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GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

FRANCIS B. TIFFANY



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order of the president of the First Regimental Association, or on the order of the governor of the State of Minnesota, the sum of four hundred dollars (\$400), or so much thereof as may be necessary, to assist in defraying the expense of preparing and publishing the regimental history of said regiment, now being prepared, and there shall likewise be paid, annually, to the proper officers having in charge the maintenance on the Gettysburg battlefield of the aforesaid monuments and urn and the grounds on which they are situate, the sum of sixteen dollars (\$16), which annual payments shall be made on the order of the Adjutant General of the State of Minnesota, supported by proper vouchers, showing to whom and for what purpose said payments are to be made. ('15 c. 49)

CHAPTER 25

BOARD OF CONTROL AND CHARITIES UNDER ITS EXCLUSIVE MANAGEMENT

THE BOARD

4004. 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 hospital asylums for the insane, the state school for the blind, the state school for the deaf, the state public school for dependent children, the state hospital for indigent, crippled and deformed children, the state hospital for inebriates and except as otherwise provided by law, the state sanatorium for consumptives, the home school for girls and the state reformatory for women. All expenditures for or on account of said institutions shall be made out of the funds appropriated or provided for each respectively. (Amended '17 c. 343 § 1)

Section 2 amends § 4065.

By § 3 this act takes effect July 31, 1917.

4020. Investigation—Witnesses—Contempt—
Cited (131-116, 154-750).

4023. Same—Qualifications of agents—No one shall be appointed as such agent without having had previous experience in caring for the insane or feeble-minded at a hospital for the insane or school for the feeble-minded for a period of not less than one year. (Amended '17 c. 208 § 1)

[4033—]1. **Stationery, furniture, supplies, etc.—Purchasing agent**—It shall be the duty of the state board of control to purchase for all the governmental departments of the State of Minnesota, not now under the financial or exclusive management of said board, all stationery, furniture, supplies and equipment now or hereafter required by law to be furnished by the state, and for such purposes the board may appoint a purchasing agent and fix his compensation, who under its direction and subject to its rules, shall attend to such purchases. ('17 c. 174 § 1)

Section 2 repeals inconsistent acts, etc.

See § [3066—]7.

By § 3 this act takes effect July 1, 1917.

[4035—]1. **Buildings erected by state, etc.—Preference to materials produced in state, etc.**—That in any and all buildings hereafter erected by the State of Minnesota, or to the erection of which the State of Minnesota has granted aid, preference shall always be given in the erection thereof to materials produced or manufactured in the State of Minnesota by citizens or residents thereof wherever practicable; provided that in the building and erecting of foundations, steps, approaches, and the outer walls of any and all such buildings, materials produced and manufactured in the State of Minnesota by citizens and residents thereof only shall be used. Provided, that the provisions

of this act shall not apply to metal lath or Portland cement necessarily used in any such foundations, steps, approaches or outer walls. ('15 c. 211 § 1)

[4035—]2. **Same—Not to affect buildings under construction**—This act shall not affect buildings now in process of construction nor shall it affect buildings for which contracts for the construction thereof have been entered into prior to the passage of this act. Provided further that nothing in this act shall prevent the completion of buildings now partially erected with the same kind of materials which have heretofore been used. Provided further, that nothing in this act shall prevent an addition being made to any building now constructed out of the same material as the original building, nor the completion of any group of buildings out of the same material as was used in the construction of the buildings already completed. ('15 c. 211 § 2)

[4035—]3. **Same—Not to apply where pool or trust**—The provisions of this act shall not apply in any case where, in the judgment of the different officers, boards, or other authority in this state, now or hereafter vested with the power of contracting for the buildings hereinbefore referred to, it appears that an attempt is being made by producers or manufacturers in this state to form a pool, trust or combination of any kind for the purpose of fixing or regulating the price of materials to be used in any such building or buildings. ('15 c. 211 § 3)

4050. [Repealed.]

See § [4992—]22.

[4053—]1. **Board to have guardianship of children committed by courts—Delinquent children**—The state board of control shall have powers of legal guardianship over the persons of all children who may be committed by courts of competent jurisdiction to the care of the board, or to institutions under its management. After commitment to its guardianship the board may make such provision for and disposition of the child as necessity and the best interests of the child may from time to time require; provided, however, that no child shall be placed in an institution maintained for the care of delinquents who has not been duly adjudged to be delinquent; and provided further that the board shall not be authorized to consent to the adoption of a child who is committed to its guardianship on account of delinquency. ('17 c. 194 § 1)

By § 8 this act shall take effect January 1, 1918.

[4053—]2. **Same—Illegitimate children—Powers and duties of board**—It shall be the duty of the board of control when notified of a woman who is delivered of an illegitimate child, or pregnant with child likely to be illegitimate when born, to take care that the interests of the child are safeguarded, that appropriate steps are taken to establish his paternity, and that there is secured for him the nearest possible approximation to the care, support and education that he would be entitled to if born of lawful marriage. For the better accomplishment of these purposes the board may initiate such legal or other action as is deemed necessary; may make such provision for the care, maintenance and education of the child as the best interests of the child may from time to time require, and may offer its aid and protection in such ways as are found wise and expedient to the unmarried woman approaching motherhood. ('17 c. 194 § 2)

[4053—]3. **Same—Co-operation with juvenile courts—Chief executive officer and assistants**—It shall be the duty of the board to promote the enforcement of all laws for the protection of defective, illegitimate, dependent, neglected and delinquent children, to co-operate to this end with juvenile courts and all reputable child-helping and child-placing agencies of a public or private character, and to take the initiative in all matters involving the interests of such children where adequate provision therefor has not already been made. The board shall have authority to appoint and fix the salaries of a chief executive officer and such assistants as shall be deemed necessary to carry out the purposes of this act. ('17 c. 194 § 3)

[4053—]4. **Same—County child welfare boards—Agents**—The state board of control may when requested so to do by the county board appoint in each county three persons resident therein, at least two of whom shall be

women, who shall serve without compensation and hold office during the pleasure of the board, and who, together with a member to be designated by the county board from their own number and the county superintendent of schools, shall constitute a child welfare board for the county, which shall select its own chairman; provided that in any county containing a city of the first class five members shall be appointed by the state board of control. The child welfare board shall perform such duties as may be required of it by the said board of control in furtherance of the purposes of this act; and may appoint a secretary and all necessary assistants, who shall receive from the county such salaries as may be fixed by the child welfare board with the approval of the county board. Persons thus appointed shall be the executive agents of the child welfare board. ('17 c. 194 § 4)

[4053—]5. **Same—Agents where no child welfare board**—In counties where no child welfare board exists the judge of the juvenile court may appoint a local agent to co-operate with the state board of control in furtherance of the purpose of this act, who shall receive from the county such salary as may be fixed by the judge with the approval of the county board. ('17 c. 194 § 5)

[4053—]6. **Same—Additional duties of agents**—Agents appointed pursuant to sections 4 [4053—4] and 5 [4053—5] may also, when so directed by the county board, perform the duties of probation and school attendance officers, and may aid in the investigation and supervision of county allowances to mothers. ('17 c. 194 § 6)

[4053—]7. **Same—Expenses**—The traveling and other necessary expense of the several members of the child welfare board, while acting officially as members of such board, and of the executive agents while exclusively employed in the business of the board, shall be paid, so far as approved by the county board, out of the general revenue fund of the county in the same manner as other claims against the county. ('17 c. 194 § 7)

[4053—]8. **Conferences of board with other officials**—For the purpose of promoting economy and efficiency in the enforcement of laws relating to children and particularly of the laws relating to defective, delinquent, dependent and neglected children, the state board of control may at such times and places as it deems advisable call an annual conference with officials responsible for the enforcement of such laws. When practicable such conference shall be held at the same time and place as the state conference of charities and correction. ('17 c. 224 § 1)

[4053—]9. **Same—Expenses of probate judges**—The necessary expenses of all probate judges invited to and attending such conferences shall be paid out of the funds of their respective counties. ('17 c. 224 § 2)

STATE TRAINING SCHOOL

4055-4060. [Repealed.]

See § [4060—]1.

[4061—]1. **Certain sections repealed**—Sections 4055, 4056, 4057, 4058, 4059, 4060 and 4067, General Statutes, 1913, are hereby repealed. ('17 c. 238 § 1)

4065. **Agents to investigate homes, etc.—Salary**—Said board may appoint an agent or agents at a salary of not more than one hundred dollars per month and expenses, and who under regulations prescribed by it, shall investigate the homes of inmates previous to their parole and have supervisions over those out on parole and those apprenticed and perform such other duties as it may require. They shall hold office during the pleasure of the board, devote their entire time to such work, occupy no other position and receive no other compensation for their services. They may enter any dwelling house or other building whenever they have 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 them in the discharge of their duties shall be guilty of a misdemeanor. (Amended '17 c. 343 § 2)

4067. [Repealed.]

See § [4060—]1.

MINNESOTA HOME SCHOOL FOR GIRLS

[4069—]1. **Who admitted**—Any girl over the age of eight years and under the age of eighteen years, hereafter found guilty of any crime or offense for which, prior to the passage of this act, such girl, but for the fact that she was over seventeen years of age, could have been lawfully committed to the Minnesota Home School for girls, may hereafter be committed to said school. ('15 c. 293 § 1)

[4074—]1. **Terms of members of board of women visitors**—That on and after the first day of August, 1917, the board of women visitors of the Minnesota home school for girls shall be appointed by the governor of Minnesota in the following manner:

One member of said board shall be appointed for a period of one year commencing with the first day of August, 1917; two members thereof for a period of two years commencing with the first day of August, 1917, and the other two members of said board be appointed for a period of three years commencing with the first day of August, 1917, and that thereafter upon the expiration of their respective terms, members of the said board shall be appointed for a period of three years. ('17 c. 182 § 1)

Section 2 repeals inconsistent acts, etc.

HOSPITALS AND ASYLUMS FOR THE INSANE

[4109—]1. **Asylum for insane at Willmar**—There is hereby located and established at the city of Willmar, county of Kandiyohi, State of Minnesota, an asylum for the insane. ('17 c. 44 § 1)

Section 5 repeals inconsistent acts, etc.

By § 6 this act takes effect August 1, 1917.

[4109—]2. **Same—Hospital farm for inebriates transferred to asylum**—All lands, buildings, property and funds heretofore acquired and held for the foundation and maintenance of a hospital farm for inebriates at Willmar, Minnesota, are hereby transferred and set apart and appropriated to the establishment, support and maintenance of said asylum for the insane hereby provided for, and shall be subject to the same control and management as the property and funds now set apart for and used for the support and maintenance of an asylum for the insane. ('17 c. 44 § 2)

[4109—]3. **Same—Board of control**—Said hospital shall be under the control and management of the State Board of Control and all laws, rules and regulations now applicable to other insane asylums in the State of Minnesota, are hereby made to apply insofar as they may be necessary, to the insane asylum at Willmar. ('17 c. 44 § 3)

[4109—]4. **Same—Treatment of inebriates**—The State Board of Control is hereby authorized to continue the treatment of inebriates at the said State Hospital Farm for inebriates as now provided by law, but no inebriate shall be committed for treatment except as may be authorized and permitted by the State Board of Control. ('17 c. 44 § 4)

HOSPITAL FOR INEBRIATES

4111-4126. [Repealed.]

See § [7489—]20.

4128. **Tax on license fees—Inebriate fund—Certificates of indebtedness**—

Receipt by state of inebriate asylum tax as estopping state to question legality of incorporation of village paying same (see 130-100, 153+257). Municipal Corporations, 5.