

21079
65

GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

ONE HUNDRED COPIES ORDERED PRINTED.



SAINT PAUL:

FREDERICK DRISCOLL, STATE PRINTER.

(PRESS PRINTING COMPANY.)

1865.

27

D

CHAPTER XXXV.
CHARITABLE INSTITUTIONS.

TITLE I.

AGRICULTURAL COLLEGE.

c 7

1865—p. 26, Sect. 1. SECTION 1. There shall be established an agricultural college on so much of section sixteen, in township one hundred and fifteen, range twenty-eight, as may be purchased by the state, or by the agricultural college board, or donated to the state, and on all lands adjacent, that have been or may be donated, not less than four hundred and eighty acres, under the name and style of "The Agricultural College of Minnesota."

1865—p. 27, Sect. 2. SECT. 2. The design of said institution is to afford thorough instruction in agriculture and the sciences connected therewith, and for that purpose the institution shall combine physical with intellectual education, and shall be a high seminary of learning, in which the graduates of both sexes of the common schools can commence, pursue and finish a course of study terminating in thorough theoretic and practical instruction in those sciences and arts which bear directly upon agriculture and kindred industrial pursuits.

Strike out

1865—p. 27, Sect. 3. SECT. 3. The course of instruction shall embrace the English language and literature, mathematics, civil engineering, agricultural chemistry, animal and vegetable anatomy, physiology, the veterinary art, entomology, geology, political, rural and household economy, horticulture, moral philosophy, history, book-keeping, and especially the application of science and the mechanic arts to practical agriculture.

1865—p. 27, Sect. 4. SECT. 4. A full course of study shall embrace not less than four years. The agricultural college board may institute a partial course for students who do not desire to receive the full course. They may also adopt such courses of lectures as they deem best.

1865—p. 27, Sect. 5. SECT. 5. The board shall determine the time of commencing and the length of the scholastic term or terms for each year, and the number of hours, which shall not be less than two nor more than four daily, and which may be dif-

5 ferent at different seasons of the year, that shall be devoted
6 by each student to labor; and shall make such rules in re-
7 gard to the payment of tuition as they deem most condu-
8 cive to the interests of the institution, until appropriations
9 for its support are sufficient without the payment of tuition.

1 SECT. 6. A board is hereby constituted and established
2 which shall be known as "The Agricultural College Board," 1865-p. 27, Sect. 6.
Amended. C 7
3 consisting of the governor, the secretary of state, and the
4 president of the state agricultural society, who shall be ex-
5 officio members of the board; and four members to be elec-
6 ted by the legislature as follows: one member of said
7 board to be elected annually for the term of four years.
8 Any vacancy may be filled by a majority of the members of
9 the board, and a majority shall be a quorum for the trans-
10 action of business. Each member shall, before entering
11 upon the duties of his office, take and subscribe the oath
12 required by law. When the said board shall decide the
13 number of students that may be accommodated, and receive
14 instruction at such agricultural college, said students shall
15 be equally apportioned among the various senatorial dis-
16 tricts, and the senators and representatives shall recom-
17 mend such young men as they in their judgment shall deem
18 to be entitled to the privileges of education at such college.

strike out

1 SECT. 7. The agricultural college board shall have the 1865-p. 28, Sect. 7.
2 government, care and management of the farm and college,
3 and direct the disposition and use of any moneys appropri-
4 ated or donated to the college, or to which the college may
5 at any time be entitled.

1 SECT. 8. Said board may fix the time and place of hold- 1865-p. 28, Sect. 8.
Amended.
2 ing their meetings, and adopt rules for their own govern-
3 ment not inconsistent with the provisions of this chapter.
4 They shall choose from their own number a president and
5 treasurer. They shall choose a secretary, who may or may
6 not be a member of the board as they shall determine.
7 Said officers shall hold their offices two years from the last
8 Wednesday of February, and till their successors are
9 chosen.

1 SECT. 9. Said board shall erect, provide and keep suit- 1865-p. 29, Sect. 10.
Amended.
2 able and proper buildings, and establish and maintain
3 schools therein, improve and furnish the farm, and adopt
4 and execute such measures as they may deem necessary to
5 secure the successful operation of the college, and promote
6 its designed objects; *Provided*, That they incur no expen-
7 ses or debts beyond the moneys that may be appropriated
8 or donated and within their immediate control for such pur-
9 poses.

1 SECT. 10. The secretary shall record all proceedings of
 2 the board and of the faculty; and all regulations and rules
 3 for the government of the college. He shall keep a careful
 4 account with each field, in connection with a plan of the
 5 farming lands in which shall be shown the manner and cost
 6 of preparing ground, the kind of crops, time of planting or
 7 sowing, condition, time and manner of harvesting, the labor
 8 devoted to each process and its cost, with cost of preparing
 9 and maturing crops for market, price for which it is sold,
 10 and such other matters as the agricultural college board
 11 shall require of him. The record shall, at all reasonable
 12 hours, be open to the inspection of any citizen of the state,
 13 and the secretary shall report to the governor, on or before
 14 the first day of December of each year, which report shall
 15 embrace the proceedings of the board, and the faculty and
 16 the condition and situation of the college and farm.

1865—p. 29, Sect. 11.
 1 SECT. 11. Said board shall choose a president of the
 2 college and such professors, teachers, superintendents and
 3 employees as the necessities of the institution demand, who
 4 shall be paid such compensation as the board determine,
 5 and whose duties shall be prescribed by the board.

1865—p. 30, Sect. 12.
 1 SECT. 12. The president, professors and superintend-
 2 ents, and the secretary of the agricultural college board
 3 shall constitute the faculty. The faculty shall have the
 4 special charge of the college and farm, and shall with the
 5 consent of the board make all needful rules and regulations
 6 necessary for the government and discipline of the same,
 7 regulating the routine of study, labor, meals, duties and
 8 exercises necessary to the preservation of morals, health
 9 and decorum.

1865—p. 30, Sect. 13.
 1 SECT. 13. All the swamp lands in McLeod county,
 2 donated to the agricultural college by act of the legislature
 3 approved March twelve, eighteen hundred and sixty-one,
 4 shall be deemed to be inviolably set apart and donated for
 5 the use and benefit of the agricultural college provided for
 6 in this chapter.

1865—p. 16, Sect. 14.
 1 SECT. 14. Whenever the governor shall, upon the re-
 2 commendation of the agricultural college board, deem the
 3 sale of a part or all of said swamp lands necessary, he shall
 4 order the commissioner of the state land office to sell the
 5 same, who shall, thereupon, proceed to have the same ap-
 6 praised and sold in the same manner as school lands are now
 7 appraised and sold, except that such lands may be sold at
 8 or above any appraised value, not less than two and one-
 9 half dollars per acre; and all moneys arising from such
 10 sales shall be deposited in the office of the state treasurer,

11 subject to the order of the agricultural college board, and
 12 be drawn and expended in such manner as they may direct.
 13 *Provided*, That none of said moneys shall be expended for
 14 any other purpose than the erection of agricultural college
 15 buildings upon the farm herein referred to, or the improve-
 16 ment of the farm, or the endowment of the professorships
 17 of the college. And until said lands are sold they shall be
 18 under the control of the agricultural college board, and may
 19 be used for the benefit of the college, or may be rented,
 20 and the money arising therefrom used for the benefit of the
 21 college.

1 SECT. 15. The interest of all the moneys and proceeds
 2 arising from the sales of all the lands donated to the state 1865—p. 30, Sect. 17.
 3 of Minnesota by act of congress, approved July second,
 4 eighteen hundred and sixty-two, entitled "An act donating
 5 public lands to the several states and territories which may
 6 provide colleges for the benefit of agriculture and the me-
 7 chanic arts," shall be applied and appropriated annually to the
 8 maintenance and support of the agricultural college of Min-
 9 nesota, and the same shall be drawn from the state treasury
 10 upon the order of the president of the agricultural board,
 11 countersigned by the secretary of the board.

1 SECT. 16. When the necessary buildings have been
 2 erected and the college provided, the governor shall certify 1865—p. 31, Sect. 18.
 3 the fact to the secretary of the interior, and see that the
 4 title to the lands donated by congress to the state, herein
 5 referred to, shall be perfected in the state.

Strike out

CHAPTER XXXV.

TITLE II.

INSTITUTE FOR THE DEAF, DUMB AND BLIND.

1 SECT. 17. There is established in the town of Faribault,
 2 in the county of Rice, an institution for the education of the C. S. p. 355, Sect. 44. Amended.
 3 deaf, dumb and blind, styled "The Minnesota Deaf and
 4 Dumb Institute." c 23

1 SECT. 18. Said institution shall be controlled by a board
 2 of five directors. The governor and superintendent of pub- 1864—p. 129, Sect. 3.
 3 lic instruction shall be two of the members of said board ex
 4 officio, and the remaining three shall be appointed by the
 5 governor, by and with the advice and consent of the senate,
 6 one for a term of one year, one for a term of two years,
 7 and one for a term of three years, and thereafter at the ex-
 8 piration of the respective terms one director shall be ap-
 9 pointed for a term of three years, and said directors so ap- c 71

10 pointed shall hold their offices during their respective
 11 terms, and until their successors are appointed and quali-
 12 fied. All vacancies in the office of said three last named
 13 directors shall be filled by appointment in like manner, as
 14 aforesaid.

c 7/

1864—p. 130, Sect. 4.

1 SECT. 19. Said board of directors shall annually elect
 2 from their own number a president; secretary and treas-
 3 urer.

1864—p. 130, Sect. 5.

1 SECT. 20. Said directors shall have the general super-
 2 vision of said institution, shall prescribe rules for the gov-
 3 ernment and management thereof, and generally perform all
 4 acts necessary to render the institution efficient for the pur-
 5 poses for which the same is established, to wit: the relief
 6 and instruction of the deaf mutes of this state, and shall
 7 also provide instruction for the blind, when it becomes
 8 necessary. Three of said directors shall constitute a quo-
 9 rum for the transaction of business.

1864—p. 130, Sect. 6.

1 SECT. 21. The treasurer shall safely keep and faithfully
 2 disburse all moneys belonging to or entrusted so said insti-
 3 tution, shall perform the duties of steward, as defined by
 4 said board, shall render an exact and detailed account of
 5 expenditures on the first day of December, in each year, to
 6 said board, and whenever said board require, and shall per-
 7 form all other duties required by the directors, according to
 8 the rules and regulations established by said board; and
 9 shall receive for his services a compensation to be fixed by
 10 said board, not exceeding one hundred dollars per year.

1864—p. 130, Sect. 7.

1 SECT. 22. No one of said directors, except said treas-
 2 urer, shall receive any compensation for his services, but
 3 may be allowed reasonable traveling expenses incurred in
 4 attending the meetings of said board.

1864—p. 130, Sect. 8.

1 SECT. 23. Said treasurer shall, before entering upon
 2 the duties of his office, give bond, with sufficient sureties,
 3 to be approved by the governor, in the sum of eight thou-
 4 sand dollars, payable to the state of Minnesota, and condi-
 5 tioned for the faithful discharge of his duties as treasurer,
 6 which bond shall be deposited with the secretary of state.

1864—p. 130, Sect. 9.

1 SECT. 24. Any moneys now or hereafter appropriated
 2 or entrusted to said institution may be drawn from the state
 3 treasury at any time, upon the order of the board of direc-
 4 tors, and the presentation of proper vouchers to the state
 5 auditor.

1 SECT. 25. All deaf and dumb persons and all blind per-

2 sons residing in this state, and of suitable age and capacity
 3 to receive instruction, shall be received and instructed in ^{1864—p. 131, Sect.} 10
 4 said institution, free of charge.

c 7 /

1 SECT. 26. Within ten days preceding the meeting of
 2 each regular session of the legislature, the said board shall ^{C. S. P. 357, Sect. 56.}
 3 furnish to the governor a printed report of the action of the
 4 board, and an estimation of the expenses of the institution
 5 in all of its departments together with a statement of the
 6 receipts and disbursements of funds, and during the first
 7 week of the session of the legislature, at least ten copies of
 8 said report shall be delivered to each member thereof. The
 9 said report shall show :

c 2 3

10 *First.*—The names of the president and directors, secre-
 11 tary and treasurer, and of the president and teachers em-
 12 ployed, with the compensation allowed to each.

13 *Second.*—The names, ages and residences of the pupils,
 14 and the dates of their reception into the institution.

15 *Third.*—The names, ages and residences of deaf mutes
 16 ascertained to be in the state, who have not attended the
 17 school.

18 *Fourth.*—The names and residences of all other persons
 19 in the service of the institution, and their business and com-
 20 pensation.

21 *Fifth.*—The statement of the accounts of the corporation,
 22 showing the amounts of money received and dates thereof,
 23 and its disbursements.

24 *Sixth.*—Such a report from the president of the insti-
 25 tution, as is usually made from such institutions of other
 26 states.

CHAPTER XXXVI.

EDUCATION.

TITLE I.

COMMON SCHOOLS.

1 SECTION 1. Every sub-district now organized, or that
 2 has been set off as a sub-district, but not organized, in any ^{1862—p. 18, Sect. 1.}
 3 county of this state, and each district hereafter organized
 4 under the provisions of this title, is hereby declared to be a
 5 school district and body corporate by the name and style
 6 of school district number in the county of , and
 7 by such name may contract and be contracted with, sue and

c /