

CHAPTER 151—S. F. No. 195

An act relating to the adoption of children and to amend Mason's Minnesota Statutes of 1927, Section 8628.

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 8628 is hereby amended so as to read as follows:

"8628. **Notice of hearing.**—When the parents of any minor child are dead or have abandoned him, and he has no guardian in the state, the court shall order three weeks' published notice of the hearing on such petition to be given; the last publication to be at least ten days before the time set therefor. In every such case the court shall cause such further notice to be given to the known kindred of the child as shall appear to be just and practicable; provided that if there be no duly appointed guardian, a parent who has lost custody of a child through divorce proceedings, and the father of an illegitimate child who has acknowledged his paternity in writing or against whom paternity has been duly adjudged shall be served with notice in such manner as the court shall direct in all cases where the residence is known or can be ascertained.

Approved April 9, 1941.

CHAPTER 152—S. F. No. 196

An act relating to illegitimate children and to amend Mason's Minnesota Statutes of 1927, Section 3265 and Section 3272(a).

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

Section 1. **Trial—exclusion of public, etc.**—Mason's Minnesota Statutes of 1927, Section 3265, is hereby amended so as to read as follows:

"3265. Upon the trial in district court the judge may at his discretion exclude the general public from attending at such trial and shall do so at the request of either party. The examination taken before the justice or judges of the municipal court shall in all cases be read to the jury when demanded by the defendant. If he is found guilty, or admits the truth of the accusation, he shall be adjudged to be the father of such child and thenceforth shall be subject to all the obliga-

tions for the care, maintenance and education of such child, and to all the penalties for failure to perform the same, which are or shall be imposed by law upon the father of a legitimate child of like age and capacity. Judgment shall also be entered against him for all expenses incurred by the county for the lying-in and support of and attendance upon the mother during her sickness, and for the care and support of such child prior to said judgment of paternity, the amount of which expenses, if any, shall also be found by the judge, together with costs of prosecution. If the defendant fails to pay the amount of such money judgment forthwith, or during such stay of execution as may be granted by the court, he shall be committed to the county jail, there to remain until he pays the same or is discharged according to law; provided, however, that no stay shall be granted unless the defendant shall give a bond to the county, in such sum and with such sureties as shall be approved by the court for the payment of such money judgment on or before the expiration of such stay. Upon due notice to the *county welfare board* or *the director of social welfare* and the duly appointed guardian, *if any*, the judge of the district court before whom the proceedings are pending shall make and enter an order, directing and requiring the father of such child to pay to the county welfare board, or the *director of social welfare* such sum of money or its equivalent, as may be proper and adequate for the care, maintenance, and education of such child.

Section 2. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 3272(a), is hereby amended so as to read as follows:

“3272(a). **Director of Social Welfare shall make settlement.**—The *director of social welfare* shall have authority to accept from the acknowledged or *adjudicated* father of the child such sum as shall be approved by the court having jurisdiction of proceedings to establish the paternity of the child, in full settlement of all obligations for the care, maintenance and education of such child; and shall hold or dispose of the same as ordered by said court. Such settlement shall discharge the father of all further liability, civil and criminal, on account of such child, provided that such settlement shall not affect any liability of the father under Section 3266.

Approved April 9, 1941.