

holding a state office and such person may hold both such offices and perform the functions and duties thereof; but such person shall receive only the salary by law provided for the office first held.

Approved April 24, 1925.

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CHAPTER 354—H. F. No. 318.

*An act to amend Section 3265, General Statutes, 1923, relating to illegitimate children.*

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

Section 1. **Trial—Judgment—Default—Duties of Board of Control.**—That Section 3265, General Statutes, 1923, be and the same hereby is 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 attendance at such trial and shall do so at the request of either party.* The examination taken before the justice or judge 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 obligations 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 the 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 State Board of Control or the duly appointed guardian of the child, 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 state board of control or the county child welfare board, if there be one, or the duly appointed guardian of such child such sum of money or its equivalent, as may be proper and adequate for the care, maintenance, and education of such child. Or such order may provide for the payment, in the manner here-

tofore provided, of a specific sum each month, or at other stated intervals, for the purpose hereinbefore specified, and may further require the father of such child to furnish such bond or other security for the performance of said order as may be proper and necessary. The court shall further fix the amount, and order the defendant to pay all expenses necessarily incurred by, or in behalf of, the mother of such child, in connection with her confinement and the care and maintenance of the child prior to judgment. If the defendant fails to comply with any order of the court, hereinbefore provided for, he may be summarily dealt with as for contempt of court, and shall likewise be subject to all the penalties for failure to care for and support such child, which are or shall be imposed by law upon the father of a legitimate child of like age and capacity, and in case of such failure to abide any order of the court, the defendant shall be fully liable for the support of such child without reference to such order."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 24, 1925.

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#### CHAPTER 355—H. F. No. 746.

*An act to amend Sections 8671, 8672 and 8675, General Statutes 1923, relating to "Support of Dependent Children in Their Own Homes and Procedure for Obtaining Same."*

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

Section 1. **Support of dependent children in their own homes and procedure for obtaining same.**—That Section 8671, General Statutes 1923, be amended so as to read as follows:

"Section 8671. Whenever any child under the age of sixteen years who is *regularly attending school, if physically able and of school age, or who is under school age, or who through physical or mental disability is unable to be employed* is found by juvenile court to be dependent the court shall, when requested so to do, 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 if a state hospital for inebriates; or is unable to labor for the support of his family by reason of physical disabilities; *or whether there is and has been for three months past an outstanding warrant for his arrest on a charge or after conviction for the crime of abandoning such child, or for abandoning his wife while pregnant*;