

No. 522, A.]

[Published April 25, 1901.

## CHAPTER 209.

AN ACT to authorize the trustees of the state library to increase the salary of the messenger for said library.

*The people of the state of Wisconsin represented in senate and assembly do enact as follows:*

**Power of trustees.** SECTION 1. The trustees of the state library are hereby authorized to fix the compensation of the messenger for the state library at one hundred dollars per month, instead of at seventy-five dollars per month as is now provided by law.

**Appropriating clause.** SECTION 2. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, a sum sufficient to carry out the purpose of this act.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.

No. 189, A.]

[Published April 25, 1901.

## CHAPTER 210.

AN ACT authorizing the establishing of industrial or reformatory schools by any one or more counties within the state for the care, maintenance and education of incorrigible children.

*The people of the state of Wisconsin represented in senate and assembly do enact as follows:*

**Powers of county to establish school.** SECTION 1. Power and authority in conformity herewith are hereby conferred upon the counties of this state, singly or jointly, having a several or joint population exceeding fifty thousand inhabitants, to establish,

erect and maintain industrial or reformatory schools for the purpose of caring for, maintaining and educating any children under the age of eighteen years who may be legally committed to any industrial school as vagrants or on conviction of any criminal offense or for incorrigible or vicious conduct. Commitments to any such school of any such children may be made by the same courts or judicial officers as are authorized by law to commit children to any other industrial school and the procedure prescribed by law for such commitments is hereby made applicable to commitments to the schools authorized by this act.

**Purchase of site and erection of buildings; levy of taxes; bond issue.** SECTION 2. The county board of any such county, at a general or special meeting, by a two-thirds vote of all the members thereof with the consent of the state board of control may purchase a site for such institution and erect thereon according to plans, drawings and specifications approved by said board of control, buildings for the care of such incorrigible children and levy taxes and issue bonds to defray the cost of such site and buildings and the cost of furnishing the latter for use.

**Preliminary proceedings.** SECTION 3. Before proceeding to the construction of such buildings, the board of any county or counties proposing to erect them, shall cause to be prepared complete plans, drawings and specifications thereof which shall be submitted to the state board of control for their approval and after approval thereof said county board may adopt said plans, drawings and specifications and proceed to contract for the construction of said buildings.

**Government of school; vacancies in board; compensation.** SECTION 4. Such industrial or reformatory school shall be governed by a board of three trustees. In counties maintaining a county asylum for the chronic insane, the trustees of the county asylum shall be the trustees of such industrial or reformatory schools. Otherwise said board of three trustees shall be elected by the county board at its annual meeting; at the first election the said trustees shall be elected for the term of one, two and three years respectively and thereafter one trustee shall be elected for each year for a term of three years beginning on the first Monday in January following his election and continuing until his successor is elected and qualified. Vacancies occurring from any cause shall be filled by appointment by the chairman of the county board until the next annual meeting of such board or until his successor is elected and qualified. The county board at such annual meeting shall elect a trustee for the remainder of the unexpired term. Each such trustee shall take and subscribe the

oath of office and give bonds to the county with two sufficient sureties for the faithful discharge of their duty in such sum as may be fixed by the county board. Said oath and bond shall be filed in the office of the county clerk. Such trustee shall receive the same compensation for their services as is allowed the members of the county board and shall be paid in a like manner after rendering a proper account. The treasurer of the county shall be the treasurer of said institution upon such conditions as the county board may prescribe.

**Officers of school; how appointed; powers and duties of; auditing of accounts.** SECTION 5. The county board, at its annual meeting, shall appoint a visiting physician, superintendent and matron of the industrial or reformatory school who shall hold their office for one year, beginning on the first Monday in January following their election and said superintendent shall take and subscribe the oath of office and give bonds, with two sufficient sureties in such sum as may be fixed by the county board for the faithful discharge of his duty. Said oath and bond to be filed in the office of the county clerk. Vacancies occurring from any cause shall be filled by appointment by the chairman of the county board for the unexpired term. The superintendent, matron and visiting physician shall receive for their services an annual salary fixed by the county board. The superintendent shall appoint all other officers and employees of said institution subject to the approval of the board of trustees. The superintendent shall under the general direction of the board of trustees, be purchasing agent for the institution. The board of trustees shall elect one of their number as president and the superintendent shall be secretary of the board of trustees. The county treasurer as ex-officio treasurer of such institution, shall keep separate accounts of all moneys appropriated or otherwise received for said institution and pay the same only upon warrant, signed by the president and secretary of the board of trustees. The board of trustees shall meet as many times as may be fixed by the county board, to audit bills and transact other business and they shall on the first day of November of each and every year, file with the county clerk their annual report; said report shall consist of the different items of purchases made by the said superintendent, the number of inmates committed to said institution and the discharge thereof by any process of law and in case any incorrigible children shall be committed to said industrial or reformatory schools from any other county, the superintendent shall report to the county board the amount so due to said county for the care and maintenance of said children so committed and he shall also further report at any and all times to

the county board any information that may be desired in connection with the management of the institution. The visiting physician shall also report to the county board as to the health of the inmates and as to the general sanitary condition of the institution and such further information as he may deem advisable or expedient. At the same time said board of trustees shall make an itemized statement of receipts and expenses for the year last ensuing and an estimate of the appropriation needed for the ensuing year.

**County appropriation for maintenance.** SECTION 6. The county board of any county which maintains such institution for incorrigible children shall make sufficient appropriations quarterly, in advance, for its support and maintenance, with such additional amount as may be necessary for the improvement or repair of the grounds and buildings.

**Removals from state institutions to county school.** SECTION 7. Whenever any counties, singly or jointly, shall erect and maintain such institution as is provided for by this act, they shall have the power and right, upon the request of the chairman of the county board and the district attorney, to at any and all times demand and receive the custody of any and all children committed as incorrigible to any state or private institution within the state of Wisconsin and for the support of which said county or counties are liable; such removal however, is to be subject to such rules as the state board of control may adopt and in case any of said state or private institutions shall refuse any demand properly made, the counties to whom the expense of caring for and maintaining said children is chargeable may at their option, refuse to pay any and all claims of said state or private institutions for the maintenance of said children after such request shall have been duly made. Any county not maintaining such industrial or reformatory school shall have the power and authority to contract with another county or counties maintaining such institution for the care, maintenance and education of its incorrigible children.

**Placing of child in a home.** SECTION 8. Whenever it shall be deemed advisable by the trustees of said institution to remove any child or person from any such institution of any county or counties to a place or home where they can be taken care of or adopted under the law with the consent and approval of the state board of control, they may do so.

**General management.** SECTION 9. Said board of trustees shall have the general management of said institution, subject

however to the approval and control of the county board of supervisors.

**Erection of school by two or more counties.** SECTION 10. Any two or more counties having jointly a population exceeding fifty thousand inhabitants, may upon the approval of the state board of control, unite for the purpose of erecting and maintaining a reformatory or industrial school as hereinbefore provided. The county board of each county so desiring to unite for such purpose, may by two-thirds vote of all the members, appoint three persons and all persons so appointed shall constitute a joint committee to locate a site and prepare plans and specifications for the erecting of such institution. When said site and plans and specifications are approved by each of said boards and by the state board of control, the said joint committee or a joint building commission of three persons from each county, to be appointed by said county board, shall proceed to construct the building or buildings in accordance with such plans and specifications. The cost of said site and buildings, together with such other permanent improvements as may be made from time to time thereon after deducting any donation in land or otherwise, shall be paid by the said counties in proportion to the valuation of the taxable property therein as last established by the state board of equalization. All subsequent improvements shall be made by the board of trustees when authorized to do so by the several county boards or by a joint building commission if the county boards so determine.

**Management of school maintained by two or more counties.** SECTION 11. After the building or buildings have been completed and accepted, the management of the institution shall be vested in a board of trustees consisting of three members from each of the counties uniting in its support. Each trustee shall subscribe to the oath of office and shall give a bond for the faithful performance of his duties in the sum of one thousand dollars, said oath of office and bond to be filed with the clerk of the county appointing such trustee. Said trustees shall be appointed by the several county boards in such manner that of the first three, one shall serve for one year, one for two and one for three years and thereafter each trustee shall serve for three years, except that vacancies shall be filled by the chairman of the county board for the unexpired term. Said board of trustees shall hold monthly meetings to audit bills and to transact business. They shall appoint all officers and employes and make all needful rules for the management of said institution subject to the approval of the state board of control and have all powers

usually vested in trustees of charitable institutions. They shall appoint one of their members as president. The superintendent of the institution may be secretary of the board of trustees and the treasurer of one of the counties may be treasurer in the discretion of the board. All payments shall be made by warrants drawn on the treasurer by the president and secretary. Each trustee shall be paid two dollars a day for the time actually employed and his actual and necessary expenses.

**Settlement of accounts between counties.** SECTION 12. The total current expenses of such institution, after deducting the receipts from all sources except from appropriations by the counties, shall be charged to the several counties in proportion to the number of weeks board furnished to inmates belonging to each. Estimates shall be made before the opening of the institution and each year thereafter by the board of trustees, of the amount needed for current expenses for the ensuing year and same be divided between the several counties in proportion to the estimated number of inmates to be furnished by each, and such sums shall be appropriated by the several county boards as shall be sufficient to cover said estimates and to be paid over to the treasurer of the institution as soon as collected. On the first day of each October or within thirty days thereafter, the board of trustees shall make up an itemized statement of receipts and expenses for the year ending on the last day of September, and charge up to each county the amount due for the care of its incorrigible children and credit it with the amount received and furnish a copy of said statement to the county board of each county, with estimates for the ensuing year.

**Release or addition of county, in support of school.** SECTION 13. At any time after the erection or organization of such school or schools hereinbefore set forth, any other county may be added to the number of counties uniting in its support, on payment to the county or counties which are so united, such equitable proportion of its cost as may be mutually agreed upon; and at any time any one of such counties may withdraw from such union upon such terms as may be agreed upon.

SECTION 14. This act shall take effect and be in force, from and after its passage and publication.

Approved April 23, 1901.