

employment, any child under 18 years, or who, having the care, custody or control of any such child as parent, relative or guardian, employer or otherwise, sells, lets out, gives away, or in any way procures or consents to the employment, or to such use or exhibition of such child, or who neglects or refuses to restrain such child from engaging or acting in any occupation prohibited by this section, shall be guilty of a misdemeanor.

**Sec. 3. Application of Act.**—This act shall not apply to participation in any theatrical performance as defined and regulated by Mason's Minnesota Statutes of 1927, Section 4103.

Approved April 5, 1935.

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CHAPTER 110—H. F. No. 278.

*An act to amend Mason's Minnesota Statutes of 1927, Section 10768, and Section 10770, as amended by Laws 1931, Chapter 161, Section 4, relating to the powers and duties of the board of parole.*

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

**Section 1. Powers and duties of Board of Parole.**—Mason's Minnesota Statutes of 1927, Section 10768, is hereby amended so as to read as follows:

*"10768. The State Board of Parole shall have a seal, keep a record of all its acts relating to each of the separate penal institutions and the persons confined in, removed and committed thereto or paroled or discharged therefrom and the Chairman of said Board shall furnish a copy of the acts of the said Board of Parole in reference to each of the penal institutions to the Board of Control and also to each of the penal institutions of its acts relating to that institution. The State Board of Parole shall also keep a complete record of all persons placed on probation to said Board and duly enter discharges and revocations of orders staying sentences of such persons upon its records, and biennially report to the Governor regarding all the activities of the said Board."*

**Sec. 2. Limitations.**—Mason's Minnesota Statutes of 1927, Section 10770, as amended by Laws 1931, Chapter 161, Section 4, is hereby amended so as to read as follows:

"10770. The said State Board of Parole may parole any person sentenced to confinement in the state prison or state reformatory, provided that no convict serving a life sentence for murder shall be paroled until he has served thirty-five years, less the diminution which would have been allowed for good conduct had his sentence been for 35 years, and then only by the unanimous consent in writing of the members of the Board of Pardons. *Upon being paroled and released, such convicts shall be and remain in the legal custody and under the control of the State Board of Parole subject at any time to be returned to the state prison, the state reformatory or the state reformatory for women and the parole rescinded by such Board, when the legal custody of such convict shall revert to the warden or superintendent of the institution. The written order of the Board of Parole, certified by the Chairman of said Board, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole or probation to the State Board of Parole, but any probation or parole agent may, without order or warrant, whenever it appears to him necessary in order to prevent escape or enforce discipline, take and detain a parolee or probationer to the State Board of Parole and bring such person before the Board of Parole for its action. Paroled persons, and those on probation to the State Board of Parole, may be placed within or without the boundaries of the state at the discretion of the said Board and the limits fixed for such persons may be enlarged or reduced according to their conduct.*

In considering applications for parole or final release said board shall not be required to hear oral argument from any attorney or other person not connected with the prison or reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, and to that end shall have authority to require the attendance of the warden of the state prison or the superintendent of the state reformatory or the state reformatory for women and the production of the records of said institutions and to compel the attendance of witnesses, and each member of said board is hereby authorized to administer oaths to witnesses for every such purpose."

Approved April 5, 1935.