

cer or employe to receive additional compensation for the performance of his official services out of the contingent fund of said officer or said department, and it shall be unlawful for the head of any department of the state government to direct the payment of such additional compensation out of the contingent fund, and the state auditor is hereby prohibited from issuing his warrant upon such contingent fund in payment of such additional compensation.

Violation a misdemeanor.—Sec. 2. Every person offending against the provisions of this act shall be guilty of a misdemeanor and punished by a fine of not exceeding \$100.00 or imprisonment in the county jail for not exceeding ninety days.

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

Approved April 22, 1909.

CHAPTER 396—S. F. No. 801.

An Act to amend chapter 407, General Laws 1907, relating to the attendance upon school of deaf and dumb children and youth.

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

Dumb or defective of speech ward to be sent to school for deaf.—Section 1. That section one of chapter 407 of the General Laws, 1907, be and the same is hereby amended to read as follows :

“That chapter 26 of the Revised Laws of 1905 be and the same is hereby amended by adding thereto a further section to be known as ‘Section 1937-A,’ and which said section shall read as follows :

“Every parent, guardian or other person having control of any normal child between eight and twenty years of age, too deaf or too dumb or defective of speech to be materially benefited by the methods of instruction in vogue in the public schools, shall be required to send such child or youth to the school for the deaf at the city of Faribault, Minnesota, during the scholastic year of that school. Such child or youth shall attend such school, year after year, until discharged by the superintendent upon approval of the board in control of such institution.

Excusing attendance. Such board may excuse attendance when satisfied :

1. That the child is in such bodily or mental condition as to prevent his attendance at school or application to study for the period required.

2. That he is afflicted with such contagious or offensive disease or possesses such habits as to render his presence a menace to the health or morals of other pupils, or for any reason deemed good and sufficient by the superintendent with approval of the board in control of such school.

3. That the child is efficiently taught for the scholastic year in a private or other school, or by a private tutor, the branches taught in the public schools so far as possible.

Penalty. Any such parent, guardian or other person failing to comply with the foregoing section, shall, upon conviction thereof before the justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five (5) nor more than twenty (20) dollars for the first offense, nor less than ten (10) nor more than fifty (50) dollars for the second and every subsequent offense, with costs in each case.

Any person who induces, or attempts to induce, any deaf or dumb child to absent himself or herself unlawfully from school, or employs or harbors any such child unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, before the justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five (5) nor more than twenty (20) dollars for the first offense, nor less than ten (10) nor more than fifty (50) dollars for the second, and every subsequent offense, with costs in each case.

The principal teacher of every public school in the counties, and the truant officers of the cities of St. Paul, Minneapolis and Duluth shall, within 30 days before the close of the school year succeeding the passage of this act, and at corresponding period each succeeding year thereafter, furnish the county superintendent of schools or the board of education of the cities of St. Paul, Minneapolis and Duluth, as the case may be, with the name, age, sex and address of parent or guardian of all normal children, who are too deaf or too dumb to be educated in the public schools, between the ages of 8 and 20 years, inclusive, living within the boundaries of his or her school district and who do not attend school. And the county superintendent of schools, or the board of education of the cities of St. Paul, Minneapolis and Duluth, shall certify forthwith the names of all such deaf children with address of parent, age and sex, to the superintendent of the Minnesota school for the deaf at the city of Fairbault.

Prosecutions. It shall be the duty of the county attorney to at once prosecute any case of parent or others unlawfully responsible, directly or indirectly, for the failure to place deaf

child or youth in a school for the deaf, when such case shall have been reported to him."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

CHAPTER 397—H. F. No. 15.

An Act to authorize any city in this state not operating under a home rule charter now or hereafter having a population of over fifty thousand inhabitants to issue and sell its bonds for the purpose of arching or covering over any creek flowing in, over or across any public highway in such city.

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

\$50,000 bonds authorized for arching certain creek.—Section 1. Any city in this state not operating under a home rule charter now or hereafter having a population of over fifty thousand inhabitants is hereby authorized and empowered, acting by and through the city council or common council of such city, by resolution duly enacted by an affirmative vote of not less than two-thirds of all members elect of such city council or common council, to issue and sell not to exceed \$50,000.00 par value of the bonds of such city for the purpose of arching or covering over any creek flowing in, over or across any public highway in such city.

To be issued notwithstanding present indebtedness—Thirty years at 4 per cent—How signed and sold.—Sec. 2. The bonds authorized by section 1 of this act may be issued and sold by any such city notwithstanding any limitation contained in the charter of such city or any law of this state prescribing or fixing any limit upon the bonded indebtedness of such city, but the full faith and credit of any such city shall at all times be pledged for the payment of the bonds issued under this act and for the current interest thereon, and the city council or common council of such city shall each year include in the tax levy for such city a sufficient amount to provide for the payment of such interest and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

No bonds shall be issued by any such city for the purposes hereinabove mentioned to run for a longer term than thirty years or bearing a higher rate of interest than four (4) per cent, payable semi-annually, but the place of payment of the principal and interest thereof and the denominations in which the same