

CHAPTER 54.

AN ACT TO AMEND SECTIONS ONE HUNDRED AND EIGHTY-ONE (181) AND ONE HUNDRED AND EIGHTY-TWO (182) OF TITLE THREE (3) OF CHAPTER THIRTY-FOUR (34) OF THE GENERAL STATUTES, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO THE CARE AND CUSTODY OF MINORS BY ORPHAN ASYLUMS.

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

SECTION 1. That sections one hundred and eighty-one (181) and one hundred and eighty-two (182) of title three (3) of chapter thirty-four (34) of the General Statutes one thousand eight hundred and seventy-eight (1878), be amended so as to read as follows :

Section 181. The Judge of Probate of any county, after publishing a notice once in each week for three (3) successive weeks, of his intention, at a time and place named, so to do, and after hearing, at the time and place named, all persons appearing for or against the appointment, may, when it appears to him necessary and proper, appoint an orphan asylum, incorporated under the laws of this State, as the guardian during its minority of any destitute minor residing or found in his county, whose parents are dead or under legal incapacity, or unable to provide and care properly for such child, or have abandoned or neglected for the space of six (6) successive months to provide for such child ; subject, however, to the duty on the part of such asylum so appointed to properly care and provide for such child while it exercises such charge, custody and control over it; *provided*, that said asylum shall not be obliged to give any bond for the performance of its duties as such guardian.

Section 182. That any orphan asylum aforesaid, without any action by a probate court, may also assume and have the charge, custody, control and guardianship during its minority, of any destitute minor residing or found in this State, whose parents are from any cause incapacitated or unable to provide or care properly for such minor, whenever the consent of the parents or of the parent in charge of such child is obtained ; subject, however, to the duties specified in the foregoing section. *Provided*, that this act shall not be construed to prevent or otherwise impair the right of all minor persons over the age of fourteen (14) years to choose their own guardian, as provided by law.

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

Approved February 24, 1881.

Orphans—
Judge of probate may appoint orphan asylum as guardian

Any orphan asylum may assume guardianship of destitute minor with consent of parents.