

Object.

dents and addresses, discussions and illustrations of such methods and practices as possess real merit and are adapted to the conditions of our agriculture; the sole object and purpose of these institutes being to disseminate practical knowledge upon questions pertaining to agriculture, horticulture, stock and dairy farming with the least expense and inconvenience to the people of the state.

Expenditure prior to Aug. 1 not to be construed a deficiency.

SEC. 13. It is hereby provided that the expenditure of moneys for institute expenses which may be made prior to August first of any fiscal year from a fund already provided as due August first of the fiscal year following shall not be construed as a deficiency fund; provided also that the fund then to be due has already been appropriated by the act of legislature. By this section the needs of the institute's seasons can be met and be made to harmonize with the fiscal year of the state.

SEC. 14. All acts inconsistent with this act are hereby repealed.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 439.

## CHAPTER 222.

Abandonment of wife or children.

*An act to prevent the abandonment and neglect of wife or children of persons charged by law with the maintenance thereof; to make such abandonment and neglect unlawful; and to prescribe the punishment therefor.*

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

Jurisdiction of case.

SECTION 1. On complaint being made to any justice of the peace or judge of any municipal court by the wife of any person accusing such person of wilfully omitting without lawful excuse to furnish proper food, clothing and shelter, or suitable care in case of sickness, to his wife or minor child under fifteen years of age, the justice or judge shall take such complaint in writing, under the oath of such wife, and shall thereupon issue his warrant against the person accused, directed to the sheriff or constable of his county, commanding him, forthwith, to bring such accused person before the justice or judge to answer such complaint.

Title of action.

SEC. 2. The justice or judge shall enter an action in his docket in which the State of Minnesota is plaintiff

and the accused is defendant, and shall make such other entries as are required in criminal actions. On the return of the warrant with the accused the justice or judge shall proceed to examine under it the complainant and such other witnesses as may be produced by the parties respecting the complaint, and such examination shall be reduced to writing by the justice or judge. The accused shall be entitled to removal of such action as in a criminal examination before the justice of the peace.

Examina-  
tion.

Removal of  
action.

SEC. 3. If such accused person pays or secures to be paid to the wife complaining such sum of money or other property as the court shall order or as she may agree to receive in full satisfaction, of which order or agreement the justice or judge shall make memorandum upon his docket and shall also pay all expenses and the costs of prosecution and shall also give bond to the State of Minnesota in such sum as the justice or judge shall fix, with sufficient sureties, to be approved by the justice or judge, conditioned that he will furnish such child and wife with the necessary and proper home, food, care and clothing, then the justice or judge shall discharge such accused person.

Accused  
discharged,  
when.

SEC. 4. In case any person accused as aforesaid does not comply with the provisions of the preceding sections and there is probable cause for belief that he is guilty as charged in the complaint, the justice or judge shall require such person to enter into recognizance with one or more sufficient sureties to be approved by the justice or judge in a sum of not less than \$100 nor more than \$500, to appear at the next term of the district court for the proper county to answer the said complaint and abide the order of said court thereon; and on his neglect or refusal to give such recognizance the justice or judge shall commit him to jail of the county, there to be held to answer such complaint at the next term of such court; and such justice or judge shall thereupon certify the examination taken before him and return the same and all processes and papers in the case to the clerk of said court.

Bound  
over to  
appear at  
next term  
of court.

Justice to  
certify ex-  
amination  
to clerk  
of court.

SEC. 5. If at any time there is any sufficient reason therefor, the court may order a continuance of the cause, and such continuance shall operate to renew the recognizance and the same shall remain in full force until final judgment; *provided that*, if the sureties in the recognizance shall at any term of said court surrender the accused

Continuance  
of case.

Request  
of sureties  
for a  
discharge.

and request to be discharged such recognizance, or if the court shall for any cause deem it proper, such court may order a new recognizance to be taken and commit the defendant until he gives such new recognizance.

The issue  
to be:

SEC. 6. Upon the trial of the action, the issue shall be whether the accused is guilty or not; if he is found guilty or if he admits the truth of the accusation he shall be adjudged to pay such wife or minor child such sums of money and in such manner and at such times as the court may fix and direct.

Disobeyance  
of order  
of court.

SEC. 7. And if such person shall disobey such order or directions, the court may sequester his personal estate and the rents and profits of said real estate to be applied according to the terms of such order or direction. Or the court, whenever it shall find the fact to be that such person has an income or earnings from any source sufficient to enable him to pay the sum or sums specified in such order or obey such directions and fails so to do, may punish such person for contempt and the court, if it shall have reason to believe that said person can earn sufficient to enable him to pay such sums or obey such order, may cause such person to be confined in the county jail until such person complies with the direction and order of the court, or in the discretion of the court until the said person shall give bond, with good and sufficient sureties, in an amount to be prescribed by the court, conditioned to pay such amount and to comply with the orders and directions of the court, which bonds shall be approved by the court.

Contempt  
of court,  
punishment.

Wife com-  
petent wit-  
ness with-  
out consent  
of husband.

SEC. 8. In all cases brought under the provisions of this act the wife shall be a competent witness against her husband without his consent, and may be subpoenaed and compelled to testify against him.

Ch. 316,  
1903, repealed.

SEC. 9. That chapter 316, General Laws of the State of Minnesota for the year 1901, be and the same is hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.