

CHAPTER XLVI.

AN ACT TO SECURE LIBERTY OF CONSCIENCE AND EQUAL RIGHTS IN MATTERS OF RELIGION TO THE INMATES OF STATE INSTITUTIONS.

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

Guarantees free exercise of spiritual ministrations and religious belief.

SECTION 1. That all persons committed to any state prison or reform school or other place of confinement in said state, shall be allowed spiritual advice and spiritual ministrations from any recognized clergyman of the denomination or church to which such persons so committed or received may respectively belong, and have belonged prior to their being so committed or received into such state prison or reform school, or other place of confinement, such advice and ministrations to be given within the prison or reform school or other building where the inmates thereof are required by law to be confined or imprisoned in such manner as will secure to such persons the free exercise of his religious belief; and such religious consolation, advice and ministrations shall be allowed separate and apart, and out of the presence and hearing of any person other than the clergyman who is ministering to such inmates. Such clergyman shall have the right, at the times fixed as hereinafter provided, and in all cases of serious sickness without regard to time, to visit either of said institutions and to see and communicate freely and untrammelled, with such of said inmates as belong to the church or society of which he is a clergyman.

Duty of officers in charge of penal institutions.

SEC. 2. It shall be the duty of the board of managers, or persons or officers having the control and management of said institutions, to set apart not less than one hour (and more if necessary) on the first day of each week, in which any of the clergymen in good standing of any church or denomination may freely minister to and impart moral and religious instruction to those of the said inmates or children who respectively belong thereto prior to their being so committed or received therein, and to afford and grant to such clergyman such reasona-

ble and proper facilities as may be necessary to enable them to freely and properly discharge their duties as ministers and spiritual advisers to the said inmates; and to provide and furnish to such clergymen on such occasions a room or apartment whereby he may be enabled to freely and properly discharge his duties as such clergyman; *Provided*, That the religious denomination to which the parents of any child or minor so committed or received into either of said institutions belonged or was a member, shall be considered the denomination to which such child or minor belongs, provided all such religious ministrations shall be given between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, except in special cases, such as sickness when such ministrations may be given at any hour, and that the board of officers in charge of such institutions shall designate to each denomination which of the hour or hours so designated when a clergyman of of such denomination shall commence and impart such ministration and instruction and the time they shall occupy, which time shall be in accordance with the rules of such denominations, giving to each denomination an equal amount of time, without partiality or unjust discrimination whatever.

Denominations designated.

SEC. 3. All sectarian practices, except by said clergyman as aforesaid, are hereby prohibited, and no officer of any state institution, or other person, shall interfere with or attempt to influence, control or change the religious belief or opinions of any of said inmates; nor shall any of said inmates be required to attend any religious services or devotions in any of said institutions against their own free will, if they have attained their majority and if minors shall not be so required contrary to the expressed directions of the parent or guardian or clergyman having spiritual charge of said inmates respectively, and in all matters appertaining to religion the rights of conscience and the free exercise thereof shall be scrupulously respected and guarded, provided that nothing herein contained shall be construed to prohibit or limit such freedom of speech among the employees or inmates of said institutions as is permitted by the rules and regulations thereof not in conflict with the spirit of this act.

Sectarian practices prohibited—exceptions.

SEC. 4. All acts or parts of acts inconsistent with this act, are hereby repealed.

Repeal of inconsistent acts.

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

When act to take effect.

Approved March 5, A. D. 1874.