

GENERAL STATUTES

OF

MINNESOTA

1913

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any provisions which may be made by the school for the blind for the betterment of their lot.

Said agency shall further be empowered to aid the blind (1) by home instruction and training, (2) by assisting them in securing tools, appliances and supplies, (3) by aiding in marketing the products of their labors, (4) by care and relief for the indigent blind, and in any other practicable means of alleviating their condition. ('13 c. 488 § 2)

4153. **Same—Expenses**—The board of directors of the Minnesota school for the blind are hereby authorized to defray the necessary expenses of the aforesaid agency from the appropriations for the current expenses of said board. ('13 c. 488 § 3)

CHAPTER 27

STATE PUBLIC SCHOOL

4154. **Location—Purpose**—The state public school for dependent children shall be continued at Owatonna. Its purpose shall be to furnish a temporary home for dependent and neglected children, and to provide them with proper permanent homes, proper care and instruction, while in said home, in the branches usually taught in the common schools, and with moral, physical, and industrial training. (1938)

88-382, 93+3.

4155. **Government**—The board of control of said school shall consist of three members and shall be known as the "Board of Managers of the State Public School." Said board shall have the general care and management, other than financial, of said school. It shall be a body corporate under said name, with a common seal and the usual powers of such bodies, and may take and hold all lands and other property acquired by purchase, gift, donation, devise, or bequest for the use of the institution. The members of said board shall be appointed by the governor, each for a term of six years and until his successor qualifies. Each shall be allowed his necessary expenses, and three dollars per day for his actual and necessary services, to be audited by the state board of control. (1939)

4156. **Powers and duties of board**—The board of managers shall elect from its members a president and a secretary, and shall appoint a superintendent, who shall appoint and may discharge such assistants and employees as may be necessary. The said board shall determine the number of assistants and employees, their salaries and the salary of the superintendent, subject to the approval of the board of control. It shall prescribe regulations for the government and conduct of the institution, and shall meet on its own adjournment or otherwise at least once in three months. (1940)

4157. **Admission of pupils**—Children under fifteen years of age who are dependent on the public for support, abandoned, neglected, or ill treated, and who are sound of mind and free from disease, shall be received into said school. Whenever the number of such children shall exceed the capacity of the school, preference shall be given to the younger children and to those in greatest need, and the children received shall be divided among the several counties as justly as possible, taking into consideration the number of such children in each county and its population. The board of managers or superintendent shall notify the county board of any county of the number of children that can be received from such county, whenever vacancies exist, or upon inquiry from the county board. The children of deceased soldiers shall be given preference in admission. No child who can be received into the school shall be maintained in any poorhouse. Before any child under one year of age shall be ordered sent to said school, a written statement from the superintendent shall be obtained, showing that said child can be received and cared for in said school. (1941)

4158. Complaint to judge of probate—The county board, or any two of them, shall make a complaint in writing of any such child to the probate judge, stating that in their opinion such child is

1. Dependent upon the public for support; or
2. In a state of habitual vagrancy or mendicancy; or
3. Ill treated, and his life, health, or morals endangered by continued cruel treatment, or by the habitual intemperance or gross misconduct of parents or guardian.

It shall also state the names, nationality, residence, and occupation of the parents, so far as the same can be ascertained, and whether either parent is dead or has abandoned the child, and shall ask that he be committed to the guardianship of the board of managers of the state public school. (1942)

Complaint held insufficient (54-135, 55+830).

4159. Citation—The judge shall thereupon cite the parents or guardian, if within the county, to show cause before the court, at a time and place named, why such child should not be so committed. If the child has no parent or guardian within the county, no citation need issue. The citation shall be served at least two days before the hearing. Any friend may appear on behalf of the child, and, at the request of the judge, any member of any town board or municipal council shall so appear. Upon like request, the county attorney shall appear in support of the complaint; but the proceedings shall not be deemed invalid by reason of failure to serve such citation, or of any informality or irregularity in the service or in the complaint. (1943)

4160. Examination—Said judge shall examine into the facts alleged, as in other hearings before him, and, if he find the allegations of the complaint true, he shall cause the child to be examined by the county physician, if there be one, otherwise by a practicing physician. If such physician shall certify in writing and under oath that upon such examination he finds the child of sound mind and free from chronic or communicable disease, and that in his opinion he has not within the past fifteen days been exposed to any such disease, the judge shall make specific findings upon each fact alleged in the complaint, and enter an order committing the child to the guardianship of said board; whereupon all rights of the parents or guardian to the custody, control, services, or earnings of the child shall be suspended until he is returned to their custody. (1944)

Findings held sufficient (83-252, 86+89).

4161. Discharge from guardianship—A child admitted to said school shall remain therein and subject to the guardianship of the board until a proper home is procured for him. The board shall return or discharge each child when satisfied that he is unsound in mind, or diseased, or for other cause is not a proper inmate of this school. Upon such return or discharge the guardianship of the board shall cease and the child shall again be under the custody of his parents or guardian, or a charge upon the county from which he was sent. (1945)

88-382, 93+3.

4162. Duty of sheriff—Fees—If the parents or other persons having custody of the child shall refuse to surrender him to the custody of the court, the judge may make a written order requiring the sheriff to produce him in court. The sheriff shall thereupon take the child and shall keep him at a proper place, other than the county jail, at the expense of the county. The fees and necessary expenses of transportation incurred by the person authorized to convey the child to the state public school shall be audited, allowed and paid, as now provided by law for similar services in insanity proceedings. (R. L. § 1946, amended '09 c. 442 § 1)

4163. Adoption and apprenticeship—Said board, so far as practicable, shall secure permanent homes for such children in proper families, by adoption or apprenticeship, and for that purpose may consent or authorize the superintendent to consent to the legal adoption of any such child in the same manner as his parents might have done; or it may place him in a proper family, during minority or for a shorter period, under a written contract provid-

ing for his proper education in public schools, for teaching him some useful occupation, for kind and proper treatment as a member of such family, and for payment to the board at the termination of the apprenticeship, for the use of the child, of such sum as may be provided in the contract. Such contract shall reserve to the board the right of cancellation whenever in its judgment the interest of the child requires it, and to the person taking the child the right so to cancel at any time within ninety days, upon returning the child to the school free of expense. (1947)

4164. Discharge of child—Whenever any such child, not indentured, has become self-supporting, or his parents have become able to provide for him and are otherwise suitable, the board, by resolution, may discharge him; whereupon the guardianship of the board shall cease, and he shall be entitled to his earnings, with power to contract for his services, or shall be returned to the custody of his parents, as the board shall direct. (1948)

4165. Agents—Appointment—Duties—Suitable persons shall be appointed to act as agents of the school. They shall visit the wards of the board, at its direction, and report to it their condition, and any violation of contracts, and shall perform such other duties as the board may direct. They or the superintendent shall provide homes for wards, investigate applications for apprentices, and, on behalf of the board, execute contracts of apprenticeship. They shall be allowed, in addition to their salaries, their necessary traveling expenses, to be audited by the state board of control. (1949)

4166. Record of wards—The board shall cause to be kept at the home a record, containing the names, ages, and residences of all children received; the names, residence, occupation, and character, so far as known, of the living parents; the date of reception, and of adoption or indenture, with the name, occupation, and residence of the person with whom the child is placed; the date and cause of the cancellation of any contract; the date and cause of discharge; and a brief history of each child during minority. (1950)

4167. Receiving and finding homes for certain children—The board of managers of the state public school is hereby authorized to receive, keep, maintain, train and find homes for such children as the controlling board or other managing authorities of any institution or association which is permitted to receive, find homes for or secure adoption for children under the supervision of the state board of control may request. ('13 c. 404 § 1)

4168. Same—Authority of managers—The board of managers of the state public school is authorized to visit and investigate the conditions of all children for whom homes have been found by any institution within the state of Minnesota which has or may at any time have been permitted by the state board of control to receive and find homes for dependent children. ('13 c. 404 § 2)

4169. Biennial reports—The board shall report to the governor, on or before December 1 preceding each regular session of the legislature, the operations of the home for the two preceding fiscal years in detail; and shall at the same time report to the state superintendent the condition of its schools, the names and salaries of teachers, the number of children who have received instruction therein, the average number in the schools during each year, the discipline prescribed, the studies pursued, the industrial training given, the books used, and such other matters as it may deem of importance or as may be required. (1951)

4170. Penalties—Any parent, guardian, or other person who shall abduct, conceal, entice, carry away, or improperly interfere with any child committed to the guardianship of said board, or who shall obstruct or interfere with any officer or agent in the performance of any duty imposed by this chapter, shall be guilty of a misdemeanor. (1952)