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DIGEST OF PUBLIC WELFARE PROVISIONS
UNDER THE LAWS OF THE STATE OF
MINNESOTA

GOVERNMENT PUBLICATIONS

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Preface

This bulletin is one of a series intended to present in abstract form the public welfare provisions of the laws of each of the States.

The purpose of these bulletins is to give a brief review of the provisions for public assistance under the laws of the several jurisdictions, and of the administrative agencies set up by law with reference thereto. A chart showing the organizational relationships of the administrative agencies is included.

The possibility of error in attempting with a limited staff and in a limited time to assemble and digest the formidable mass of material incident to such a study is frankly recognized. The cooperation of those who have occasion to use these digests in reporting any errors of omission or commission noted, or in suggesting improvement in form or content, is invited and will be greatly appreciated.

Meanwhile it is hoped that those interested in considering the reorganization or strengthening of public welfare services in the several States may find the digests of practical value.

June 1940. Va. Div. of Statutory Research + drafting, S.

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DIGEST OF PUBLIC WELFARE PROVISIONSGENERAL POOR RELIEF(a) Description of class

Every poor person who for any reason is unable to earn a livelihood, except a person who becomes a pauper from intemperance or other bad conduct. 1/

(b) Procedure for determining eligibility

In counties having the town system, the town boards, and city and village councils are supervisors of the poor. All applications for aid are made to such boards or councils, which grant such relief as they deem necessary. 2/

In counties having the county system, the members of the Board of Commissioners are county supervisors of the poor. In counties where the Board of County Commissioners has employed and appointed an overseer of the poor, the Board may by resolution confer full authority for granting temporary relief to the poor on the overseer of the poor or such other person as it may appoint, and in such cases the overseer or other person appointed is the only authorized agent of the county to incur expense for relief of the poor. 3/ Board of Poor Commissioners grants aid in certain counties. 4/

(c) Measure of responsibility

In counties having the county system and town system the poor person may receive relief in the poorhouse 3/, or he may be allowed temporary direct relief in an amount deemed expedient, but no money may be given any poor person except for transportation and to buy food. 5/ Hospitalization 6/ or decent burial may be granted. 7/

(d) Qualifications imposed

Every poor person must be supported by his children, parents, brothers and sisters, grandchildren, or grandparents who are sufficiently able to do so. 1/ When any of the relatives are not of sufficient ability or refuse and fail to support, the county or city in which the pauper has settlement, must provide support. 8/ Every person who has resided one year continuously in any county has settlement therein. In a county with the town system, he has settlement in town, city or village in which he has resided longest within the year. 9/

1. Mason's Minn. Laws (1927), Sec. 3157.

2. Ibid, Sec. 3184.

3. Mason's Minn. Stat. (1934 Supp.), Sec. 3165.

4. Mason's Minn. Stat. (1927), Sec. 3196.

In counties having a population of over 75,000 and an area of over 5,000 miles, the Board of Poor Commissioners has all powers and duties relative to care of poor which appertain to the county board, in counties having the county system. Ibid.

5. Mason's Minn. Stat. (1927), Sec. 3171.

6. Laws (1935), Ch. 359.

7. Mason's Minn. Stat. (1927), Sec. 3176.

8. Ibid, Sec. 3159.

9. Mason's Minn. Stat. (1934 Supp.), Sec. 3161.

GENERAL POOR RELIEF (Cont'd)(d) Qualifications imposed (Cont'd)

Hospitalization may be granted only when it is probable that ailment, deformity or malady can be remedied by proper medical care and treatment. 10/

(e) Incidence of financial responsibility

On the county 11/, obligation mandatory. 12/

(f) Taxes

County board levies an annual tax sufficient to defray estimated expenses of supporting and relieving the poor. 13/

Each political subdivision is authorized to borrow funds and pledge the credit of the political subdivision for the expense of poor. 14/ Such political subdivisions are authorized to issue bonds to meet this indebtedness. 15/ Such bonds may be retired by a tax levy. 16/ These provisions are effective until April 1, 1937. 17/

Each city of the first class and each county containing a city of the first class, and which are responsible by statute for administering poor relief alone or jointly, is authorized to levy a tax at a rate of not exceeding 3 mills for each dollar of the assessed valuation. 18/

In counties having a Board of Poor Commissioners, the Board determines the amount of tax to be levied for the ensuing year for the support of the poor, but such amount must not exceed an amount equal to 3 mills on each dollar of the assessed valuation. 19/

(g) Administrative agencies

In counties having county system, the county board (County Commissioners) are supervisors of poor; or they may appoint overseers of poor or other officers to administer the poor relief. 20/

In counties having the town system, the town boards and city and village councils exercise these powers. 21/

Board of Poor Commissioners in counties with population exceeding 75,000 administers poor relief. 22/

(h) Supervisory controls

No provision.

10. Laws (1935), Ch. 359.

11. Mason's Minn. Stat. (1927), Sec. 3161 (4).

12. Ibid, Sec. 3157.

13. Ibid, Sec. 3177.

14. Ibid (1934 Supp.), Sec. 3164 (2).

15. Ibid, Sec. 3164 (3).

16. Ibid, Sec. 3164 (5).

17. Laws (1935), Ch. 48.

18. Mason's Minn. Stat. (1934 Supp.), Sec. 3164 (9).

19. Ibid, Sec. 3199.

20. Ibid, Sec. 3165.

21. Ibid (1927), Sec. 3184.

22. Ibid, Sec. 3196.

CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES(a) Description of class

Any child under the age of 18 years, found by the juvenile court to be dependent, who is regularly attending school, if physically able and above the minimum school age; or who is under compulsory school age; or who is physically unable to attend school; or who is over compulsory school age, but through physical or mental disability is unable to be employed; or who is over compulsory school age and unemployed, and his unemployment is without fault on his part, but who is of such intelligence and mental capacity as to make further schooling inadvisable in the opinion of the court. 1/

The mother, stepmother or grandmother is eligible to receive the pension for the care of such child. An illegitimate child living in the same household with a legitimate child of the same mother is included in the provisions of this Act. 2/

(b) Procedure for determining eligibility

Upon application for allowance to the juvenile court and before making any order or allowance, it is the duty of the court, either through the judge in person or through the County Child Welfare Board and its agents, or a probation officer designated for that purpose, or an official investigator, to make an inquiry as to all points necessary to establish the right to such allowance. 3/

Upon establishing and filing data that all conditions have been met, the court orders payment of a sum of money necessary for the mother to care for her child. 1/

(c) Measure of responsibility

Court orders payment of a sum of money which it deems necessary to enable the mother to bring the child up properly in her own home. This sum must not exceed \$20 per month for one child and \$15 per month for each additional child. 1/

(d) Qualifications imposed

Mother is a widow, or if husband is living, he is an inmate of a penal institution under a sentence that will not terminate within 3 months; or is an inmate of a State institution for the insane, epileptic, inebriate or feeble-minded; or unable to labor for the support of his family by reason of mental or physical disability; or there is and has been for 3 months past an outstanding warrant for his arrest for abandoning his child, or his wife while pregnant, provided the mother has in good faith made a reasonable effort to apprehend him. 4/

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1. Laws (1935), Ch. 57, Sec. 1.
 2. Ibid, Sec. 7.
 3. Ibid, Sec. 4.
 4. Ibid, Sec. 8671.

CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES

(Cont'd)

(d) Qualifications imposed (Cont'd)

Dependency of the child is due to poverty of the mother without neglect or fault on her part. 4/

The mother is a proper person to have custody of the child, and the welfare of the child will be subserved by permitting him to remain in the custody of the mother. 4/

The mother is a citizen of the United States or has made application to become a citizen, and has resided continuously 2 years last past in the State and one year continuously last past in the county. 4/

The mother or father does not have property of a reasonable market value in excess of \$100 exclusive of clothing, necessary household equipment and domestic animals expedient for subsistence; or any real estate not used as a home which does not produce an income and which it would be inequitable to sell. Ownership of more than \$500 is not a bar if the applicant has no other real or personal property except that needed for personal use, and if all but \$100 is deposited in trust with a proper depositor. 5/

(e) Incidence of financial responsibility

County general revenue or poor funds 6/, obligation mandatory. 5/

In event of Federal aid the county is to be reimbursed one-third from State funds and one-third from Federal funds. 7/

(f) Taxes

See "General Poor Relief".

(g) Administrative agencies

The juvenile court; the judge or county child welfare boards, the agents thereof, and probation officer or the official investigators make investigation, but court fixes and allows or rejects applications. 8/

(h) Supervisory controls

The State Board of Control. 9/

4. Laws (1935), Ch. 57, Sec. 8671.

5. Ibid, Sec. 8679.

6. Ibid, Sec. 8672.

7. Ibid, Ch. 326, Sec. 2.

8. Ibid, Ch. 57, Sec. 8675.

9. Ibid, Ch. 326, Sec. 1.

DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES)(a) Description of class

"Dependent child" means a child who is illegitimate; or whose parents, for good cause, desire to be relieved of his care and custody, or who is without a parent or lawful guardian able to adequately provide for his support, training and education, and is unable to maintain himself by lawful employment. "Neglected child" means a child who is abandoned by both parents, or, if one parent is dead, by the survivor or by his guardian; or who is found living with vicious or disreputable persons, or whose home, by reason of improvidence, neglect, cruelty, or depravity on the part of the parents, guardian or other person in whose care he may be, is an unfit place for such child; or whose parents or guardian neglect or refuse, when able to do so, to provide medical, surgical or other remedial care, or when such child is mentally deficient and needful of care in a State institution, but parent or guardian refuses to have such child committed. 1/ This applies to a child under 18 years of age. 2/

(b) Procedure for determining eligibility

Any reputable person resident in the county having knowledge of a child in the county who appears to be dependent or neglected; and any agent of Board of Control or of the State Department of Labor and Industries may file with the judge or clerk of juvenile court a petition setting forth the facts verified. 3/ Upon hearing of such petition, and finding any child to be dependent or neglected, the court may make an order committing the child as it sees fit. 4/

(c) Measure of responsibility

The court may make an order committing the child to the care of the State Board of Control, or to the State Public School or some other suitable State institution, or to the care of some reputable citizen, or to the care of some reputable citizen of good moral character, or to the care of some association willing and licensed by law to accept such child. In counties having over 33,000 population, such children may be committed to county homes. 5/

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1. Mason's Minn. Stat. (1927), Sec. 8636.
 2. Ibid, Sec. 8637.
 3. Ibid, Sec. 8642.
 4. Laws (1935), Ch. 82, Sec. 8646.
 5. Mason's Minn. Stat. (1927), Sec. 8649.

DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES) (Cont'd)(d) Qualifications imposed

A dependent child may not be taken from his parents without their consent, unless it is found needful to do so in order to prevent serious detriment to the welfare of the child. 6/

(e) Incidence of financial responsibility

County is reimbursed one-half of the expenses of each child committed to it. 7/

State provides for the care of children in the State Public School. 8/

State: General fund. 8/

Obligation optional. 9/

(f) Taxes

No specific provision. (State general fund).

(g) Administrative agencies

Juvenile Court. 10/

(h) Supervisory controls

State Board of Control. 11/

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6. Laws (1935), Ch. 82, Sec. 8646.
 7. Mason's Minn. Stat. (1927), Sec. 8649.
 8. Laws (1935), Ch. 159, Sec. 12.
 9. Mason's Minn. Stat. (1927), Sec. 8646.
 10. Ibid, Sec. 8637.
 11. Laws (1935), Ch. 326.

BLIND ASSISTANCE(a) Description of class

Any needy person over 21 years of age who with the help of eye glasses or other resources has not the ocular power for the ordinary affairs of life or for the performance of tasks for which eye sight is essential. 1/

(b) Procedure for determining eligibility

Application must be made to the State Board of Control and must include a certificate as to degree of blindness of applicant made by a duly licensed ophthalmologist and an affidavit setting forth the applicant's net income for the year immediately preceding the application. The State Board of Control must act upon the application and if it approves it, notify the applicant. 2/

Appeal may be made by any aggrieved person to the District Court of the county in which he resides. 3/

(c) Measure of responsibility

The pensioner receives \$30 per month. 4/ If the annual appropriation is insufficient to pay pensions in full, the State Board of Control must prorate the appropriation. 5/

(d) Qualifications imposed

The applicant must be a citizen of the United States and a resident of the State for 5 of the 9 years immediately preceding date of application and one year immediately preceding application, or must have become blind while a resident of the State and have resided continuously in the State since becoming blind. 6/

Applicant must not be an inmate of any State, county, or municipally owned charitable, reformatory, or penal institution in this State, with the exception of the Minnesota summer school for the blind. 7/

Applicant must not solicit money, alms, or other benefits as an individual from the general public. 8/

No person eligible for old age assistance may continue to be eligible for blind assistance. 9/

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1. Laws (1935), (First Special Session), Ch. 93, Sec. 1. This Act takes effect July 1, 1936.
 2. Laws (1935), (First Special Session), Ch. 93, Sec. 4-a.
 3. Ibid, Sec. 7-a.
 4. Ibid, Sec. 2.
 5. Ibid, Sec. 10.
 6. Ibid, Sec. 3-a.
 7. Ibid, Sec. 3-b.
 8. Ibid, Sec. 3-c.
 9. Ibid, Sec. 9.

BLIND ASSISTANCE (Cont'd)

- (e) Incidence of financial responsibility
State. Obligation mandatory. 10/
- (f) Taxes
No specific provisions.
- (g) Administrative agencies
The State Board of Control. 11/
- (h) Supervisory controls
No provision.

10. Laws (1935), (First Special Session), Ch. 93, Sec. 6.

11. Ibid, Sec. 5.

OLD AGE ASSISTANCE(a) Description of class

Persons 65 years of age or over 1/ who are in need and whose physical or other conditions or disabilities seem to render permanent their inability to provide properly for themselves. 2/

(b) Procedure for determining eligibility

Application must be made in writing to the county agency of the county in which applicant has a legal settlement, in such manner and form as has been prescribed by the State agency. Upon filing of application the county agency arranges for a hearing 3/ and upon approval of application must fix the amount of old age assistance and issue a certificate stating the date upon which old age assistance payments commence and the amount of each installment which must be paid monthly. 4/ Appeal may be made to State agency 5/, and an appeal from the decision of the State agency may be made to the district court of the county in which the application was filed. 6/

(c) Measure of responsibility

The amount and manner of payment of old age assistance must be fixed with due regard to the conditions in each case and must be an amount which when added to the net income of the applicant, including subsistence or services reasonably available to him, does not exceed a maximum of \$30 per month. 7/ Irregular or casual earnings and gifts when such do not exceed \$100 in any calendar year may be excluded in calculating total income. 8/ Applicant may receive medical, dental, surgical or hospital assistance or nursing care. 9/

On the death of recipient the county agency may allow reasonable funeral expenses not exceeding \$100 if the estate of the deceased is insufficient to defray these expenses. 10/

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1. Laws (1935), (First Special Session) H. B. No. 264-X, Sec. 6 (a). This Act takes effect March 1, 1936.
 2. Laws (1935), (First Special Session) H. B. No. 264-X, Sec. 1.
 3. Ibid, Sec. 9 (c).
 4. Ibid, Sec. 10.
 5. Ibid, Sec. 9 (d). By "county agency" is meant the Board of County Commissioners or any other board which may be authorized to administer old age assistance in any county. In any county having a Poor Commission authorized to administer poor relief with all the power of a county board, the term "county agency" means the Poor Commission. By "State agency" is meant the State Board of Control. Ibid, Sec. 1 (d).
 6. Laws (1935), (First Special Session) H. B. No. 264-X, Sec. 11 (b).
 7. Ibid, Sec. 5 (b).
 8. Ibid, Sec. 5 (b), (2).
 9. Ibid, Sec. 5 (c).
 10. Ibid, Sec. 14.

OLD AGE ASSISTANCE (Cont'd)(d) Qualifications imposed

Applicant must be a United States citizen or have resided continuously in the United States for over 25 years and have been a resident of the State for 5 years or more within the 9 years immediately preceding application. At least one year of the residence must have been continuous immediately preceding application, provided that whenever a person has been a resident of the State at least 2 years continuously immediately preceding application but has not resided therein 5 years within the above mentioned 9 year period, this may be added to the years of actual residence as a credit for years of actual residence in the State, preceding the 9 year period on a graduated basis according to previous length of residence before absence from the State. 11/

Applicant is not, because of physical or mental condition in need of institutional care. 12/ Applicant is not an inmate of any public, charitable, custodial or correctional institution maintained by the United States or any State with the exception of temporary medical or surgical care in a hospital or infirmary. 13/

Net value of property of applicant or combined property of husband and wife must not exceed \$3,500, provided, however, that household goods and personal effects and a lot in a burial ground may be owned in addition. 14/

Applicant or his or her spouse must not, after passage of this Act or within 2 years prior thereto, deprive himself directly or indirectly of any property for the purpose of qualifying for old age assistance. 15/

(e) Incidence of financial responsibility

State reimburses county one-third from State funds and one-half from Federal funds (if full one-half is not available then available Federal funds must be paid ratably and proportionately to counties in the proportion which the total amount paid by each county bears to the total amount paid by all counties). 16/

Burial expenses: State one-half, county one-half. 17/

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11. Laws (1935), (First Special Session) H. B. No. 264-X, Sec. 6.
 12. Ibid, Sec. 6-d.
 13. Ibid, Sec. 8-a.
 14. Ibid, Sec. 8-b.
 15. Ibid, Sec. 8-c.
 16. Ibid, Sec. 23-a, b.
 17. Ibid, Sec. 14.

OLD AGE ASSISTANCE (Cont'd)(f) Taxes

The Board of County Commissioners of each county must annually levy taxes and fix a tax rate for old age assistance, sufficient to procure the full amount necessary to carry out the provisions of this Act, and to pay in full the county share of old age assistance and administrative expenses for the ensuing year. 18/ In the event Federal funds are not available or are inadequate to pay in full one-half of all old age assistance grants contemplated by this Act and until Federal funds are available in full, the county board of each county may reduce each old age assistance grant by an amount equal to such deficiency. 19/

(g) Administrative agencies

County agency. See: Footnote 5.

(h) Supervisory controls

State Board of Control. 20/

18. Laws (1935), (First Special Session) H. B. No. 264-X, Sec. 24-a.

19. Ibid, Sec. 34.

20. Ibid, Sec. 2-e.

VETERANS' RELIEF

(a) Description of class

Soldiers' Home

All honorably discharged soldiers, sailors and marines of the United States who served in the Mexican War, the Civil War, the Spanish-American War, or the Philippine Insurrection, or the Boxer Rebellion, or members of the Minnesota National Guard who were mustered into Federal service in the World War or who served on the Mexican Border in 1916; who are unable to earn their living by reason of wounds, disease, old age or infirmities and who have no adequate means of support. 1/

Wives may be allowed admittance with their husbands into the Home, as well as widows or mothers of honorably discharged veterans, who would be eligible if alive. 1/

Any woman, 65 years and over, who was regularly employed as a Union Army nurse, may be admitted to the Home. 2/

Persons possessing all the above qualifications and able financially to pay their expenses, may be admitted by paying the costs of care in the Home. 3/

Pensions

Relief to persons outside the Home who are entitled to admission such as deserted wives of soldiers, widows and dependent parents of such as have died, and the deserted or orphan children of such wives or widows under age of 16 years. 4/

The widow, or children under 18 years of age, or parent or parents, who survive a Spanish-American war veteran. 5/

Any honorably discharged officer, soldier, sailor, marine, nurse, student nurse or dietitian who was in the military or naval forces of the United States during the World War, and in case of his death, his widow, dependent children under 18 years, or parents. 6/

Children not under 16 nor over 22 years of age of any honorably discharged veteran of the World War. 7/

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1. Mason's Minn. Stat. (1934 Supp.), Sec. 4345.
 2. Mason's Minn. Stat. (1927), Sec. 4347.
 3. Ibid, Sec. 4346.
 4. Ibid, Sec. 4355.
 5. Laws (1935), Ch. 193.
 6. Ibid, Ch. 213.
 7. Ibid, Ch. 350.

VETERANS' RELIEF (Cont'd)

(b) Procedure for determining eligibility

Soldiers' Home

Application is made to the Board of Trustees of the Soldiers' Home, and investigation is made by county agents. Applicants are admitted by order of the Soldiers' Home Board. 8/

(1) Relief outside the Home is under the direction of the Soldiers' Home Board upon application of eligible person through county agents. 9/

(2) Aid to Spanish-American war veterans and their survivors is administered by the Corporation of United States War Veterans. 10/

(c) Measure of responsibility

Custodial care in the Soldiers' Home. 11/

Pensions

(1) Such relief as the Soldiers' Home Board may prescribe. 12/

(2) Pensions of \$12 per month are paid to the Indian War veterans. 13/

The dependents of Spanish War veterans are paid an amount which such deceased soldier would have received, as ascertained by the United Spanish War Veterans. 14/

Decent burial not to exceed \$100. 15/

Matriculation fees, board and room rent and books and supplies for use and benefit of minor dependents of World War veterans killed in action, who are attending or may attend any educational or training institution of a secondary or college grade located in this State and approved by the State Board of Education. 16/

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8. Mason's Minn. Stat. (1934 Supp.), Sec. 4345.
 9. Mason's Minn. Stat. (1927), Sec. 4356.
 10. Ibid, Sec. 7937.
 11. Mason's Minn. Stat. (1934 Supp.), Sec. 4344.
 12. Ibid, Sec. 4365.
 13. Mason's Minn. Stat. (1927), Sec. 4387.
 14. Laws (1935), Ch. 193.
 15. Mason's Minn. Stat. (1927), Sec. 4370.
 16. Laws (1935), Ch. 350.

VETERANS' RELIEF (Cont'd)(d) Qualifications imposed

A veteran must have been a resident of the State for 3 years immediately preceding the date of application, unless he served in a Minnesota regiment or was credited to the State, and must be without adequate means of support, and unable to maintain himself. 17/

No wife, widow or mother may be admitted to the Home unless she has been a resident of the State for 5 years preceding date of application and has reached the age of 55 years. Wives or widows of veterans of the Indian War or Civil War must have been married to their veteran husbands prior to the year 1905, and all other wives or widows must have been married prior to September 1, 1922. 18/

Relief outside the Home may not be granted unless the recipient has been a resident of the State 5 years immediately preceding the application. 19/

If any applicant to or inmate of the Home has a wife or dependent children, the Soldiers' Home Board may require him to contribute to their support one-half of a Federal pension, if any be received by him. 20/

As a condition of his admission to Home, the applicant must execute his will disposing of any personal property of which he may die possessed. 21/

All children of war veterans who receive educational aid must be between ages of 16 and 22 years and residents of the State 2 years. 22/

(e) Incidence of financial responsibility

County must pay for burial of deceased indigent veterans who die therein. 23/

State appropriates annually the funds for relief in the Soldiers' Home 24/ and levies taxes for other relief. 25/

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17. Mason's Minn. Stat. (1934 Supp.), Sec. 4344.
 18. Ibid, Sec. 4345.
 19. Ibid, Sec. 4365.
 20. Mason's Minn. Stat. (1927), Sec. 4364.
 21. Ibid, Sec. 4366.
 22. Ibid, Sec. 4370.
 23. Laws (1935), Ch. 350.
 24. Mason's Minn. Stat. (1927), Sec. 4353.
 25. Ibid, Sec. 4354.

VETERANS' RELIEF (Cont'd)

(f) Taxes

State tax levy, annually, of one-tenth of one mill on each dollar of the assessed valuation of taxable property. 26/

(g) Administrative agencies

Soldiers' Home Board through county agents must pass on applications for admission to the Home and grant relief outside the Home. 26/

The State Executive Council is authorized to use reasonable sums to aid in the relief of veterans of all wars and disburses these sums. 27/

(h) Supervisory controls

No provision.

26. Mason's Minn. Stet. (1927), Sec. 4354.
27. Laws (1935), Ch. 33.

STATE EXECUTIVE COUNCIL

(Statutory Body)

I. General Powers and Duties

(1) The State Executive Council exercises the duties vested in or imposed upon the State Board of Relief 1/, and meets from time to time upon the call of the Governor or the executive secretary, at the request of 3 or more of its members. 2/

(2) The State Board is authorized to take any measures necessary to prevent or avert any impending disaster which threatens to destroy life or property in the State, to grant relief or temporary assistance to communities in this State stricken by disease, flood, storm, fire, or action of the elements, or extreme economic distress causing destitution of families or individuals or disabled persons, or prevent the occurrence or spread of any such calamity or disaster which might entail loss of life or property or result in great suffering and hardship among the people of the State. 3/

(3) The Council is authorized to extend direct relief to disabled veterans of all wars, and their families, who are residents of the State. 4/

(4) In extending work relief or reemployment for the needy, destitute and disabled persons within the State, the Council may undertake projects involving flood control, water supply, water diversion, control of erosion, reforestation and afforestation, and recreation, and any other project which will aid in the conservation and development of the natural resources of the State, and for the promotion and conservation of the health, safety and general welfare of the people of the State. 5/

(5) The Council is authorized to acquire, by gift, purchase, condemnation proceedings or otherwise, any land needed to carry on the work-relief and employment herein provided, and in appropriate cases, to convey land to the United States needed for projects financed in whole or in part by the United States Government. 5/

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1. Mason's Minn. Stat. (1927), Sec. 126-1.
 2. Ibid, Sec. 53-3.
 3. Ibid, (1934 Supp.), Sec. 126-2.
 4. Laws (1935), Ch. 33, Sec. 2.
 5. Ibid, Ch. 51, Sec. 2.

I. General Powers and Duties (Cont'd)

(6) Hereinafter mentioned sums of money are appropriated to and made available to the Executive Council, to be disbursed by the Council from time to time as needed, to the various Federal, State and municipal agencies for the purpose of furnishing aid and relief to needy, destitute and disabled persons in the State, as may to the Council seem just and proper. 6/

(7) Of the amounts hereby appropriated, the Council is authorized to use a reasonable amount to aid in the relief of the veterans of all wars, as to the Council seem just and proper. 7/

II. Composition and Appointment of Governing Body

The Executive Council consists of the Governor, the Attorney-General, the State Auditor, the State Treasurer and the Secretary of State. The Governor is the chairman of the Council. 8/

III. Reports

No provision.

IV. Executive

See "Executive Secretary" under "Staff".

V. Staff

The Executive Council appoints, fixes the salary of and removes at pleasure, an executive Secretary, who is also the secretary of the Board of Pardons and of the State Board of Investment, and who performs such other duties as may be assigned him by the Council. 8/

VI. Financial Provisions 9/

Relief and aid to disabled veterans 10/, and to needy and destitute persons, is supported by direct appropriations from the State Treasury and also by bond issues. 11/

6. Laws (1935), Ch. 51, Sec. 3.

7. Ibid, Sec. 8.

8. Mason's Minn. Stat. (1927), Sec. 53.2

9. Counties and municipalities of the State requiring aid and relief contribute a sum which in the opinion of the United States relief agencies, or the State Executive Council, is a fair and equitable sum to be so borne by them; economic conditions, conservation needs, acts of the elements, public debt and relief projects at this time contemplated to be taken into consideration.

10. Laws (1935), Ch. 33.

11. Ibid, Ch. 51.

VI. Financial Provisions (Cont'd)Amount of Appropriation:

To provide funds necessary to support disabled veterans of all wars and their families, the sum of \$200,000 is appropriated. 12/

The sum of \$10,000,000 is appropriated for the period June 30, 1936 to June 30, 1937, to be available for the purpose of aiding in furnishing necessary direct relief, drought relief, disabled veterans' relief, work relief and employment relief to needy, destitute and disabled persons in the State, in connection with Federal, State and local agencies. 13/

The sum of \$7,625,000 is appropriated from the relief fund to be available immediately for the period ending July 1, 1937, for the purpose of furnishing necessary relief, disabled veterans' relief, work relief and employment relief to needy, destitute and disabled persons within the State in connection with the relief agencies, of local subdivisions of government. 14/

12. Laws (1935), Ch. 33, Sec. 4.

13. Ibid, Ch. 51, Sec. 1.

14. Ibid, (1st Spec. Sess.), Ch. 101, Sec. 1.

Of this sum \$250,000 is earmarked to aid in the relief disabled veterans of all wars as seems just and proper to the Executive Commission. Ibid, Sec. 8.

STATE BOARD OF CONTROL

(DEPARTMENT OF PUBLIC INSTITUTIONS)

(Statutory Body)

I. General Powers and Duties

(1) The Board of Control has the exclusive management of the State Prison, State Reformatory, State Training School for Boys, School for the Feeble-minded, State Hospital and Asylums for the Insane, State School for the Blind, State School for the Deaf, State Public School for Dependent Children, State Hospital for Indigent, Crippled and Deformed Children, State Hospital for Inebriates, and except as otherwise provided by law, the State Sanatorium for Consumptives, the Home School for Girls and the State Reformatory for Women and the General Hospital. 1/

(2) The Board has the financial management, except as otherwise provided by law, of the State Normal Schools, the State Public School, and the State Schools for the Deaf and the Blind, and all expenditures of public money provided for their administration and support is under the Board's control. The Board has not control of private donations made to these institutions unless the donor so directs, but they must be used and expended by the institution as directed by donor. 2/

(3) The Board administers the State Soldiers' Welfare Fund, which is used to provide relief to such persons as the Board sees fit and are eligible as veterans of the wars of the United States. 3/

(4) The Board must cooperate with State and local boards and agencies both public and private to prevent the loss of sight, to alleviate the condition of blind persons and persons with failing sight, to extend and improve the education, advisement, training, placement and conservation of the blind, and in promoting their personal, economic, social and civic well-being. 4/

(5) The Board is empowered to aid the blind by home instruction and training, by assisting them in securing tools, appliances and supplies, by aid in marketing the products of their labors, by care and relief for blind persons who are not capable of self-support, and by any practical means to alleviate their condition. 4/

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1. Mason's Minn. Stat. (1927), Sec. 4401.
 2. Ibid, Sec. 4402.
 3. Ibid, Sec. 4603.
 4. Ibid, Sec. 4616.

I. General Powers and Duties (Cont'd)

(6) The Board must as far as possible exercise supervision over paroled patients of the State Hospital and Asylums for Insane and of the School for Feeble-minded and Colony for Epileptics, and may appoint agents for such purpose, who perform duties along those lines prescribed by the Board. 5/

(7) It is the duty of the Board of Control when notified of a woman who is delivered of an illegitimate child, or pregnant with a child likely to be illegitimate when born, to take care that the best interests of the child are safeguarded, that appropriate steps are taken to establish his paternity, and that there is secured the nearest possible approximation to the care, support and education that he would be entitled to if born of lawful marriage. 6/

(8) It is the duty of the Board to promote the enforcement of all laws for the protection of defective, illegitimate, dependent, neglected and delinquent children, to cooperate to this end with the juvenile court and all reputable child-helping and child-placing agencies of a public or private character, and to take initiative in all matters involving the interests of such children when adequate provision therefor has not already been made. 7/

(9) The Board may, when requested by the county board, appoint persons to constitute a county child welfare board, and as such they are executive agents of the Board. 8/

(10) The Board of Control and the several county welfare boards within their respective jurisdictions, upon the request of the county boards, city, village or borough councils, town boards, or other public boards or authorities charged by law with the administration of laws relating to the relief of the poor, may cooperate with such boards and authorities in the administration of such laws. 9/

(11) The Board at any time may pay out of the social welfare fund, such amounts as it deems proper for the support, maintenance or other legal benefit of any of the said defective, illegitimate, dependent and delinquent children, or persons feeble-minded, inebriate or insane, or other wards or persons entitled thereto. 10/

5. Mason's Minn. Stat. (1927), Sec. 4419.

6. Ibid, Sec. 4455.

7. Ibid, Sec. 4456.

8. Ibid, Sec. 4457.

9. Ibid, Sec. 4461.

10. Ibid, Sec. 4465.

The social welfare fund with all accretions is deposited in the State Treasury to the credit of the State Board of Control. The State Treasurer is only responsible to the Board for the sum total of the fund and has no duties nor direct obligations toward the beneficiaries individually. Ibid, Sec. 4463.

I. General Powers and Duties (Cont'd)

(12) The Board is empowered to grant a license for one year for the conduct of any maternity hospital that is for the public good and that is conducted by a reputable and responsible person; and it is the duty of the Board to prescribe such general rules and regulations for the conduct of all such hospitals as is necessary to effect the purposes of this Act and all other laws of the State relating to children so far as are applicable and to safeguard the well-being of all infants born therein, and the health, morality and best interests of inmates. 11/

(13) The Board is empowered to grant a license for one year for the conduct of any infants' home that is for public good, and prescribe rules and regulations for the management that are to the best interests of children placed there. No person may conduct such home without securing a license. 12/

(14) The Board has powers of legal guardianship over the persons of all children who may be committed by courts of competent jurisdiction to the care of the Board, or to institutions under its management. After commitment to its guardianship the Board may make such provision for and disposition of the child as necessity, and the best interests of the child, may from time to time require, provided no child may be placed in an institution maintained for the care of delinquents who has not been duly adjudged to be delinquent. 13/

(15) The Board from time to time must prescribe and promulgate rules and regulations to efficiently carry out provisions of the Old Age Pension system and publishes such information as it may deem advisable to acquaint aged persons and the public generally with the old age pension plan of this State. 14/

11. Mason's Minn. Stat. (1927), Sec. 4551.

12. Ibid, Sec. 4570.

13. Ibid, Sec. 4454.

When any child is found to be dependent or neglected, the court (juvenile court) may make an order committing the child to the care of the State Board of Control or of the State Public School, or some reputable citizen of good moral character, or to the care of some citizen willing to receive it. Laws (1935), Sec. 8646.

Whenever a juvenile court finds a child to be dependent or neglected and it appears that such child is not at the time a proper subject for commitment to the State School for Feeble-minded, but is so handicapped physically or mentally that he can not be admitted to the State Public School or placed in a home for adoption, the court may commit such child to the care of the State Board of Control as a child needing specialized care in order that he may receive study, treatment, and care designed to fit him, if possible, to be placed out for adoption or become self-supporting. Ibid, Sec. 8689 (1).

14. Laws (1935), Sec. 3183 (20).

I. General Powers and Duties (Cont'd)

(16) The Board must upon receipt of an appeal from an Old Age Pension applicant review the case. All decisions of the Board must be binding upon the county involved and must be complied with by the county board. 15/

(17) The Board must supervise and direct the administration of all laws for aid to dependent children and to the mothers thereof. It makes rules and regulations as it sees fit and proper to promote efficiency and uniformity in the administration and as may be necessary in the securing of reports as are necessary to carry out the purposes of this Act and to comply with the rules and regulations of the Social Security Board of the United States; and it has authority to withhold financial assistance from any political subdivision of the State which fails to comply with its rules and regulations and with the requirements of the Social Security Act. 16/

(18) It has authority to accept the provisions of the Social Security Act and must submit such reports as the Social Security Board requires. It must advise and cooperate with courts and supervise and direct county child welfare boards with regard to methods of investigation, oversight and record-keeping; and it must require reports from the Clerks of Courts, Child Welfare Boards, Probation Officers and other official investigators. 16/

(19) The Board must grant to any individual whose claim with respect to aid for a dependent child is denied, an opportunity for a fair hearing before the Board, and to that end it may take testimony and require the production of such files and records of administrative boards and courts as may be material. It must make and establish uniform rules and regulations governing such hearings. 16/

(20) The Board is authorized to visit and investigate the conditions of all children for whom homes have been found by an institution within the State, which has or may at any time have been permitted by the Board to receive and find homes for dependent children. 17/

15. Laws (1935), Sec. 3183 (21).

Any applicant aggrieved by an order or determination of his application for assistance by the County Board of Commissioners, or by any other board or commission designated by the law, may appeal from such order or determination of his application by the County Board of Commissioners to the Board of Control. Ibid.

16. Laws (1935), Ch. 326, Sec. 8683.

17. Mason's Minn. Stat. (1927), Sec. 4626.

I. General Powers and Duties (Cont'd)

(21) The Board must appoint a chief executive officer for each institution under its exclusive control and fix his compensation and may remove him for misconduct or neglect of official duties. Every such executive officer must have the qualifications and perform the duties now or hereafter required by law or rules prescribed by the Board. 18/

(22) The Board must adopt rules for the conduct of its business, and prescribe reasonable regulations defining the duties and providing for the government of the officers and employees of institutions under its control. 19/

II. Composition and Appointment of Governing Body

The Board of Control consists of 3 members, at least one of whom is a woman, appointed by the Governor with the consent of the Senate each for a term of 6 years and until their successors qualify. It biennially elects a chairman from its membership. The Governor may remove any member for mal-feasance or non-feasance in office or for any cause which renders him incapable or unfit to discharge his official duties. 20/

Before entering upon such office, each member gives bond to the State in the sum of \$25,000 to be approved by the Governor, conditioned for the faithful discharge of official duties. Each must devote his entire time to such duties; and may hold no other lucrative office. 21/

Every member of the Board, who necessarily travels on official business, is paid his actual traveling expenses. 22/

The Board members receive a salary of \$4,500 per year. 23/

III. Reports

The various institutions under the exclusive control of the Board must submit annual reports and inventories to the Board. 24/

On or before November 15th in each even-numbered year, the Board makes a report to the Governor and Legislature covering the biennial period, ending July 31, preceding, therein giving its observation and conclusions respecting each institution under its control. The report must contain the reports of the officers of the institutions and results of the various inspections and visitations of the Board. 25/

18. Mason's Minn. Stat. (1927), Sec. 4405, 4406.

19. Ibid, Sec. 4413.

20. Ibid (1934 Supp.), Sec. 4398.

21. Ibid (1927), Sec. 4399.

22. Ibid, Sec. 4409.

23. Ibid, Sec. 4453.

24. Laws (1935), Sec. 4443.

25. Ibid, Sec. 4415.

IV. Executive

See Chairman under "Composition and Appointment of Governing Body".

V. Staff

The Board appoints State agents to supervise paroled patients from State hospitals and asylums for the insane and of the school for feeble-minded and colony for epileptics, and fixes the salary of the agents, who serve at its pleasure. 26/

No person may be appointed as such agent without having had previous experience in caring for the insane or feeble-minded at a hospital for the insane or school for the feeble-minded for a period of not less than one year. 27/

The Board has authority to appoint and fix the salaries of a chief executive officer and such assistants as are deemed necessary to promote the enforcement of all laws for the protection of defective, illegitimate, dependent, neglected and delinquent children, and to cooperate to this end with all juvenile courts and child-placing agencies. 28/

The Board must appoint a soldiers' welfare agent to have charge of the administering of the Soldiers' Welfare Fund and is empowered to employ such assistants as may be necessary for the administering of such funds. 29/

VI. Financial Provisions

The Board prepares for the use of the Legislature, biennial estimates of appropriations necessary or expedient to be made for the support of the several institutions, and for extraordinary and special expenditures for buildings and other improvements. 30/

Amount of Appropriation and Limitation of Funds:

The sum of \$91,000 is appropriated to the State Board of Control, for its maintenance, for the period July 1, 1935 to June 30, 1937. 31/

26. Mason's Minn. Stat. (1927), Sec. 4419.

27. Ibid, Sec. 4420.

28. Ibid, Sec. 4456.

29. Ibid, Sec. 4604.

The State Soldiers' Welfare Fund is created to aid and assist any citizen of Minnesota who served in the military or naval forces of the United States and who was a citizen of Minnesota at the time of entering such service, in securing compensation, hospitalization, medical treatment, insurance or other relief or benefits to which he may be entitled. Ibid, Sec. 4601.

30. Laws (1935), Sec. 4427.

31. Ibid, Ch. 159.

The following provisions, powers and duties are specifically applicable to the institutions indicated.

WARDEN OF STATE PRISON

(Statutory Body)

I. General Powers and Duties

(a) Warden:

(1) Convicts must be supplied with substantial, wholesome food in sufficient quantities, and bedding and clothing of coarse material. Upon discharge the Warden, at the expense of the State, must furnish each convict released with one good serviceable suit of clothing and underclothing, and pay each convict when released \$25 in money. 32/

(2) Whenever there are sufficient cells, each convict must be confined in a separate cell. 33/

(3) Every convict duly committed to the prison by authority of the United States must be received, maintained and disciplined in compliance with his sentence, in the same manner as other prisoners therein, upon payment made by the United States of 40¢ per day, the cost of all clothing furnished, the expense of every additional guard required, and \$1 per month for use of the convict. 34/

(4) In case of an epidemic of any infectious or contagious disease in the prison, whereby the health or lives of the prisoners may be endangered, the Warden, with the approval of the State Board of Control, may cause the prisoner so affected to be removed to some other secure and suitable place for care and treatment. 35/

(5) Whenever convicts may be required to be used in any work as provided for in this Act, they must be selected, with the approval of the Board, by the Warden in the following manner and order of preference; (1) Suitable paroled convicts who are being detained awaiting private employment. (2) Convicts, who in the opinion of the heads of the institutions, are not incorrigible and who are physically capable and otherwise suitable for the character of the work. 36/

(6) All goods, wares, and merchandise manufactured, produced or mined wholly or in part by convicts or prisoners, (except those on parole or probation) or in any penal or reformatory institution in this or any other State, must be branded, labeled or marked before being exposed for sale and must not be sold without such label containing the words "Prison Made" followed by the date and name of institutions producing it. 37/

32. Mason's Minn. Stat. (1927), Sec. 10796.

33. Ibid, Sec. 10801.

34. Ibid, Sec. 10799.

35. Ibid, Sec. 10805.

36. Laws (1935), Ch. 297.

37. Ibid, Ch. 268.

I. General Powers and Duties (Cont'd)(a) Warden: (Cont'd)

(7) The chief officer, under the direction of the Board, must purchase such tools, implements and machinery as are deemed necessary for the work. 38/

(8) The price of binding twine manufactured at the State Prison must be fixed by the Warden and the Board not later than March first each year. The Board in its discretion may agree to allow purchasers of binding twine, a discount from the price so fixed, on condition payment for twine purchased is made by purchaser at time agreed upon for quantities over and above 3,000 pounds. Such twine must be sold to actual consumers in quantities needed for their use, and to dealers within the State upon the rules and regulations prescribed, and such twine if sold for cash must not be sold at a price exceeding one cent per pound over the purchase price plus costs of transportation, or on credit at one and one-half cents per pound over price and costs. Twine may be sold without the State, whenever, in the opinion of the Board and the Warden of the Prison, the best interests of the State require such action. 39/

(b) Board of Control:

(1) The Board is authorized to maintain and operate at the State Prison, a factory for the manufacture of hay rakes, and loaders, mowers, grain harvesters and binders, and corn cultivators, for the purpose of employing and making use of the labor of prisoners kept in the Prison, but only such skilled laborers as in the judgment of the Board and Warden may be necessary for the successful and profitable employment of the prisoners. 40/

(2) The Board and Warden are authorized to make contracts throughout the State for the sale of prison-made goods. 40/

(3) The Board is authorized within its discretion, to use selected convicts in work in the nature of general conservation, reforestation, soil erosion control, soil rehabilitation, and cultivation upon lands within the control of the Board. 41/

(4) No contract for leasing the labor of prisoners confined in any such institution, at a certain rate per diem, giving the contractor full control of the labor of the prisoner, may be made, but such prisoners must be employed under regulations established by the Board in such industries as may from time to time be fixed upon by the officers in charge and the Board, or in the manufacture of articles by the piece, under the "piece price system" by contracts with persons furnishing the material. 38/

38. Mason's Minn. Stat. (1927), Sec. 10810.

39. Ibid, Sec. 10812.

40. Ibid (1934 Supp.), Sec. 10815.

41. Laws (1935), Ch. 297.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(5) It is unlawful for the Board, or the Warden of the State Prison, or any person exercising control or supervision over any convict sentenced to or confined in the Prison to enter into any contract or agreement, or any arrangement, whereby the labor service of the convict is either sold or leased or otherwise disposed of for hire to any person or to any party. 42/

(6) Funds accruing from profits of the industries in the Prison must be used for the purchase of raw materials, payment of salaries and wages, and for all other expenses necessary and proper in the conduct of the industrial enterprises, and for such other purposes and uses as are authorized by law. 43/

(7) If any convict offers violence to any officer, guard, or any other person or convict, they may defend themselves in any manner and by any means which may appear to be necessary under the circumstances, and if in so doing, any convict so resisting lawful authority is necessarily wounded or killed by such officer, guard or assistants, they are held justified. 44/

(8) Every convict sentenced for any term other than life, wherever he may be confined, or on parole therefrom, may diminish the term of his sentence for good behavior and conduct while a prisoner therein. The Board in view of the aggravated nature and frequency of offense, may take away any or all of the good time previously gained, and, in consideration of mitigating circumstances or ignorance on the part of the convict, may afterwards restore him, in whole or in part, to the standing he possessed before such good time was taken away. Whenever a convict passes the entire period of his imprisonment without an unexcused violation of the rules or discipline, he must upon his discharge be restored to his rights and privileges forfeited by conviction and receive a certificate from the Governor as evidence of such restoration. 45/

42. Mason's Minn. Stat. (1927), Sec. 10811.

43. Ibid, Sec. 10792.

There is created a State Prison Revolving Fund available for the purpose of carrying on all industrial enterprises which are authorized by law to be carried on at the State Prison. Ibid, Sec. 10790.

The sum consists of \$150,000 appropriated as available, for the manufacture of binding twine which has accrued from former appropriations and all the future net earnings or net profits of any and all industries carried on at the State Prison. Ibid, Sec. 107.

44. Mason's Minn. Stat. (1927), Sec. 10800.

45. Ibid, Sec. 10808.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(9) The number of prisoners employed in a single industry at the same time at any institution must not exceed 10% of the total number of men engaged in such industry in this State, unless a greater number be necessary to furnish materials and articles to be supplied to State and other municipal institutions, penal or charitable. The number to be employed in any such industry must be determined by a commission of 3 to consist of the Labor Commissioner, who is the chairman, a member of the Board of Control and a citizen of the State engaged or interested in some manufacturing industry not connected with the State Prison or Reformatory, the last 2 being appointed by the Governor. This Commission may not determine the number engaged in the manufacture of binding twine or those engaged in the manufacture of farm machinery at the State Prison or in the manufacture of brushes at the Reformatory. 46/

(10) Imprisonment in any sentence may not exceed the maximum term fixed by law or court. 47/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The chief executive officer of the Prison appoints all assistants and other employees required in the management thereof, the number being determined by the Board. The Board also fixes their terms of office and the compensation of all such employees and assistants. 48/

46. Mason's Minn. Stat. (1927), Sec. 10814.

47. Ibid, Sec. 10765.

The clerk of every court by which a convict is sentenced to a State penal institution must furnish the officer or person having such convict in charge, a record containing facts and evidence regarding the commitment of the convict and all other information required by principal officer of such institution. Ibid, Sec. 10797.

Whenever any person is convicted of any felony or crime punishable by imprisonment in the State Prison, except treason or murder in the first or second degree, the court imposing sentence may not fix a definite term of imprisonment, but may fix in the sentence the maximum term of such imprisonment and may sentence every person to the State Reformatory or to the State Prison, as the case may require, and the person sentenced is subject to release on parole and to final discharge by the Board of Parole. Ibid, Sec. 10765.

48. Mason's Minn. Stat. (1927), Sec. 4406.

VI. Financial Provisions

Whenever the Board and the Warden of the State Prison certify to the State Auditor and Treasurer, that in their judgment it is necessary to borrow a specified sum of money in order to meet the current demands on the revolving fund, the State Auditor and Treasurer may transfer and credit to the fund the sums necessary, and the sum must be repaid by the Board. 49/ The revolving fund is supported by appropriations from the State general fund. 50/

Amount of Appropriation:

The sum of \$284,575 is appropriated for the Prison for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current expense	\$204,600
Repairs	21,875
Lot in Catholic Cemetery.	600
Elevators	21,500
Emergency Water Main.	5,000
Print Shop Equipment.	3,000
Sewage Disposal Plant	<u>28,000</u>

Total . . . \$284,575 50/

SUPERINTENDENT OF STATE REFORMATORY

(Statutory Body) 51/

I. General Powers and Duties(a) Superintendent:

(1) Whenever any person is received into the Reformatory upon direct sentence, the Superintendent must cause to be entered into a register the date of his admission, name, age, and such other facts as can be ascertained of his parentage, early social influence, and tendencies, and an estimate of his present condition. At least once every 3 months, minutes must be made thereon of observed improvement or deterioration of character, methods of treatment employed, orders or changes affecting the standing of such convict and the circumstances of his final release. 52/

49. Mason's Minn. Stat. (1927), Sec. 10789.

50. Laws (1935), Ch. 159, Sec. 20.

51. Any male person not less than 16 years nor more than 30 years of age convicted of a crime punishable by imprisonment in the State Prison and never before sentenced to a State Prison or Reformatory, may be sentenced to the Reformatory, which sentence is without limit as to time. The commitment and accompanying papers must be the same as upon a sentence to the State Prison. Ibid, Sec. 10822.

52. Mason's Minn. Stat. (1927), Sec. 10827.

I. General Powers and Duties (Cont'd)(a) Superintendent: (Cont'd)

(2) The sum accruing from the convict's wages must until the prisoner's final discharge, be under the control of the Superintendent, to be used for the benefit of the prisoner and his family, but should any person wilfully escape from the Reformatory, or become a fugitive from justice, he must thereby forfeit all earnings remaining under the control of the Superintendent, and the same must be placed in the inmates benefit fund. 53/

(b) Board of Control:

(1) The Board may make provision for such pecuniary assistance of prisoners on their discharge or for the support of their families while in confinement, as may seem proper, by the allowance of moderate wages to be paid from the current expense fund of the institution. 53/

(2) Every convict sentenced for any term other than life, confined in the State Reformatory, may diminish his sentence by good behavior while so confined. The Board, in view of the aggravated nature and frequency of offense, may take away any or all of the good time previously gained, and in consideration of mitigating circumstances or ignorance on the part of the convict, may afterwards restore him, in whole or in part, to the standing he possessed before such good time was taken away. Whenever a convict passes the entire period of his imprisonment without an unexcused violation of rules and discipline, he must upon his discharge, be restored to his rights and privileges forfeited by conviction. 54/

(3) Imprisonment in the Reformatory may not exceed the maximum term, and may be terminated at any time after the expiration of the minimum term provided by law for the crime. Whenever after sentence to the Reformatory the term of confinement for such offense has been reduced by law, the person may be released after service of such reduced term. 55/

(4) The Board may transfer any prisoner from the Reformatory to the State Prison and from the State Prison to the Reformatory, whenever, in its judgment, the transfer is advantageous to the person transferred, or to the institution from which the transfer is made. The Board must make all needful rules for the employment, discipline, instruction, removal, release or return of inmates in such institutions, provided they do not interfere with the powers and duties of the Board of Parole. 56/

53. Mason's Minn. Stat. (1927), Sec. 10832.

54. Ibid, Sec. 10808.

55. Ibid, Sec. 10824.

56. Ibid, Sec. 10825.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(5) Each prisoner must be credited for good personal demeanor, diligence in labor and study, results accomplished, and is charged for derelictions, negligences, and offenses, under such uniform system of marks or other method as is prescribed by the Board. He must be informed of his standing under the system each month and be permitted during each month to converse with some member of the Board. 57/

(6) The Board must cause the inmates to be instructed in trades or employments for which they seem best fitted. Contract labor is prohibited in the Reformatory, and no inmate may be required to labor at stonework more than 8 hours per day. 58/

(7) The Board is authorized and directed to purchase such machinery and appliances as may be necessary in addition to those now belonging to the State at the Reformatory, and promptly proceed to cause the spoils and waste rock which accumulates at the Reformatory to be suitably crushed for roadmaking purposes. 59/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The chief executive officer appoints or employs all assistants and employees for the Reformatory required in the management thereof. The Board must ascertain the number of the employees and fix their compensation. 60/ The guards employed at the Reformatory may not be required to work in excess of 10 hours a day, except in cases of emergency. 61/

57. Mason's Minn. Stat. (1927), Sec. 10828.

58. Ibid, Sec. 10829.

59. Ibid, Sec. 10830.

60. Ibid, Sec. 4406.

61. Ibid, Sec. 10822.

VI. Financial Provisions

The Reformatory is supported by appropriations from the general revenue fund. 62/

Amount of Appropriation:

The sum of \$806,250 is appropriated for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current Expenses	\$724,000
Repairs and Replacements	36,750
Tunnel and Piping.	5,000
Fencing.	500
Sewage Disposal.	22,000
Plumbing Cell House "A" and "B".	<u>18,000</u>
Total.	\$806,250 <u>62/</u>

SUPERINTENDENT OF STATE REFORMATORY FOR WOMEN

(Statutory Body) 63/

I. General Powers and Duties(a) Superintendent:

Powers and duties of the Superintendent are not specified by statute.

(b) Board of Control:

(1) The Board is vested with power and authority to make and establish such rules and regulations for the government and management of the Reformatory for Women, and for the education, employment and training, discipline and safekeeping of the inmates thereof as it may deem expedient and proper. 64/

62. Laws (1935), Ch. 159, Sec. 15.

63. The Reformatory for Women is a separate institution for the care, training and education of women over the age of 18 years convicted of a felony or gross demeanor and sentenced and committed thereto. The commitment and accompanying papers must be the same as upon a sentence to the State Reformatory for males. Such imprisonment may not exceed the maximum term fixed by law or by the court, if the court has fixed the maximum term in passing sentence and may be terminated by the Board of Parole at any time after the expiration of the minimum term provided by law for the crime. Ibid, Sec. 10839.

64. Mason's Minn. Stat. (1927), Sec. 10835.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(2) The Board is authorized to transfer any female prisoner imprisoned in the State Prison to the State Reformatory for Women, and such females must be imprisoned in the Reformatory for Women during the unexpired term and upon the conditions applicable to their several sentences and commitments to the Prison. 65/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The Board has authority to appoint officers and employees as it deems necessary and proper for the due administration of the affairs of the Reformatory and to fix their compensation and duties, provided all officers are women. 66/

VI. Financial Provisions

The Reformatory for Women is supported by appropriations from the State general fund. 67/

Amount of Appropriation:

The sum of \$67,150 is appropriated for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current Expenses	\$65,100
Repairs and Replacements	1,550
Weather Stripping.	<u>500</u>

Total. . . . \$67,150 67/

65. Mason's Minn. Stat. (1927), Sec. 10837.

66. Ibid, Sec. 10843.

67. Laws (1935), Ch. 159, Sec. 16.

SUPERINTENDENT OF STATE TRAINING SCHOOL FOR BOYS(Statutory Body) 68/I. General Powers and Duties(a) Superintendent:

Powers and duties of Superintendent are not specified by statute.

(b) Board of Control:

(1) It is the duty of the Board to receive, clothe, maintain and instruct at the expense of the State, all infants duly committed to the Training School for Boys, and keep them in custody until they reach the age of 21 years, unless sooner discharged, apprenticed, paroled or transferred, and the Board may in its discretion, until their arrival at the age of 18 years, and place the children in suitable homes, bind them out as apprentices to learn such trades and employment as in the judgment of the Board will be conducive to their reformation. 69/

(2) The Board may discharge any child so committed, or may recall to school at any time any child placed out, paroled, apprenticed or transferred, and upon such recall may resume care and control of the child. The discharge of the child by the Board may be a complete release from all penalties and disabilities created by reason of the commitment or sentence. 69/

(c) Agents of Board:

(1) The Agents of the Board may enter any dwelling house or other building whenever they have reasonable cause to believe that any ward of the School is detained or concealed therein and take possession of the ward when found, and every person who wilfully resists, obstructs or interferes with them in the discharge of their duties is guilty of a misdemeanor. 70/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

68. With the commitment to the State Training School for Boys the court or justice must transmit by the officer executing the same to the Superintendent a copy of a record of the case, including all the evidence, and a written statement of all the other particulars of the child as can be ascertained. Sentence of the commitment may be stayed by the court, and the child placed on probation. Mason's Minn. Stat. (1927), Sec. 4471.

69. Mason's Minn. Stat. (1927), Sec. 4472.

70. Ibid, Sec. 4475.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The chief executive officer of the School appoints all assistants and other employees required in the management, its number being first determined by the Board, and may discharge any of them. The Board fixes the compensation of all officers and employees. 71/

The Board may appoint an agent or agents at a salary of not more than \$100 per month and expenses, who, under regulations prescribed by the Board, must investigate the homes of inmates previous to their parole and have supervision over those out on parole and those apprenticed and perform such duties as the Board may require. They hold office at the pleasure of the Board, must devote their entire time to the work, must occupy no other position and receive no other compensation for their work. 72/

VI. Financial Provisions

Funds are made available by appropriations from the State general fund. 73/

Amount of Appropriation:

The sum of \$362,750 is appropriated for the period from July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current Expense	\$328,250
Repairs and Replacements.	22,600
Barn for Young Stock.	3,000
Irrigation System	1,400
Deep Well	<u>7,500</u>

Total. \$362,750 73/

71. Mason's Minn. Stat. (1927), Sec. 4406.

72. Ibid, Sec. 4476.

73. Laws (1935), Ch. 159.

SUPERINTENDENT OF SCHOOL FOR FEEBLE-MINDED 74/ANDSUPERINTENDENT OF COLONY FOR EPILEPTICS 75/I. General Powers and Duties(a) Superintendents:

Powers and duties of Superintendents not specified by statute.

(b) Board of Control:

(1) The State Board of Control may establish and maintain at the School for Feeble-minded and Colony for Epileptics, courses of instruction for teachers and others interested in the care and training of mentally retarded or defective children, and make all necessary rules and regulations for the organization and conduct of such courses. 76/

74. All feeble-minded persons, resident of the State, duly committed to the guardianship of the State Board of Control, who in the opinion of the Board, are in need of care and training at some State institution for the feeble-minded, may be admitted to such an institution. Any crippled or deformed child who is helpless and who cannot be benefitted by treatment at the State Hospital for Crippled and Deformed Children, or any child who is physically helpless from any chronic disease of the nervous system or any child or adult suffering from such other incurable chronic invalidism, may be admitted to the department for incurables in the Institution in the discretion and under such conditions as the Board may determine. This section, however does not apply to those who are helpless from insanity or senile dementia, or whose presence, in the opinion of the Superintendent is incompatible with the general purposes of the institution. Mason's Minn. Stat. (1934 Supp.), Sec. 4500.

75. Epileptic persons who are not feeble-minded may on their own application be admitted to the Colony for Epileptics, under such conditions and regulations as the Board prescribes. The person legally responsible for the support of such inmate is required to pay a sum not exceeding \$40 per month for the support of such person, and if he fails or refuses to pay, the cost of such case must be a burden upon the county in which the inmate last resided, if he was a resident of the State for the purpose of poor relief. Ibid, Sec. 4500.

76. Mason's Minn. Stat. (1927), Sec. 4506.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(2) The Board, after a person examined is found to be feeble-minded, and has been committed to its care, has the power whenever advisable to place him in the appropriate institution or to exercise general supervision over him anywhere in this State outside of an institution, through any child welfare board or other appropriate agency. 77/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The chief executive officer appoints all assistants and other employees, the number being determined by the Board, and may discharge them. The Board fixes their compensation. 78/ No assistant or employee may be removed or hired because of political affiliation. 79/

77. Mason's Minn. Stat. (1927), Sec. 8958.

Any person who is defective and desires to receive treatment may voluntarily make application to the State Board of Control for admission to the School for Feeble-minded. Ibid, Sec. 8954.

It is the duty of the sheriff of any county, upon the request of the State Board, to take charge of and transport any feeble-minded person who has been committed by the probate court of his county to the care and custody of the State Board, to the School for the Feeble-minded and deliver him there to the Superintendent. Ibid, Sec. 4503.

When any person in this State is supposed to be defective, any relative, guardian or reputable citizen of the county in which the supposed defective person resides or is found, may file a verified petition to the probate court of the county setting forth such facts. If the probate court decides that such petition is sufficient the judge must order a hearing of the case. Ibid, Sec. 8956.

The court must then appoint a board of examiners, consisting of 2 licensed practising physicians to determine his defectiveness, and the Board must appoint some person skilled in mental diagnosis to attend and advise with the examiners; but if the person is obviously feeble-minded the judge may dispense with such examination. Ibid, Sec. 8958.

If the person examined is found to be feeble-minded, the probate court orders him committed to the State Board as guardian of his person. Ibid, Sec. 8960.

The School for Feeble-minded and Colony for Epileptics must be maintained as separate and distinct institutions. Ibid, Sec. 4495.

78. Mason's Minn. Stat. (1927), Sec. 4406.

79. Ibid, Sec. 4407.

VI. Financial Provisions

Persons legally responsible for inmates or the county wherein the inmates had legal settlement must pay an amount not to exceed \$40 per month for each inmate. 80/ These institutions are maintained by appropriations. 81/

Amount of Appropriation:

The sum of \$808,510 is appropriated for the School for Feeble-minded, for the period of July 1, 1935 to June 30, 1937. 81/

The sum of \$254,800 is appropriated for the Colony for Epileptics, for the period of July 1, 1935 to June 30, 1937. 81/

Limitation of Funds:School for Feeble-minded

Current Expenses	\$687,600
Repairs and Replacement.	57,700
Remodeling Hospital.	30,000
Remodeling Boys' Annex	2,500
Farm Buildings	8,000
Water Treatment Plant.	19,000
Elevators.	<u>3,710</u>

Total . . . \$808,510

Colony for Epileptics

Current Expenses	\$212,050
Repairs and Replacements	7,250
Warehouse.	25,000
Root Cellar.	2,500
Fencing.	4,000
Equipment for Warehouse.	<u>4,000</u>

Total . . . \$254,800 81/

80. Mason's Minn. Stat. (1934 Supp.), Sec. 4500.

81. Laws (1935), Ch. 159.

SUPERINTENDENTS OF HOSPITALS AND ASYLUMS FOR INSANE

(Statutory Bodies)

I. General Powers and Duties(a) Superintendent:

(1) When the Superintendent is of the opinion that the treatment of any person committed to any of the detention hospitals will no longer be of any benefit, he must report the facts to the State Hospital Commission, which will determine whether the person is insane or not and commit or discharge him as the case may be. 82/

(2) The Superintendent must determine and certify whether each patient held in the detention hospital is not insane or is a fit subject for a State Hospital. After a reasonable time, if he is found to be insane, and a fit subject for a State Hospital or Asylum, he must be transferred to one of these institutions. 83/

(3) Whenever the Superintendent reports to the Board that any insane person in the Institution or under his charge is incurable or not likely to be further benefitted by treatment, or that he may be safely cared for in a private family, and that his own family is not able to support him, the Board may authorize the Superintendent to procure board for him in a suitable private family, at an expense not exceeding \$3 per week, to be paid from the current expense fund of the Institution. 84/

(4) The Superintendent may discharge any patient certified by him to be recovered unless charged with or convicted of some criminal offense. 85/

82. Mason's Minn. Stat. (1927), Sec. 4541.

There is created at each city or village where a State Hospital for the Insane is located, a Commission. It is composed of 3 reputable persons, at least one of whom must be a duly qualified physician. This Commission is appointed by the judge or judges of the district in which each detention hospital is located. Members hold office for 2 years, or until their successors have been appointed. Ibid, Sec. 4515.

This Commission meets at the detention hospital as often as the Superintendent may request, but not more than twice each month except in cases requiring immediate action. Its members receive compensation not to exceed \$10 per day for such service. These expenses are paid out of the general appropriation to each specific hospital. Ibid, Sec. 4516.

This Commission has the power to examine any alleged insane person, when reported to it by the Superintendent and determine his sanity. Such examination, determination, and commitment, must be made as provided for under the State Hospitals for Insane. Ibid, Sec. 4515.

83. Mason's Minn. Stat. (1927), Sec. 4509.

84. Ibid, Sec. 4522.

85. Ibid, Sec. 4524.

I. General Powers and Duties (Cont'd)(a) Superintendent: (Cont'd)

(5) The Superintendent of every such institution, with the approval of the Board must from time to time select from the patients therein such idiotic and feeble-minded children, as in his opinion are proper subjects for training and instruction, and transfer them to the School for Feeble-minded. 86/

(b) Board of Control:

(1) The Board must establish and maintain in connection with the State Hospital, 3 detention hospitals, which must be under the supervision respectively of the Superintendent of the State Hospital for the Insane, at which it is located. 87/

(2) The Board must determine to what detention hospital patients may be committed from each county and notify the probate judge. 87/

(3) The Board must maintain in connection with the State Hospital at St. Peter, a suitable building as an asylum for the dangerous insane, for the purpose of holding in custody and caring for such insane persons, idiots, imbeciles and epileptics as may be committed thereto by courts of criminal jurisdiction or for persons that may be declared insane while confined in a penal institution. 88/

(4) In case any person confined in a State prison or reformatory is alleged to be insane, the State Board must cause the prisoner to be examined by the probate court of the county in which he is confined. If found to be insane, he must be transferred to the asylum for the dangerous insane or to a State hospital for the insane, in the discretion of the court. 89/

(5) The Board is authorized to continue the treatment of inebriates at Willmar State Asylum, and no inebriate may be committed for treatment except as authorized and permitted by the Board. 90/

86. Mason's Minn. Stat. (1927), Sec. 4525.

87. Ibid, Sec. 4509.

88. Ibid, Sec. 4528.

89. Ibid, Sec. 4529.

Any person believing himself to be afflicted with mental disease and desiring to receive treatment therefor at a detention hospital may voluntarily place himself therein with the consent of the Board of Control and Superintendent. If it is found to be, in the judgment of the Superintendent and the State Hospital Commission, for the best interest of the person and public safety that such person requires detention, he must be committed to the Hospital for the Insane. Ibid, Sec. 4511.

If any relative or any person believes that a person is afflicted with a mental disease, he may apply to the judge of the probate court in the county in which the proposed patient is resident, for the appointment of a board of 3 physicians, to determine whether such person should be placed in a detention hospital for the insane. If they are of the opinion he is in need of such care, he may be placed in a detention hospital. Ibid, Sec. 4512.

90. Mason's Minn. Stat. (1927), Sec. 4535 (4).

I. General Powers and Duties (Cont'd)

(b) Board of Control: (Cont'd)

(6) The Board may provide employment for patients committed to the Willmar State Asylum, at such occupations as it may prescribe. 91/

(7) Whenever the Board finds any inmate of a State hospital or asylum for the insane or the School for Feeble-minded and Colony for Epileptics, to have homicidal tendencies, or he is under indictment or information or sentence, he must be transferred to the asylum for the dangerous insane or to a State hospital for the insane, in the discretion of the court. 92/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The Superintendents of each of the Hospitals and Asylums for the Insane appoint all assistants and other employees required in the management, the number being first determined by the Board, and may discharge any of them. The Board also fixes the compensation of all officers and employees. 93/ No assistant or employee may be discharged or receive a position because of his political affiliation. 94/

VI. Financial Provisions

Each of these institutions is supported by separate appropriations from the general fund of the State. 95/

91. Mason's Minn. Stat. (1927), Sec. 4539.

The probate court must commit persons to the hospital for inebriates upon the application of a person having knowledge of the facts, and with the permission of the Board of Control. Ibid.

An affidavit duly verified by a person claiming to have knowledge of facts and setting forth that with resulting injury to his health a person is an habitual user of opium, cocoa leaves or any derivative or preparation thereof, must be filed with the county attorney. Ibid, Sec. 4540.

A hearing must be had of such an application and the person may be committed for treatment and care to a private institution, and if he is able to pay, or to a public institution, selected by the Judge of the District Court of the County, as may be for the best interest of the person, at the expense of the county. Ibid, Sec. 4541.

92. Mason's Minn. Stat. (1927), Sec. 4534.

93. Ibid, Sec. 4406.

94. Ibid, Sec. 4407.

95. Laws (1935), Ch. 159.

VI. Financial Provisions (Cont'd)Amount of Appropriation:

The following sums are appropriated for the Hospitals and Asylums for the Insane for the period July 1, 1935 to June 30, 1937:

Limitation of Funds:Anoka State Asylum

Current Expense.	.\$331,000
Repairs and Replacements	19,250
Shop Building and Equipment.	5,000
Reconstruction of Porches.	4,800
Sewage Disposal Plant.	<u>5,100</u>
Total	.\$365,150

Hastings State Asylum

Current Expense.	.\$326,500
Repairs and Replacements	12,375
Sewage Disposal.	12,000
Refrigeration Plant.	<u>6,500</u>
Total	.\$357,375

Willmar State Asylum

Current Expense.	.\$399,900
Repairs and Replacements	7,781.59
Kitchen Equipment.	<u>800</u>
Total	.\$408,481.59

Fergus Falls State Hospital

Current Expense.	.\$669,600
Repairs and Replacements	22,700
Addition to Porch for Tubercular Women	<u>17,000</u>
Total	.\$709,300

Rochester State Hospital

Current Expense.	.\$596,000
Repairs and Replacements	23,875
Deep Well and Pumps.	<u>5,553.52</u>
Total	.\$625,428.52

St. Peter State Hospital

Current Expense.	.\$792,400
Repairs and Replacements	32,350
Tile Floor	1,000
Laboratory and X-Ray Equipment	<u>1,000</u>
Total	.\$826,750 96/

SUPERINTENDENTS OF SCHOOLS FOR DEAF AND BLIND

(Statutory Bodies)

I. General Powers and Duties

(a) Superintendents:

Powers and duties of the **Superintendents** are not specified by statute.

(b) Board of Control:

(1) The Schools for the deaf and blind must be continued at Faribault. They must be maintained as a school for the deaf and the school for the blind, and must be grouped and classed with the educational institutions of the State. 97/

(2) 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 Board may prescribe. 98/

(3) The Board, at its discretion and under its direction, may grant a sum or sums not exceeding \$300 per year, for the purpose of defraying the necessary expenses for any blind person, who is and for 5 years 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 a university, college or conservatory of music approved by the Board. This sum includes the expense of a reader while the patient is in attendance at the institution, but there may not be more than 10 such patients receiving aid from the State. 99/

97. Mason's Minn. Stat. (1927), Sec. 4610.

Any resident of the State graduated from the School for Blind, upon compliance with all other requirements, may be entitled to pursue any course of study in State University, without expense for tuition; and the Board of Regents must receive him into any department thereof. Ibid, Sec. 4612.

98. Mason's Minn. Stat. (1927), Sec. 4611.

The patient must be provided by the person legally liable for his support with sufficient funds to furnish him with proper clothing and transportation. If such person is a pauper, or if the person legally liable for his support is unable to make these provisions for him, of which facts the certificate of the probate judge is prima facie evidence, the county in which he has a residence must annually pay the Superintendent of the School of which he is an inmate a sum not exceeding \$50 to be fixed by the Board. If the person legally liable for the support of the pupil defaults in the payment of the sum, the unpaid balance must be referred to the auditor of the county of which the pupil is a resident and the county must either collect or assume such bill. Ibid.

99. Mason's Minn. Stat. (1927), Sec. 4613.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(4) Every parent, guardian or other person having control of any normal child between 8 and 20 years of age, too deaf (or unable to make articulate sounds) to be materially benefitted by the methods of instruction in vogue in the public schools, must be required to send the child or youth to the School for the Deaf during the scholastic year of that school. The child or youth must attend such school, year after year, until discharged by the Superintendent upon the approval of the State Board of Control. 100/

(5) The Board may excuse attendance when satisfied:

(a) That the child is in such bodily or mental condition as to prevent his attendance at school or application to study for the period required. 100/

(b) That he is afflicted with some contagious or offensive disease or possesses such habits as to render his presence a menace to health or morals of other pupils, or for any reason deemed good and sufficient by the Superintendent with the approval of the State Board. 100/

(c) 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 as far as possible. 100/

(6) As far as the same are applicable, all the provisions must be construed to include children who are too blind or defective of sight to be materially benefitted by the methods of instruction in vogue in public schools, for the purpose of securing their attendance at the State School for the Blind. 100/

(7) The Board must give special attention to such cases of 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 must seek to secure such attendance by all practical means. 100/

100. Mason's Minn. Stat. (1934 Supp.), Sec. 4615.

Any parent, guardian or other person failing to comply with the foregoing section, must, upon conviction thereof before a justice of peace or other court, be deemed guilty of a misdemeanor and must be fined. It is the duty of the county attorney to at once prosecute any case of parents or others unlawfully responsible, directly or indirectly, for the failure to place a child or youth in a school for the deaf, when such case has been reported to him. Ibid.

I. General Powers and Duties (Cont'd)(b) Board of Control: (Cont'd)

(8) The Board must collect statistics of the blind, including their present physical and mental condition, causes of blindness, capacity for education and industrial training, and any further training looking toward the improvement of their conditions. 101/

(9) It is the duty of the Board to cooperate with State and local agencies and boards, both public and private, in preventing loss of sight, in alleviating the condition of blind 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. 101/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The chief executive officer of each of these institutions appoints all assistants and other employees required in the management thereof, the number being first determined by the Board, and may discharge any of them. The Board fixes their compensation and salaries. 102/

VI. Financial Provisions

The Board is authorized to defray the necessary expenses for blind benefits from the appropriations for the current expenses of the Board, but in counties of over 150,000 inhabitants and having an assessed valuation of over \$200,000,000, the county board is authorized to defray these expenses. 103/

101. Mason's Minn. Stat. (1927), Sec. 4616.

102. Ibid, Sec. 4406.

103. Ibid, Sec. 4617.

VI. Financial Provisions (Cont'd)

The Schools are maintained by appropriations from the State. 104/

Amount of Appropriation:

The sum of \$134,400 is appropriated for the School for Blind for the period July 1, 1935 to June 30, 1937.

The sum of \$282,150 is appropriated for the School for Deaf for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:School for Blind

Current Expense.	.\$111,600
Repairs and Replacements	6,800
Fire Escape.	1,500
Summer School.	6,000
Higher Education	4,000
Remodeling Hospital.	2,500
Refrigeration Plant.	<u>2,000</u>

Total . . \$134,400

School for Deaf

Current Expense.	.\$261,800
Repairs and Replacements	15,000
Gallaudet Students	500
Permanent Wall Tate Hall	1,000
Water Softener	1,700
Temperature Regulation	<u>2,150</u>

Total . . \$282,150 104/

SUPERINTENDENT OF STATE PUBLIC SCHOOL(Statutory Body) 105/I. General Powers and Duties(a) Superintendent:

(1) The Superintendent or the Board must notify the juvenile court of any county of the number of children that can be received from that county, whenever vacancies exist, or upon inquiry of the court. The children of soldiers must be given preference in admission. No child who may be received in the School may be maintained in any poorhouse. Before any child under one year of age may be ordered sent to any school, a written statement from the Superintendent must be obtained showing that the child can be received and cared for in the School. 106/

(b) Board:

(1) The Board is the guardian of any child admitted to the School for Dependent Children 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 the School. Upon such return or discharge, the guardianship of the Board ceases and the child must be in custody of parent or guardian or county, as the case may be. 107/

105. Mason's Minn. Stat. (1927), Sec. 4618.

The purpose of the State Public School is to furnish a temporary home for dependent and neglected children, and to provide them proper permanent homes, proper care and instruction while in the home in the branches usually taught in the common schools, and with moral, physical and industrial training. Ibid.

106. Mason's Minn. Stat. (1927), Sec. 4619.

Children under 15 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, must be received into the school upon commitment by a juvenile court. Whenever the number of such children exceeds the capacity of the school, preference must be given to the younger children and to those in greatest need, and the children received must be divided among the several counties as justly as possible, taking into consideration the number of such children in each county and its population. Ibid.

Whenever a child is found to be neglected, the court may make an order committing the child to the care of the State Board of Control or of the State Public School, or to the care of some reputable citizen of good moral character or to some association willing to receive it. A dependent child must not be taken from his parents without their consent, unless after diligent effort has been made to avoid the separation it has been found needful, to prevent serious detriment to the welfare of the child. Before making an order of final commitment to the State Board of Control of the Public Schools, the court must give the State Board at least 10 days' notice of the time and place where such order may be made and must consider such evidence, report or recommendation as the Board may make concerning the case. Laws (1935), Ch. 82, Sec. 8646.

107. Mason's Minn. Stat. (1927), Sec. 4620.

I. General Powers and Duties (Cont'd)(b) Board: (Cont'd)

(2) The Board as far as practicable must 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 child in the same manner as his parents would have done; or it may place him in a proper home, during his minority or for a shorter period, under 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 the 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 for in the contract. 108/

(3) The Board by resolution may discharge any child not indentured, when he has become self-supporting, or his parents have become able to provide for him and are otherwise suitable, whereupon the guardianship of the Board ceases and he must be entitled to his earnings, with power to contract for his services or returned to parents. 109/

(4) The Board must cause to be kept at the Public School a record of all children received and information pertinent to their detention in the School and a brief history of each child during its minority. 110/

(5) The Board is authorized to receive, keep, maintain, train, and find homes for such children as the controlling board or other managing authorities of any institution or association which is permitted to receive, find homes for or secure adoption for children under the supervision of the Board, may request. 111/

(c) Agents:

(1) The agents of the school must visit the wards of the Board at its discretion, and report to it their condition and any violation of contracts, and must perform other duties as the Board may direct. They or the Superintendent must provide homes for the wards, investigate applications for apprentices, and on behalf of the Board, execute contracts of apprenticeship. 112/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

108. Mason's Minn. Stat. (1927), Sec. 4621.

109. Ibid, Sec. 4622.

110. Ibid, Sec. 4624.

111. Ibid, Sec. 4625.

112. Ibid, Sec. 4623.

V. Staff

The chief executive officer of the Public School for Dependent Children appoints all assistants and other employees required in the management thereof, the number being first determined by the Board, and may discharge any of them. The Board fixes the compensation of all assistants and employees. 113/

Suitable persons are appointed to act as agents of the School, and receive in addition to salaries fixed by the Board, their necessary traveling expenses. 114/

VI. Financial Provisions

Funds for the use of this school are appropriated from the State general fund. 115/

Amount of Appropriation:

The sum of \$414,175 is appropriated for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current Expense	\$360,800
Repairs and Replacements.	16,875
Power Plant Additions	20,000
Laundry Additions	12,000
Farm Equipment.	500
House and Land.	<u>4,000</u>

Total . . . \$414,175 115/

113. Mason's Minn. Stat. (1927), Sec. 4406.

114. Ibid, Sec. 4623.

115. Laws (1935), Ch. 159, Sec. 12.

SUPERINTENDENT OF
GILLETTE STATE HOSPITAL FOR CRIPPLED CHILDREN
(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

Powers and duties of the Superintendent are not specified by statute.

(b) Board of Control:

(1) The Board is authorized and empowered to make provision for the care and treatment in this Hospital of indigent children who may have resided within the State for not less than one year, who are crippled and deformed, or are suffering from disease through which they are likely to become crippled or deformed. 116/

(2) The Board is authorized to make the necessary contracts for the maintenance and care of the children in this Hospital. 116/

(3) The Board may adopt rules and regulations as it may deem proper and necessary for the admission, discharge, care, treatment, and education of the crippled children in this Institution. 117/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties", under "Board of Control", page 2123.

V. Staff

The chief executive appoints all assistants and other employees required in the management of the Hospital, the number being first determined by the Board, and may discharge any of them. The Board also fixes the compensation of the assistants and employees. 118/

116. Mason's Minn. Stat. (1927), Sec. 4548.

117. Ibid, Sec. 4549.

118. Ibid, Sec. 4406.

VI. Financial Provisions

The Hospital is supported by appropriations from the State general fund. 119/

Amount of Appropriation:

The sum of \$425,875 is appropriated for the period July 1, 1935 to June 30, 1937. 119/

Limitation of Funds:

Current Expense	\$378,000
Repairs and Replacements.	13,875
Special Appliances.	20,000
Instruction and Amusement	4,000
Brace Shop Replacements	2,000
Completion of East Wing	<u>8,000</u>

Total . . . \$425,875 119/

119. Laws (1935), Ch. 159.

SUPERINTENDENT OF STATE SANATORIUM FOR CONSUMPTIVES

(Statutory Body)

I. General Powers and Duties(a) Superintendent:

(1) The Superintendent must pass upon the admission and discharge of all patients and supervise their treatment, and keep such books and records as the Board may require. 120/

(2) When a vacancy exists, the Superintendent must give to the person whose name is first upon the list an order for examination directed to any examining physician. 121/

(b) Board of Control:

(1) The Board must fix the amount to be charged for maintenance and treatment in the State Sanatorium for Consumptives. A person unable to pay the charges and without persons legally liable therefor and able to pay may be admitted on request of his county board, and charges paid by the county. 121/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

120. Mason's Minn. Stat. (1927), Sec. 4544.

121. Ibid, Sec. 4545.

Only persons who have resided in the State throughout the year preceding application and who are afflicted with incipient pulmonary tuberculosis may be received into the Sanatorium. Persons desiring admission must apply to the Superintendent, and all applications must be numbered in the order of receipt. The examiner must report whether the applicant is afflicted and report his conclusion to the Superintendent. Ibid.

In counties having a population of over 200,000 and maintaining a county tuberculosis sanatorium, the county sanatorium commission has the same powers with reference to tubercular persons as the county boards, and charges for their care are assumed by the county commission out of its funds. Ibid.

Whenever it is found, after investigation, that a person is afflicted with tuberculosis and is in need of treatment and that such person is in necessitous or indigent circumstances, and is unable to secure admission into any county sanatorium for the reason he has not fulfilled the residence requirement, then such person may apply to State Sanatorium for admission although a non-resident. Ibid, Sec. 4545 (1).

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The Superintendent appoints all employees and fixes their terms of office and their compensation for such services. 122/

VI. Financial ProvisionsAmount of Appropriation:

The sum of \$82,400 is appropriated from the general fund of the State for the period July 1, 1935 to June 30, 1937. 123/

Limitation of Funds:

Current Expense	\$57,600
Repairs and Replacements	2,800
Repairs	4,500
Root Cellar	1,500
Storage for X-Ray Plates	1,000
Boiler and Stoker	<u>15,000</u>

Total. . . . \$82,400 123/

SUPERINTENDENT OF HOME SCHOOL FOR GIRLS

(Statutory Body)

I. General Powers and Duties(a) Superintendent:

Powers and duties of Superintendent not specified by statute.

(b) Board:

(1) It is the duty of the Board to have school buildings constructed upon what is known to the public as the "cottage plan", in order that the inmates may be properly classified and grouped, and their occupation and their training diversified. 124/

122. Mason's Minn. Stat. (1927), Sec. 4544.

123. Laws (1935), Ch. 159.

124. Mason's Minn. Stat. (1927), Sec. 4482.

I. General Powers and Duties (Cont'd)(b) Board: (Cont'd)

(2) The Board is vested with power and authority to make and establish rules and regulations for the government and management of the school, and for the education, employment and training, discipline and safe-keeping of the inmates as it deems expedient and proper. 125/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

IV. Executive

See "General Powers and Duties" under "Board of Control", page 2123.

V. Staff

The Board appoints all other officers and employees as the Board may deem necessary and proper for the due administration of the affairs of the school, and may prescribe their duties and fix their compensation, provided that all officers must be women. 125/

VI. Financial ProvisionsAmount of Appropriation:

The sum of \$304,950 is appropriated from the general fund of the State for the Home School for Girls for the period July 1, 1935 to June 30, 1937.

Limitation of Funds:

Current Expense	\$293,200
Repairs and Replacements.	4,250
Sewage Disposal Plant	4,500
Additional Land	<u>3,000</u>

Total \$304,950 126/

125. Mason's Minn. Stat. (1927), Sec. 4483.

All laws pertaining to the commitment of boys to the State Training School must govern and regulate the commitment of girls to this School. Ibid, Sec. 4478.

All girls over the age of 8 years and under the age of 18 years, hereafter found guilty of any crime or offense for which, prior to the passage of this Act, such girl, but for the fact she was over 17 years of age could have been lawfully committed to the Home School for Girls, may hereafter be committed to this School. Ibid, Sec. 4479.

126. Laws (1935), Ch. 159.

SUPERINTENDENT OF GENERAL HOSPITAL(Statutory Body) 127/I. General Powers and Duties(a) Superintendent:

(1) Whenever in the opinion of the Superintendent of the General Hospital, any patient should be discharged therefrom as cured, or as no longer needing treatment, or for the reason that treatment can not benefit his case, the Superintendent must discharge the patient. 128/

127. The hospitals now and hereafter established in connection with the Medical School of the University of Minnesota must be known as the Minnesota General Hospital. The Student Infirmary, the University Dispensary, and the Elliot Memorial Building must be parts of the General Hospital. Mason's Minn. Stat. (1927), Sec. 4577.

The Hospital must be primarily and principally designed for the care of legal residents of Minnesota who are afflicted with a malady, deformity, or ailment of a nature which can probably be remedied by hospital service and treatment and who are unable, financially, to secure care or, in the case of a minor, whose parent, guardian, trustee, or other person, who has legal custody of his person, as the case may be, is unable financially to secure such care. The General Hospital is designated as a place of treatment for such persons. The Hospital must be utilized for such instruction and for such scientific research as will promote the welfare of patients committed to its care, and assist in the application of science to the alleviation of human suffering. Ibid, Sec. 4578.

Whenever the existence of such a case comes to the notice of the sheriff, town clerk, health officer, public health nurse, policeman, or any other physician or surgeon, he must, and any other person may, file with the judge of the probate of the county of legal residence of such person, an application of the person at the General Hospital. Ibid, Sec. 4579.

Upon filing of the application, the judge of the probate makes an investigation in such manner as he may deem advisable, and it is the duty of any public official of any county, city, town, village or ward of the residence of the person sought to be treated, to supply the judge of probate all information within his knowledge relative to the financial condition of a person sought to be treated. Ibid, Sec. 4579.

If judge of probate, after such investigation, is satisfied that the person is financially unable to provide himself such treatment or has no other person financially able and legally responsible to provide such treatment, the judge appoints a physician to examine and report the nature of the disease or malady and whether it can be benefitted by proper treatment. Ibid, Sec. 4579.

If, upon filing of the report, judge of probate is satisfied that the case is one which could be treated at the General Hospital, and he or those legally responsible for his support are unable to provide such treatment, he may make an order upon finding such facts, and communicate it to the Minnesota General Hospital, and certify his approval of the application to the hospital and to the Board of County Commissioners. Ibid, Sec. 4579.

(Footnote Forwarded)

I. General Powers and Duties (Cont'd)

(a) Superintendent: (Cont'd)

(2) The General Hospital must, upon request of proper authorities cooperate with any county hospital or sanatorium established under existing statutes or any hospital supported in whole or in part by public funds. The Superintendent must upon request, advise the county commissioners or others in control of the existing or proposed county or other hospital or sanatorium in regard to survey of the hospital needs of the county and in regard to location, buildings, equipment or other matters pertaining to hospitals. 129/

(3) The consent of the Superintendent of the General Hospital is necessary before any patient is sent to, transferred to or received by the Psychopathic Department. 130/

(4) Whenever in the judgment of the Superintendent of the General Hospital, any defective in the Psychopathic Department of the Hospital should be discharged from the Hospital, the Superintendent must inform the State Board. 131/

(b) Board of Control:

(1) The Board may make application to the Board of Regents of the University, for the admission to Hospital of any inmate of any State institution under the Board of Control, or any person committed to or applying thereto who is afflicted with any disease, malady, deformity or ailment, which can probably be remedied, or which can advantageously be treated by proper medical or surgical care. 132/

(2) The Board has authority to transfer any patient or inmate from any institution under its control to the Psychopathic Department, for observation and treatment or for medical or surgical care and treatment under the staff of the General Hospital. 130/

(3) The Board, when it is reported to it by the Superintendent of the General Hospital that in his opinion any defective in the Psychopathic Department should be discharged, he must immediately order the patient to be sent to the proper institution. 131/

(Footnote # 127 Continued)

The Hospital must treat patients on certificate of the judge of probate at rates based on actual cost. Any resident of the State, upon a proper showing to the Board of Regents that he is unable to pay ordinary physician's fees and hospital charges, may be received upon paying the same rate as charged for county patients. Students of the University may be received in the Hospital whenever there is room, and any fees received from such patient must be used for the purposes of the Hospital. Ibid, Sec. 4581.

128. Mason's Minn. Stat. (1927), Sec. 4585.

129. Ibid, Sec. 4587.

130. Ibid, Sec. 4596.

131. Ibid, Sec. 4597.

132. Ibid, Sec. 4586.

I. General Powers and Duties (Cont'd)(c) Medical Director:

(1) The Medical Director must supervise and direct the medical care and treatment of all patients in the Psychopathic Department, carry on and direct investigations into the nature, causes, and cure of abnormal mental condition, and seek to bring about systematic cooperation between this department and all State institutions under the jurisdiction of the State Board of Control, as far as these institutions may have in their custody defective persons or persons afflicted or supposed to be afflicted with any other abnormal mental condition. He must visit the institutions from time to time, upon request of the respective superintendents thereof or upon request from the Board. 133/

II. Composition and Appointment of Governing Body

See "Board of Control", page 2123.

III. Reports

See "Board of Control", page 2123.

133. Mason's Minn. Stat. (1927), Sec. 4595.

An institution to be known as the "Psychopathic Department" of the Minnesota General Hospital, is established and must be erected, equipped, maintained, and administered for the care, observation, study and treatment of defective persons and of such other persons as are afflicted or are supposed to be afflicted with any other abnormal mental condition. It may conduct an out-patient service for the diagnosis, care, and treatment of cases less pronounced in type than those thought proper for hospital residence. It may conduct clinics, investigate conditions or conduct educational work in regard to mental disease and mental hygiene in any part of the State. Persons who are addicted to the use of habit-forming drugs may be proper patients for admission to and treatment in the Psychopathic Department. Ibid, Sec. 4591.

Any defective person may be sent to, committed to, or received by the Psychopathic Department in the same manner and form and for the same causes as he would be sent to, committed to, or received by any institution under the State Board of Control. It is in the discretion of any court acting in accordance with existing statute or in the discretion of the State Board to send any person to the Psychopathic Department instead of some other institution to which the person would be sent under existing state. The Psychopathic Department is designated as a place of temporary detention to which under existing statutes any probate judge may send defective persons for temporary detention. Ibid, Sec. 4596.

IV. Executive

In addition to the chief executive officer appointed Superintendent of the General Hospital by the State Board of Control, the Board of Regents appoints a Medical Director for the Psychopathic Department. 134/

V. Staff

The Superintendent of the General Hospital appoints all assistants and other employees required in the management of it, the number being first determined by the Board, which also fixes their compensation. 135/

The Board of Regents appoints such officers and employees as may be necessary for the proper conduct of the Psychopathic Department of the General Hospital. 136/

VI. Financial Provisions

The auditor must audit the quarterly reports submitted by the Board of Regents and must draw his draft for the proper amount against each county from which expense charges are due and deliver it for collection to the treasurer. The sums must be drawn from the poor fund for the amount due. 137/

Amount of Appropriation:

The sum of \$370,000 is available to the Minnesota General Hospital from the general fund of the State for the period July 1, 1935 to June 30, 1937, for the care of indigent county patients, which is rendered by the University of Minnesota in the General Hospital. 138/

134. Mason's Minn. Stat. (1927), Sec. 4594, 4405, 4406.

135. Ibid, Sec. 4406.

136. Ibid, Sec. 4594.

137. Ibid, Sec. 4584.

138. Laws (1935), Ch. 382, Sec. 3.

STATE BOARD OF CRIMINAL CLASSIFICATION

(Statutory Body)

I. General Powers and Duties

(1) The State Board of Criminal Classification is created for the classification of all persons sentenced to be confined in the State Prison or the State Reformatory. 1/

(2) The Board must make a scientific study of each prisoner delivered to the receiving depot, which takes into consideration his criminal record; a study of his social history; his age; mental, physical and psychiatric examination; and a recommendation for the care, training and employment of each prisoner with a view to his reformation and the protection of society. 2/

(3) Upon conclusion of the survey the Board must determine whether confinement in the State Prison or State Reformatory is more appropriate to the prisoner, and must classify and assign him accordingly. In assigning the youthful prisoners to any institution appropriated to them, the Board has full power to fix the age limit which is to be observed in such assignments, and to change such age limits from time to time as experience may dictate. 3/

1. Laws (1935), Ch. 207, Sec. 1.

2. The sheriff or other officer having a prisoner in charge under a commission must deliver him to the officer in charge of the State reformatory at St. Cloud, which institution is designated as a receiving depot, and the prisoner must be held to await the determination of the Board as to the place of his imprisonment, whether in the State prison or State reformatory and while awaiting the determination of the Board the prisoner is deemed to be serving his sentence at the reformatory and must conform to the rules and regulations of that institution. Laws (1935), Ch. 207, Sec. 3.

Any prisoners delivered to the receiving depot must be held there in safe custody until classified under the direction of the Board with a view to determining the appropriate institution in which he is to be confined.

All male persons, other than life prisoners who are confined at the State Prison, and where the offense is punishable by imprisonment in the State prison or the State reformatory, are sentenced by the court generally to the State penal institutions and commitment must be issued accordingly. Laws (1935), Ch. 207, Sec. 2.

3. Laws (1935), Ch. 207, Sec. 4.

I. General Powers and Duties (Cont'd)

(4) The classification and assignment of prisoners by the Board must be completed, and the prisoner assigned to one of the 2 Institutions within 6 weeks from the date of commitment. 4/

(5) The Board must make, or cause an inquiry and examination to be made, at suitable intervals, to ascertain whether prisoners originally classified and assigned to one Institution should remain as inmates thereof, or be transferred to another Institution. The Board has the power to reassign and transfer prisoners from one of these penal institutions to the other. 5/

(6) The Board may require the State physician at the Reformatory to make and report to it, a physical and mental examination of all prisoners delivered at the institution under the requirements of this Act. 6/

II. Composition and Appointment of Governing Body

The State Board of Criminal Classification is composed of 3 members selected as follows: The 2 members of the State Board of Control longest in continuous service, and the chairman of the State Board of Parole, who is Chairman of the Board. 7/

Each of the members of the Board is paid necessary expenses incurred in performance of official duties. 8/

III. Reports

No provision.

IV. Executive

No provision.

V. Staff

No provision.

VI. Financial Provisions

The necessary expenses incurred by each member of the Board are paid out of the budget of his respective department from the general fund of the State. 8/

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4. Laws (1935), Ch. 207, Sec. 5.
 5. Ibid, Sec. 6.
 6. Ibid, Sec. 7.
 7. Ibid, Sec. 1.
 8. Ibid, Sec. 8.

BOARD OF PARDONS(Statutory Body)1/I. General Powers and Duties

(1) The Board of Pardons may grant pardons and reprieves and commute the sentence of any person convicted of any offense against the laws of the State, in the manner and under the conditions and regulations prescribed. 2/

(2) The Board may grant an absolute or a conditional pardon, but every conditional pardon must state the terms and conditions on which it was granted. A reprieve in a case where capital punishment has been imposed may be granted by any member of the Board, but for such time only as may be reasonably necessary to secure a meeting for the consideration of the application for pardon or commutation of sentence. Every pardon or commutation of sentence must be in writing, and has no effect or force unless granted by a unanimous vote of the Board. 3/

II. Composition and Appointment of Governing Body

The Board of Pardons consists of the Governor, the Chief Justice of the Supreme Court, and the Attorney-General. 4/

The Board holds regular meetings on the second Monday in January, April, July and October, and other meetings as it deems expedient, and all meetings are held in the executive chamber in the State Capitol, or at such other place as may be ordered by the Board. 5/

1. Members of the Board specified by Constitution (Minn. Const. Art. 5, Sec. 4.)

2. Mason's Minn. Stat. (1927), Sec. 10779.

Every application for a pardon or commutation of sentence must be in writing, addressed to the Board, signed by the convict or someone in his behalf, must state concisely the grounds upon which the pardon or commutation is sought and such additional facts as the law or Board demands. Ibid, Sec. 10783.

Every application must be filed with the clerk of the Board, but if application has been heard and denied on its merits, no subsequent application may be filed without the consent of two members of the Board endorsed thereon. The clerk acknowledges receipt of same and mails notice of time of hearing to the judge committing such prisoner and the prosecuting attorney who prosecuted the case. Ibid, Sec. 10784.

Pardons or commutations may be made of sentences of prisoners in county jails or workhouses without notice to judge or attorney. Ibid, Sec. 10784.

3. Mason's Minn. Stat. (1927), Sec. 10780.

4. Ibid, Sec. 10779.

5. Ibid, Sec. 10782.

III. Reports

No provision.

IV. Executive

No provision.

V. Staff

No provision.

VI. Financial Provisions

Funds are appropriated from the general fund of the State for expenses and maintenance of the Board of Pardons. 6/

Amount of Appropriation:

The sum of \$1,400 is appropriated for the maintenance of the Board of Pardons for the period from July 1, 1935 to June 30, 1937. 7/

6. Mason's Minn. Stat. (1927), Sec. 10786.

7. Laws (1935), Ch. 391, Sec. 12.

STATE BOARD OF PAROLE

(Statutory Body)

I. General Powers and Duties

(a) Board:

(1) The State Board of Parole must have a seal, keep a record of all its acts relating to each of the separate penal institutions and persons confined therein, removed and committed thereto or paroled or discharged therefrom. The Board must also keep a complete record of all persons placed on probation to the Board and duly enter discharges and revocations of orders staying sentences of such persons upon its records. 1/

(2) The Board may parole any person sentenced to confinement in the State Prison or State Reformatory, provided that no convict serving a life sentence for murder may be paroled until he has served 35 years, less the diminution which would have been allowed for good conduct had his sentence been for 35 years, and then only by unanimous consent in writing of the members of the Board of Pardons. Upon being paroled and released, such convicts remain in the legal custody and control of the Board of Parole, subject at any time to be returned to the State Prison or the State Reformatory for Men or State Reformatory for Women and the parole rescinded by the Board, when the legal custody of the convict reverts to the warden or superintendent of the institution. 2/

(3) The written order of the Board, certified by the chairman, is sufficient to any peace officer or State parole and probation agent to retake and place in actual custody any person on parole or probation to the Board, but such officers may without warrant or order, take and detain a parolee or probationer when it appears necessary to prevent his escape. Paroled persons and those on probation to the State Board of Parole, may be placed within or without the boundaries of the State at the discretion of the Board and limits fixed may be enlarged or reduced according to their conduct. 2/

(4) The Board, in considering applications for parole or final release is not required to hear oral argument from any attorney or other person not connected with the prison or reformatory in favor of or against the parole or release of any prisoners, but may institute inquiries by any method it desires, to ascertain the information desired. 2/

1. Laws (1935), Ch. 110, Sec. 10768.

2. Mason's Minn. Stat. (1934 Supp.), Sec. 10770.

I. General Powers and Duties (Cont'd)

(a) Board: (Cont'd)

(5) The Board is authorized to grant to any prisoner in the State Prison, State Reformatory or State Reformatory for Women, a temporary parole under guard, not exceeding 3 days, to any point within the State, upon payment of the expenses of such prisoner and guard. 3/

(6) Whenever it appears by the properly verified petition of any woman who has been sentenced to imprisonment in a penal institution and is in prison thereunder, that she is about to give birth to a child, the Board if satisfied of the truth, orders the transfer of such woman to a public hospital, there to be detained under such guard and under such rules and regulations as the Board may make. 4/

(7) The Board prescribes a uniform system of marks, and each prisoner must be credited for good prison demeanor, diligence in labor and study and results accomplished and be charged for offences, negligence and derelictions. Whenever the Board grants an absolute release it must certify the facts and grounds therefor to the Governor, who may in his discretion restore the prisoner released to citizenship. 5/

(8) It is the duty of the Board to keep in communication, as far as possible, with all prisoners who are on parole and also with their employers, and when any person on parole has kept the conditions thereof in such manner and for such period of time as satisfies the Board that he is reliable and trustworthy, and that he will remain at liberty without violating the law, and his final release is not incompatible with the welfare of society, the Board may at its discretion grant the prisoner a final discharge from confinement, and forward the record and findings of the Board to the Governor, who may at his discretion and when permitted by law, restore the prisoner all or part of his rights and privileges of citizenship. Nothing in this Act may be construed as impairing the power of the Board of Pardons to grant a pardon or commutation in any case. 6/

(9) The Board has the power from time to time to make, alter, amend and publish rules governing the granting of paroles and final discharges and the procedure relating thereto, and as to the conditions of parole, and such other matters touching the exercise of the powers and duties conferred upon the Board. 7/

3. Mason's Minn. Stat. (1934 Supp.), Sec. 10770-1.

4. Ibid, Sec. 10771.

5. Ibid, Sec. 10772.

6. Mason's Minn. Stat. (1927), Sec. 10773.

7. Ibid, Sec. 10777.

I. General Powers and Duties (Cont'd)(b) Agents:

The agents appointed by the Board must perform such duties as the Board may prescribe in behalf of or in the supervision of prisoners paroled or discharged from any State penal institution, including assistance in obtaining employment and return of paroled prisoners. 8/

II. Composition and Appointment of Governing Body

The State Board is composed of a chairman, and 2 other members, who are appointed by the Governor, with the advice and consent of the Senate, who serve 6-year rotating terms. Not more than 2 may belong to the same political party, and the Board designates one of its number to act as secretary to keep a record of its proceedings. 9/

The salary of the chairman of the Board is \$4,500. Each of the other members receive as compensation the sum of \$15 per day for each day actually spent in the discharge of his official duties, including the duties of secretary. In addition to such compensation, each of the members of the Board is reimbursed for all expenses paid or incurred in the discharge of official duties. 10/

III. Reports

The Board reports biennially to the Governor regarding all activities of the Board. 11/

IV. Executive

See chairman under "Composition and Appointment of Governing Body".

V. Staff

The Board as far as possible exercises supervision over paroled and discharged convicts and when deemed necessary for that purpose, may appoint State agents, fix their salaries and allow them traveling expenses. It may also appoint suitable persons in any part of the State for the same purpose. It may appoint agents to investigate the circumstances and conditions of the dependants of prisoners of the State penal institutions, who serve at the pleasure of the Board and are paid reasonable compensation for the services actually performed by them. 12/

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8. Mason's Minn. Stat. (1927), Sec. 10775.
 9. Mason's Minn. Stat. (1934 Supp.), Sec. 10766.
 10. Ibid, Sec. 10769.
 11. Laws (1935), Sec. 10768.
 12. Mason's Minn. Stat. (1934 Supp.), Sec. 10775.

VI. Financial Provisions

Compensation and expenses of the members of the Board are paid out of the general fund of the State. All other expenses of the Board must be audited and allowed by the State Board of Control and paid out of the funds appropriated for the maintenance of the penal institutions of the State. 13/

Amount of Appropriation:

The sum of \$36,200 is appropriated for the period July 1, 1935 to June 30, 1937 from the general fund.

Limitation of Funds:

Parole.	\$16,200
Probation	<u>20,000</u>
	\$36,200 <u>14/</u>

13. Mason's Minn. Stat. (1934 Supp.), Sec. 10769.

14. Laws (1935), Ch. 391, Sec. 14.

SOLDIERS' HOME BOARD

(Statutory Body)

I. General Powers and Duties

(1) The Soldiers' Home must be maintained at Minneapolis, under the management of the Board of Trustees. 1/ The Board must adopt and enforce such rules for the government of the Home, and proper by-laws for its business and with the approval of the Governor, make rules for the admission, maintenance and discharge of inmates, and the disbursement of funds under its control. 2/

(2) A relief fund must be established, to be expended, under the direction of the Board, for the relief outside of the Home of persons entitled to be admitted; the deserted wives of such persons if worthy; the widows and dependent parents of such as have died; and the deserted or orphaned children of wives or widows, under the age of 16 years. The granting of such relief, and the extent and character thereof, must in all cases be in the discretion of the Board, and subject to such terms as it may prescribe. 3/

1. Mason's Minn. Stat. (1934 Supp.), Sec. 4344.

2. Ibid, Sec. 4350.

The Soldiers' Home is maintained as a home for honorably discharged soldiers, sailors, and marines of the United States who served in the Mexican War, War of Rebellion, the Spanish-American War, or the Phillipine Insurrection, or the Boxer Rebellion, or members of the Minnesota National Guard mustered into Federal service for service on the Mexican border or in the World War, and for persons who actually served in a campaign against the Indians in 1862. No person may be admitted to the Home who has not been a resident of the State for 3 years preceding date of application, unless he served in a Minnesota regiment or was credited to the State. No person may be admitted unless he is without adequate means of support, and is unable, by reason of wounds, disease, old age or infirmity to properly maintain himself. Ibid, Sec. 4344.

The Board is authorized to admit wives with husbands, or widows or mothers of those, who are, or, if living would be eligible for admission. No wife or widow of a veteran of the Rebellion or Indian war may be admitted unless married to her soldier husband prior to 1905, and no wife or widow of any other named veteran may be allowed admission unless she was married to her soldier husband prior to 1922, and then only in the event that by reason of physical disabilities, infirmities or old age she is unable to support herself and has not other adequate means of support, and that she has been a resident of the State 5 years preceding the application and is over the age of 55 years. Ibid, Sec. 4345.

All inmates are required as a condition precedent to admission to make a will of all their personalty. All such personalty is handled under regular probate procedure, but the remaining if not included in the will accrues to the credit of the Soldiers' Home Fund. Mason's Minn. Stat. (1927), Sec. 4366.

3. Mason's Minn. Stat. (1927), Sec. 4355.

I. General Powers and Duties (Cont'd)

(3) The Board may not make any rule or regulation requiring as a condition to admission, that any veteran give up his pension from the Federal Government for his care and maintenance, nor on account of his pension may he be denied the privileges of the Home if otherwise eligible. 4/

(4) If any applicant or any inmate of the Home has dependent children or a wife or both and is the recipient of a pension from the United States Government in excess of \$4 per month, the Board must require that he give one-half to his dependents, and also the Board is authorized to grant such dependents a monthly allowance from the relief fund. 5/

II. Composition and Appointment of Governing Body

The Soldiers' Home is under the management of 7 trustees, known as the Soldiers' Home Board, one of whom is a woman. 6/ The trustees are appointed by the Governor, with the consent of the Senate for a term of 6 years. They receive as compensation for their services in attending the meetings of the Board and meeting of any committee thereof, the sum of \$10 per day for each meeting day so attended and in addition thereto actual expenses incurred in attending such meeting. Not more than 4 of the trustees may be members of the same political party, and in selection of trustees, preference must be given to honorably discharged soldiers, sailors and marines. 7/

The Board appoints a secretary and elects from its members a president, a treasurer of the home, and an executive committee of 3. The secretary must record transactions of the Board, keep records, books, and accounts showing the administration of the Soldiers' Home and relief funds, and all facts of public interest relating to the Home. He receives such salary as the Board designates. The State Treasurer is ex officio treasurer of the Board. 8/

The Board must meet at least twice a year and the executive committee must hold regular monthly meetings at the home. 9/

4. Mason's Minn. Stat. (1927), Sec. 4360.

Any person possessing the necessary qualifications but financially able to pay for care may be allowed admission to the Home upon entering into and complying with terms of contract made by him with the Board, providing that he pay reasonable compensation for his support and maintenance in the Home. Ibid, Sec. 4346.

5. Mason's Minn. Stat. (1927), Sec. 4364.

6. Mason's Minn. Stat. (1934 Supp.), Sec. 4344.

7. Mason's Minn. Stat. (1927), Sec. 4349.

8. Mason's Minn. Stat. (1934 Supp.), Sec. 4350.

9. Ibid, Sec. 4351.

III. Reports

At each biennial meeting the Board must report to the Governor all its proceedings during the preceding 2 years, which report, with information and recommendations concerning its work as the Board may deem proper, must be submitted to the Legislature in print at its next regular session. 10/

IV. Executive

The Board appoints a commandant for such term as it may deem proper, who under its direction, has immediate charge of the home. The pay of the commandant must be prescribed by the Board. 11/

V. Staff

The commandant of the Soldiers' Home nominates for approval by the Board all necessary subordinate officials and employees, and may suspend any of them for inefficiency or misconduct. The pay of such subordinate officials and employees must be fixed by the Board. 11/

The Board may designate one person in each county, or part of a county, to whom applications for relief must be made, and through whom the applicant may communicate with the Board concerning the same, and each auditor when necessary, must assist in obtaining and applying such relief within his county. No compensation may be paid to any person for his services as such agent. 12/

VI. Financial Provisions

The Soldiers' Home Fund is maintained by annual appropriations. 13/

The Soldiers' Relief Fund is maintained by an annual State property tax of one mill on each \$1.00 of the assessed valuation. 14/

Amount of Appropriation:

The sum of \$454,500 is appropriated for the period of July 1, 1935 to June 30, 1937.

Limitation of Funds:

For maintenance and repairs	\$ 420,000
For repairing old Hospital and Women's Bldg. .	4,500
Power Plant	30,000
	<u>\$ 454,500</u> <u>15/</u>

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10. Mason's Minn. Stat. (1934 Supp.), Sec. 4359.
 11. Ibid, Sec. 4352.
 12. Ibid, Sec. 4356.
 13. Mason's Minn. Stat. (1927), Sec. 4353.
 14. Ibid, Sec. 4354.
 15. Laws of Minnesota (1935), Ch. 320.

JUVENILE COURT

(Statutory Body) 1/

I. General Powers and Duties

(1) Upon the filing of the petition a summons must be issued by the judge requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons. 2/

1. District court and judges thereof created by Constitution, but powers and duties as juvenile court established by statute. Minn. Const. (1927), Art. 6, Sec. 4.

The term "dependent child" means a child who is illegitimate; or whose parents, for good cause, desire to be relieved of his care and custody; or who is without a parent or lawful guardian able to adequately provide for his support, training and education, and is unable to maintain himself by lawful employment. The term "neglected child" means a child who is abandoned by both parents; or who is found living with vicious, or disreputable persons, or whose home, by reason of improvidence, neglect, cruelty, or depravity on the part of the parents, guardian or other person in whose care he may be, is an unfit place for such child; or whose parent or guardian neglects and refuses when able to provide proper medical or surgical treatment; when such child is so defective of mind as to require the custodial care and training of the State school for feeble-minded, neglect and refuse to make application for his admission to said institution; or who being under the age of 12 years, is found begging, peddling, or selling any articles, or singing or playing any musical instrument upon street, or giving other public exhibition. The term "delinquent child" means a child who violates the law of this State or any city or village ordinance; or who is habitually truant or incorrigible, or who knowingly associates with vicious or immoral people. Mason's Minn. Stat. (1927), Sec. 8636.

Any reputable person resident in the county having knowledge of a child in the county who appears to be either dependent, neglected or delinquent, and any agent of the State Board of Control or the State Department of Labor and Industries may file with the judge or clerk of the court having jurisdiction in the matter a petition in writing, setting forth the facts and verified by affidavit. Ibid, Sec. 8642.

2. Mason's Minn. Stat. (1927), Sec. 8643.

I. General Powers and Duties (Cont'd)

(2) When any child is found to be dependent or neglected, the court may make an order committing the child to the care of the State Board of Control, or to the State Public School or some suitable State institution, or to the care of some reputable citizen of good moral character, or to the care of some association willing to receive it, which association must have been accredited as provided by law. In appropriate cases the child may be left with the parents subject to such remedial supervision as the court may direct. The court may, when the health or condition of the child requires it, cause the child to be placed in a public hospital or institution for treatment or special care. No dependent child can be taken from his parents without their consent, unless, after diligent effort has been made to avoid such separation, the same is found needful in order to prevent serious detriment to the welfare of such child. 3/

(3) In the case of a delinquent child the court may continue the hearing from time to time and may place the child in the care or custody of a probation officer, and may allow the child to remain in its own home, subject to the visitation of the probation officer. The child must report to the probation officer as often as may be required, and is subject to return to the court whenever deemed necessary. The court may cause the child to be placed in a suitable family home, subject to the friendly supervision of the probation officer and further order of court. A child found delinquent may be committed by the court to the State Training School or the Home School for Girls, or to any institution established by law that may care for delinquent children, or to any place provided by the town or county suitable for the care of such children. 4/

(4) The court in committing any child, or appointing a guardian for him, must place him so far as it deems practicable, in the care and custody of some individual holding the same religious belief as the parents of child or with some association which is controlled by persons of the same religious faith as the parents of the child. 5/

3. Laws (1935), Ch. 82, Sec. 8646.

In any case where the court awards a dependent or neglected child to the care of the State Board of Control or any association or individual, the child, unless otherwise ordered, becomes a ward, and is subject to the guardianship of the Board, association, or individual to whose care he is committed. Such Board, association, or individual has the authority to place such child in a family home, with or without indenture, and may be made a party to any proceeding for the legal adoption of the child. Mason's Minn. Stat. (1927), Sec. 8647.

4. Mason's Minn. Stat. (1927), Sec. 8648.

In no case may a child be held under any such commitment beyond the age of 21 years. A child committed to such an institution or association is subject to the control of the institution to which he is committed and under the guardianship of the State Board of Control. Ibid, Sec. 8648.

5. Mason's Minn. Stat. (1927), Sec. 8655.

I. General Powers and Duties (Cont'd)

(5) Whenever any child under the age of 18 years who is regularly attending school, if physically able and above the minimum school age, or who is under compulsory school age, or who is physically unable to attend school, or who is over compulsory school age, but through physical or mental disability is unable to be employed, or who is over compulsory age and unemployed, but is of such intelligence and mental capacity as to make further schooling inadvisable in the opinion of the court and his unemployment is without fault on his part, is found by a juvenile court to be dependent, the court must when requested to do so, make findings to ascertain the eligibility of the mother or other persons for receipt of money payments to enable them to properly bring up the child in their own home; this sum must not exceed \$20 per month for one child and \$15 per month for each additional child. 6/

(6) Before making an order or allowance under this Act, it is the duty of the court through the judge in person or through the county welfare board and its agents or a probation officer, to make an inquiry as to all points necessary to establish the right to such allowance; and particularly to inquire whether the surroundings of the household, including its other members, are such as to make for the good character of children growing up therein; to ascertain the financial resources of the family, and if need be to urge upon any members their proper contribution. 7/

(7) Every family to which an allowance has been made must be visited at its home by a representative of the court at least once in every 3 months; and the court must, at least once every year, reconsider every case in which an allowance has been made, and to take such action as the facts then existing warrant. 7/

(8) The juvenile court of any county may place in any county home school, for a period of not more than one year under any order, and not to extend beyond majority, any boy coming before any such court, and any boy who is placed in such school may be released therefrom by order of the court at any time. 8/

(9) In counties where no child welfare board exists, the judge of the juvenile court may appoint a local agent to cooperate with the State Board of Control, in furtherance of the purposes of this Act, who receives from the county such salary as may be fixed by the judge with the approval of the county board. 9/

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- 6. Laws (1935), Ch. 57, Sec. 8671.
 - 7. Ibid, Sec. 8675.
 - 8. Mason's Minn. Stat. (1927), Sec. 10704.
 - 9. Ibid, Sec. 4458.

I. General Powers and Duties (Cont'd)

(10) In any county of more than 150,000 population, the court may establish a department of the juvenile probation system of such county for the physical and mental diagnosis of children who are believed to be physically or mentally diseased or defective, and may appoint as special probation officers a competent nurse, and a duly qualified physician, whose salary is fixed by the judge with the approval of the county board. 10/

II. Composition and Appointment of Governing Body

In counties having more than 40,000 population, except the Fourth Judicial District and Seventh Judicial Districts, the judges of the district court must designate one of their members, whose duty it is to hear all cases arising under this Act. In counties of not more than 40,000 population, and in all counties in the Seventh Judicial District, the judge of the probate court must act as judge of the juvenile court. In the Fourth Judicial District all cases arising under the Act must be heard by a judge of the district court, who bears the title "District Court Judge, Juvenile Court Division". 11/

III. Reports

Every probation officer must report in writing to the court as often as may be required, and must furnish a copy of such report to the State Board of Control. 12/

IV. Executive

Judge of Juvenile Court. 11/

V. Staff

The clerk of the district court must assign a deputy, subject to the approval of the judge of the juvenile court, who has special charge of the duties performed by the clerk, in connection with the juvenile court, and who receives a salary of \$1,800 per annum in counties having not less than 150,000 population. 13/

In counties having a population of not less than 220,000 and not more than 330,000 inhabitants, a bailiff of the juvenile court may be appointed by the judge of the court. He serves for 4 years, unless removed by the judge and must be in attendance at all sessions of the court. His salary is \$1,800 per annum, which ~~sum~~ includes all expenses incurred by him. He has all the authority of a deputy sheriff. 14/

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10. Mason's Minn. Stat. (1927), Sec. 8645.
 11. Mason's Minn. Stat. (1934 Supp.), Sec. 8638, 8641.
 12. Mason's Minn. Stat. (1927), Sec. 10915, 11.
 13. Ibid, Sec. 8639.
 14. Mason's Minn. Stat. (1934 Supp.), Sec. 8640.

V. Staff (Cont'd)

The court has the authority to appoint one or more persons of good character to serve as probation officers during the pleasure of the court. Such probation officers serve without compensation from the county, provided that in counties of more than 40,000 population, except those of the 7th Judicial District, a majority of the judges of the district court may direct the payment of such salary to probation officers as may be approved by the county board; they serve for 4 years unless sooner removed by the judge for good cause. 15/

The chief probation officer receives \$3200 per annum, the assistant probation officer receives \$2000 and after 5 years' service \$2200. All other deputy probation officers who have served as such for more than 3 years receive \$1800 per year, those who have served for 2 years receive \$1600 and those who have served for more than one year receive \$1300 per year, and all others receive \$1200 per year. 16/

VI. Financial Provisions

All salaries required to be paid under the provisions of this Act must be paid by the county in equal monthly installments, and all authorized fees and expense money must be paid by the county upon proper certification by the judge. 17/

15. Mason's Minn. Stat. (1934 Supp.), Sec. 8644, Mason's Minn. Stat. (1927), Sec. 10909.

16. Mason's Minn. Stat. (1934 Supp.), Sec. 10912-15.

17. Mason's Minn. Stat. (1927), Sec. 8665.

BOARD OF COUNTY COMMISSIONERS

(Statutory Body)

I. General Powers and Duties

(Only powers and duties relating to welfare are included.)

(1) If a majority of the voters of any county voting upon the proposition at any election at which the question of erecting a hospital has been submitted, vote in favor of such proposition, the county board must proceed to erect the hospital and make such improvements as are necessary to fit it for hospital purposes; and having erected the buildings, it may operate the hospital and appoint a Superintendent for a term and at a salary fixed by it, and it may at pleasure remove him and prescribe his powers and duties and provide for the management of the hospital and if it deems it necessary it may appoint a hospital board of 3 members to operate and govern the hospital. 1/

(2) The Board of County Commissioners in any county of the State has the power to establish and maintain a public sanatorium for the treatment and care of persons afflicted with tuberculosis; and, upon the decision to establish the sanatorium, it must appoint a commission, to be known as the County Sanatorium Commission. This Commission consists of 3 members, at least one of whom must be a licensed physician, they must be chosen with reference to their special fitness for such office and their appointment must be approved by the State Board of Health. This Commission must cause the sanatorium to be erected and provide for its management and control by appointing a superintendent and prescribing rules and regulations. 2/

(3) The County Commissioners of any county wherein there is any person afflicted with a communicable disease, who is a public charge, are authorized by unanimous affirmative vote of all members of the Board and, with the approval of the State Board of Health, to purchase and erect necessary buildings and other incidentals necessary for operation of farms, and to place thereon for the purpose of operating the same, the person or persons so afflicted, together with the members of their respective families who are public charges. 3/

1. Mason's Minn. Stat. (1927), Sec. 680 and 682.

2. Ibid, Sec. 686 and 687.

Two or more counties may unite in acquiring, establishing, equipping and maintaining a sanatorium, and in each case such commission must be composed of 3 members chosen from the county in which sanatorium is to be located and 2 members chosen from each county interested. Ibid, Sec. 688.

3. Mason's Minn. Stat. (1927), Sec. 726-4.

I. General Powers and Duties (Cont'd)

(4) If a woman is delivered of an illegitimate child, or is pregnant with a child likely to be illegitimate when born, the county board of the county wherein she resides, or any member thereof, or the State Board of Control, or any person duly appointed to perform in said county any of the duties of the Board relating to the welfare of children, may apply by complaint to a justice of the peace of the county or municipal court, to inquire into the facts and circumstances of the case. 4/

(5) The County Board, either before or after judgment, may make such compromise and settlement with the putative father of an illegitimate child, as they may deem equitable and just, for expenses incurred by the county for which judgment may be or has been entered. 5/

(6) The County Board of any county of the State having a population of not more than 70,000 inhabitants, in which county there is located a hospital designated and rated as a class "A" Hospital by the American College of Surgeons, and the County Board of any county adjoining any such county in which is located such hospital, is authorized to contract with such hospital to care for, treat and hospitalize the indigent residents of such county who are afflicted with a malady, deformity, or ailment of a nature which can probably be remedied by hospital service and treatment and who are unable, financially, to secure and pay for such care and treatment. 6/

(7) In counties having the county system, the members of the County Board are supervisors of the poor; provided that in counties where the Board has employed and appointed an overseer of the poor, the County Board may, by resolution, confer full authority for granting temporary relief to the poor on the overseer of the Poor or such other person as may be appointed by them. 7/

(8) The Board may establish and maintain a poorhouse for the reception and support of poor persons chargeable on the county, also, if it deem best, a poor farm or workhouse, or both for the employment of the poor therein. If, in the opinion of the Board, the number of poor persons does not warrant the purchase or lease of a poorhouse, it may provide for their support in any way which it may deem proper. 7/

4. Mason's Minn. Stat. (1927), Sec. 3269.

5. Ibid, Sec. 3271.

6. Mason's Minn. Stat. (1934 Supp.), Sec. 3164-16.

7. Ibid, Sec. 3165

I. General Powers and Duties (Cont'd)

(9) If, upon inquiry, a member of the Board is of the opinion that only temporary and limited assistance will be required by a poor person or any member of his family, and that it will be for the best interest of the county to grant the same, instead of committing him to the poorhouse, he may allow such person or any member of a family, relief to that amount that he may deem expedient. 8/

(10) When a person dies in any county, not leaving sufficient means to defray the necessary expenses of his burial, nor any relatives therein of sufficient ability to procure his burial, the county board must cause a decent burial of his remains to be made at the expense of the county. 9/

(11) In counties having a population of over 75,000 and an area of over 5,000 square miles, there must be a board of 3 poor commissioners appointed by the chairman of the Board of County Commissioners of such county. 10/

(12) Upon the filing of an application for old age assistance, the Board of County Commissioners must make an order fixing a time and place for the hearing thereon. 11/

(13) The Board must promptly make or cause to be made such investigation as it may deem necessary, and it must **decide upon** the application, and fix the amount of the pension, if any, except that in counties having a Board of Poor Commissioners, said Board has the authority to make such investigation and fix the assistance. 12/

(14) The County Board of each county is authorized to construct and maintain at the expense of its county, a jail for the safe-keeping of prisoners, and also, adjoining and connected therewith, a residence for the use of the sheriff. 13/

(15) The Board of County Commissioners of any county of this State, which now has or may hereafter have a population of over 150,000 and less than 225,000 inhabitants, has the power to acquire land for and establish and maintain thereon, a work or correction farm for the confinement and care of any and all persons convicted of any violation of the laws of this State, or of any city or village ordinance, who could be sentenced as punishment therefor to any jail or lockup in the county. 14/

8. Mason's Minn. Stat. (1927), Sec. 3171.

9. Ibid, Sec. 3176.

10. Ibid, Sec. 3196.

11. Laws (1935), Ch. 357, Sec. 3183-8.

12. Ibid, Sec. 3183-9.

Each pensioner must file such reports with the Board of County Commissioners as said Board requires; and said Board may revoke or modify any pension certificate issued to such pensioner by the county board and suspend payments of any installment pending inquiry. Ibid, Sec. 3183-10.

13. Mason's Minn. Stat. (1927), Sec. 10847.

14. Ibid, Sec. 10889.

I. General Powers and Duties (Cont'd)

(16) The Board of County Commissioners of any county in the State, which now has or may have a population of 150,000 to 220,000 inhabitants and an area of over 5,000 square miles, has the power to establish and maintain an industrial home school for the confinement and care of any and all girls and women convicted of any violation of the laws of the State, or of any city or village ordinance, who could be sentenced as punishment therefor to any prison, jail or lockup. 15/

(17) When a minor becomes chargeable upon any county, the County Board must secure his admission to the State Public School or provide a home for him with some respectable householder, if one can be found who will take him. 16/

(18) The County Board of any county in the State now or hereafter having a population of 220,000 to 330,000 inhabitants, may appropriate and expend not to exceed \$50,000 for the purpose of aiding any society, association or corporation organized and existing for the purpose of giving medical attention to children afflicted with tuberculosis, or whom such society, association or corporation has reason to believe may become afflicted with tuberculosis, in constructing and equipping additional buildings to any sanitarium now operated by any such society, association or corporation, for the purpose of caring for and giving medical attention to such children. 17/

(19) The County Board must supervise the administration of poor relief by an Overseer of the Poor, whom it appoints to have charge and control of all poor persons supported by the county, and of the poorhouses and other places provided for their reception or employment. 18/

(20) It is lawful for the County Board of any county in the State to acquire by gift, purchase, or condemnation proceedings instituted in the name of the county, lands in their county for hospital purposes for patients other than insane, and to erect suitable buildings thereon and to improve and equip the same for hospital purposes; and to erect and construct on lands so acquired, suitable buildings and to improve, equip and maintain the same for hospital purposes. 19/

(21) Every Board of County Commissioners has the power to designate one of its members annually to attend the State Conference of Charities and Corrections, and has the power to make appropriations from the county funds to pay the reasonable expense incurred by such commissioner in attending such conference. 20/

15. Mason's Minn. Stat. (1927), Sec. 10917-1.

16. Ibid, Sec. 3175.

17. Ibid, Sec. 726-3 $\frac{1}{2}$.

18. Ibid, Sec. 3168.

19. Ibid, Sec. 677, 678.

20. Ibid, Sec. 676.

II. Composition and Appointment of Governing Body

The County Board of County Commissioners consists of 5 commissioners, whose terms of office are 4 years and until their successors qualify; but, in counties having an area of over 5,000 square miles and a population exceeding 75,000, the Board must consist of 7 members. One member of the Board is elected from each commissioner district. The terms of the commissioners from even numbered districts terminate 2 years before those of odd numbered commissioner districts. 21/

The County Commissioners are paid salaries ranging from \$125 to \$4,000 annually, depending on the number of congressional townships, the extent of the area, and the taxable and assessed valuation of the county, either or both, with per diem and expenses added in some instances. 22/

III. Reports

Annually, not later than the first Tuesday after the first Monday in February, the Board must make a full and accurate statement of the receipts and expenditures of the preceding year, which must contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, together with an itemized account of the amounts paid out, to whom and for what purpose and within 30 days thereafter must cause the same to be published for one issue in 2 duly qualified legal newspapers. 23/

The overseer of the poor must render to the State Board of Control such reports as are required of the county overseers of the poor. 24/

Within 30 days after the close of each calendar year, the county auditor of each county must make a report for the preceding year to the State Board of Control and the Board of County Commissioners stating the amount of old age pensions granted, to whom, and the total number of pensions granted, refused or cancelled and such other information as they deem necessary. 25/

IV. Executive

No provision.

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21. Mason's Minn. Stat. (1927), Sec. 650, 655.
 22. Ibid, Sec. 656.
 23. Mason's Minn. Stat. (1934 Supp.), Sec. 667.
 24. Mason's Minn. Stat. (1927), Sec. 3181.
 25. Laws (1935), Ch. 357, Sec. 3183-19.

V. Staff

When a poorhouse is established by the County Board, the Board appoints for a term of one year and may remove at pleasure, an overseer of the poor, whose compensation is fixed by the Board annually. In a county where no poorhouse is established, the County Board may appoint for a term of one year, and may at its pleasure remove, an overseer of the poor, and his compensation is fixed annually by the Board. 26/

VI. Financial Provisions

At its regular meetings in January and July the Board may appropriate from the county revenue fund, a sum not exceeding \$1,000, to pay incidental expenses of county officers including their per diem and salaries. 27/

The County Board of any county, which has established or in the future establishes either by itself or in conjunction with other counties a tuberculosis sanatorium, may annually levy a tax on all taxable property in the county not to exceed one mill on the dollar. 28/

The county or subdivision in which the settlement of a poor person is found to be, is thereafter charged with his care and support. 29/

The County Board must annually levy a tax sufficient to defray the estimated expenses of supporting and relieving the poor therein, and to make up any deficiency in the fund raised for the purpose during the preceding year. 30/

The cost of care, treatment and hospitalization of indigent persons must be paid by the county of the legal residence of such indigent persons at such times as may be provided for in the contracts. 31/

The County Board of each county must annually appropriate a sum of money sufficient to carry out the provisions of this Act on the part of the county, to be known as the County Old Age Pension Fund. 32/

26. Mason's Minn. Stat. (1934 Supp.), Sec. 3167.

27. Mason's Minn. Stat. (1927), Sec. 665.

28. Ibid, Sec. 694.

29. Ibid, Sec. 3161-4.

30. Ibid, Sec. 3177.

31. Mason's Minn. Stat. (1934 Supp.), Sec. 3164-18.

32. Laws (1935), Ch. 357, Sec. 3183-18.

BOARD OF POOR COMMISSIONERS

(Statutory Body)

I. General Powers and Duties

(1) The Board has all the powers and duties relative to the care of the poor which, in counties having the county system, appertain to the County Board of County Commissioners. 1/

(2) All monies arising from the labor of poor persons in its care, or from the produce of the poor farm, must be paid by the Board to the credit of the poor fund. 1/

(3) The Board must make rules for its government and fix the times for holding meetings. 2/

(4) The Board may authorize the clerk to grant temporary relief in case of emergency, but it must by resolution limit the amount of relief to be so granted without previous action of the Board. 3/

(5) Through the clerk, appointed by it, the Board must investigate the condition and needs of all persons by or for whom application is made for relief, and keep a record of all its doings, with the name and address of each person by or for whom relief has been granted, with the amount and date thereof. 3/

(6) The Board must make or cause to be made by competent authority, investigations, and decisions, upon applications for old age assistance and fixing of the amounts of pension, if any, to be awarded, all subject to the final approval of the Poor Commission, by resolution and order duly entered in its records, before any such pension may be paid. 4/

(7) In any county where poor relief is administered by and under the supervision of the Board, it is the duty of the Poor Commission and its secretary or clerk to carry out the provisions of the old age assistance laws with the same powers, duties, and obligations as are vested in the Board of County Commissioners. 4/

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1. Mason's Minn. Stat. (1927), Sec. 3197.
 2. Ibid, Sec. 3196.
 3. Ibid, Sec. 3198.
 4. Laws (1935), Ch. 357, Sec. 3183-9

II. Composition and Appointment of Governing Body

In counties having a population of over 75,000 and an area of over 5,000 square miles, the Chairman of the Board of County Commissioners, with the approval of the judges of the district court, appoints a Board of Poor Commissioners consisting of 3 members, who serve 3 year rotating terms and receive no compensation for their services, except necessary expenses incurred in the discharge of official duties. 5/

III. Reports

No provision.

IV. Executive

A clerk, who serves at the pleasure of the Board, is appointed and his compensation is fixed by the Board of Poor Commissioners. 6/

V. Staff

Necessary assistants may be employed by the Board. 6/

VI. Financial Provisions

The necessary expenses of the Board and the salary and compensation due all employees of the Board must be paid from the county poor fund. 5/

The Board must annually determine by resolution the amount of tax to be levied for the ensuing year for the support of the poor, maintenance of the poorhouse and other places provided for the reception of the poor, and the adaption of such resolution constitutes a levy on the property taxable in the county, but the amount levied for all purposes must not exceed six-tenths of one mill on each dollar of assessed valuation, and such tax, when collected, must be credited to the county poor fund. 7/

5. Mason's Minn. Stat. (1927), Sec. 3196.

6. Ibid, Sec. 3198.

7. Ibid, Sec. 3199.

COUNTY CHILD WELFARE BOARD

(Statutory Body)

I. General Powers and Duties

(1) The Child Welfare Board must perform such duties as are required of it by the State Board of Control. 1/

(2) The Child Welfare Board, through its agents appointed under this Act, may perform the duties of probation and school attendance officers, and may aid in the investigation and supervision of county allowances to mothers. 2/

(3) The State Board of Control, and the several county Child Welfare Boards within their respective jurisdictions, upon request of county Boards, city, village or borough councils, town boards, or other public Boards or authorities charged by law with the administration of laws relating to the relief of the poor, may cooperate with such Boards and authorities in the administration of such laws. 3/

II. Composition and Appointment of Governing Body

The County Child Welfare Board consists of 5 members; 3 members, residents of the county, 2 of whom must be women, appointed by the State Board of Control, at the request of the Board of County Commissioners; one member designated by the Board of County Commissioners from its own number; and the county superintendent of schools. The members serve without compensation and hold office at the pleasure of the Board of Control. In any county containing a city of the first class, 5 members must be appointed by the State Board of Control. 1/

III. Reports

No provision.

IV. Executive

A Secretary, who may be the executive agent of the Child Welfare Board, is appointed and his salary fixed by the Child Welfare Board, with the approval of the Board of County Commissioners. 1/

V. Staff

Necessary assistants may be appointed by the Child Welfare Board and their salaries fixed by the Board with the approval of the Board of County Commissioners. 1/

1. Mason's Minn. Stat. (1927), Sec. 4457.
2. Ibid, Sec. 4459.
3. Ibid, Sec. 4461.

VI. Financial Provisions

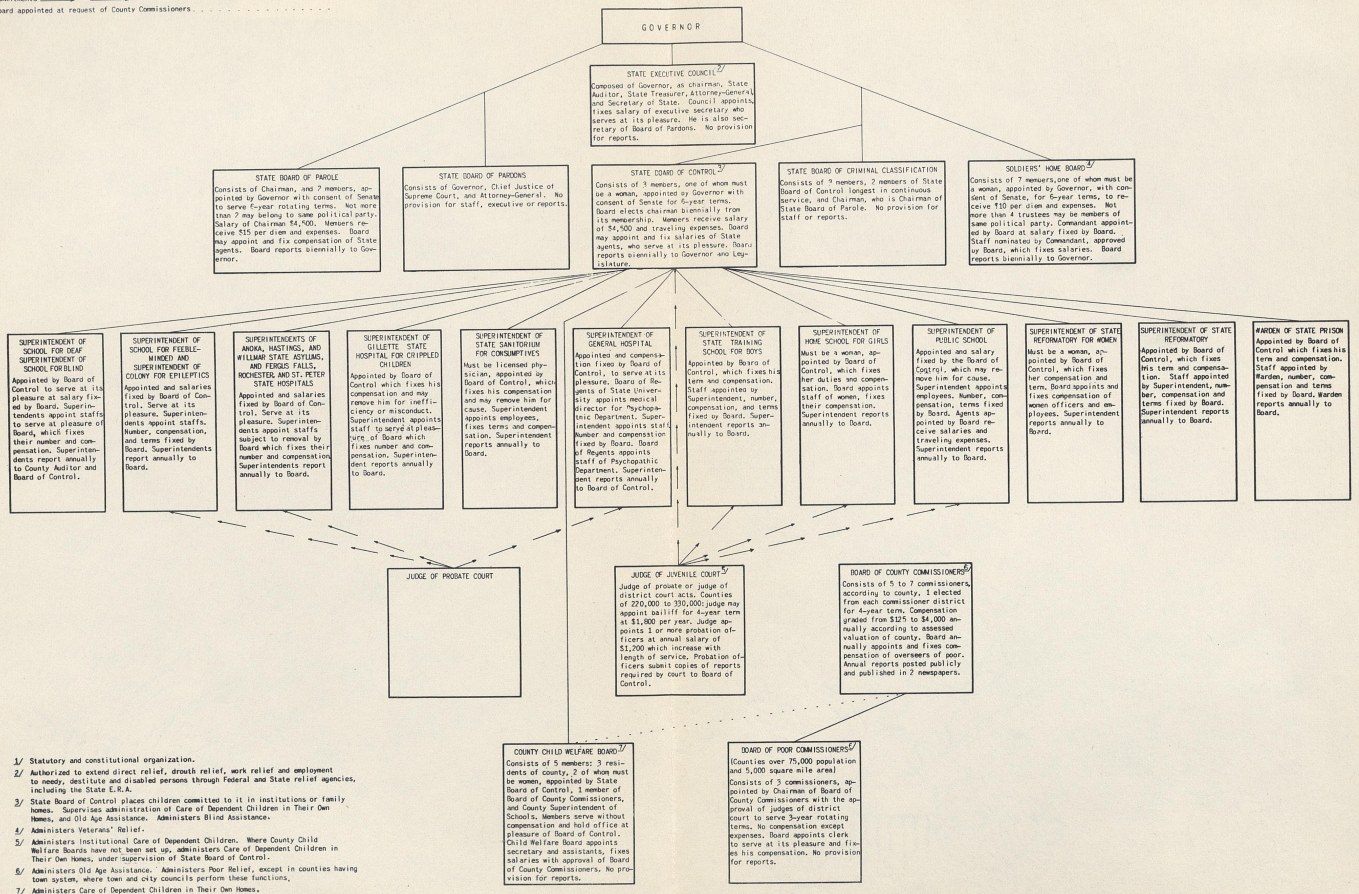
The traveling and other necessary expenses of the several members of the Child Welfare Board, while acting officially as members of such Board, and of the executive agents while exclusively employed in the business of the Board, must be paid, so far as approved by the County Board, out of the general revenue fund of the county in the same manner as other claims against the county. If a member or executive agent of the Child Welfare Board uses his own automobile or other conveyance owned by him, he may be allowed reasonable compensation therefor at a rate of not more than \$.07 per mile for each mile necessarily traveled in the performance of his official duties. 4/

4. Mason's Minn. Stat. (1934 Supp.), Sec. 4460.

In counties where no Child Welfare Board exists the judge of the juvenile court may appoint a local agent to cooperate with the State Board of Control in furtherance of the purpose of this Act. Such agent receives from the county whatever salary is fixed by the judge with the approval of the County Board. Ibid, Sec. 4458.

MINNESOTA PUBLIC WELFARE AGENCIES / MARCH 1, 1936

Actual Control
Committees
Board appointed at request of County Commissioners



1/ Statutory and constitutional organization.

2/ Authorized to extend direct relief, drought relief, work relief and employment to needy, destitute and disabled persons through Federal and State relief agencies, including the State E.R.A.

3/ State Board of Control places children committed to it in institutions or family homes. Supervises administration of Care of Dependent Children in Their Own Homes, and Old Age Assistance. Administers Blind Assistance.

4/ Administers Veterans' Relief.

5/ Administers Institutional Care of Dependent Children. Where County Child Welfare Boards have not been set up, administers Care of Dependent Children in Their Own Homes, under supervision of State Board of Control.

6/ Administers Old Age Assistance. Administers Poor Relief, except in counties having town system, where town and city councils perform these functions.

7/ Administers Care of Dependent Children in Their Own Homes.

