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CHAPTER 25

BOARD OF CONTROL AND CHARITIES UNDER ITS EXCLUSIVE MANAGEMENT

THE BOARD

1858. Organization—The state board of control shall consist of three members, appointed by the governor with the consent of the senate, each for the term of six years, and until their successors qualify. Vacancies shall be filled by like appointment for the unexpired terms. The member whose term first expires shall be chairman. The governor may remove any member for malfeasance or nonfeasance in office, or for any cause which renders him incapable or unfit to discharge his official duties. ('01 c. 122 s. 1)

Title of 1901 c. 122, establishing board, held sufficient (85-165, 88+533).

1859. Bond—Duties—Examination—Before entering upon such office, each member shall give bond to the state in the sum of twenty-five thousand dollars, to be approved by the governor, conditioned for the faithful discharge of his official duties. Each shall devote his entire time to such duties, and shall hold no other lucrative office. The books and affairs of the board shall be subject to examination by the public examiner. ('01 c. 122 s. 2)

1860. Office, seal, supplies, etc.—Said board shall be provided with suitably furnished offices at the seat of government, and may procure all books, blanks, stationery, postage, and other office supplies required in the transaction of its business. It shall employ an architect, a secretary, and other needed office help. It shall have an official seal, and authenticate therewith all commissions, discharges, paroles, and other like documents. All contracts made by the board shall be in writing, signed by its chairman. ('01 c. 122 ss. 4, 5; '03 c. 335)

1861. Institutions under exclusive control—The board shall have the exclusive management of the state prison, state reformatory, state training school for boys and girls, the school for the feeble-minded, the state hospitals and asylums for the insane, and, except as otherwise provided by law, the state sanatorium for consumptives. All expenditures for or on account of said institutions shall be made out of the funds appropriated or provided for each, respectively. ('01 c. 122 s. 18)

1862. Institutions under financial control—Except as otherwise provided by law, the board shall have the financial management of the state university, the state normal schools, the state public school, and the state schools for the deaf and the blind, and all expenditures of public money provided for their administration and support shall be under its control; but, in the planning of buildings and other improvements for their use, it shall co-operate with the respective boards in charge thereof. It shall not have control of private donations made to such institutions unless the donor shall so direct, but they shall be used and expended by the institution board as directed by the donors. ('01 c. 122 s. 18)

See 1905 c. 119

1863. Powers of institution boards—The official boards in charge of the respective institutions named in § 1862 shall control their general educational policy, have charge of the grounds, buildings, and apparatus, and employ all necessary officers, teachers, janitors, and other help, and fix their compensation; but the total expenditure for such purposes shall not exceed in any year

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such proportion of the whole sums available for the uses of the institution during such year as the board of control shall prescribe. All contracts with such employees shall be reported to the board of control upon blanks furnished by it, and all disbursements for salaries and supplies shall be made under proper rules adopted by such board. ('01 c. 122 s. 18)

1864. Purchasing agents—The board of control may appoint a purchasing agent for each or any of the institutions under its financial or exclusive management, who, under its direction and subject to its rules, shall attend to the purchase of necessary supplies therefor. The compensation and necessary expenses of such agent shall be paid out of the funds provided for the institution to which he is assigned. ('01 c. 122 s. 18)

1865. Institution officers—Said board shall appoint a chief executive officer for each institution under its exclusive control, and may remove him for misconduct, incompetency, or neglect of official duty. No such removal shall be made except upon written charges and opportunity to be heard. Every such executive officer shall have the qualifications and perform the duties now or hereafter required by law, or by rules prescribed by said board. In case of an apparent conflict between the powers conferred by law upon any executive officer of a state institution, and those conferred by this chapter upon the board of control, it shall be conclusively presumed that the power belongs to the latter. ('01 c. 122 s. 6)

1866. Assistants and employees—The chief executive officer of each of said institutions shall appoint all assistants and other employees required in the management thereof, the number being first determined by said board, and may discharge any of them; but he shall keep a record of the date of such discharge, and the reason therefor. The board shall fix the compensation of all officers and other employees in such institutions, except those fixed by law, and shall classify the officers and employees; and the salaries paid to any class shall be uniform in similar institutions. Such compensation shall be included in the monthly estimates, and paid in the same manner as other expenses. ('01 c. 122 s. 7)

1867. Political influence—Removal—Every officer or member of said board, and every officer or employee of any institution under its control, who by solicitation or otherwise exerts his influence, directly or indirectly, to induce other officers or employees of the state to adopt his political views, or to favor any particular person or candidate for office, or to contribute funds for campaign or political purposes, shall be removed from his office or position by the authority appointing him. ('01 c. 122 s. 7)

1868. Official bonds—The board shall require its officers and employees, and those of the several institutions under its control, who may be charged with any money or property belonging to the state, to give bond to the state, properly conditioned, in such sum and with such sureties as it shall approve. ('01 c. 122 s. 9)

1869. Traveling expenses—Every member, officer, and employee of the board, who shall necessarily travel on official business, shall be paid the actual expenses thereof by the nearest practicable route. But no expenditure for traveling expenses to other states, except when authorized by law, shall be made by said board, or by any officer or employee thereof, or by any officer, employee, or agent of any institution under its control, unless authority therefor be first granted by a resolution of the board, stating the reason and purpose of such trip, upon which the governor has indorsed his approval. ('01 c. 122 s. 10)

1870. Statement of expenditures—Salaries—Before any expenses of a member, officer, agent, or employee of the board, or of any person acting under its direction, or of any officer or employee of any institution under its control, shall be paid, a statement of the items thereof, accompanied by a sub-voucher for each item, shall be presented to the state auditor, with an affidavit that such expense bill is just, accurate, and true, and is for cash expenditures actually made and paid to the parties named therein. The salaries and ex-

penses of the board and its officers and employees shall be paid monthly upon the warrant of the state auditor. ('01 c. 122 s. 11)

1871. Rules—The board may adopt rules for the conduct of its business, and prescribe reasonable regulations defining the duties and providing for the government of the officers and employees of the institutions under its control. ('01 s. 122 s. 12)

1872. Books and accounts—Said board shall keep at its office a proper and complete system of books and accounts with each institution, showing every expenditure authorized and made therefor. Such books shall contain a separate account of each extraordinary or special appropriation made by the legislature, with every item of expenditure therefrom. ('01 c. 122 s. 13)

1873. Uniform accounts and records—Annual statement—Said board shall establish a perfected uniform system of books, accounts, and records to be kept by the institutions under its exclusive control, and require similar institutions to keep similar books. The requisitions and accounts of every such institution shall show the purchase, storage, and consumption of all supplies for subsistence, construction and other purposes. It shall cause the books and accounts of every such institution to be examined by the public examiner at least once in each year, and shall make an annual settlement with the officers of every such institution. It shall annually prepare for publication a statement of the cost for the preceding year, or maintaining each of said institutions, including improvements, itemized as far as practicable, and so arranged as to show the cost of the various kinds of provisions and supplies. Nothing contained in this chapter shall limit the general supervisory or examining powers vested in the governor by the constitution and laws of the state, or those of any committee appointed by him. ('01 c. 122 ss. 14, 19)

1874. Dissemination of information—Said board shall gather, compile, and disseminate information embodying the experience of charitable, reformatory, and penal institutions in this and other countries, regarding the best and most successful methods of caring for the insane, defective, and criminal classes. It shall encourage and urge the scientific investigation of the treatment of insanity and epilepsy by the medical staffs of the insane hospitals and asylums and the school for the feeble-minded, and from time to time shall publish bulletins and reports of the scientific and clinical work done in said institutions. It shall provide the forms for statistical returns to be made by said institutions in their annual and other reports. The total annual expenditure under this section shall not exceed five hundred dollars. ('01 c. 122 s. 15)

1875. Biennial and other reports—On or before November 15 in each even-numbered year, said board shall make a report to the governor and legislature, covering the biennial period ending July 31 preceding, therein giving its observations and conclusions respecting each institution under its control. Said report shall contain the reports of the executive officers of said institutions, a statement of the visitations thereto, and when and by whom made, the name and salary of every employee of said board, and of every officer and employee of said several institutions. Such report shall be published under the direction of the state printer, and paid for out of the appropriation for public printing. Said board shall make such other reports to the governor as he may from time to time require, or as it may deem necessary, relating to the condition and wants of the said several institutions. ('01 c. 122 ss. 5, 16, 17)

1876. Daily records—Said board shall require the proper officer of each of said institutions to keep, in a book prepared for that purpose, a daily record of the time and number of hours of service of each employee; and the monthly pay roll shall be made from such time book, and accord therewith. Whenever an appropriation is based on the number of inmates in, or persons at, an institution, said board shall require a daily record to be kept of the persons actually residing at and domiciled in such institution. ('01 c. 122 s. 17)

1877. Investigation—Witnesses—Contempt—As often as once in six months, said board, or a committee thereof, shall visit and inspect each of said

institutions, and investigate its financial condition and management. It shall have power to summon and compel the attendance of witnesses; to examine them under oath, and order the production of all books, property, and papers material to such investigation. Witnesses other than those in the employ of the state shall receive the same fees as in civil cases in the district court. The claim that any testimony or evidence sought to be elicited or produced may tend to criminate the person giving or producing it, or to expose him to public ignominy, shall not excuse him, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any matter or thing concerning which he may be so required to testify or produce evidence: Provided, that he shall not be exempted from prosecution and punishment for perjury committed in so testifying. Said board shall cause the testimony so taken to be transcribed and filed with the secretary of the board as soon as practicable, and when so filed it shall be open to public inspection. Every person failing or refusing to obey any order of such board issued under this section, or to give or produce evidence when so requested, shall be reported by the board to the district court, and shall be dealt with as for a contempt of court. ('01 c. 122 s. 20)

1878. Insane hospitals, etc.—Visitation—Each hospital and asylum for the insane shall be visited by a member or the secretary of the board once each month. The board, when it deems proper, may appoint a competent woman to visit and report upon any such hospital or asylum. She shall be paid a reasonable compensation for services and expenses from the funds appropriated for the support of the institution visited. ('01 c. 122 s. 21)

1879. Inspection by board—Said board, or any member thereof, upon stated visits to any institution, shall inspect every part thereof, the general and special dietary, and the stores and methods of supply, and, so far as practicable, shall see all inmates of the charitable institutions, especially those admitted since the preceding visit, and shall give such as desire it suitable opportunity to converse with them privately. The board, or any of its members, may examine under oath the officers, attendants, guards, and other employees, in order to determine their fitness for their duties. ('01 c. 122 s. 22)

1880. Estimates for supplies—On or before the fifteenth of each month, the chief executive officer of every such institution shall cause to be prepared triplicate estimates, in minute detail, of all expenditures required for the next month, with estimated cost of each item. Such estimates shall be accompanied by a statement of all revenues received by such institution, and accounted for to the state treasurer, on the first of such month. Two of said estimates shall be filed with the board, and the other retained. The board may revise such estimates as to quantity, quality, and cost, and shall certify thereon that the articles named therein, as so revised, are required for actual use. One copy of the revised estimate shall be sent to the institution, and one retained. The copy so sent shall be sufficient to authorize the proper officer to purchase such supplies, at prices not exceeding those therein named, upon at least thirty days' time. Itemized bills in duplicate, verified in the form prescribed by the rules of the board, shall be required for all purchases, whether upon contract or otherwise. ('01 c. 122 s. 24)

1881. Monthly statement—Some officer of each institution designated by said board shall prepare a monthly statement showing purchases and expenditures of every kind for the preceding month, which shall be signed by him, approved by the chief executive officer, and filed with the board on a day by it fixed. The officer shall attach to such statement his affidavit that such articles were purchased by him, or under his direction, at a fair cash market value, on not less than thirty days' credit, and received at the institution; that neither he, nor any person in his behalf, had any pecuniary or other interest in the purchases made, or received any pecuniary or other benefit therefrom, directly or indirectly, by commission, percentage, deduction, or in any manner whatsoever; and that the articles specified in such bill conformed in all respects to the goods ordered, in both quantity and quality. Whenever

any such bill, or any part thereof, is found objectionable, the board shall indorse its disapproval thereon, with its reasons therefor, and return it to the chief executive officer of the institution, who shall correct and return the same. ('01 c. 122 s. 25)

1882. Pay roll—Triplicate abstract—The monthly statement so made, approved, and verified, together with the original invoices of purchases, and an itemized statement of every expense of any such institution, including the verified pay roll, shall be filed with said board, which, at a time fixed by it, shall audit all accounts for the preceding month. The monthly pay roll of each institution shall show the name of every officer and employee, when first employed, his monthly pay, time actually served, and amount to be paid, with deductions for careless loss or destruction of property; and in no case shall a substitute receive compensation in the name of an employee for whom he acts. When said accounts are audited, the secretary of the board, under its seal, shall prepare in triplicate an abstract, showing the name, residence, and amount due each claimant, and the institution and fund thereof on account of which payment is made. He shall deliver one copy thereof to the state auditor, one to the state treasurer, and retain the other in the office of the board. If the institution has sufficient funds, said auditor shall issue his warrant upon said treasurer for the gross amount shown by said abstract, who shall send checks to the several persons for the amount of their respective claims as shown by said abstract. He shall preserve in his books a record of each check and remittance, showing the date of its issue, the name of the payee, and any other facts tending to evidence its payment. ('01 c. 122 s. 26)

1883. Biennial estimates—Suggestions for legislation—Said board shall prepare, for the use of the legislature, biennial estimates of appropriations necessary or expedient to be made for the support of the said several institutions, and for extraordinary and special expenditures for buildings and other improvements. It shall also, in connection therewith, make suggestions relative to legislation for the benefit of said institutions, or for improving the condition of the dependent, defective, or criminal classes. Said board and its secretary, on request, shall appear before any legislative committee and furnish any required information in regard to the condition of any such institution. ('01 c. 122 ss. 27, 28)

1884. Plans and specifications—Limitation—Said board shall prepare plans for all improvements or buildings costing more than one thousand dollars, for which it may recommend an appropriation; but, when an appropriation has been made, no part thereof shall be expended until the board has secured suitable plans and specifications, prepared by a competent architect, and accompanied by a detailed statement of the amount, quality, and description of all material and labor required for the completion of the work; and no plan shall be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation therefor, unless otherwise provided in the act making the appropriation. In no event shall the board direct or permit any expenditure beyond that appropriated or contemplated by law, and any member, officer, or agent of the board violating this provision shall be guilty of a gross misdemeanor. ('01 c. 122 s. 29)

1885. Contracts for supplies—The proper officers of any such institution, under direction of said board, may make contracts for such supplies as it may find expedient for such institution to purchase in bulk for use or consumption for periods longer than thirty days. But such contracts shall be made only in conformity with the provisions of this chapter relating to estimates. Said board, whenever it deems it for the best interest of the state, may contract for the purchase of supplies, in bulk or otherwise, for any or all the institutions under its control. ('01 c. 122 s. 30)

1886. Same—Rules—Said board shall make specific rules as to the manner in which supplies shall be purchased and contracts made for the several institutions, so as to insure competition and publicity. Any person desiring

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to sell supplies to an institution, who shall file with the chief executive officer thereof, and with the secretary of the board, a memorandum showing his address and business, shall be afforded an opportunity to compete for the furnishing of supplies, under such rules and limitations as the board may prescribe. In purchasing supplies, preference shall be given to Minnesota dealers when it can be done without loss to the state. Samples furnished shall be properly marked and preserved for six months after purchase of such supplies. ('01 c. 122 s. 31)

1887. Contracts for buildings, etc.—Bids—All contracts for the erection or repair of buildings or the improvement of the grounds of any institution mentioned in this chapter shall be let by the board to the lowest responsible bidders, upon public notice such as the board may deem proper; but any and all bids may be rejected, and new proposals received upon like advertisement. All plans and specifications shall be prepared under the direction of the board, and a certified check for such proportion of the cost as the board may specify in the advertisement shall accompany each bid. ('01 c. 122 s. 32; '03 c. 335)

1888. Day labor—Work of inmates—Whenever the cost of the building or improvement does not exceed three hundred dollars, the board may permit the chief executive officer of the institution to do the same by day labor. The provision requiring all work to be done by contract shall not be mandatory as to labor on construction work at the state prison or reformatory, but the board shall establish rules whereby such construction work shall be performed with the strictest economy in the consumption of materials and in the expenditure of money. On proper representations, said board may so construct buildings and make improvements at other institutions that the work of inmates may be utilized, if advantageous to the state, but in the use of such labor no substantial departure shall be permitted from the requirements of this chapter; and in no case shall any expenditure be made, except on estimates approved by said board. No payment shall be authorized for construction purposes until satisfactory proof has been furnished to said board by the proper officer or supervising architect that the contract has been complied with. All payments shall be made in the same manner as current expenses are paid. ('01 c. 122 s. 32)

1889. Record of inmates—Said board shall keep in its office, accessible only to the members, secretary, and proper clerks, except by its consent, or on the order of a judge or court of record, a record showing the residence, sex, age, nativity, occupation, civil condition, and date of entrance or commitment of every person, patient, inmate, or convict in the institutions under its exclusive control, the date of discharge, and whether such discharge was final, the condition of such person when he left the institution, and the date and cause of all deaths. It shall state every transfer from one institution to another, naming each. This information shall be furnished to the board by each institution, with such other obtainable facts as it may from time to time require. The chief executive officer of each such institution, within ten days after the commitment or entrance thereto of a person, patient, inmate, or convict, shall cause a true copy of his entrance record to be forwarded to the board. Whenever a patient or inmate leaves, is discharged, transferred, or dies in any institution, the chief executive officer or other person in charge shall inform the board within ten days thereafter on forms by it furnished. ('01 c. 122 s. 33)

1890. Transfers—Questionable commitments—The board may transfer an inmate from one hospital or asylum for the insane to another, or to the school for feeble-minded or from said school to any hospital or asylum for the insane, and shall cause a proper record thereof to be made at such institutions and in its office. The superintendent of any state hospital or asylum for the insane, or school for the feeble-minded, shall at once notify said board if there is any question as to the propriety of the commitment or detention of any person admitted to such institution, and said board shall immediately take action thereon. ('01 c. 122 ss. 34, 35)

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1891. Money of inmates—The chief executive officer of each of such institutions shall have the care and custody of all moneys belonging to inmates thereof which may come into his hands, keep accurate accounts thereof, and pay them out under rules and regulations prescribed by law or by the said board, taking vouchers therefor. He shall give such additional bond as the board may require, conditioned to safely keep and account for such funds. All such moneys received by any officer or employee shall be paid to the chief executive officer forthwith. ('01 c. 122 ss. 36, 37)

1892. Disposition of funds—Every officer and employee of said several institutions shall pay to the accounting officer thereof any funds in his hands belonging to the institution. Every accounting officer, at the close of each month or oftener, shall forward to said board a statement of the amount and sources of all moneys received. On receipt of such statement, said board shall transmit the same to the state auditor, who shall deliver to the state treasurer a draft upon said accounting officer for the same, specifying the funds to which it is to be credited. Upon payment of such draft, the amount shall be so credited. ('01 c. 122 s. 37)

1893. Protection against fire—Said board shall provide at each of said institutions adequate and ready means of protection against fire, construct proper means of escape for inmates, and establish and enforce rigid regulations by which danger from fire may be minimized. ('01 c. 122 s. 38)

1894. Annual report and inventory—The chief executive officer of every such institution, on or before September 1 of each year, shall submit to said board a statement of the condition thereof, and an accurate inventory of all the property, stock, and supplies belonging to such institution, with the amount and value thereof, in the order prescribed by said board. In such inventory, land and buildings shall be listed at their actual cost to the state, as nearly as known, and movable property at its estimated value. Such inventory shall be kept by said board, and an abstract published in its biennial report. ('01 c. 122 s. 39)

1895. Gifts and gratuities—No member, officer, agent, or employee of said board, and no officer or manager of any institution under its charge, shall, directly or indirectly, for himself or another, or for any such institution, receive or accept any gift or gratuity from any dealer in goods, merchandise, or supplies which are or may be used in any such institution, or from any servant or agent of such dealer. Any violation of the provisions of this section shall be a misdemeanor. ('01 c. 122 s. 40)

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1896. Contingent fund—Said board may permit a contingent fund to remain in the hands of the accounting officer of any such institution, from which expenditures may be made in case of actual emergency requiring immediate payment to prevent loss or danger to the institution or its inmates, and for the purpose of paying freight, purchasing produce, live stock, and other commodities requiring a cash settlement, and for the purpose of discounting bills incurred, but in all cases subject to revision by the board. An itemized statement of every expenditure made during the month from such fund shall be submitted to the board, under rules established by it. If necessary, the board shall make proper requisition upon the state auditor for a warrant upon the treasurer to secure said contingent fund for each institution. ('01 c. 122 s. 41)

1897. Blanks and forms—Said board shall provide each institution with proper blank forms for all statements and accounts necessary for furnishing the information required therefrom. ('01 c. 122 s. 42)

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1898. Persons admissible to institutions—No person who has not a settlement in a county, town, city, or village, as defined in chapter 15, shall be admitted to a hospital or asylum for the insane, the school for the deaf, the school for the blind, the school for the feeble-minded, or the state public school, except that said board may authorize admission thereto when the residence cannot be ascertained, or when the circumstances, in its judgment, make it advisable. When application is made to a judge of probate for admission

to any such hospital or asylum, or to the state public school, or to the superintendent of one of the other institutions above named for admission thereto, if he finds that the person for whom application is made has not such residence, or that his residence cannot be ascertained, he shall so report to said board; and he may also recommend that such person be admitted notwithstanding, giving his reasons therefor. The board shall thereupon investigate the question of residence, and, if it finds that such person has not such residence, and has a legal residence in another state or country, it may cause him to be returned thereto at the expense of this state. Whenever the overseer of a county poorhouse believes an inmate thereof not to have a residence in the state, but to have a residence elsewhere, he shall so notify said board, which shall thereupon proceed in the manner above provided, except that, if deemed impracticable to return such person to the state of his residence, it may so certify, and such person shall thereafter be a charge upon the county, town, city, or village in which he has longest resided within the preceding year. ('97 c. 291 ss. 1, 3-8)

Residence of paupers (89-91, 93+1052).

1899. Additional general powers—In addition to its entire or partial control of the several state institutions specified in this chapter, said board shall investigate the whole system of public charities, and all charitable and correctional institutions in the state, especially prisons, jails, infirmaries, public hospitals, and asylums, and examine their condition and management. It may require the officers in charge of any such institution to furnish such information and statistics as it may deem necessary, upon blanks furnished by it. It shall examine all plans for new jails, lockups and infirmaries, or for repairs at an estimated cost of over two hundred dollars, before the same are adopted by the county or other municipal board, and shall have an advisory supervision over all such institutions. Upon the request of the governor, said board, or a committee thereof, shall specially investigate any penal, reformatory, or charitable institution, and report its condition; and for this purpose said board, or its committee, is hereby authorized to send for persons and papers, administer oaths, and take testimony, which it shall cause to be transcribed and included in said report. (460, 7440-7447)

85-165, 196, 88+533.

1900. Compromise of claims—In case of any disagreement between the board of control and any person concerning a claim of such person to any right, interest, or estate in or lien upon lands occupied by or used in connection with any state institution under the exclusive or partial control of the board, or of any claim by the board for damages to any such land, or the improvements thereon, the board, with the approval of the governor and auditor, may compromise and settle such claim, and, in so doing, may make any necessary conveyance of land. All moneys received by the board upon any such settlement shall be paid into the state treasury to the credit of the revenue fund. ('03 c. 308)

1901. Insurance of state buildings—Fuel—Said board shall keep insured in solvent insurance companies all state buildings, except the soldiers' home, and all other insurable property belonging to the state, to an amount not exceeding two-thirds of the value thereof, and purchase fuel for all such buildings. (3629-3643)

1902. Homes for children—Said board shall examine the proceedings of societies for securing homes for children, and, whenever satisfied that a child has been placed by such society in an improper home, it may order its transfer to a proper one, and, if said order is not obeyed within thirty days, it shall itself take charge of and provide for such child. (2936)

1903. Religious instruction—Said board shall provide at least one hour, on the first day of each week, between 9 o'clock a. m. and 5 o'clock p. m., for religious instruction to inmates of all prisons and reformatories under its control, during which clergymen of good standing in any church or denomination may freely administer and impart religious rites and instruction to those

desiring the same. It shall provide a private room where such instruction can be given by clergymen of the denomination desired by the inmate, or, in case of minors, by the parents or guardian, and, in case of sickness, some other day or hour may be designated; but all sectarian practices are prohibited, and no officer or employee of the institution shall attempt to influence the religious belief of any inmate, and none shall be required to attend religious services against his will. (3633-3635)

1904. Salaries—Standing appropriation—Each member of the board shall receive a salary of thirty-five hundred dollars per annum, payable in monthly instalments, and there is hereby appropriated annually from any funds in the state treasury not otherwise appropriated so much thereof as may be necessary to pay the salaries and expenses of said board and of the members of said board as authorized by this chapter. ('01 c. 122 ss. 1, 43)

STATE TRAINING SCHOOL

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1905. Location and management—The state training school for boys and girls shall be continued at its present site, at Red Wing, in the county of Goodhue, and be under the general management of the state board of control. ('95 c. 153 ss. 1-3)

1895 c. 153, establishing school, held constitutional (73-77, 75+1029).

1906. Who may be committed—Whenever an infant over ten and under sixteen years of age shall have been convicted of any offence punishable by imprisonment, except that of murder, or shall be a vagrant or incorrigibly vicious, the court or magistrate may commit him to the guardianship of the board of control, to be trained in said school during minority, or for such other time as may be provided by law. No such commitment shall be made by a justice for vagrancy or incorrigibility, except upon verified complaint, in writing, containing a statement of the facts constituting the vagrancy or incorrigibility, the name, age, and residence of the infant, and the name and residence of his parents or guardian, and of the person in whose custody he may be; nor unless such facts are substantiated by at least two disinterested witnesses, and the commitment is approved by a judge of the district court of the county. In such cases the justice shall reduce all the evidence to writing, and transmit the same, together with the name, age, and residence of each witness, to the district judge, who shall examine the same, and approve or disapprove of the action of the justice; but no infant shall be committed to said school who is a proper subject for commitment to the state public school. ('95 c. 153 ss. 4-6) See 1905 c. 233

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1907. Duties of board—Said board, so far as the accommodations of the institution and the means at its disposal will permit, shall receive under its care and guardianship, and keep during their minority, or until apprenticed, placed in homes, or discharged, all infants so committed. It may place such infant, during his minority, at such employment, and cause him to be instructed in such branches of useful knowledge, as may be suitable to his years and capacity, and may place him in a suitable home, or bind him as apprentice to learn such trade or employment as will, in its judgment, be for his best advantage; and, under such rules as it may prescribe, when deemed best for such infant, it may parole or discharge him from the institution. All pupils in said school shall be clothed, instructed, and maintained by said board at the expense of the state. ('95 c. 153 ss. 4, 10)

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1908. Commitment from federal courts—Said board shall receive into its custody and guardianship, and keep until duly discharged, all infants within the prescribed ages committed to said training school by sentence of any court of the United States within the state for offences committed against the laws of the United States, and for the support of which infants the United States shall undertake to pay fifty cents each per day. (3527; '95 c. 153 s. 7)

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1909. Agent to investigate homes, etc.—Said board may appoint an agent, at a salary of not more than one hundred dollars per month and expenses, who, under regulations prescribed by it, shall investigate the homes of in-

mates previous to their parole, and have supervision over those out on parole and those apprenticed, and perform such other duties as it may require. He shall hold office during the pleasure of the board, devote his entire time to such work, occupy no other position, and receive no other compensation for his services. He may enter any dwelling house or other building whenever he has reasonable cause to believe that any ward of said school is detained or concealed therein, and take possession of such ward when found, and every person who shall wilfully resist, obstruct, or interfere with him in the discharge of his duties shall be guilty of a misdemeanor. ('95 c. 153 ss. 11, 12)

1910. Interference with inmates—Every person who shall abduct, conceal, entice, carry away, or improperly interfere with any inmate of said training school shall be guilty of a misdemeanor. ('95 c. 153 s. 13)

1911. Transfer of inmates—Said board may transfer to the state reformatory inmates whose presence is deemed detrimental to the interests of the school and are proper subjects for the discipline of the reformatory; and it may transfer to the state public school any inmate whose interests, in its judgment, would be better subserved thereby. ('95 c. 153 s. 14)

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1912. Roads and streets—No individual, copartnership, or corporation, public or private, shall lay out, construct, or open any road or street upon or through any grounds of said school without the consent of said board. ('95 c. 153 ss. 15, 16)

SCHOOL FOR FEEBLE-MINDED, ETC.

1913. Location and management—The school for the feeble-minded and colony for epileptics shall be maintained at Faribault, under the general management of the board of control. (3437)

1914. Who may be admitted—Expenses—All feeble-minded persons, resident of the state, who, in the opinion of the superintendent of said school are of suitable age and capacity to receive instruction in said school and whose defects prevent them from receiving proper training in the public schools, and all idiotic and epileptic persons resident of the state may be admitted to their respective departments under such conditions and regulations as said board shall prescribe. The person legally responsible for the support of any person so admitted, shall pay annually to the superintendent of said institution a sum not exceeding forty dollars, to be fixed by the board, but if the person so liable be unable to pay such sum, of which inability the certificate of the judge of probate of the county from which said person is admitted, shall be prima facie evidence, it is hereby made a charge upon the county, and upon the presentation of a certificate to the superintendent of said institution certified to by the secretary of the board of control to the auditor of said county, that such indigent person is a regular and proper inmate of such institution and of the sum so fixed by the board as a condition of admission, said auditor shall immediately remit to the superintendent of said institution the sum so fixed, and a like amount annually thereafter, so long as such person remains an inmate of said institution; said superintendent shall transmit the funds so received to the state treasurer to be credited to the proper funds of said institution as required by law in the case of other current receipts, and said board shall have authority to reimburse pro rata the persons and counties so paying respectively from the general support fund of the institution in case of the death or removal of such person so admitted, before the termination of the annual period for which such payment is made. (3442, 3443)

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HOSPITALS AND ASYLUMS FOR THE INSANE

1915. Location and confirmation—The state hospitals for the insane at St. Peter, Rochester, and Fergus Falls, and the state asylums for the insane at Anoka and Hastings, shall be maintained, under the general management of the board of control, and all conveyances and transfers of land, buildings, property, and funds heretofore made for any of them, are hereby confirmed.

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The chief executive officer of each shall be known as the superintendent. The superintendent and corps of physicians at the Fergus Falls hospital shall continue to be of the school of homeopathy. (3447; '99 c. 230)

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1916. Assignment of patients—Said board shall determine to what hospital or asylum patients shall be committed from each county, and notify the probate judge thereof, and of changes made from time to time. (3455)

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1917. Death, illness, etc.—Notice—Each superintendent shall give to the next of kin of any inmate immediate notice of his death, serious illness, or special change in his condition, and shall promptly and fully answer all letters of inquiry from relatives. Immediately after the death of a patient therein, he shall furnish for registration, to the proper clerk or health officer, and to the probate judge of the county from which he was committed, a certificate of the name of the patient, his age, the duration of his last sickness, and the cause and date of his death. The expenses of all coroners' inquests upon persons dying in such institution shall be paid from the appropriation for its current expenses. (3459)

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1918. Inmates may select correspondents, etc.—Any inmate of such hospital or asylum may select a correspondent outside the institution, with whom he may freely correspond without censorship, and may change the same once in each quarter. He may also in the same manner correspond with the governor and the board of control. The superintendent shall register the name and postoffice address of every such correspondent, a copy of which register shall be posted in some public place in the institution. Within three days after such selection by an inmate, the superintendent shall notify the correspondent thereof, and, in case of his refusal to act, shall notify the inmate, who may select another. Each correspondent shall indorse his name and address upon all envelopes sent to such inmate. (3474, 3475)

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1919. Duties of superintendent—Such inmate shall be furnished with necessary paper and stamped envelopes for such correspondence, and with a postal card addressed to himself, having a form of receipt for the letter on the reverse side, to be enclosed therein. Such letter and postal card, when enveloped, sealed, directed, and delivered to the superintendent or an assistant physician, shall be mailed forthwith, without being opened or read. Every letter received from such correspondent, governor, or board shall be delivered to the inmate unopened, unless there appear to be good reasons to the contrary, in which case the superintendent shall communicate such reasons to the writer. The facts in reference to such correspondence shall be at once entered in the register. A copy of this section and §§ 1917, 1918, printed in pica type, shall be framed and posted in each ward of such institutions, and every violation of or non-compliance with their provisions shall be a misdemeanor. (3478, 3479)

1920. Notice of escape—Whenever a state prison or reformatory convict who has been committed to a hospital or asylum for the insane escapes therefrom or dies therein, the superintendent shall immediately notify the chief executive officer of such prison or reformatory of such fact. (3487)

1921. Incurable insane—Whenever the superintendent shall report to the board of control that any insane person in such institution or under his charge is incurable or not likely to be further benefited by treatment, that he may be safely cared for in a private family, and that his own family are not able to support him, said board may authorize the superintendent to procure board for him in a suitable private family, at an expense not exceeding three dollars per week, to be paid from the current expense fund of the institution. Such superintendent, or an assistant physician or other person delegated by the superintendent, shall visit him as often as once in three months, and may at any time direct his return to the institution. (3489)

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1922. Parole of inmates—The superintendent, whenever he deems it advisable that a patient should return home or remain away from the institution on trial, may allow him to be absent on parole for a period not exceeding six

months. The order of commitment shall remain in force until he is legally discharged, and he may be recalled at any time. (3490)

1923. Discharge of patients—Such superintendent may discharge any patient certified by him to be recovered, unless charged with or convicted of some criminal offence. In all other cases, patients shall be discharged only by the board of control. Whenever the superintendent recommends the discharge of a patient, improved or unimproved, he shall state his reasons therefor. (3491)

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1924. Feeble-minded children—The superintendent of every such institution, with the approval of said board, shall from time to time select from the patients therein such idiotic and feeble-minded children or youths as, in his opinion, are proper subjects for training and instruction, and transfer them, or as many thereof as can be received, to the school for the feeble-minded. (3492)

1925. Clothing and money—Every inmate of any state hospital or asylum for the insane shall be furnished with suitable clothing at the expense of the state, and, when discharged, if necessary, with sufficient money to defray his expenses home or to his friends, all of which shall be paid out of the current expense fund of the institution. (3493)

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1926. Annual report—On or before September 1 in each year, the superintendent of each of such institutions shall report to the board of control the number of insane therein on July 31 preceding, giving the numbers of male and female and of the idiotic and epileptic separately, and a statistical exhibit of the admissions, discharges, and deaths, with causes of death, and such other facts and information as said board may require. Neglect to so report shall be a misdemeanor. (3498)

SANATORIUM FOR CONSUMPTIVES

1927. Advisory commission—The advisory commission of the state sanatorium for consumptives shall consist of five licensed physicians, appointed by the governor, and shall at all times include at least one homeopathic physician. Each shall hold office for five years, and until his successor qualifies. Every vacancy shall be filled by like appointment for the unexpired term. For cause, the governor may remove any commissioner. No member shall receive any compensation for his services as such, but each shall be allowed necessary expenses, incurred in the performance of his duties, payable by the state. ('03 c. 316 s. 1)

1928. Buildings—Superintendent—From the moneys appropriated for the purpose, the board of control shall erect and equip buildings, suitable for the care of consumptives, upon the site heretofore acquired therefor. All plans for buildings must be approved by the advisory commission. The board shall appoint a licensed physician to be superintendent of the sanatorium. Subject to the authority and approval of the board, he shall have entire charge of the administration thereof, appoint all employees and fix their compensation, pass upon the admission and discharge of patients and supervise their treatment, and keep such books and records as the board may require. ('03 c. 316 ss. 3, 4, 6, 8)

1929. Admission—Examination—Expense, how paid—Only persons who have resided in the state throughout the year preceding application, and who are afflicted with incipient pulmonary tuberculosis, shall be received into the sanatorium. Persons desiring admission shall apply to the superintendent, and all applications shall be numbered in the order of receipt. When a vacancy exists, the superintendent shall give to the person whose name is first upon the list an order for examination, directed to an examining physician of his county. The advisory commission shall appoint such physicians, not exceeding three for each county, whose fee for examination shall be three dollars, payable out of funds appropriated for the sanatorium. The examiner shall determine whether the applicant is afflicted as aforesaid, and report his

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conclusion to the superintendent. The board shall fix the amounts to be charged for maintenance and treatment. A person unable to pay such charges, and without kindred legally liable therefor and able to pay, may be admitted on request of his county board, and the charges shall be paid by the county. ('03 c. 316 ss. 7-9)

1930. Appropriation—So much of the sum of twenty-five thousand dollars, appropriated by Laws 1903 c. 316, as is unexpended when the Revised Laws take effect, is hereby appropriated for the erection and equipment of said buildings. ('03 c. 316 s. 11)

CHAPTER 26

SCHOOLS FOR THE DEAF AND THE BLIND

07 1931 8 **1931. Location—Organization**—The Minnesota schools for the deaf and the blind shall be continued at Faribault. They shall be maintained as the school for the deaf and the school for the blind, and shall be grouped and classed with the educational institutions of the state. (3437; '02 c. 83)

1932. Directors—Officers—Meetings—The board, consisting of the governor and state superintendent ex officio, and five directors appointed by the governor for a term of five years and until their successors qualify, and known as the "Board of Directors of the Institute for Defectives," shall be continued and hereafter known as the "Board of Directors of the Minnesota Schools for the Deaf and the Blind." Said board shall annually elect from its members a president and a secretary who shall hold office until their successors qualify. It shall hold monthly business meetings, at which three members shall constitute a quorum. Vacancies in the board shall be filled by the governor for the unexpired terms. The salary of the secretary shall be fixed by the board at not to exceed three hundred dollars a year. (3438, 3439)

1933. Powers and duties—The board shall have the educational management and supervision of the schools, and shall prescribe regulations for the admission and government of pupils, and do all things necessary for their efficient education and training. It shall teach the trades and manual industries most conducive to training for self-support. It shall appoint, and may at pleasure remove, a superintendent for each school, and, upon nomination of the superintendents, such subordinates as may be necessary. (3441)

1934. Who may be admitted—Expenses—Any deaf or blind resident of the state of suitable age and capacity for instruction, may be received, kept and taught therein, under such conditions as the board may prescribe. He shall be provided by the person legally liable for his support with sufficient funds to furnish him with proper clothing, postage and transportation. If any such person be a pauper, or if the person legally liable for his support be unable to make these provisions for him, of which facts the certificate of the probate judge shall be prima facie evidence, the county in which he has a residence shall annually on or before October 1 pay to the superintendent of the school of which he is an inmate a sum not exceeding forty dollars to be fixed by the board. Such sum shall be used only for clothing, postage, and transportation for the pupil. The superintendent, on August 1 of each year, shall render to the county auditor and to the board of directors a detailed account thereof. (3442, 3443)

1935. University—Free tuition—Any resident of the state graduated from the school for the blind, upon compliance with all other requirements, shall be entitled to pursue any course of study in the state university, without expense for tuition; and the board of regents shall receive him into any department thereof. ('01 c. 170)

07 1936 170 **1936. Gifts and conveyances**—The board shall take and hold in trust all lands or other property granted, given, devised, or conveyed to the schools or