

No. 921, A.]

[Published June 19, 1907.

CHAPTER 236.

AN ACT to amend subdivision 3 as amended, and 5, of section 564, sections 566a, 603 and 604, statutes of 1898, relating to the duties of the state board of control.

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

SECTION 1. Subdivision 3 of section 564, statutes of 1898, as amended by chapter 226, laws of 1899, is amended to read:

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SECTION 2. Subdivision 5 of section 564, statutes of 1898, is amended to read:

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SECTION 3. Section 566a, statutes of 1898, is amended to read:

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SECTION 4. Section 603, statutes of 1898, is amended to read:

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SECTION 5. Section 604, statutes of 1898, is amended to read:

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Approved June 19, 1907.

(In effect July 1, 1907.)

superintendent shall apportion the sum of fifty dollars which shall be paid in the same manner as other forms of special state aid are now paid.

(Ch. 600, 1907.)

Annual appropriation SECTION 560m. To carry out the provisions of this act there is hereby appropriated annually out of the moneys assessed and collected under the provisions of chapter 313, laws of 1903, amending section 1072a of the statutes of 1898, a sum sufficient to meet all the approved claims coming under the provisions of this act.

(Ch. 600, 1907.)

City of fourth class: waterworks site and supply. SECTION 561t. 1. The state board of control is hereby authorized and empowered to convey to any city of the fourth class, land not exceeding one acre in extent, to be used by said city for water works purposes, for such compensation as said board shall deem reasonable.

2. Said board of control is authorized to permit any city of the fourth class on such terms as may be just and reasonable to make such exploration on the lands of any state charitable or penal institution as may be needful in locating a water supply for a municipal water works.

(Ch. 618, 1907.)

Workhouses and houses of correction; powers of state board. [Sec. 564.] 3. To examine plans and specifications for such asylums and for poorhouses, *houses of correction*, *workhouses* and jails and to approve the same when they are such as in its judgment are adapted to the purpose for which designed. No such building shall be constructed until the plans and specifications therefor have been so approved. Immediately prior to the occupancy of any such building and semi-annually thereafter, the board of control shall inspect, either as a board or by committee thereof, the equipment and service for protection against fire, the water supply for domestic and fire purposes, and the drainage, heating and ventilating systems thereof. For the purposes herein specified said board may, by resolution duly adopted and recorded, engage the services of an expert to report and make such recommendations as he may deem necessary in the premises. The fees and expenses of such expert shall be paid by the county in which asylum, poor

house, *house of correction*, *workhouse* or jail is located. In the event of any deficiency or defect in the provision made under the classifications above specified, it shall be the duty of the board of control to immediately notify the responsible authorities, in sufficient detail, of the extent and character of the equipment necessary, in the premises, and to direct that the requisite work be done. If after the expiration of six months from the date of issuance of such order, the work be not commenced, or if commenced be not completed within a reasonable period, to the satisfaction of said board, it shall be their duty to suspend allowance and payment of the claims against the state, for such aid as provided for by law, until such time as the order issued is faithfully and acceptably complied with, by the authorities of the institution affected by said order.

Workhouses; duty to investigate. [Sec. 564.] 5. To investigate the jails, city prisons, houses of correction, *workhouses* and all places in which persons convicted or suspected of crime or insane persons are confined; to collect important statistics concerning the inmates; to ascertain their sanitary condition, their arrangement for the separation of the hardened criminals from juvenile offenders and from persons suspected of crime or detained as witnesses; whether useful employment is furnished prisoners; how the insane are treated, and what efforts are made for the reformation of criminals; and generally to collect information of all important facts or considerations affecting the proper treatment of criminals and the diminution of crime.

(Ch. 236, 1907.)

Workhouses and houses of correction; repairs or condemnation. [Sec. 566a.] Whenever in the opinion of said board any *house of correction*, *workhouse*, jail, police station or lock-up used for the confinement of prisoners is dangerous to the health or life of the persons who are confined therein, or is so constructed as not to hold them securely or as not to permit their separation as provided for by law, it shall be its duty to notify the body having the necessary authority in the premises by filing a written notice with the clerk of such body stating the facts at which it has arrived, and whether, in its opinion, the existing conditions of the place so used can be remedied by making repairs, or whether a new *house of correction*, *workhouse*, jail, police station or lock-up shall be provided. If within one

year after such notice is filed the repairs necessary to put such place of confinement in suitable condition are not made or a new place is not provided, the said board shall condemn said *house of correction, workhouse, jail, police station or lock-up* by filing a written order to that effect with the county clerk of the county in which the *house of correction, workhouse, or jail* shall be situated, in the case of a *house of correction, workhouse or jail*, or with the city or village clerk in the case of a *police station or lock-up*. After such order is filed it shall not be lawful to confine prisoners in the place specified therein, and it shall be the duty of the sheriff of the county, the chief of police, city or village marshal or constable, as the case may be, to immediately transfer all prisoners confined therein to some other suitable place of confinement and thereafter not to use such condemned place for confining prisoners therein; provided that such order of condemnation shall not take effect without the approval of the judge of the circuit in which the county containing the place so condemned is situated; and provided further, that such board may at any time for reasons which to it may seem sufficient, and with the approval of such judge, revoke its order of condemnation and extend the time for issuing such order not to exceed one year additional from the time of filing its first notice.

(Ch. 235, 1907.)

School houses, lockups prohibited near. SECTION 566m. Hereafter no lock-up or temporary place of confinement for insane persons or persons arrested for breach of ordinance or statute shall be erected in any village, or city of the third or fourth class within three hundred feet of any public, private or parochial school building, or building used regularly or principally for school purposes.

(Ch. 339, 1907.)

Institution for blind artisans: buildings, tools, material: willow raising. SECTION 572a. The state board of control is hereby authorized and directed to continue the institution already established and to make provision for the leasing of such suitable buildings or apartments as may be necessary, to provide for the heating and lighting of such buildings or apartments and for such water as may be necessary to be used in such buildings or apartments; the rent of such buildings or apartments and the cost of furnishing the heating, lighting and wa-

county is chargeable with some portion of the expense of maintaining such insane person so committed, such county shall pay the expense of such commitment, payment thereof to be enforced in the same manner that charges for the maintenance of such persons are enforced.

If the insane person is a resident of any county in this state other than the county from which he was committed, the commitment shall not be invalid for that reason, and the county in which such person resides shall reimburse the county from which he was committed, all lawful expenses of the examination and commitment paid by that county.

(Ch. 80, 1907.)

Insane patients, state hospital and county asylums: suits for support. SECTION 600. The several district attorneys, under the direction of the respective county boards, shall, in the name of the county, sue for and collect from the property of any patient maintained at (* * *) *a state hospital or county asylum* for the insane, at the cost of the county, or from any person legally bound to support such patient, the amount charged to *and by* such county for such support; *and in the case of the decease of any such patient, before payment for such maintenance, such district attorney shall in the name of the county file against the estate of such deceased person as a claim and may have allowed proper charges for the maintenance of such patient pursuant to law; and the duplicate statement of the board of control to the county clerk as to a state hospital, and of the trustees as to a county asylum, shall be presumptive evidence respectively of the correctness of the amount due from such county to the hospital for the maintenance and clothing of such hospital patient, and of the amount due to the county for the maintenance of such patient in county asylum and state hospital.*

(Ch. 624, 1907.)

Workhouses and houses of correction: county sites and buildings for. SECTION 603. Any county board may, with the consent of the state board of control, purchase a site for an asylum for the chronic insane *or a site for a house of correction or workhouse*, and erect thereon, pursuant to plans, drawings and specifications approved by said board of control, buildings for the care of such insane *or the detention of prisoners or inmates*, and levy taxes and issue bonds to defray the cost of such site *or sites* and buildings, furnishing the latter for

use and maintaining the same. The acts of all county boards relating to the purchase of a site and the erection of buildings thereon for such purpose, taken or had before the twenty-seventh day of April, one thousand eight hundred and ninety-three, are hereby legalized.

(Ch. 236, 1907.)

Workhouses and houses of correction; approval of plans. SECTION 604. Before proceeding to the construction of *any* such buildings the board of any county 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 in respect to the number and sanitary care of inmates *or prisoners* to be provided for and after its approval thereof said county board may adopt said plans, drawings and specifications and proceed to contract for the construction of said buildings with the lowest bidder or bidders for all the work and material required therefor.

(Ch. 236, 1907.)

Continuing and past support of insane: property liable. SECTION 604q. 1. The property and estate of any insane person kept in any state or county hospital or county asylum or kept by any county at its charge *and the property and estate of any deceased person who shall have been a patient of such hospital or asylum* shall be liable for (* * *) *the continuing and past support, (* * *) maintenance of such person or patient* and chargeable for the payment thereof.

Collection of support. 2. (* * *) Upon failure of the person having the charge or custody of such property or estate *during the lifetime of such person* to pay therefrom for such support, and maintenance and the state board of control, the board of trustees of the asylum or the chairman of the board of the county for furnishing such support, *or the district attorney of such county,* may apply to the proper county judge *or court* to compel such payment; such judge *or court* shall have the jurisdiction and authority conferred by chapter 63 and shall exercise the same in the manner provided by said chapter and may enforce obedience to his orders *or judgments* by proceedings as for (* * *) contempt. *And after time for appeal has expired from any order or judgment for the payment of money for such maintenance and support, the county shall have execution therefor.* (* * *)