

Placed under R. R. and warehouse commis- sion.

SEC. 2. The railroad and warehouse commission of the state of Minnesota are hereby authorized, directed and empowered to assume the same powers, duties and responsibilities with reference to express companies in this state that they now exercise under the law with reference to other common carriers by railroad, with the same authority and jurisdiction, and the same methods of procedure as are by law provided for in the case of such other common carriers.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 19th, 1895.

H. F. No. 520.

CHAPTER 153.

State Reform School.

An act entitled An act to change the name of the Minnesota State Reform School and to consolidate the various acts relating to said school and to amend the same.

95 C 153
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Be it enacted by the Legislature of the state of Minne- sota :

95 C 153
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95 C 153
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"Minnesota State Training School for boys and girls."

SECTION 1. That the name, style and title of the Min- nesota State Reform School be and the same is hereby changed to, and shall be known by the name of the "Minnesota State Training School for Boys and Girls."

SEC. 2. That the Minnesota State Training School shall be managed and conducted in behalf of the state and as a state institution, by a board of five (5) man- agers, three (3) of whom shall constitute a quorum for the transaction of business.

Board of man- agers.

That the persons now constituting said board shall continue to serve as managers for the term for which they were respectively appointed, and on the second (2) Monday of January of each and every year there- after the governor shall appoint one (1) competent person to serve as manager on said board for five (5) years, and within twenty (20) days after such annual appointment the governor shall designate one (1) of said managers to act as president of said board for the period of one (1) year and until his successor shall be designated; and the governor shall duly notify said board of such appointment 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 offi- cers of said board as may be by them deemed expedient; and whenever any vacancy shall occur in said board,

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by death, resignation, or otherwise, the governor shall fill the same by appointment and the appointee shall hold only for the unexpired term of the person whose place he was appointed to fill.

The members of said board shall in all cases hold over after the expiration of the term for which they shall have been appointed until their successors respectively shall have been appointed and qualified.

No member of the board of managers shall receive any compensation for his services.

SEC. 3. That the board of managers shall keep said institution provided with suitable buildings and grounds in the county of Goodhue, and may provide for the construction of necessary buildings, by contract or otherwise, out of any appropriations available therefor, and shall establish such regulations respecting the religious and moral education, training, employment, discipline and safe keeping of the inhabitants of said institution as may be deemed expedient and proper.

SEC. 4. That section one (1) of chapter thirty-seven (37), of the general laws of eighteen hundred and eighty-three (1883), be and the same is hereby amended to read as follows:

"That whenever any infant over the age of eight (8) years and under the age of sixteen (16) years, shall have been duly convicted in any of the courts in this state, of any crime punishable by imprisonment, except the crime of murder, or shall be convicted of vagrancy or incorrigibly vicious conduct, it shall be the duty of the magistrate, or any court before whom such conviction is had, to commit the said infant so convicted to the guardianship of the board of managers of the Minnesota State Training School; and said managers shall have the power to place said children committed to their care, until their arrival at the age of twenty-one (21) years, at such employment, and cause them to be instructed in such branches of useful knowledge, as may be suitable to their years and capacity; and they shall have the power, at their discretion, to place in suitable homes, or to bind out as apprentices, the said children, to such persons and at such places, to learn such trades and employments, as in the judgment of said managers will be most conducive to their reformation and amendment, and will tend to the future benefit and advantage of such children."

SEC. 5. That it shall be the duty of the board of managers to receive to the extent of the means placed at their disposal and of the accommodations afforded by the buildings and grounds belonging to said school, all infants under their care and guardianship, and the

Duties.

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Commitments

Instruction.

same to keep until after their arrival at the age of twenty-one (21) years, or until discharged, apprenticed, or furloughed under the rules of said board, committed to said school in any of the following modes, to-wit:

Who to be
committed.

First. Infants committed by a justice of the peace, on the complaint and due proof thereof by the parent, guardian or next friend of said infant, or other person, that by reason of incorrigible or vicious conduct such infant has rendered his or her control beyond the power of parent, guardian, or next friend, and made it manifestly requisite that from regard to morals and future welfare of such infant, he or she shall be placed under the guardianship of the managers of the Minnesota State Training School.

Second. Infants committed by the authority aforesaid, when complaint and due proof have been made that such person is a proper subject for the guardianship of the managers of the said Minnesota State Training School 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 unable to exercise the proper care and discipline over such incorrigible and vicious infant.

Third. Infants who shall be taken and committed as vagrants or as incorrigible or upon any criminal charge and duly convicted of any criminal offense or offenses such as in the judgment of the court before whom such conviction may be had, may be deemed a proper reason for such commitment.

Provided, nevertheless, that no infant shall be committed for vagrancy who is a proper subject for commitment to the state public school.

SEC. 6. That no justice of the peace shall have the power to commit any infant to the state training school upon the charge of incorrigibility, or other cause, unless such charge is proved by at least two (2) disinterested witnesses, and no commitment for incorrigibility or other cause, shall be sufficient to justify the admission of said incorrigible infant into said training school unless such commitment be approved by the judge of the district court of the district to which the county from which said infant is committed belongs, and no other consent or approval of any officer whatever shall be necessary to authorize the commitment; but in all cases of conviction before a justice of the peace, whether for incorrigibility or any other cause, the justice of the peace shall reduce all the evidence taken before him to writing, and state the name, age

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11 Evidence necessary.

and residence of each witness examined, and transmit the same forthwith to the judge of the district court aforesaid, whose duty it shall be to examine the same and approve or disapprove of such conviction;

If the conviction of the justice is approved the minor shall forthwith be committed to the guardianship of said board of managers.

SEC. 7. The board of managers of the Minnesota State Training School are authorized and required to receive into their custody and guardianship and keep until discharged by the due course of law, all infants over the age of eight (8) years and under the age of sixteen (16) years committed to said training school by a sentence of any court of the United States, in and for this state for the commission of any offense against the laws of the United States of which said infant shall have been convicted, and for the support and keeping of such infant the United States shall be liable in the sum of fifty (50) cents per day for each infant.

Federal wards.

SEC. 8. That the said managers may from time to time make by-laws, ordinances and regulations relative to the management, government, instruction, discipline, employment and disposition of said children while in said Minnesota State Training School as they may deem proper and may appoint such officers, agents and servants as they may consider necessary to transact the business of said school and may designate their duties and salaries, and, further, the said managers shall biennially lay before the legislature of the state on the first day of each session thereof, a report showing the number of children received into said school, the disposition which shall have been made of them, by instructing them, or employing them therein, placing them in suitable homes, or binding them out as apprentices; the receipts and expenditures of said managers, and generally all such facts and particulars as shall tend to exhibit the effects of said institution.

Rules and regulations.

SEC. 9. It shall be the duty of the sheriff, or any constable of the respective counties, or in case of their absence, of any suitable person appointed by the court for such purpose, to convey any infant committed as aforesaid to said school, and justices of the peace and constables and sheriffs performing services under this act, shall be paid the same fees as are allowed for similar services in criminal cases, and the officer conveying any infant committed as aforesaid to said school shall receive therefor the same compensation as is allowed for the conveyance of prisoners to the state prison, such fees and compensation to be paid out of the treasury of the county from which such infant was committed.

Fees for transportation.

Expense of
maintenance.

SEC. 10. Any children received by the said board of managers under the conviction of any court within this state shall be clothed, maintained and instructed by the said board of managers at the public expense of the state.

Investigating
houses of fur-
loughed pris-
oners.

SEC. 11. The board of managers is authorized and empowered to appoint an agent whose salary shall not exceed one hundred (100) dollars per month and expenses, whose duty it shall be under such rules and regulations as the board of managers shall prescribe, to investigate the homes of the children previous to their furlough, to have the supervision over all inmates who are out on furlough or apprenticed children, until they shall arrive at the age of twenty-one (21) years, and to perform such other duties as may be from time to time required.

Such agent shall hold his office during the pleasure of the board of managers. He shall devote his entire time as such agent, occupy no other position, and receive no other compensation from any source whatsoever, for his services. The sum of three thousand (3,000) dollars or so much thereof as may be necessary, be and the same is hereby appropriated annually out of any moneys in the state treasury not otherwise appropriated to pay the salary and expenses of said agent.

Agent of board
may recover
concealed pris-
oner.

SEC. 12. The said agent is hereby authorized to enter any dwelling house or other building whenever he has reasonable cause to believe that any ward of the school is detained, concealed or kept in hiding and recover possession of the person of such ward, and any person who shall resist, obstruct or wilfully interfere with the said agent in his attempts to recover the possession of such ward is hereby declared guilty of a misdemeanor.

SEC. 13. Any parent, guardian or other person who shall abduct, conceal, entice or carry away, or improperly interfere with a child which has been committed to the state training school is hereby declared guilty of a misdemeanor.

Inmates may
be transferred
to reformatory

SEC. 14. The said managers shall have authority to transfer to the care and guardianship of the board of managers of the state reformatory any inmate of the said training school whose presence is deemed by them to be seriously detrimental to the interests of said institution and who is deemed to be a proper subject for the discipline of the reformatory, rather than of the training school, and such inmate where so transferred shall be in all respects subject to the rules and regulations and discipline of the said reformatory during the period for which he shall have been originally committed to the state training school, and the said managers of the

state training school shall have the authority to transfer to the care and guardianship of the board of control of the state public school any inmate of the said training school whose best interests, in the judgment of the board of managers of the state training school, would be subserved by the transfer to the care and guardianship of the state public school; providing that the board of control of the state public school shall consent to receive him; and the said inmate so transferred shall be in all respects subject to the rules, regulations and discipline of the state public school.

SEC. 15. That the grounds and buildings erected thereon for the use of said training school shall be exempt from taxation.

Taxation—exemption.

SEC. 16. That no person or persons, corporation or body politic shall be permitted to open, lay out or construct any road or highway, either private or public, under any pretense whatever, upon or through any ground owned or occupied by said school without the consent of the board of managers thereof.

Roads and highway.

SEC. 17. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved April 1st, 1895.

CHAPTER 154.

H. F. No. 310.

An act to provide for and regulate the employment of prisoners confined in the state prison and the state reformatory, and to repeal chapter two hundred and fifty-five (255) of the general laws of eighteen hundred and eighty-nine (1889).

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

SECTION 1. It shall be the duty of the court in which any person shall be convicted of any offense punishable by confinement in the state prison, or the state reformatory, before passing the sentence, to ascertain by the examination of such convict on oath, and in addition to such oath, by such other evidence as can be obtained, the business, if any, in which such convict had been engaged prior to such arrest and conviction; whether such convict had learned and practiced any mechanical trade, and if so, the nature of such trade and length of time the same has been followed, and the clerk of the court shall enter the facts as ascertained and decided

Trade of state prisoners.