

*ship of the state board of control. In every such proceeding it shall be the duty of the county attorney to represent the interests of the child.*

7159. **Records of adoption.**—*The files and records of the court in adoption proceedings shall not be open to inspection or copy by other persons than the parties in interest and their attorneys and representatives of the state board of control, except upon an order of the court expressly permitting the same.*

7160. **Change of name—procedure—penalty.**—A person who shall have resided in any county for one year may apply to the district court thereof to have his name changed in the manner herein specified. He shall describe in his application all lands in the state in or upon which he claims any interest or lien, and shall appear personally before the court and prove his identity by at least two witnesses. If he be a minor, his guardian or next of kin shall also appear. Every person who, with intent to defraud, shall make a false statement in any such application, shall be guilty of a misdemeanor.

7161. **Order—filing copies.**—If it shall appear to the court to be proper, it shall grant the application, and set forth in the order a description of the lands, if any, in which the applicant claims to have an interest. The clerk shall file such order, and record the same in the judgment book. If lands be described therein, a certified copy of the order shall be filed for record, by the clerk, with the register of deeds of each county wherein any of the same are situated. Any such order shall not be filed, nor any certified copy thereof be issued, until the applicant shall have paid to the clerk the cost of such record. The fee of the clerk shall be two dollars, and for each certified copy of the order, fifty cents.

Sec. 2. Sections 7152, 7157, 7158, General Statutes, 1913, and all acts or parts of acts inconsistent herewith, are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after the 1st day of January, 1918.

Approved April 14, 1917. .

#### CHAPTER 223—H. F. No. 1188.

*An act to provide for allowances out of county and state funds, in certain cases for the support of dependent children in their own homes, and for investigation and supervision of such cases, and to repeal Sections 7197, 7198 and 7199, General Statutes, 1913.*

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

Section 1. **Allowances to mothers—when made—amount.**—Whenever any child under the age of sixteen years who is not

lawfully entitled to apply for and receive an employment certificate is found by juvenile court to be dependent the court shall, when requested so do to, and in the same proceeding, make its findings upon the following points:

- (a) Whether the mother of the child is a widow;
- (b) If her husband is living, whether he is an inmate of a penal institution under a sentence which will not terminate within three months after the date of such finding; or is an inmate of a state insane asylum or hospital, or of a state hospital for inebriates; or is unable to labor for the support of his family by reason of physical disabilities; or is and for one year has been under indictment for the crime of abandoning such child;
- (c) Whether the dependency of the child is due to the poverty of the mother without neglect, improvidence or other fault on her part;
- (d) Whether the mother is otherwise a proper person to have the custody of the child;
- (e) Whether the welfare of the child will be subserved by permitting him to remain in the custody of the mother, if adequate means of support shall be provided;
- (f) Whether the mother is a citizen of the United States or whether she or her husband has made declaration of intention to become a citizen and has resided two years in the state and one year in the county.

Upon the making and filing of findings that the mother is a widow or that support is not obtainable from her husband by reason of one of the alternatives specified in subdivision (b), together with findings in the affirmative upon the points specified in subdivisions (c), (d), (e), (f), the courts shall further find, and order the payment of the sum of money which it deems necessary for the county to allow the mother in order to enable her to bring up the child properly in her own home, not exceeding fifteen dollars per month for one child and not exceeding ten dollars per month for each additional child; provided, however, that no allowance shall be made when the husband is under indictment for abandonment unless the court is satisfied that he is a fugitive from justice and that the mother has in good faith assisted and will continue to assist in all reasonable efforts to apprehend him.

**Sec. 2. Manner of payment—subsequent order.**—A certified copy of such order shall be filed with the county auditor and thereafter, so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw his warrant on the general revenue fund of the county in favor of the mother for the amount specified in such order. The warrant shall be delivered to the clerk of the court making the order

and shall by the latter be delivered to the mother upon her executing a receipt therefor, to be retained by the clerk with the other records in the proceedings relating to the child. It shall be the duty of the county treasurer to pay the warrant out of the general revenue fund of the county when properly presented. No such allowance shall be paid toward the support of any child who has become lawfully entitled to apply for and receive an employment certificate or who has ceased to be under the immediate care of the mother. The court may for cause duly shown revoke or modify any order previously made. A certified copy of any such subsequent order shall forthwith be filed with the county auditor and thereafter warrants shall be drawn and payments made only in accordance with such subsequent order.

**Sec. 3. Court may impose conditions.**—The court may require any mother to whom an allowance is made under this act to make a reasonable effort to learn the English language and customarily use the same in her family. The court may also require the mother to do such remunerative work outside her own home as she can do without detriment to her health or neglect of her family and may limit the number of days per week when she may be so employed.

**Sec. 4. County child welfare board—duty to assist court.**—In counties where there is a county child welfare board as provided by law such board, when so requested by the court, shall consider applications for allowance under this act and shall advise the court concerning their merit, the sum, if any, which ought to be allowed and the special conditions, if any, upon which the same ought to be granted.

**Sec. 5. Investigation and supervision—official reports as basis for findings.**—Before making any order or allowance under this act it shall be the duty of the court, either through the judge in person or through the county child welfare board and its agents or a probation officer designated for that purpose or an official investigator appointed as provided in section 6 of this act, to make inquiry as to all the points necessary to establish the right to such allowance; and particularly to inquire whether the surroundings of the household, including its other members, are such as to make for the good character of children growing up therein; to ascertain all the financial resources of the family, including the ability of its members of working age to contribute to its support and if need be to urge upon such members their proper contribution to take all lawful means to secure support for the family from relatives under legal obligation to render such support; to ascertain the ability of other relatives to assist the family and to interview individuals, societies and other agencies which may be deemed appropriate sources of such assistance. Every family to which an allowance has been made

shall be visited at its home by a representative of the court at least once in three months; and after each visit the person making the same shall make and keep on file as a part of the official record of the case a detailed statement of the condition of the home and family, and all other data which may assist in determining the wisdom of the allowance granted and the advisability of its continuance; and the court shall at least once in each year reconsider every case in which an allowance has been made, and take such action as the facts then existing shall warrant. All findings and orders provided for herein may be made upon the written reports of official investigators with like effect as if based upon competent testimony given in open court.

**Sec. 6. Official investigators.**—In counties having over 200,000 population the judge of the juvenile court may appoint one or more persons for the investigation of applications for allowances under this act, whose duty it shall be to visit the homes of the applicants and ascertain all the relevant facts and circumstances, including the facts specified in the preceding section and make report in such form as the court may require. Each person so appointed shall receive a salary of \$1080 per annum to be paid in monthly installments out of the county treasury, together with all actual expenses certified by the judge to have been necessarily incurred by them in the performance of their duties.

**Sec. 7. Reconsideration upon complaint—appeal.**—Upon complaint being made to the county attorney by a taxpayer of the county that any person is unlawfully receiving an allowance out of the county funds on account of an alleged dependent child it shall be the duty of the county attorney to investigate such complaint and if he finds it to have probable cause to bring it to the attention of the court by appropriate proceedings. The court shall hear such evidence and argument as shall be offered and shall thereupon make its order confirming, modifying or setting aside the order complained of, from which decision an appeal may be taken as in a civil action.

**Sec. 8. What property a bar.**—The ownership by a mother of personal property of the value of one hundred dollars, exclusive of appropriate clothing and household furniture and of such tools, implements and domestic animals as in the opinion of the court it is expedient to retain for the purpose of reducing the expense or increasing the income of the family or of real estate not used as a home; or of real estate, when used as a home; of a value disproportionate to the actual needs of the family, shall be a bar to any allowance under this act.

**Sec. 9. Terms defined.**—The word "husband" in this act may denote either the father of a dependent child or a step-

father of whose family the child is or has been a member. The word "mother" may denote either the mother or a step-mother of whose family the child is a member.

**Sec. 10. Allowance to grandmother.**—Whenever the court shall be of the opinion that the welfare of a dependent child will be best served by permitting him to live in the family of his grandmother, all the provisions of this act shall be so construed as to apply to such grandmother and her husband in like manner as to the mother and her husband.

**Sec. 11. Fraud.**—Any person fraudulently procuring or attempting to procure an allowance under this act for a person not entitled thereto, by any act which does not constitute a felony, shall be guilty of a misdemeanor.

**Sec. 12. Duties of board of control.**—It shall be the duty of the state board of control to promote efficiency and uniformity in the administration of this act. To that end it shall advise and co-operate with courts and shall supervise and direct county child welfare boards with respect to methods of investigation, oversight and record-keeping; shall devise, recommend and distribute blank forms; shall by its agents visit and inspect families to which allowances have been made; shall have access to all records and other data kept by courts and other agencies concerning such allowances; and may require such reports from clerks of the courts, child welfare boards, probation officers and other official investigators as it shall deem necessary.

**Sec. 13. Payments reported to state officers—state to allow one-third.**—During the month of January in each year the county auditor shall certify under oath, in duplicate, to the state auditor and the state board of control the amount paid out by the county during the preceding calendar year for allowances under this act; and if the board of control shall approve the same it shall cause its approval to be indorsed by its chairman on the certificate received by the state auditor; whereupon the state auditor shall draw his warrant to the county treasurer for one-third of the amount so certified to have been paid out by the county and the state treasurer shall pay the same and the county treasurer shall credit the sum so paid to the general revenue fund of the county.

**Sec. 14. Improper administration—duty of board of control.**—If in any county this act shall be unlawfully or improvidently administered or if any of the agencies administering it shall wrongfully refuse to co-operate with the state board of control as provided in section 12, the board may refuse to approve and indorse the certificate of disbursements provided for in section 13. Such refusal shall be subject to judicial review upon appropriate proceedings.

Sec. 15. **Purpose of act to be liberally construed.**—This act shall be liberally construed with a view to accomplishing its purpose, which is hereby declared to be to enable the state and its several counties to co-operate with responsible mothers in rearing future citizens, when such co-operation is necessary on account of relatively permanent conditions, in order to keep the mother and children together in the same household, reasonably safeguard the health of the mother and secure to the children during their tender years her personal care and training.

Sec. 16. **Action against relative preserved.**—Nothing herein shall be deemed to be inconsistent with any right of action against a relative of a poor person conferred by sections 3067 and 3068, General Statutes, 1913.

Sec. 17. **Orders made under former law.**—All orders of court granting county aid to mothers of dependent children under the provision of chapter 130, laws 1913, (being sections 7197, 7198 and 7199, General Statutes, 1913), in force where this act takes effect, shall continue in force until confirmed, modified or set aside pursuant to the provisions of this act.

Sec. 18. Sections 7197, 7198 and 7199, General Statutes, 1913, are hereby repealed.

Sec. 19: This act shall take effect and be in force from and after the first day of January, 1918.

Approved April 14, 1917.

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#### CHAPTER 224—H. F. No. 1192.

*An act authorizing the state board of control to hold conferences with certain officials and making provision for payment of expenses incurred.*

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

Section 1. **Conferences of board with other officials.**—For the purpose of promoting economy and efficiency in the enforcement of laws relating to children and particularly of the laws relating to defective, delinquent, dependent and neglected children, the state board of control may at such times and places as it deems advisable call an annual conference with officials responsible for the enforcement of such laws. When practicable such conference shall be held at the same time and place as the state conference of charities and correction.

Sec. 2. **Expenses of attendance.**—The necessary expenses of all probate judges invited to and attending such conferences shall be paid out of the funds of their respective counties.

Approved April 14, 1917.