

MASON'S MINNESOTA STATUTES

1927

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UTES CONTAINED IN THE GENERAL STATUTES OF 1923, EXCEPT
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BY THE SUBSEQUENT LEGISLATION OF 1925
AND 1927

AND ALSO EMBRACING LAWS OMITTED FROM THE GENERAL STATUTES
1923, AND THE LAWS OF THE 1925 AND 1927 SESSIONS OF THE
LEGISLATURE UNDER APPROPRIATE CLASSIFICATION.

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4607. **Meetings—Powers and duties—Regular meetings** of the said board shall be held quarterly or oftener, if required. The board shall make such rules and regulations for the transaction of business as they may deem necessary. They shall study the whole subject of the care and management of charitable and correctional institutions, and they shall visit those within the bounds of the state, whether state, county or municipal, and the officer in charge of said institution shall furnish to said board, upon its request, such information as it may require. The governor may at any time in his discretion order an investigation by the said board of visitors or by a committee therefrom of any penal or charitable institution in the state, and said board shall have power to send for persons and

papers, and to administer oaths and affirmations, and the report of such investigation with the testimony shall be submitted to the governor, and by him transmitted with his recommendations to the legislature. ('07 c. 441 § 2) [4140]

4608. **Biennial report**—The state board of visitors shall make a full report to the legislature every two years of its transactions, and one thousand copies of said report shall be printed. ('07 c. 441 § 3) [4141]

4609. **Disqualifications of members, etc.**—No member of the board of visitors, or employe, shall be an employe of, or interested directly or indirectly in any contract for the building or maintenance of any institution which the board is authorized to visit. ('07 c. 441 § 4) [4142]

CHAPTER 26

SCHOOLS FOR THE DEAF AND THE BLIND

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4610. **Location — Organization** — The Minnesota schools for the deaf and the blind shall be continued at Faribault. They shall be maintained as the school for the deaf and the school for the blind, and shall be grouped and classed with the educational institutions of the state. (1931) [4143]

4611. **School for the deaf—Who may be admitted, expenses**—Any deaf or blind resident of the state of suitable age and capacity for instruction may be received, kept and taught therein, under such conditions as the state board of control may prescribe. He shall be provided by the person legally liable for his support with sufficient funds to furnish him with proper clothing, postage and transportation. If any such person be a pauper, or if the person legally liable for his support be unable to make these provisions for him, of which facts the certificate of the probate judge shall be prima facie evidence, the county in which he has a residence shall annually, on or before October 1, pay to the superintendent of the school of which he is an inmate a sum not exceeding fifty dollars to be fixed by the board. Such sum shall be used only for clothing, postage and necessary incidental expenses for the pupil. And in addition, in such cases, the county shall be liable for the actual transportation of the pupil to and from the school. Should the person legally liable for the support of the pupil default in the payment of such sum, or any part thereof, such unpaid balance shall be referred to the auditor of the county of which the pupil is a resident and the county shall either collect or assume such bill. The superintendent, on July 1 of each year, shall render to the county auditor and to the board of control a detailed account of all cases of indigency or default. (R. L. '05 § 1934; G. S. '13 § 4146, amended '17 c. 346 § 1; '19 c. 69; '23 c. 156 § 1)

4612. **University—Free tuition**—Any resident of the state graduated from the school for the blind,

upon compliance with all other requirements, shall be entitled to pursue any course of study in the state university, without expense for tuition; and the board of regents shall receive him into any department thereof. (1935) [4147]

4613. **Blind students to receive aid**—That any blind person who is, and for five (5) years immediately preceding the making of his application for aid under this act has been, a resident of this state, and who is a regularly enrolled student pursuing any course of study, profession, art or science in any university, college or conservatory of music, approved by the board of directors of the Minnesota School for the Blind, may in the discretion and under the direction of the said board, receive a sum or sums of money not exceeding Three Hundred Dollars (\$300.00) in any one year, for the purpose of defraying his necessary expenses, including those of a reader, while in attendance upon such university, college or conservatory, such expenditures to be made from the appropriations for the current expenses of the Minnesota School for the Blind, provided that not more than five (5) such blind persons shall receive such aid in any one year. ('15 c. 307 § 1)

4614. **Gifts and conveyances**—The board shall take and hold in trust all lands or other property granted, given, devised or conveyed to the schools or either of them. All moneys and securities so received, and all income from such property, shall be deposited in the state treasury, subject to the order of the board. (1936) [4148]

4615. **Certain children required to attend**—Every parent, guardian or other person having control of any normal child between eight and twenty years of age, too deaf or too dumb or defective of speech to be materially benefited by the methods of instruction in vogue in the public schools, shall be required to send such child or youth to the school for the deaf at the city of Faribault, Minnesota, during the scholastic year of that school. Such child or youth shall attend such school, year after year, until discharged by the superintendent upon approval of the state board of control.

Such board may excuse the attendance when satisfied:

1. That the child is in such bodily or mental condition as to prevent his attendance at school or applica-

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tion to study for the period required.

2. That he is afflicted with such contagious or offensive disease or possesses such habits as to render his presence a menace to the health or morals of other pupils, or for any reason deemed good and sufficient by the superintendent with approval of the state board of control.

3. That the child is efficiently taught for the scholastic year in a private or other school, or by a private tutor, the branches taught in the public schools so far as possible.

Any such parent, guardian, or other person failing to comply with the foregoing section, shall, upon conviction thereof before a justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense, nor less than ten nor more than fifty dollars for the second and every subsequent offense, with costs in each case. Any person who induces, or attempts to induce, any deaf or dumb child to absent himself or herself unlawfully from school, or employs or harbors any such child unlawfully from school, while said school is in session, shall upon conviction thereof, before a justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense, nor less than ten nor more than fifty dollars for the second, and every subsequent offense, with costs in each case. The principal teacher of every public school in the counties and the truant officers of the cities of St. Paul, Minneapolis and Duluth shall, within 30 days before the close of the school year succeeding the passage of this act, and at corresponding period each year thereafter, furnish the county superintendent of schools or the board of education of the cities of St. Paul, Minneapolis and Duluth, as the case may be, with the name, age, sex and address of parent or guardian of all normal children, who are too deaf or too dumb to be educated in the public schools, between the ages of eight and twenty years, inclusive, living within the boundaries of his or her school district and who do not attend school. And the county superintendent of schools, or the board of education of the cities of St. Paul, Minneapolis and Duluth, shall certify forthwith the names of all such deaf children with address of parent, age and sex, to the superintendent of the Minnesota school for the deaf at the city of Faribault.

It shall be the duty of the county attorney to at once prosecute any case of parent or others unlawfully responsible, directly or indirectly, for the failure to place a deaf child or youth in a school for the deaf, when such case shall have been reported to him.

So far as the same are applicable all the provisions of this section shall be construed to include children who are too blind or defective of sight to be materially benefited by the methods of instruction in vogue in the public schools, for the purpose of securing their attendance at the state school for the blind. (R. L. § 1937A, amended '07, c. 407, § 1; '09, c. 396, § 1; '17, c. 346, § 2) [4150]

4616. Duties of state board of control—(a) It shall be the duty of the State Board of Control to cooperate with state and local boards and agencies both public and private, and preventing loss of sight, in alleviating the condition of blind persons and persons of failing sight, in extending and improving the education, advisement, training, placement and conservation of the blind, and in promoting their personal, economic, social and civic well being.

(b) The board shall collect statistics of the blind,

including their present physical and mental condition, causes of blindness, capacity for education and industrial training, and any further information looking toward the improvement of their condition that may be desired.

(c) The board shall give special attention to the cases of such blind youth as are eligible to attendance at the school for the blind, or the public school classes for the blind, but are not in attendance thereat, or are not receiving adequate instruction elsewhere, and shall seek to secure such attendance by all practicable means.

(d) The board shall endeavor to secure for the adult blind of the state and youths of legal working age such vocational training, labor and employment as may be adapted to their respective capacity, and shall, so far as may be feasible, aid such persons in securing any provisions which may be made by the school for the blind or other state agencies for the betterment of their lot. When vocational training under the Division of Re-education is secured, such aid may take the form of payments for the maintenance of persons in training, under rules to be adopted by the Board of Control.

(e) The board 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 aid in marketing the products of their labors, (4) by care and relief for blind persons who are not capable of self-support and in any other practicable means of alleviating their condition.

(f) The board shall have authority to organize the aforesaid work as an activity of the Children's Bureau and it shall be legal for the county child welfare boards to co-operate in this work in the same manner as in other work conducted by the Children's Bureau. ('13 c. 488 §§ 1, 2, amended '17 c. 346 §§ 3, 4; '23 c. 336 § 1) [4151, 4152]

4617. Payments—The State Board of Control is hereby authorized to defray the necessary expenses of the aforesaid work from the appropriation for the current expenses of said board; provided, that in any county of this state now or hereafter having a population of over one hundred fifty thousand (150,000) inhabitants and an assessed valuation of over three hundred million (\$300,000,000) dollars, exclusive of money and credits, the county board of said county is hereby authorized to defray part or all of the necessary expenses of maintaining said work within said county from the general revenue fund of said county, not exceeding the total sum of three thousand six hundred (\$3,600) dollars, in any one calendar year, and in carrying on said work may appoint and employ an assistant to the regular field agent for the blind in said county, who shall work under the direction of said agent in said county. The portion of the salary of said field agent and of any such assistant to be paid by said county, shall be fixed by the county board at its first meeting after the taking effect of this act and thereafter at its first meeting in January in each year, and such salary of said field agent and said assistant shall be paid in the same manner as the salary of other county officers and employes are paid. All necessary expenses of said agent and assistant in carrying on said work in said county, not paid by the State Board of Control, shall be paid by said county board as other claims against said county are paid. ('13 c. 488 § 3, amended '17 c. 185 § 1; '17 c. 346 § 5; '21 c. 24 § 1; '23 c. 336 § 2) [4153]

Explanatory note—Laws '17, c. 346, § 6 repealed G. S. '13, §§ 4144, 4145 and 4149.

4617-1. Care and relief—To whom given—Payment

for—Blind person defined—Additional rules by board of control—The care and relief authorized in sub-section (e) of Section 1 of this act to be given by the Board shall be paid only from funds appropriated specifically for such purpose. Such care and relief shall be given only to blind persons who meet all of the following requirements: (1) are citizens of the United States at the time of application for such care and relief; (2) have become blind while legal residents of this State or were either legal residents of this state prior to Jan. 1, 1920, and continuously thereafter, or have been legal residents of this state for a period of five years immediately preceding the date of such application; and (3) are unable by any occupation or through lawful income of any kind, to provide themselves with the necessaries of life. No payments of moneys shall be made under this section for the care and relief of any blind persons who solicits alms, or who is an inmate of a public institution, or who is an inmate of a charitable institution supported without

charge to such a blind person, or who has for five years preceding loss of sight been dependent upon public relief. Provided, further, that nothing in this act shall be construed to repeal or render void so far as blind persons are concerned any existing statutes which create or define a liability on the part of relatives to support poor persons. Provided also that where any marriage is contracted between two blind persons after the passage of this act, the maximum paid under this section for their joint care and relief shall not exceed the sum of thirty (30) dollars monthly.

For the purposes of this section a blind person shall be one who with the help of eye glasses or other resources has not sufficient ocular power for the ordinary affairs of life or in particular for the performance of tasks for which eyesight is essential.

The Board of Control shall have power to adopt additional rules relating to care and relief for the blind. ('23, c. 336, § 3)

Explanatory note—For section 1 see § 4616, herein.

CHAPTER 27

STATE PUBLIC SCHOOL

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4618. 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) [4154]
88-382, 93+3.

4619. Commitments to school by juvenile courts—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 upon commitment by a juvenile court. 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 State Board of Control or superintendent shall notify the juvenile court of any county of the number of children that can be received from such county, whenever vacancies exist, or upon inquiry from the court. The children of 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. (R. L. '05,

§ 1941; G. S. '13, § 4157; amended '17, c. 214, § 1; '27, c. 286)

4620. State Board of Control to assume guardianship of child—A child admitted to said school shall remain therein and subject to the guardianship of the State Board of Control until a proper home is procured for him. The board may 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. (R. L. '05 § 1945; G. S. '13 § 4161, amended '17 c. 214 § 2)
88-382, 93+3.

4621. 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 providing 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) [4163]

Status of child taken into family under this statute. 133-266, 158+250.

4622. 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 dis-