

Nineteen Hundred Thirty-One  
Supplement

to

# Mason's Minnesota Statutes

(1927 thru 1931)

Containing the text of the acts of the 1929 and 1931 Sessions of the  
Legislature, both new and amendatory, and notes showing repeals,  
together with annotations from the various courts, state  
and federal, construing the constitution, statutes,  
charters and court rules of Minnesota



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denatured alcohol, denaturing material, or any other poisonous substance capable of causing serious physical or mental injury to any person who may drink the same shall be guilty of a gross misdemeanor. (Act Apr. 19, 1929, c. 249, §1.)

**§3238-2½ a. Definitions.**—The terms "sell" and "sale," and the term "liquor" as used herein shall have the same meaning as is prescribed therefor by Section 1 of Chapter 455 of the General Laws of Minnesota of 1919 [§3200] and acts amendatory thereto, and

the term "poisonous" shall be interpreted as meaning "a substance that when taken into the human system acts in a noxious manner by means not mechanical, tending to cause death or serious physical or mental injury." (Act Apr. 19, 1929, c. 249, §2.)

**§3238-2½ b. Application.**—Nothing in this act shall be held or construed to repeal or in any way modify, amend or affect any existing statute in this state relating to intoxicating liquor. (Act Apr. 19, 1929, c. 249, §3.)

## CHAPTER 16A

### Cigarettes

#### §3244. Written application to be filed.

A licensee having several stands for the sale of cigarettes in a building designed for a single purpose and under a single control is not required to obtain more than one license; and in the case of a club the same rule would apply whether sales were made to members of the club or to outsiders. Op. Atty. Gen., March 1, 1930.

#### §3248. Disposition of cigarette license fees.

—The fees collected under the provisions of

this act shall be paid into the state treasury by the dairy and food commissioners. The state treasurer shall transmit ninety per cent of such license money annually to the treasurer of the city, village or township from which the license is issued. The remaining ten per cent shall be credited to the General Revenue fund. (As amended Apr. 23, 1929, c. 291, §1.)

## CHAPTER 16B

### Athletic Commission

#### §3252. Commission to elect a secretary.

State Athletic Commission could not validly give a bonus to the secretary of the commis-

sion as reimbursement for expenses incurred nor "in recognition of the efficiency in which he has handled the affairs of the commission." Op. Atty. Gen., June 2, 1931.

## CHAPTER 17

### Illegitimate Children—Bastards

#### §3261. Complaint—Where filed—Warrant.

At common law the father was not charged with the support of his illegitimate child, and the bastardy statute charges the father with the support of such child and furnishes the only remedy. 175M547, 221NW911.

Husband and wife are competent to give evidence that the former is not the father of a child of the wife conceived before the dissolution of the marriage by divorce. State v. Soyka, 181M533, 233NW300. See Dun. Dig. 10312.

#### §3265. Trial—Exclusion of public, etc.

Verdict in bastardy case held not sustained by evidence. 173M294, 217NW118.

Evidence held sufficient to sustain a conviction. 173M627, 218NW110.

Where defendant was adjudged father of illegitimate child and was directed to pay certain sums for its support to a child welfare board which agreed to pay such sums to the plaintiff

for boarding and caring for the child, plaintiff could sue the welfare board for sums received by it. Salvas v. R., 175M484, 221NW719.

Exclusion of evidence of intercourse with third person at indefinite prior time, held proper, and evidence of promise to marry during period of illicit relation was admissible. 179M80, 228NW335.

Evidence held to support conviction. 179M436, 229NW564.

#### §3268. Hearing—Judgment.

Conviction of bastardy, held free from error. 181M374, 232NW624. See Dun. Dig. 827.

#### §3270. Procedure—Warrant.

Indication by court that instructions given were requested by one of the parties, held error. 181M374, 232NW624. See Dun. Dig. 9776 (13).