

CHAPTER 232.

S. F. No. 441.

An act entitled "An act to provide for the creation of a board of court house commissioners" to contract for and superintend the erection, construction and furnishing of any new court house and to approve the selection of a site therefor in counties of this state having at any time a population of over seventy-five thousand inhabitants when the need for such building and the limits of the expenditure to be made for the erection, construction and equipment thereof shall have been determined by the board of county commissioners of such county."

Creation of board of court house commissioners in certain cases.

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

SECTION 1. Whenever in any county of this state now or hereafter having a population of more than 75,000 inhabitants the county commissioners thereof shall by appropriate resolution declare that the existing court house of said county is inadequate for its needs and that a new structure is necessary for the purposes of a court house, for county offices and for jail purposes, or for any one or more of such uses, and fixing a sum in their judgment sufficient to cover the cost of a new building and equipment for such uses adequate to the needs of the county, then and thereupon the county auditor of such county shall immediately upon the passage of such resolution forward to the judge or judges of the district court in and for such county a certified copy thereof, and thereafter all the proceedings with reference to the choice of site for such building and the construction and equipment thereof shall be governed by the provisions of this act.

In counties of 75,000, or more inhabitants, Co. commissioners may declare court house inadequate, and fix sum for new buildings, etc. Auditor to forward certified copy of resolution to judge of dist. court.

SEC. 2. Immediately upon receiving a certified copy of such resolution the judge or judges of the district court of the judicial district in which such county is situated shall proceed to appoint five men, legal voters of said county, three of whom shall be at the time of their appointment members of the board of county commissioners of such county, and not more than one of such members shall be resident within any one city or municipality, and not more than three of the persons appointed by such judge or judges shall be resident within any one city or municipality in such county, who shall constitute upon accepting their appointment and upon taking the oath hereinafter provided a "board of court house com-

Court to appoint court house commissioners.

Written acceptance and oath.

missioners," whose duties and obligations shall be those fixed and imposed by the provisions of this act. Each commissioner before entering upon the duties of his office shall file with the county auditor a written acceptance of such appointment and shall take and subscribe an oath before one of the judges of the district court of the district in which such county is situated that he will faithfully and honestly perform the duties of his said office and will support the constitution of the United States and of the State of Minnesota, as one of said commissioners, and that he will not knowingly permit any fraud, dishonest practice or cheating by any contractor or other person doing work or performing in or about the erection or furnishing of any public building contemplated by this act, nor will he knowingly permit any such fraud, dishonest practice or cheating by any person or persons whomsoever.

Organization of board, election of officers, adoption of rules, etc., duties of clerk, salary

SEC. 3. Such board shall organize at a meeting which may be called by any three members on five days' notice in writing to the remaining members. At such meeting such board shall adopt rules for their own government. shall elect a president from their own number and shall choose a clerk, whose duty it shall be to keep the records of such board, to conduct the correspondence and other clerical work of the board, and to carry out such directions as the board may from time to time give, and he shall be paid therefor a salary to be fixed by the board. The records of the meetings of such board shall be public records, which shall be preserved in the office of the county auditor after such board have discharged their duties. A majority of such board shall constitute a quorum, and three votes shall be necessary to authorize any contract requiring the expenditure of money. The members of such board shall receive no compensation for their services, but shall be reimbursed their expenses necessarily paid or incurred in the discharge of their duties.

Public records, quorum

No compensation to members.

To hold office until building completed, vacancy.

SEC. 4. Each of said commissioners shall hold said office until a suitable building for the purposes above set forth shall have been built and fully completed and furnished as herein provided, and in case of a vacancy occurring in said board said vacancy shall be filled by appointment in the same manner as the original appointments were made.

SEC. 5. It shall be the exclusive duty of said board

to superintend the erection and construction of the court house or county building so to be erected for the needs of such county, to furnish and equip the same, to choose the architect therefor and the superintendent of construction, if one is deemed necessary by them, to let all contracts for such erection or construction, to purchase all material and employ all workmen except where the work and material shall under the provisions of this act be let by contract, and in general to have full authority within the limits fixed by this act to bind the county in and about the construction, erection and furnishing of said building, but the price at which the contract for such construction shall be let by said board of court house commissioners shall not exceed the amount fixed by the board of county commissioners of such county in their said resolution as the proper cost of the same, and no steps shall be taken toward such erection and construction until the site for said building has been determined in the manner provided by this act.

SEC. 6. The site for such court house building shall be determined in the first instance by the board of county commissioners of such county, but no such determination shall be final until the same has been approved by said board of court house commissioners, and no proceedings shall be taken toward the acquisition of any site by said county, either by purchase or condemnation until the selection thereof has received the approval of such board of court house commissioners.

SEC. 7. The said board of court house commissioners shall let by contract to the lowest responsible and acceptable bidder the contract for the erection and construction of such building after notice given in such manner as said board may direct for the purpose of securing competitive bids, the board, however, to have power and discretion to reject any and all bids. Any work subsequently found necessary and not included in such general contract may be let by contract or completed by day labor under the direction of said board, and the furnishing and equipping of said building after completion may be contracted for in such manner as to such board of court house commissioners may seem best, but, where practicable, such board shall endeavor to procure competitive bids therefor.

SEC. 8. In no county of this state, having at the time a population of more than seventy-five thousand (75,000)

Exclusive duty to superintend building, etc., elect architect, to let contracts, etc.

Contracts not to be let for price exceeding amount fixed and not until site determined.

County commissioners to select site, which must be approved by court house commissioners.

Contract to lowest responsible bidder.

May reject bids.

Work not included in contract may be let or done by day labor.

Where practicable furnishings to be let by competitive bids.

In no county of over 75,000 inhabitants, except as herein provided.

inhabitants, shall there by any new structure or building for the purpose of a court house, county office or county jail, or for one or more of such purposes, erected or constructed or a site selected or acquired therefor, save and except in the manner provided.

SEC. 9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 10. This act shall take effect and be in force from any after its passage.

Approved April 17, 1905.

S. F. No. 465.

CHAPTER 233.

State training school for boys and girls.

An act relating to the state training school for boys and girls, regulating commitments thereto and the management thereof, and repealing sections 2, 4, 5, and 6 of chapter 153, Laws of 1895, and chapter 156, Laws of 1899.

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

Age limit, exception.

SECTION 1. Who may be Committed.—Whenever any infant over the age of eight years and under the age of seventeen years shall hereafter be duly convicted in any of the courts of this state of any crime prescribed by any general law of this state, punishable by imprisonment, except the crime of murder, or when any such infant shall be found by any of said courts after due trial, as herein provided, to be incorrigibly vicious or to be an habitual tramp or vagrant, said court may thereupon commit such infant to the Minnesota State Training School for Boys and Girls. *Provided*, that no child shall be so committed who is a proper subject for commitment to the state public school at Owatonna.

Complaint signed and verified, contents, filing in court.

SEC. 2. Complaint.—No infant shall be committed to said training school as incorrigibly vicious or as an habitual tramp or vagrant unless upon formal complaint in writing, signed and verified by the person making the same, and filed in the court, setting forth the name, age and place of residence, if known, of said infant, the name and residence of its parent or guardian, and of the person in whose custody such infant may be, and stating the conduct and habits of the child, and particularly the facts constituting the ground of complaint.