

Expenses how
paid.

SEC. 8. The expenses incurred, except the blanks prepared by the adjutant general, by the provisions of this act, shall be paid by the respective townships of this state.

Approved March 4, 1869.

CHAPTER XIX.

March 5, 1869.

An Act to amend Sections two and three of Chapter three of the General Laws of one thousand eight hundred and sixty-five, to add certain new sections to said chapter, and to provide for the relief and instruction of the Soldiers' Orphans of this State, and making an appropriation therefor.

- SECTION 1. Amendment to Section two (2) of Chapter three (3) of the General Laws of 1865. Asylum to be controlled by a Board of Trustees—how appointed—term of office.
2. Amendment to Section three (3) of Chapter three (3) of the General Laws of 1865. Duty of Board of Trustees—compensation.
3. Additional Sections to said Chapter three (3) of the General Laws of 1865:
6. Organization of Board of Trustees—Treasurer of State to be ex-officio Treasurer of Board—duties of Secretary of Board—powers of President of Board.
 7. Annual meeting of Board of Trustees—when—semi-annual meeting—when—for what purpose—when to make report to Governor.
 8. Board shall have power to hold in trust for their use and benefit any grant, donation, &c., to be applied to their maintenance.
 9. Appropriation for the temporary relief and instruction of the orphans in this State.
 10. Board authorized to place in the several Orphan Homes in Ramsey County or similar institutions a number of orphans—not to exceed what number—at what cost per week—guardians to designate which of said Orphan Home.
 11. How benefits arising from the provisions of this act to be distributed throughout the State.
 12. The necessary pre-requisites of admission to the before mentioned institutions—what application for admission to have preference.

13. Duties of Chairman of Board of Supervisors and Mayor of a city upon the acceptance of any application—necessary expenses incurred in such removal how paid.
14. Trustees to appoint an executive committee—duties of said committee—all warrants drawn to be countersigned by the President and attested by the Secretary.
15. Board of Trustees by virtue of their office to be the legal guardians of said orphans—duties and powers of said guardians.
16. No orphan to be discharged from the care of the State under the age of fifteen—no orphan to be discharged without consent of executive committee.
17. Before entering upon their duties as Trustees shall file their bond with sufficient sureties to be approved by the Governor—in what sum—for what purpose.
18. To report to next Legislature—what to contain.
19. Repeal of Section six (6) of Chapter three (3) of the General Laws of 1865.
20. When act to take effect.

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

SECTION 1. Section two of chapter three of the general laws of one thousand eight hundred and sixty-five, shall be amended so as to read as follows :

Sec. 2. There shall be appointed by the governor, by and with the advice and consent of the senate, a board of seven trustees, one from each judicial district in the state, who shall hold their offices for the term of three years. The adjutant general shall be one of the number of said board *ex-officio*.

Asylum how to be controlled— Trustees how appointed.

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

Sec. 3. The said trustees shall have the general supervision of the soldiers' orphans hereinafter mentioned, shall prescribe rules for the government and management of the said soldiers' orphans. Shall make, subject to the approval of the governor, all needful by-laws and regulations for the proper care of said soldiers' orphans. The trustees shall receive no compensation for their services, but all expenses necessarily incurred by them in the performance of their duties shall be paid out of the state treasury, on the warrant of the secretary of state.

Duties of Trustees—compensation.

SEC. 3. The following sections are hereby added to said chapter three of the general laws of one thousand eight hundred and sixty-five :

SEC. 6. The said board of trustees shall appoint from

Officers, their powers and duties.

their number a president and secretary, to serve for such period and to perform their duties under such regulations and restrictions as may be prescribed in their by-laws. The treasurer of state shall be *ex-officio* treasurer of the board. The secretary shall keep a faithful record of all the transactions of the board; and the president shall have power to call extra meetings of the board, on receiving a written request to make such call from not less than two members of said board.

Annual and semi-annual meetings when held—when to report.

SEC. 7. Said board of trustees shall meet annually on the first Tuesday in October, which shall be styled the annual meeting; and they shall also meet annually on the second Tuesday in April, which shall be styled the semi-annual meeting. At each of these regular meetings they shall examine into the condition of all soldiers' orphans in the care of the state, and at their annual meeting they shall make a full report to the governor of all their proceedings under this act.

Power of board.

SEC. 8. The said board of trustees shall have power to take and hold in trust, subject to the provisions of law hereinafter mentioned, for the use and benefit of said soldiers' orphans any grant or demise of real estate, and any donation or bequest of money, or other personal property, to be applied to the maintenance of soldiers' orphans.

Appropriation for temporary relief.

SEC. 9. The sum of ten thousand dollars, (\$10,000) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the temporary relief and instruction of the "Soldiers' Orphans" in this state.

Board to place a number of orphans in the Orphans Homes.

SEC. 10. The said board of trustees are hereby authorized during the present year, to place in the "Protestant Orphans' Home," and "Catholic Orphans' Home," in the city of St. Paul, in the county of Ramsey, or in any other similar institution, a number of soldiers' orphans, not exceeding one hundred, at a cost to the state of a sum not exceeding three (\$3.00) dollars per week, for each orphan so placed in either of said orphan homes. *Provided*, That the present guardians of said orphan children shall, and they are hereby authorized to select and designate which of the said orphan homes they would prefer said orphan to enter.

SEC. 11. For the purpose of distributing the benefits proposed by this act, equitably throughout the state, the board of trustees shall apportion, as near as practicable,

the number of orphans to be admitted from each county, upon the basis of the number of soldiers' orphans actually residing in said county, and the county board of commissioners of each county shall return to the said board of trustees the statistics of soldiers' orphans in the several townships in their respective counties, as taken by the township assessors in accordance with law.

How benefits to be distributed.

SEC. 12. The necessary pre-requisites of admission to the institutions mentioned in section ten of this act, shall be as follows: All such orphans, over the age of four, and under fourteen years, whose fathers having enlisted from the state, and who have either been killed or died while in the military or naval service of the United States, or of this state, during the late rebellion, or who have since died of diseases contracted while in such service, and who have no adequate means of support; shall be entitled to the benefits of such institutions. *Provided*, That those who have neither father nor mother shall in all cases have the preference in deciding upon applications.

Who to be admitted—who to have preference.

SEC. 13. Upon the acceptance by the board of trustees of any application for the admission of an orphan, the chairman of the board of township supervisors, or mayor of a city shall make an order for the removal of such accepted orphan to the "Orphans Home," and shall appoint some suitable person to convey such orphan or orphans thereto; and all necessary expenses incurred in such removal shall be paid by the county in which such orphan shall have a legal residence.

Duties of officers—expenses how paid.

SEC. 14. The trustees shall appoint from their own number an executive committee, who shall perform such duties and be governed by such restrictions and regulations as may be prescribed in the by-laws, not inconsistent with the provisions of this act. And such committee shall be authorized to draw warrants upon such funds as may be from time to time appropriated to defray the expenses incurred under this act, as may be directed by the trustees: *Provided*, That all warrants so drawn shall be countersigned by the president of said board of trustees, and attested by the secretary of said board, and such warrants shall designate upon their face the purpose for which the same may be drawn.

Duty of executive committee—warrants how drawn.

SEC. 15. The said board of trustees shall by virtue of their office as trustees be the legal guardians of all the orphans provided for in this act, and shall be authorized to receive all pensions, back pay and bounties due or to

Who to be guardians—duties of guardians.

become due to any such orphan, and shall invest the same upon good security, and hold it in trust for the orphan or orphans to whom such money belongs; and such trustees shall also have power from time to time, with the assent of the governor, to bind any such orphan for such term and for such purpose as such trustees shall deem proper and for the interest of each child respectively: *Provided*, That in case such orphan shall have a parent living, the consent of such parent shall first be obtained.

No orphan to be discharged without consent of the executive committee.

SEC. 16. The board of trustees are hereby authorized to discharge from the care of the state any orphan of fifteen years of age or over, if in their opinion necessary, or if in their opinion such orphan is capable of self support. But no orphan shall be discharged from said institution without the consent of the executive committee, and the executive committee shall not allow any parent or guardian to remove any orphan under fifteen years of age, unless the application for such removal shall be accompanied by a certificate of the chairman of the board of supervisors of the town in which such parent or guardian resides, showing that such parent or guardian is able to support and educate such orphan or orphans, or unless the regulations or interests of said institution require the discharge of certain orphans.

Trustees to file bond—in what sum—for what purpose.

SEC. 17. The trustees of the said board shall, before entering upon their duties, file in the office of the secretary of state their bond with two sufficient sureties to be approved by the governor, in the sum of five thousand dollars, condition for the faithful discharge of their duties under this act, and for the economical expenditure of any money that may be appropriated for the soldiers' "Orphan Home," or for the relief of "Soldiers' Orphans" of this state, and also an official oath of office.

To report—what to contain.

SEC. 18. It shall be the duty of the said board of trustees to report to the next legislature such information as they may be able to procure as to the number and condition of the soldiers' orphans in this state, and also to report a system for granting aid to such orphans as may be in need of the same by the issuance of pensions by the state, and such other recommendations as to the care of such orphans as to them may seem advisable.

Repeal of former section.

SEC. 19. Section six of chapter three of the general laws of one thousand eight hundred and sixty-five be and the same is hereby repealed.

SEC. 20. This act shall take effect and be in force from When act to take effect. and after its passage.

Approved March 5, 1869.

CHAPTER XX.

An Act to legalize the action of county, city and town authorities in appropriating money, issuing bonds, orders, scrip and other evidences of indebtedness, to pay bounties to soldiers and for the support of the families of soldiers.

March 6, 1869.

- SECTION 1. Legalization of the issuing of bonds, orders, &c., to pay bounties to soldiers, &c., by County Commissioners, City Councils, or Boards of Supervisors—principal and interest how paid.
2. When act to take effect.

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

SECTION 1. That the action of the county commissioners of any county, the city council of any city or the supervisors of any town in this state in appropriating money, issuing bonds, orders, scrip or other evidence of indebtedness, to pay bounties to soldiers or for the support of the families of soldiers, and pursuant to such action by them heretofore had, or in pursuance of a vote of the electors of any county, city or town, cast at any election heretofore held for that purpose, and any tax which has been levied by any of the authorities specified in this act for the payment of the principal and interest on either of any bonds, orders, scrip or other evidences of indebtedness issued for the purpose herein before mentioned, be and the same is hereby legalized and made valid, and the levy and collection of a tax for the payment of the principal and interest thereof shall be legal and binding on such county, city or town the same as if such action had been

Legalization of bonds—principal and interest how paid.