill, if his death occurred before the effective date of Laws 1943, c. 31. Op. Atty. Gen. (1001c), Dec. 10, 1943.

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.

A person does not have to be a pauper to be entitled to treatment at University Hospital and the county sending person to that hospital, rather than county of settlement, is liable. Op. Atty. Gen., (339g-2), May 1, 1941.

4590. County board to receive and investigate applications—Hospitalization.—The several boards of county commissioners in the state and any members of such a board may receive, investigate and act upon applications for treatment in the general hospital. (As amended Act Feb. 15, 1943, c. 31, §3.)

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

Section gives each individual member of county board authority to act on applications, but this does not include right to authorize transportation, and the payment therefore cannot be made until an itemized claim is filed with county board and allowed by them. Op. Atty. Gen., (1001c), June 10, 1941.

4590-1. County board may delegate powers to welfare board.—The county board and the several members thereof of any county in this state are hereby authorized to delegate to the county welfare board of such county all the rights, powers, and duties conferred upon it and them by Mason's Statutes 1927, Sections 4577 to 4590, with reference to the hospitalization of indigent persons. (Act of Feb. 15, 1943, c. 31, §6.)

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.

There is no appropriation out of which school for the deaf at Faribault may pay part of cost of improvement of street adjoining institution. Op. Atty. Gen. (88a-2), March 25, 1943.

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.

4616. Duties of state board of control.

Director of Public Institutions has authority in respect to institutionalized blind, and Director of Social Welfare has authority in respect to blind persons not institutionalized. Op. Atty. Gen. (88a), Sept. 17, 1943.

4617. Payments by state board of control.

Director of Public Institutions has authority in respect to institutionalized blind, and Director of Social Welfare has authority in respect to blind persons not institutionalized. Op. Atty. Gen. (88a), Sept. 17, 1943.

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.

CHAPTER 28

Railroads, Warehouses and Grain

RAILROAD AND WAREHOUSE COMMISSION

4634. Secretary—Employees.

Secretary to Railroad and Warehouse Commission is within classified service. Op. Atty. Gen. (644), Jan. 21, 1941.

Certain schedule bonds are approved. Op. Atty. Gen. (930a-4), Nov. 4, 1941.

4636. Procedure and office.

Participation in railroad and warehouse commission proceedings as basis for right to appeal. 25MinnLawRev 938.

4638. Proceedings before commission; etc.

Lenihan v. Tri-State Telephone & Tel. Co., 208M172, 293 NW601, Cert. den. 311US711, 61SCR392, 448, 85LEd463. See note under §5291.