

No. 890, A.]

[Published June 29, 1911.]

CHAPTER 460.

AN ACT to amend section 573—1, subsections 1 and 3, of section 573—2; to create subsection 4m of section 573—2; to amend subsection 5, of section 573—2, subsections 1 and 6, of section 573—3, and subsection 1, of section 573—6; to create subsection 1m, of section 573—6, and to amend section 573—7, and subsection 2, of section 573—9, of the statutes, relating to dependent, neglected and delinquent children.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 573—1, and subsections 1 and 3, of section 573—2, of the statutes, are amended to read: Section 573—1. * * *

* * * 1. For the purposes of this act the words "dependent child" and "neglected child" shall mean any child under the age of sixteen years, who for any reason is destitute or homeless, or abandoned or dependent upon the public for support; or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill fame, or with any vicious or disreputable person, or whose home by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such child; and any child under the age of eight years who is found *begging*, * * * or singing or playing any musical instrument upon the street *for gain* * * * or is used in aid of any person so doing.

(Am. 1911, ch. 664, s. 88.)

* * * 2. The words "delinquent child" shall include any * * * *girl under the age of eighteen years and any boy under the age of seventeen years*, who violates any law of this state, the penalty for which is not imprisonment in the state prison, or who violates any city or village ordinance; or who is incorrigible; or who knowingly associates with thieves, vicious or immoral persons; or who is growing up in idleness or crime; or who knowingly patronizes any place where any gaming device is or shall be operated; or who knowingly visits, or enters a house of ill repute; or who patronizes, visits or enters any stall saloon, or wine room, or any saloon frequented by men or women of bad repute; or who attends, visits or enters any dance held in any room or hall in connection with a saloon, unless accompanied by parents or legal guardian; or who loafs or congregates with groups or gangs of other boys at or about any railroad yard or tracks; or who habitually uses obscene, vulgar or

profane language, or is guilty of immoral conduct in any public place, or about any schoolhouse; or who is habitually truant or habitually insubordinate in any school.

* * * 3. Where a parental school is available, a juvenile disorderly person may be classed as a delinquent.

(Section 573—2) 1. The judges of the several courts of record in * * * *each county of this state shall, within ninety days of the passage and publication of this act, and thereafter at intervals of not to exceed one year, designate one or more of their number, whose duty it shall be to hear at such places and times as he or they may set apart for such purpose, all cases coming under this act, and in case of the absence, sickness or other disability of such judge, he shall designate a judge of any court of record whose duty it shall be to act temporarily in his place.*

(Section 573—2) 3. The stenographic reporter of the court of which such judge is a member shall be the reporter of such "juvenile court," and shall attend all sessions thereof and take down in shorthand the testimony taken and proceedings had at such sessions and promptly transcribe the same, and forthwith file a copy with the clerk of such court, and also furnish such other copies as the judge shall order. For the purposes of this act, all * * * courts of record * * * *in this state shall have original jurisdiction of all cases coming within the terms of this act, and for the purposes of this act, shall have jurisdiction concurrent with that of the circuit courts of this state.*

(Am. 1911, ch. 664, s. 88.)

SECTION 2. There is added to section 573—2 of the statutes a new subsection to read: (Section 573—2) 4m. In counties having less than one hundred and fifty thousand population, the county board may, in its discretion, provide for the appointment of one or more probation officers, and in case such provision is made the judge or judges designated under this act to serve in the "juvenile branch of the court" shall biennially appoint such officer or officers.

(Am. 1911, ch. 664, s. 88.)

SECTION 3. Subsection 5, of section 573—2, subsections 1 and 6, of section 573—3, and subsection 1, of section 573—6, of the statutes, are amended to read: (Section 573—2) 5. Such probation officers shall receive per year such compensation for their services as shall be determined by the county board of * * * *the county, and * * * the county board is empowered to fix the compensation of said officers; and the compensation of said probation officers or their substitutes provided for in this section, shall be paid monthly by the county in which such "juve-*

nile court" shall be situated. In case of the absence or disability of any of said probation officers for more than three weeks the judge of the "juvenile court" shall designate some competent person to act temporarily in his stead; said substitute *in counties having over one hundred and fifty thousand population*, to be chosen from the eligible list under this act, and *in any case* to receive during such appointment, as compensation for his services, such sum as shall be determined by said county board.

(Section 573—3) 1. The court shall have authority to appoint or designate one or more discreet persons of good character to serve as probation officers during the pleasure of the court; said probation officers * * * *to receive no compensation from the public treasury.* In case a probation officer shall be appointed by any court, it shall be the duty of the clerk of the court, if practicable, to notify said probation officer in advance when any child is to be brought before said court; it shall be the duty of said probation officer to make such investigation as may be required by the court; to be present in court in order to represent the interests of the child, when the case is heard; to furnish the court such information and assistance as the judge may require, and to take such charge of any child before and after trial as may be directed by the court.

(Section 573—3) 6. Probation officers receiving compensation under this act, shall have the powers of police officers and * * * *deputy sheriffs* for the purpose of apprehending dependent, neglected and delinquent children coming under this act.

(Am. 1911, ch. 664, s. 88.)

(Section 573—6) 1. When any child shall be found delinquent within the meaning of this act, such finding shall be entered by the clerk, and * * * *the court* may commit the child to the care of a probation officer duly appointed by the court and may allow said child to remain in its own home, subject to the visitation of the probation officer; such child to report to the probation officer as often as may be required, and subject to be returned to the court on the original charge for further proceedings whenever such action may appear necessary; * * * *and any order of probation shall continue until further order of the court, but not after the child, if a girl, has reached the age of eighteen years, or if a boy, the age of seventeen years; except that when a girl between the ages of seventeen and eighteen years, or a boy between the ages of sixteen and seventeen years, shall be found delinquent, an order for probation may continue for one year from the date of the original hearing, in the same manner and upon the same condition as in other cases;*

or the court may cause the child to be placed in a suitable family home or institution, subject to the friendly supervision of a probation officer and the further order of the court; or it may authorize the said probation officer to board out the child in some suitable family home, in case provision is made by voluntary contribution, or otherwise, for the payment of the board of such child until a suitable provision may be made for the child in a home without such payment; or the court may commit the child, if a boy, to an industrial school for boys, or if a girl, to an industrial school for girls; or the court may commit the child to the care and custody of some association or institution that will receive it, embracing in its objects the care of neglected, dependent or delinquent children.

(Am. 1911, ch. 664, s. 88.)

SECTION 4. There is added to section 573—6 of the statutes a new subsection to read: (Section 573—6) 1m. The court may, when a child is found delinquent, dependent or neglected, order the person having charge of such child, to cause such child to be placed in a public hospital or other institution for treatment or special care, or in a private hospital or institution, which will receive it without pay from the public treasury.

SECTION 5. Section 573—7 and subsection 2, of section 573—9, of the statutes, are amended to read: Section 573—7. When * * * *any girl under the age of eighteen years, or any boy under the age of seventeen years, is arrested*, with or without warrant, charged with the violation of any law of this state the penalty for which is not imprisonment in the state prison, or the violation of any city or village ordinance, such child may, instead of being taken before a justice of the peace or police magistrate, be taken directly before * * * *the juvenile court*, or if the child be taken before a justice of the peace or police magistrate, it shall be the duty of such justice of the peace or police magistrate to transfer the case to such court, and the officer having the child in charge to take such child before that court, and in any such case the court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case *a petition shall be filed and the court shall require notice to be given and investigation to be made* * * * and may adjourn the hearing from time to time for the purpose.

(Section 573—9) 2. In the case of a child, being under arrest or against whom a petition has been filed, the written order of a sheriff, police lieutenant or chief probation officer, *or a probation officer duly deputized by the chief probation officer*, and in the case of a child subject to the court by reason of probation,

the written order of a chief probation officer or a probation officer duly deputized by him, shall be sufficient for the holding of such child in a duly appointed detention home until the next session of the juvenile court.

SECTION 6. All acts or parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved June 27, 1911.

No. 904, A.]

[Published June 29, 1911.

CHAPTER 461.

AN ACT to create sections 604t, 604u, 604v, 604w and 604x of the statutes, granting authority to create a hospital or pavilion for the chronic insane who may be affected by pulmonary tuberculosis.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There are added to the statutes five new sections to read: Section 604t. 1. In any county operating a county asylum for the chronic insane, the county board may, with the consent of the state board of control, erect upon the grounds of the asylum, a hospital or pavilion for the care of the chronic insane who may be affected by pulmonary tuberculosis.

(Am. 1911, ch. 664, s. 89.)

2. Before any such holding can be erected, plans, drawings and specifications must be first submitted to and approved by the state board of control.

3. The county board is hereby authorized to levy taxes and issue bonds to defray the expenses of erecting the buildings, furnishing them for use and maintaining them.

Section 604u. Such hospital or pavilion shall, when so erected, be placed under the charge and management of the trustees of the county asylum for the chronic insane, to be used by them as a part of such county asylum.

(Am. 1911, ch. 664, s. 89.)

Section 604v. The state board of control is hereby authorized to transfer to such hospital for the chronic tubercular insane such chronic insane of the county erecting such hospital, and such chronic insane of other counties as it may be satisfied are afflicted with pulmonary tuberculosis, to such a degree as to render them carriers or spreaders of that disease.

(Am. 1911, ch. 664, s. 89.)