

H. F. No. 106.

CHAPTER 136.

Kindergarten schools.

An Act authorizing the establishment and maintenance of kindergarten schools.

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

School boards may establish.

SECTION 1. In addition to other grades or departments now established and maintained in the public schools of the state, any school district managed by a board of education, or board of directors, is hereby empowered to establish in connection with the public schools of said district a kindergarten or kindergartens, for the instruction of children between the ages of four and five years, the expenses thereof to be paid out of funds raised by taxation in such district in the same manner as other grades and departments now established and maintained in the public schools of said district. Provided, that said board of education or board of directors may receive aid in the maintenance of such kindergarten schools from bequests, donations, gifts, or such other sources as shall provide in whole or in part for the expense of same.

SEC. 2. All teachers in kindergarten schools established under this act shall hold a teacher's certificate as provided by law.

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

Approved April 4, 1901.

H. F. No. 190.

CHAPTER 137.

Justice and municipal courts.

An act providing for exception to the sufficiency of sureties on bonds in actions for the recovery of personal property in justice and municipal courts, and proceedings thereafter.

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

Action to recover personal property. Exception to bond sureties.

SECTION 1. In all actions hereafter commenced in either justice or municipal court in this state, to recover possession of personal property within two days after the filing of any bond permitted in such action, or within two days after such property or any portion thereof is taken into possession of an officer in such action, the opposite party may file in such court notice in writing that he excepts to the sufficiency of the sureties upon such

bond, and forthwith serve a copy of such notice upon the party proffering such bond, his agent or attorney; and if he fails so to do he shall be deemed to have waived all objection to such sureties. If the defendant excepts to the sureties he cannot rebond and reclaim the property.

Time limit
for justifica-
tion by
sureties.

SEC. 2. Notice shall be served of the justification of sureties by the party proffering them, in such case, of not less than one nor more than three days, at any time within two days after service of notice of such exception to the sufficiency of such sureties. If any surety fails to appear and justify at the time and place appointed, another may be offered and substituted within such time not exceeding one day, as the judge or justice, as the case may be, shall appoint, but there shall be only one adjournment for such purpose, of not exceeding one day, and in case of substitution a new bond shall be executed by all the parties to be bound, but no such substitution shall be made after the expiration of the period provided in such adjournment. If such sureties shall justify to the satisfaction of the justice, or judge, as the case may be, he shall endorse his approval thereof upon the bond, and order the officer to deliver the property to the principal in such bond. If they do not so justify, he shall forthwith order such property delivered to the person from whom taken or who would be entitled thereto if no such bond had been proffered.

SEC. 3. In all cases where sureties are excepted to under this act, all personal property taken in such action shall be retained by and in the possession of the officer taking the same until due justification of sureties as herein provided, or until the time for substitution of sureties has expired.

Officer to
retain
possession,
when.

SEC. 4. All notices herein provided for shall be served in the same manner as notices in actions in the district courts in this state.

SEC. 5. This act shall be in force and take effect from and after its passage.

Approved April 4, 1901.