

MINNESOTA STATUTES 1945 ANNOTATIONS

1459

SCHOOLS, COLONIES FOR FEEBLE-MINDED, EPILEPTICS 252.04

CHAPTER 252

SCHOOL FOR THE FEEBLE-MINDED; AND COLONIES FOR THE FEEBLE-MINDED AND EPILEPTICS

252.01 LOCATION AND MANAGEMENT OF SCHOOL FOR FEEBLE-MINDED.

HISTORY. 1866 c. 6 ss. 11, 13; 1868 c. 18 ss. 4, 6; 1887 c. 205 s. 1; G.S. 1878 Vol. 2 (1888 Supp.) c. 35 s. 1; G.S. 1894 s. 3437; R.L. 1905 s. 1913; G.S. 1913 s. 4078; G.S. 1923 s. 4489; M.S. 1927 s. 4489.

NOTE: Laws 1919, Chapter 407, as amended by Laws 1923, Chapter 168, authorized the state board of control to acquire 320 acres of land to be used as a location for the maintenance of a colony for epileptics and a colony for feeble-minded persons. The land was purchased in 1924 near Cambridge in Isanti county. The first building was opened in 1925.

Section 525.761 providing for release of certain persons, on giving bond, is discretionary with the state agency and not mandatory. State ex rel v Carlgren, 209 M 364, 296 NW 573.

252.02 MAINTENANCE.

HISTORY. 1919 c. 407 s. 6; G.S. 1923 s. 4497; M.S. 1927 s. 4497.

252.03 ADMISSION TO COLONY.

HISTORY. 1919 c. 407 s. 7; G.S. 1923 s. 4498; M.S. 1927 s. 4498.

252.04 WHO MAY BE ADMITTED.

HISTORY. 1866 c. 6 s. 26; 1868 c. 18 s. 15; 1885 c. 160 s. 1; 1887 c. 205 ss. 6, 7; G.S. 1878 Vol. 2 (1888 Supp.) c. 35 ss. 6, 7; G.S. 1894 ss. 3442, 3443; R.L. 1905 s. 1914; 1909 c. 80 s. 1; G.S. 1913 s. 4079; G.S. 1923 s. 4500; M.S. 1927 s. 4500; 1931 c. 74 s. 1; M. Supp. s. 4500.

A feeble-minded, dependent child who has been committed to the state board of control (director of public institutions) for specialized care and thereafter adjudged to be feeble-minded and ordered committed to the custody of the state board of control (director of public institutions) but not admitted to a state institution, is not a charge of the state County of Stearns v Town of Fairhaven, 203 M 11, 279 NW 707.

A feeble-minded person not having a legal settlement in any county of the state cannot be admitted to the school for the feeble-minded at Faribault at the expense of any county. If not deported, the state board of control (director of social welfare) may admit her to the school if it(he) sees fit. OAG Sept. 3, 1925.

County of legal settlement, at time of commitment, is responsible for the support of a feeble-minded ward even though he may live several years in another county under the supervision of the director of social welfare. OAG May 9, 1930.

Where parents of a child committed as feeble-minded to the board of control (director of social welfare) leave the state before such ward can be admitted to a state institution, guardianship continues and ward may enter institution when space can be provided and county of legal settlement at time of commitment is responsible for the payment of \$40.00 per annum if relatives are unable to pay. OAG April 29, 1932.

County of legal settlement at time of commitment is responsible for payment of \$40.00 per annum at school for feeble-minded even though the parents of a minor

MINNESOTA STATUTES 1945 ANNOTATIONS

252.05 SCHOOLS, COLONIES FOR FEEBLE-MINDED, EPILEPTICS

1460

child acquired a settlement in another county after commitment. OAG March 13, 1932.

A bond given by the grandfather to secure payment to the school for feeble-minded for the maintenance of his grandchild held binding on him, and he is not entitled to a discharge therefrom, though no bond is required by statute, he being the nearest relative of the child who is financially able to pay for its maintenance under section 260.01. OAG July 16, 1930.

This section does not apply to feeble-minded persons voluntarily admitted to state institutions for care and treatment prior to the enactment of Laws 1917, Chapter 344. OAG Sept. 11, 1931.

Place of residence of feeble-minded person at time of commitment to institution is controlling upon the liability of the county for care at the institution and it is immaterial that the parents of such person, after commitment and while the feeble-minded person was on the waiting list, moved to another county and gained settlement there. OAG April 13, 1932.

In determining residence of feeble-minded person for the purpose of determining the liability of county, the last county in which such person resided for entire year (now two years) must be considered residence. OAG June 8, 1934 (679d).

The cost of maintaining a minor at the epileptic colony is to be borne by the county of commitment, though the parents have changed their legal settlement. OAG July 24, 1936 (339f-2).

Cost of maintaining epileptic at state institution is charged against the county in which the person has settlement. OAG March 11, 1937 (399q).

County in which feeble-minded person has his legal settlement is liable for his maintenance. OAG March 24, 1937 (679k).

The welfare board is not responsible for support of feeble-minded, epileptic, and insane persons receiving institutional care. OAG July 28, 1937 (125a-64).

Reimbursement of charges to date from discharge and not from date of leaving institution. OAG Oct. 28, 1937 (679i).

Board of control (director of social welfare) has right to accept feeble-minded ward who is out of state and may have gained a legal settlement in another state, county of settlement is to pay if the Minnesota settlement has not been lost, otherwise the payment is to be made by the county of commitment. OAG Dec. 1937 (679b).

NOTE: For other provisions for care of feeble-minded persons committed to the guardianship of the director of social welfare as outside supervision and care, see sections 525.753 and 525.762 providing for commitments of the insane, inebriates, feeble-minded, or epileptic.

252.05 ABDUCTION OR ENTICING AWAY PROHIBITED; PENALTY.

HISTORY. 1923 c. 365 s. 1; G.S. 1923 s. 4502; M.S. 1927 s. 4502; 1929 c. 231. s. 1; M. Supp. s. 4502.

252.06 SHERIFF TO TRANSPORT FEEBLE-MINDED AND EPILEPTIC PERSONS.

HISTORY. 1921 c. 76 s. 1; G.S. 1923 s. 4503; M.S. 1927 s. 4503; Ex. 1936 c. 57 s. 1; M. Supp. s. 4503.

Sheriff is not obligated to obey an order of the state board of control (director of social welfare) to transport an epileptic to a state institution in the same way as is now done for feeble-minded. OAG Sept. 20, 1935 (88a-26).

Board of control (director of social welfare) is not limited as to the number of times it(he) may request sheriff to return feeble-minded person, but the sheriff is to take the person to an institution under the control of the state board (director of public institutions) and not some building or place which may be designated by the board (director of social welfare). OAG April 29, 1936 (679e).

It is the duty of place of pauper settlement to pay expenses of returning feeble-minded person from state school, if he is a pauper. OAG May 24, 1937 (125a-23).

MINNESOTA STATUTES 1945 ANNOTATIONS

1461 **SCHOOLS, COLONIES FOR FEEBLE-MINDED, EPILEPTICS** 252.14

Sheriff of county of commitment must deliver feeble-minded person to school. OAG June 2, 1938 (679e).

Board of control (director of social welfare) need not name sheriff to transport a feeble-minded ward to the institution designated, but may designate an agent of the county welfare board or some other person to qualify by it for service. OAG March 9, 1939 (679e).

An order directing the sheriff to transport a person committed is to be directed to the sheriff of the county of commitment, rather than the county where the person is residing. OAG Feb. 11, 1944 (679e).

252.07 SHERIFF TO RECEIVE EXPENSE ONLY.

HISTORY. 1921 c. 76 s. 2; G.S. 1923 s. 4504; M.S. 1927 s. 4504; Ex. 1936 c. 57 s. 2; M. Supp. s. 4504.

County of commitment is liable for expense of sheriff in delivering feeble-minded persons to school. OAG June 2, 1938 (679e).

A sheriff transporting a feeble-minded person to a state institution is entitled to reimbursement for his actual expenses in transporting the persons mentioned and where he uses his own car the expense may exceed seven cents per mile while the feeble-minded person is in the car. OAG June 15, 1931.

Sheriff's expense for transporting must be paid by his own county. OAG Feb. 11, 1944 (679e).

252.08 PROBATE COURT TO AUDIT EXPENSE ACCOUNTS.

HISTORY. 1921 c. 76 s. 3; G.S. 1923 s. 4505; M.S. 1927 s. 4505.

252.09 COURSES OF INSTRUCTION FOR TEACHERS.

HISTORY. 1913 c. 261 s. 1; G.S. 1913 s. 4080; G.S. 1923 s. 4506; M.S. 1927 s. 4506.

252.10 FEES AND EXPENSES.

HISTORY. 1913 c. 261 s. 2; G.S. 1913 s. 4081; G.S. 1923 s. 4507; M.S. 1927 s. 4507.

252.11 CONTINUAL CENSUS OF FEEBLE-MINDED.

HISTORY. 1935 c. 364 s. 1; M. Supp. s. 4507-1.

252.12 ACCESS TO RECORDS.

HISTORY. 1935 c. 364 s. 2; M. Supp. s. 4507-2.

252.13 REPORTS TO DIRECTOR OF SOCIAL SECURITY.

HISTORY. 1935 c. 364 s. 3; M. Supp. s. 4507-3.

252.14 REPORT TO GOVERNOR AND LEGISLATURE.

HISTORY. 1935 c. 364 s. 4; M. Supp. s. 4507-4.