

1881, as if said section had not been repealed and said funds so collected, if any, shall constitute a part of the highway fund for the ensuing year.

Approved March 29, 1881.

[No. 333, A.]

[Published April 7, 1881.]

### CHAPTER 232.

AN ACT to amend section seven hundred and ninety-six, chapter thirty-eight, of the revised statutes of 1878, relating to town elections.

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

SECTION 1. Section seven hundred and ninety-six chapter thirty-eight, of the revised statutes of 1878, is hereby amended so as to read as follows: Section 796. The polls of the election shall be opened between the hours of nine and ten o'clock in the forenoon, and shall remain open until five o'clock in the afternoon, and the inspectors shall cause proclamation to be made at the opening of the polls, and at the closing thereof, and proclamation in like manner at least one hour before the closing of the polls, specifying the hour at which the polls of the election will be closed.

Polls to remain open during noon hour.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1881.

[No. 111, S.]

[Published April 8, 1881.]

### CHAPTER 233.

AN ACT to provide for the humane care of the chronic insane not otherwise provided for.

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

SECTION 1. Whenever it shall appear to the state board of charities and reform that insufficient provision has been made for the care and support of the insane in the state hospitals and county asylums previously established, according to law, said board may file with the secretary of state a list of counties in which no county asylum exists, and which, in the opinion of the said board, possess accommodations for the proper care of the chronic insane; and thereafter each of said counties so named, which shall care for its

Board to prescribe rules for care of insane in certain cases

own chronic insane, under such rules as said board shall prescribe, on the properly verified certificate of said board to the secretary of state, shall receive the sum of one dollar and fifty cents per week for each person so cared for and supported, as hereinafter provided.

Insane cared for by county to be certified to secretary of state.

SECTION 2. On the first day of October, in each year, the county superintendent of the poor, or other officer having charge of the poor of any county on said list, claiming compensation for the care of its chronic insane, shall certify to the secretary of state the names of all persons necessarily cared for and supported by said county at public cost, the date when said persons became insane, and the number of weeks each of said insane persons were cared for during the preceding year, making affidavit to the same; and if such certified statement shall be approved by said board of charities and reform, the secretary of state shall include the amount which such county shall be entitled to receive from the state under the provisions of this act, in the next state tax, and on the first day of February thereafter shall place said amount to the credit of said county.

In case chronic insane are not properly cared for.

SECTION 3. Whenever, in the opinion of said board of charities and reform, any county has not made suitable provisions for the proper and humane care of either its chronic or acute insane, the said board may direct the removal of either class of said insane to any county asylum, or to any other county possessing suitable accommodations therefor, for care or medical treatment, as the circumstances may seem to require; and said insane shall be so removed at the expense of the county to which they belong.

Counties having accommodations may receive such patients as board of charities and reform may direct.

SECTION 4. Any county named in the first section of this act, possessing accommodations for a greater number of the chronic insane than reside in such county, may receive such additional insane persons as the state board of charities and reform may direct to be transferred thereto, from counties that do not possess accommodations for the proper care of their own insane, and may include all such persons in the list of insane certified to the secretary of state, as provided in the second section of this act, and shall receive from the secretary of state a credit to the amount of three dollars per week for each such person so received and cared for from another county, and for the amount necessarily expended for clothing said person; one dollar and a half of the aforesaid amount of three dol-

Compensation.

lars per week, and the amount actually expended by such county for clothing such insane person, shall be charged by the secretary of state to the county from which such insane person was sent, and shall be included in the amount charged in the next state tax to said county.

SECTION 5. Nothing in this act shall be construed to entitle any county to compensation for the care and support of any person not previously adjudged to be an insane person and properly committed as such under the laws of this state, relating to the commitment of insane persons to the hospitals of this state; nor shall any county be entitled to compensation for the care and support of any insane person not lawfully and necessarily a public charge.

When counties are not entitled to compensation.

SECTION 6. Sections one thousand five hundred and two, one thousand five hundred and three, one thousand five hundred and four and one thousand five hundred and five of chapter sixty-three revised statutes of 1878, relating to the relief and support of the poor, are hereby declared to be applicable to insane persons, in the same manner and to the same extent that they now apply to other classes unable to maintain themselves, described in section one thousand five hundred and two of said chapter.

Laws relating to the poor to apply.

SECTION 7. Whenever a vacancy shall hereafter occur in the board of trustees of any county asylum, by reason of resignation or otherwise, such vacancy shall be filled by appointment, in the same manner and for the same length of time as is now provided in section five hundred and eighty-one, chapter thirty-two, revised statutes of 1878, in respect to trustees, for the government of state hospitals for the insane.

Vacancies in board of trustees.

SECTION 8. It shall be the duty of the board of supervisors of any county in this state in which any county asylum has been established for the care of the insane, to make sufficient appropriations quarterly in advance for the support and maintenance of said asylum, in accordance with the estimates of the board of trustees of said asylum, for an amount in the aggregate equal to the amount per capita provided by law to be paid to said county by the state for the support and maintenance of such asylum, with such additional amount as may be necessary for improvement of the grounds and buildings, or such lesser sum as shall be equal to the estimates of said trustees for the purposes named; and such appropriations so made, shall be paid for said purpose, on the order of said board of

County board to make appropriations.

trustees, in such manner as said board may provide in its by-laws.

Insane convicts  
may be trans-  
ferred to Mil-  
waukee asylum

SECTION 9. With the advice and approval of the governor, the state board of charities and reform may contract, at a price not exceeding four dollars and twenty-five cents per week, with the trustees of the Milwaukee county asylum for the insane, for the care and maintenance of convicts now insane, or who may hereafter become insane, or for the care and maintenance of any person who may be acquitted of any criminal charge on the ground of insanity; and when any such persons shall have been transferred to such asylum, they shall be maintained and cared for under such rules and regulations as the state board of charities and reform may prescribe. But in case any such person, transferred to said asylum, after conviction, from any prison in this state, shall become sane, said person shall be returned to the prison from which he was transferred to said asylum, and be subject to the same conditions of his original commitment to said prison, time excepted, as if he had not been transferred to said asylum.

Duty of secre-  
tary of state.

SECTION 10. Section six hundred and four *k*, revised statutes of 1878, is hereby amended so as to read as follows: As early as practicable in the month of July, 1881, and in the months of January and July every succeeding year, the secretary of state shall compute the aggregate amount which any county, maintaining a county asylum for the insane, shall be entitled to receive from the state on the basis of two dollars and seventy-five cents per week each, for all insane persons, certified by the trustees of said asylum to have been maintained by such county at public cost, during the six months immediately preceding the first days of January and July, as aforesaid; and he shall thereupon draw his warrant for such aggregate amount, in behalf of said county, and shall deliver said warrant to the state treasurer, who shall thereupon place the amount of said warrant to the credit of said county, on the books of the treasury. Such certificate shall be verified by the affidavit of the president and secretary of the board of trustees.

Same.

SECTION 11. The amount due from the state to the county of Milwaukee for maintaining its county asylum from the twenty-sixth day of March, 1880, to the first day of January, 1881, shall be computed by the secretary of state, and paid by the state treasurer, in the same manner and to the amount per week, for all the

insane persons maintained by such county at public cost, provided by the last preceding section of this act.

SECTION 12. The property and estate of any insane person, kept in any state or county asylum, or kept by any county at public charge, under the provisions of this act, shall be liable for his support and maintenance, and chargeable for the payment thereof, and upon failure of the person or persons having the charge or custody of such property or estate, to pay therefrom for such support and maintenance, the board of trustees of the hospital or asylum, or the chairman of the board of supervisors of the county furnishing such support, may apply to the county judge of the proper county to compel such payment. In cases arising under the provisions of this section, such county judge shall have the jurisdiction and authority conferred by chapter sixty-three, of the revised statutes, and shall exercise such jurisdiction and authority, in the manner provided by said chapter, and he may enforce obedience to his orders by proceedings as for a contempt. If any order or orders made by such judge requiring such payment shall not be complied with, either of the officers in this section designated, to-wit: such board of trustees of any hospital or asylum or the chairman of the board of supervisors of any county, may recover in an action against the person or persons having the charge or custody of such property or estate, brought in the circuit court against him or them in his or their representative character, the amount directed to be paid by such order or orders and any judgment so recovered, may be satisfied out of such property or estate; such court may in its discretion direct that the costs in such action, if the plaintiff recovers judgment, be paid out of such property or estate or by the person or persons having the charge or custody thereof.

Property of insane person to be liable for his support.

SECTION 13. Any county having chronic insane to be returned or delivered to it, under the provisions of this act, may select the persons to be so returned; such selection to be made in writing by the chairman of its board of supervisors, or the board of trustees of its asylum, and left, together with a proper receipt, for the person or persons delivered with the institution from which such person or persons shall be received.

County may select what insane shall be returned.

SECTION 14. There is hereby appropriated out of the state treasury, from any moneys not otherwise appropriated, a sufficient sum for the purposes of this act.

Appropriation.

SECTION 15. All acts and parts of acts, so far as they conflict with the provisions of this act, are hereby repealed.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1881.

[No. 522, A.]

[Published April 5, 1881.]

#### CHAPTER 234.

AN ACT to authorize the county of Clark to aid the Black River railroad company in the construction of a railroad in said county.

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

Transfer of  
county lands to  
railway com-  
pany.

SECTION 1. The board of supervisors of the county of Clark is hereby authorized and empowered to aid the Black River railroad company, its successors or assigns, in the construction of a railroad from the present terminus of said company's road near Neillsville, in said county, to such point within or without said county as may be agreed upon between said company and said board of supervisors, by a grant to said company, its successors or assigns, of the whole or any portion of the lands to which the said county of Clark has acquired an absolute title in any manner, and to execute and deliver to said company, its successors or assigns, conveyances good and sufficient in law for any and all lands so granted: provided, however, that no such conveyance shall be delivered until the said road shall have been completed between the points agreed upon as aforesaid; and provided further, that said board of supervisors shall not dispose of said lands until after the proposition to so dispose of them shall have been submitted to the qualified voters of said county, and by them approved.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1881.

[No. 284, A.]

[Published April 2, 1881.]

#### CHAPTER 235.

AN ACT to authorize the city of Milwaukee to extend the seventh ward park to the south line of Mason street, and to condemn and take property for that purpose, or to lease or to acquire the same by purchase, and to hold the same in trust for the use of the seventh ward of said city.

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

Completion of  
seventh ward

SECTION 1. The provisions of chapter six of chapter one hundred and eighty-four, of the laws of 1874,