

CHAPTER XV.

An Act to amend an act entitled "An Act to incorporate a House of Refuge for the State of Minnesota," approved March 1st, 1866.

February 14, '67

- SECTION 1.**—Amends section one of incorporation act, by designating the style and title of corporation—confers certain powers on corporation.
- 2**—Provides for board of managers—quorum—governor to appoint managers—to appoint president—managers to elect other officers—vacancies, how filled—notice of election to be published in papers—members of board not to receive compensation.
- 3**—Failure to make appointments not to affect stability of boardmembers to—hold office until successors appointed—president to decide election in case of equality of votes.
- 4**—Amends subdivision two, section five, of original act referring to the commitment of infants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one of said act be amended so as to read as follows:

Amendment

Section 1. That all persons appointed in the manner hereinafter provided, shall be a corporation and body politic in law, by the name, style and title of "The House of Refuge of the State of Minnesota," shall have perpetual succession, with the power to have a common seal, and to change the same at pleasure; to establish, erect and manage the house of refuge in the county of Ramsey, and to make contracts relative to the same, to sue and be sued, and by that name and title shall be capable in law of purchasing, holding and conveying any estate, real or personal, for the use of said corporation, and to establish by-laws and orders for the regulation of the institution, and the preservation and application of the funds thereof; *Provided*, That the same be not repugnant to the constitution and laws of the United States, or of this state, or to the interests or objects for the furtherance of which the said house of refuge is incorporated.

SEC. 2. That section two of said act shall be amended so as to read as follows:

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Section 2. That the estate and concerns of said corporation shall be conducted by a board of four managers, three of whom shall constitute a quorum for the transaction of business. That the governor of the state of Minnesota shall on the first Tuesday of March next, appoint four competent persons to act as managers of the said house of refuge, of whom one shall serve till the second Monday of January, A. D. 1867, a second till one year thereafter, a third till two years, and a fourth till three years thereafter, and on the second Monday of January of each and every year thereafter, the said governor of the state shall appoint one competent person to serve for four years for the purpose aforesaid; and of the said board of managers, the governor of the state shall within twenty days after the first appointment, and after the appointment every second year thereafter, select one whose duty it shall be to act as president of the said board, and of such appointment the said governor shall duly notify the said board at their first regular meeting thereafter, and the said managers shall always, at their first regular meeting after the appointment of their president, elect by a plurality of votes such other officers of the said board as may by them be deemed expedient; and whenever any vacancy shall occur by death, resignation or otherwise, the same shall be filled first as to membership when requisite, and then as to office (when requisite) or as to office only; in case the vacancy is in office, and not in membership, for the remainder of the period of said vacated place, by such person as the proper appointing power, as before provided in each case respectively of membership and office, shall designate. A vacancy in an elective office shall be filled, to the same intent, by a new election as soon after the occurrence of such vacancy as may be practicable; and of all elections to be held by the said board, due notice shall be given in at least two of the daily papers published in the city of St. Paul. No member of the board of managers shall receive any compensation for his services.

How corporation
to be conducted

Sec. 3. That section three of said act shall be amended so as to read as follows:

Section 3. That if the annual appointments or elections shall not take place on the day appointed for the

Elections

purpose, the said corporation shall not thereby be dissolved, but the members and officers of the said board shall hold their places until new appointments shall have been made or a new election held, and the proper appointments and election shall be effected in such case as soon as practicable. In case of an equality of votes for any two or more persons, the president of the board shall determine which of said persons shall be considered as elected.

SEC. 4. That subdivision two of section five of said act be amended so as to read as follows:

Infants—how
dealt with

Infants committed by the authority aforesaid, when complaint and due proof have been made that such infant is a proper subject for the guardianship of the managers of the said house of refuge, in consequence of vagrancy or incorrigibly vicious conduct, and that from the moral depravity or other insuperable obstacle, on the part of the parent, guardian or next friend, in whose custody such infant may be, such parent, guardian or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible and vicious infant.

Approved Feb. 14, 1867.